

The Clery Act: What You Need to Know Transcript

MIT Police - Community Policing & Crime Prevention.

About this course

MIT must comply with the Clery Act, a federal statute that requires colleges and universities participating in federal financial aid programs to maintain and disclose campus crime statistics and security information.

Communicating crime information depends on accurate and timely crime reporting. Much of the crime reporting responsibility rests on Campus Security Authorities, often called CSAs. At MIT, these are persons with significant responsibility for student and campus activities. .

In this course, you will learn about the Clery Act and your role as an MIT CSA. .

Main Menu

This course is organized in six sections. Take each section in sequence. Click on section 1 to start. There is no narration. The course should take about 20 minutes to complete.

1. About the Clery Act.
2. CSA Role at MIT.
3. What is a Clery Crime.
4. How to Report a Clery Crime.
5. Knowledge Check.
6. Finish this course.

About the Clery Act

In this brief section, you will learn basic information about the Clery Act, including:

Background of the Clery Act.

Overview of Requirements.

Reasons for the Clery Act Training..

Background of the Clery Act

The Clery Act is named after Jeanne Clery, a 19 year old student at Lehigh University who was raped and murdered in her dorm room in 1986.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) was enacted by the federal government in her memory in 1991.

The Clery Act requires colleges and universities to provide their students and employees with information about campus security procedures and with accurate information about crimes committed on or near campus.

Compliance with the Clery Act

The Clery Act requires colleges and universities to:

Collect and report information on crimes occurring on or near campus.

Train Campus Security Authorities (CSAs) on how to report crimes.

Issue emergency alerts and timely warnings when there are immediate or ongoing threats.

Disclose crime statistics for the campus and its surroundings via crime logs and Annual Security Reports.

Importance of Compliance

The US Department of Education (ED) oversees compliance with the Clery Act. .

Many crimes are underreported, thereby creating a false sense of security.

Schools are under increased levels of scrutiny, especially since the Violence Against Women Act (VAWA) amended the Clery Act in 2013.

The ED audits colleges and universities for compliance. Violations can lead to significant fines and penalties.

Michigan State - \$4.5 million (2019).

Penn State - \$2.4 million (2016).

Key Points

MIT is committed to complying with the Clery Act.

Non-compliance caused by a failure to collect and communicate Clery crime information could lead to significant fines, loss of federal funding, and damage to MIT's reputation.

As a CSA, your role is crucial to reporting Clery crime information. The next sections of this course will teach you about your role as a CSA and how to report a Clery crime.

What is a CSA?

A Campus Security Authority (CSA) is responsible for reporting Clery Act crimes through the appropriate channels. .

In this section of the course, you will learn:

Who are CSAs at MIT.

How CSAs fit into the broader scope of MIT's Clery Act compliance.

What a CSA is responsible for.

What a CSA is not responsible for.

[Here are examples of some MIT CSAs](#)

Coaches and Assistant Coaches.

Violence Prevention and Response Office.

MIT Campus Police.

Student Support Services.

FSILG Office.

Title IX Coordinator.

Residential Life.

Student Activities Coordinators.

[What is a CSA Responsible for?](#)

[As a CSA, you are RESPONSIBLE for:](#)

Understanding what is and is not a Clery Act crime .

(This is covered in the next section of this course.).

Reporting Clery Act crimes to the MIT Police in a timely manner. Depending on your role at MIT, you may also need to report the crime to the Title IX Coordinator or other resources.

Keeping copies of your records.

[As a CSA, you are NOT RESPONSIBLE for:](#)

Performing your own investigation to determine if a crime took place.

Apprehending the alleged perpetrator.

Convincing the victim to contact the police.

[Key Points](#)

You carry many responsibilities for the welfare and well-being of MIT's students. If a student is the victim of any crime, your first and foremost responsibility is always to be sure the student is safe and receiving all necessary help and support.

As a CSA, your role is to be sure the crime has been reported. Your reporting results in awareness and knowledge.

The more information MIT community members have, the safer they are.

Criteria for reporting a crime under the Clery Act

So you know you need to report Clery crimes as a CSA. But what are the criteria for reporting?

Here are 3 simple questions:

Was the incident reported to a CSA?

Did the incident occur within MIT's Clery geography?

Is the incident defined as a Clery crime?

Yes to all three questions means the crime should be reported as a Clery crime, but let's take a closer look.

1. Was the Incident Reported to a CSA

If it was disclosed to you, it was!

2. Did the crime occur within MIT's Clery geography

Crimes must be reported as Clery crimes if they occur within MIT's Clery geography. This includes on-campus and non-campus locations as well as public property adjacent to campus.

Click on each red circle to see examples of MIT's Clery geography.

On Campus locations such as classroom and lab buildings, dormitories, student centers, and athletic facilities

Examples include:

Amherst Alley.

W20 Student Center.

Killian Court.

Stata Center.

Burton Connor Dormitory.

Tennis courts.

Non-Campus Locations owned/controlled by recognized student organizations (i.e. FSILGs).

Examples include:

Boston FSILGs.

Brookline FSILGs.

Non-Campus Locations owned/controlled by MIT and frequently used by students.

Examples include:

WW15 (MIT Student Furniture Exchange) .

E90 (MIT Age Lab).

Public Property Adjacent to Campus

Examples include:

Cambridge sidewalks and streets surrounding campus.

Area directly outside Kendall Square T stop.

Central Square and Harvard Square are not in MIT's Clery geography as these locations are not directly adjacent to the MIT campus.

Note: Short stay-away trip locations are no longer considered part of Clery geography

3. Was the crime a Clery crime?

There are several categories of crime that must be reported as Clery crimes. Detailed explanations of these crimes can be found in the Appendix at the bottom of this document.

Criminal Offenses, such as Criminal Homicide, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, or Arson.

Sexual Assault/Intimate Partner Violence Offenses, such as Rape, Fondling, Incest, Statutory Rape, Domestic Violence, Dating Violence, and Stalking.

Hate Crimes is any crime reported to local police agencies or to a campus security authority 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, national origin, and disability.

The following Clery Act crimes would also be classified as hate crimes if they were motivated by the perpetrator's bias against the victim: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson.

Report Disciplinary Referrals (to Office of Student Conduct or "OSC") due to violations of weapons, drug, or alcohol policies.

Practice Situation #1.

Here's a practice situation.

You are a Graduate Resident Advisor. A student approached you on Monday morning. He told you that on Sunday morning at 2 AM, he was walking on Amherst Alley when he was thrown to the ground and had his cell phone taken. The student does not want to report the incident. Should I report this as a Clery Crime?

Yes, No, or Maybe?

Yes is the correct answer.

Let's Learn More.

1. Was the incident reported to a CSA?

I am a Graduate Resident Advisor. Therefore, I am a CSA. The student told me about the incident. Yes, the incident was reported to a CSA.

2. Did the incident occur within MIT's Clery geography?

Amherst Alley runs between the athletic fields and several MIT dorms. Amherst Alley is on-campus. Yes, the incident occurred within MIT's Clery geography.

3. Is the incident defined as a Clery crime?

The incident involved robbery. Robbery is a Clery crime.

Answer: Yes, the incident was a Clery crime.

The incident was reported to a CSA.

The incident occurred within MIT's Clery geography.

The incident was a Clery crime.

Practice Situation #2.

Here's another practice situation.

I am an FSILG Coordinator. One of the students in our sorority told me that she had a friend who'd stayed overnight in her room. The student woke in the middle of the night and the friend was fondling her. The friend left immediately. Should I report this as a Clery crime?

Yes, No, or Maybe.

Yes is the correct answer. Let's see why.

1. Was the incident reported to a CSA? .

In my role, I support MIT's FSILGs. Therefore, I am a CSA. The student reported incident to me directly. Yes, the incident was reported to a CSA.

2. Did the incident occur within MIT's Clery geography?

Although some FSILGs are not on campus, all FSILGs are part of MIT's Clery geography. Yes, the incident occurred within MIT's Clery geography.

3. Is the incident defined as a Clery crime?

Fondling is a Sexual Assault offense. Sexual Assault and Intimate Partner Violence offenses are Clery crimes.

Yes, report the incident as a Clery crime.

The incident was reported to a CSA.

The incident occurred within MIT's Clery geography.

The incident was a Clery crime.

The incident should also be reported to the Title IX Coordinator.

What if the victim already reported to the MIT Police?

The MIT Police are CSAs.

If a victim or witness has told you about a crime, and if they have already reported the crime to the MIT Police, then you do not have to create a Clery Report for that crime.

If you have reason to doubt whether the report has been made, contact the MIT Police to confirm the report.

Remember: report a Clery Crime when

1. You are a CSA.
2. Incident occurred in MIT Clery geography.
3. Crime is classified as a Clery crime.

Learn how to report a Clery crime in the next section of this course.

How to Report a Clery crime

In this section of the class, you'll learn about:

Dealing with an emergency first!

Submitting the Clery Report to the MIT Police.

How Clery information gets communicated to the MIT Community, the government, and the public.

If there's an emergency

If you witness a crime.

If a crime has just occurred.

If there is present danger.

If a victim needs help.

Call MIT Police immediately at 617) 253-1212 or dial 100 from any MIT phone.

Clery Report Form.

CSAs should report Clery crimes using the Clery Report form.

The Clery Report form should be completed ASAP and submitted via:

Online form can be found on the MIT Police website. A PDF of the form can also be downloaded from the MIT Police, completed off-line, and emailed to mitpd-clery@MIT.edu or mailed to Clery Admin, 301 Vassar Street (W89), Cambridge MA, 02139.

By phone to the MIT Police at 617-253-1212.

All Clery crime reports go directly to the MIT Police. .

Note: If the victim has already reported the crime to the MIT Police, the CSA does not need to complete a Clery Report.

Victim names are not included in Clery Report forms.

Submit the Clery Report to the MIT Police.

Submitting the Clery Report

Once you submit a Clery Report, you have completed your responsibility as a CSA.

Of course, your role at MIT may require you to take additional action, such as notifying the Title IX Coordinator or the Office of Student Conduct and Community Standards depending on the type of incident.

After you submit the report

Clery Act information is communicated in many ways.

Emergency Notifications (MIT Alerts) warn of significant emergency or dangerous situations that create an immediate threat to the health or safety of students or employees.

Timely Warnings are issued for Clery Act crimes that represent a serious or continuing threat to students or employees.

The last 60 days of the daily log is available for viewing at the MIT Police Station.

Annual Security Report contains Clery crime and fire statistics from the previous three calendar years. It also provides information on crime prevention, campus security, and Institute policies on drug/alcohol use, sexual misconduct, and more. A link to the report is sent annually to all students and employees. It is also available to view on the MIT Police website, and physical copies are provided upon request.

Knowledge Check

The following slides present questions and scenarios that will check your knowledge about Clery crime reporting.

Question 1: Which of these roles at MIT qualify a person to be a CSA?

The choices are:

Coaches and Assistant Coaches.

Violence Prevention and Response Office.

Administrative Assistant.

Student Support Services.

The correct answers are:

Coaches and Assistant Coaches.

Violence Prevention and Response Office.

Student Support Services.

Question 2: Which of the following are part of the CSA's responsibility.

The choice are:

Understand what is and is not a Clery crime.

Apprehend the alleged perpetrator.

Keep copies of their records.

Investigate to determine if crime occurred.

Report Clery crimes in a timely manner.

Convince the victim to contact the police.

The correct answers are:

Understand what is and is not a Clery crime.

Keep copies of their records.

Report Clery crimes in a timely manner.

Question 3: What types of crimes are Clery crimes?

The choices are:

Only certain criminal offences.

Online theft and identity scams.

Sexual assault.

Trespass.

Intimate Partner Violence.

Traffic violations.

Check Fraud.

Hate Crimes.

Arrests and Referrals for Student Disciplinary Action for alcohol, drugs or weapons.

The correct answers are:

Only certain criminal offences.

Sexual assault.

Intimate Partner Violence.

Hate Crimes.

Arrests and Referrals for Student Disciplinary Action for alcohol, drugs or weapons.

Question 4: What is MIT's Clery geography?

The choices are:

Anywhere on campus.

Anywhere in Cambridge, Boston, and Brookline.

Any MIT fraternity, sorority, or independent living group

Non-Campus locations owned/controlled by MIT and frequently used by students.

The Esplanade along the Charles River .

Public areas adjacent to campus.

The correct answers are:

Anywhere on campus.

Any MIT fraternity, sorority, or independent living group.

Non-Campus locations owned/controlled by MIT and frequently used by students.

Public areas adjacent to campus.

Scenario 1 - I'm a tennis coach.

A student was late for practice. When I asked him why, he confided that he'd been physically assaulted at the student center because he was gay. The student said he's fine and I shouldn't worry. .

Should I report this as a Clery crime? Yes or no.

The correct answer is Yes.

The student chess club advisor is considered a CSA, at least some of conduct occurred within MIT's Clery geography, and stalking is a Clery offense.

Note: this should also be reported to the Title IX Coordinator.

Scenario 2 - I'm a student club advisor

I was walking outside the Koch building when I saw a person suddenly collapse. I called the MIT Police, and then comforted the person until the MIT Police and an ambulance arrived. .

Should I report this as a Clery crime?

The correct answer is No.

Although the student club advisor is a CSA and the incident happened on campus, there was no underlying Clery crime. This incident does not need to be reported.

Scenario 3 - I advise the student chess club

One of the students in the club told me that a teammate has been following him and does not leave him alone. The teammate has been barraging him with emails and text messages, and now he fears for his safety.

Should I report this as a Clery crime?

The correct answer is Yes.

The student chess club advisor is considered a CSA, at least some of conduct occurred within MIT's Clery geography, and stalking is a Clery offense.

Note: this should also be reported to the Title IX Coordinator.

Scenario 4 – Stolen Purse

A student just informed you that her purse was stolen while she was walking through Cambridge's Harvard Square.

Should this be reported as Clery crime?

The correct answer is No.

Harvard Square is not adjacent to the MIT campus. Because Harvard Square is not included in the MIT Clery Geography, the incident should not be reported as a Clery Crime.

However, the robbery should be reported to the Cambridge Police.

Scenario 5 - You are a Graduate Residence Advisor

A student informed you that he had returned to campus after a long weekend away to discover that the door to his dorm room had been forced open and that his laptop and \$200 in cash had been stolen. The student already reported the incident to the MIT Police. Should you report this as a Clery crime?

The correct answer is No.

As a Graduate Residence Advisor you are a CSA, and the crime happened within MIT's Clery geography. .

In this case, however, you do not need to report crime because it has already been reported to the MIT Police, who are CSAs and will complete the Clery report.

Is this a Clery Crime? #1

A male student slips a date rape drug into a female student's drink in a residence hall. Before he can lure the victim away from her friends, however, someone notices what he had done and summons the police. .

The correct answer is Yes. This incident is poisoning, which is a form of aggravated assault.

Is this a Clery Crime? #2

A student reports that his motor scooter was stolen from a campus parking lot. The scooter is later recovered a block off campus. .

The correct answer is Yes. Motor Vehicle Theft is a criminal offense and a Clery crime. Motor Vehicle theft includes the theft of any self-propelled vehicle such as a car, truck, bus, motorcycle, motor scooter, trail bike, moped, all-terrain vehicle, snowmobile, golf cart, or motorized wheelchair. A Clery report should be created for the incident.

Is this a Clery Crime? #3

At an on-campus dorm housing facility, three underage students are found drinking alcohol in violation of Massachusetts state law. The students are referred for disciplinary action. .

Should this incident be reported as a Clery crime?

The correct answer is Yes. Create a Clery report for Disciplinary Referrals to Office of Student Conduct (OSC) due to violations of alcohol policies.

Well done!

Remember: If you have any questions about your role as a CSA, contact the MIT Police for clarification.

Review

The Clery Act requires colleges and universities to provide their students and employees with campus security procedures and with information about campus security procedures.

Campus Security Authority are responsible for ensuring MIT's compliance with the Clery Act by reporting Clery crimes.

Report a Clery crime when:

You are a CSA.

The crime happened in MIT's Clery geography.

The crime was a Clery crime.

Report the crime online at the MIT Police website or via forms downloadable from the MIT Police website.

If you have any questions about whether to submit a Clery Report, contact the MIT Police for clarification.

Additional Resources and Contact Information.

To learn more about the Clery Act or to report a Clery crime go to: <https://police.mit.edu/clery-report-csas>.

Emergency.

Dial x100 from any campus phone.

Dial 1-617-253-1212 if off campus or by mobile.

Non-Emergency .

Dial x3-2996 from any campus phone.

Dial 1-617 253-2996 of off campus or by mobile.

To email the MIT Police, go to mitpd-clery@MIT.edu .

The MIT Police Station are located at

301 Vassar Street, Building W89, Cambridge, MA 02139.

Thank You for Taking This Course.

Appendix – Crime Definitions

Criminal Offenses

Criminal Homicide

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

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.

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 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

Burglary is 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

Motor Vehicle Theft is 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

Arson is 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.

Weapons 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.

Drug Abuse Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Sexual Assault/Intimate Partner Violence Offenses.

Rape

Rape is 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.

Fondling

Fondling is 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.

Incest

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

Statutory Rape

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

Domestic Violence

Domestic Violence is a felony or misdemeanor crime 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.

Dating Violence

Dating Violence is 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.

For the purposes of this definition--

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking is 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 the safety of others; or suffer substantial emotional distress.

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.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Hate Crime

Hate Crime: A crime reported to local police agencies or to a campus security authority 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, national origin, and disability.

Larceny-Theft

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Vandalism of Property

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.

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.

The following Clery Act crimes would also be classified as hate crimes if they were motivated by the perpetrator's bias against the victim: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson

Report arrests for violations of the law on weapons, drugs, and liquor.

Report Disciplinary Referrals (to Office of Student Conduct or "OSC") due to violations of weapons, drug, or alcohol policies.

Weapons 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.

Liquor Law Violations

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Abuse Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.