



California Health Sciences University

CHSU CLERY ACT CRIME REPORTING, CRIME STATISTICS AND SECURITY PRACTICES POLICY

I. PURPOSE

This policy establishes practice for crime reporting, crime statistic collection and dissemination, and general security practices.

II. SCOPE

This policy is applicable to all students and employees.

III. POLICY STATEMENT

A. Reporting a Crime or Emergency

The University encourages accurate and timely reporting of all crime or emergencies occurring on campus to the Office of Campus Safety and to Clovis Police Department, when the victim of a crime elects to, or is unable to, make such a report. If requested, the appropriate member of the University staff will assist a student in making a report to the local police. The University designates certain officials as Campus Security Authorities. Crimes can be reported to any of the University's designated campus security authorities. Crime reporting is encouraged for the purpose of making timely warnings, emergency notifications and for the collection of statistical data concerning criminal offenses to be included in the annual security report. The campus security authorities to whom the University prefer that crimes be reported are listed below:

- Office of Campus Safety
- Title IX Coordinator
- President
- Provost
- Director of Campus Safety
- AVP for Operations
- VP of Communications

The number to contact Campus Safety is posted in various locations on campus. In the case of imminent danger or while a crime is in progress, call 911 immediately to make a report to local law enforcement.



California Health Sciences University

A report of criminal acts may be made to the University using an online form found at this link: <https://chsu.edu/submit-a-tip/>

B. Policies for Preparing the Annual Disclosure of Crime Statistics

Annually, CHSU's designated Clery Act Coordinator shall prepare a report that provides students and employees of CHSU with information that will help students and employees make informed decisions relating to their own safety and the safety of others. The report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. It contains information related to the University's security policies and procedures, crime awareness educational programs, and the procedures the University will take to issue emergency notifications. The report will include information provided by the Office of Campus Safety, Office of Student Affairs, Office of Title IX Coordinator, Office of Human Resources, Office of Facilities Management, local law enforcement, the University's campus security authorities and various other elements of the University.

C. Confidential Reporting

Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual security report under certain circumstances.

Any University employee who is not a Confidential Resource and who receives, in the course of employment, information that a student has or may have suffered Title IX Prohibited Conduct shall promptly notify the Title IX Coordinator. The Title IX Coordinator will report the crime for inclusion in crime log and Annual Security Report Statistics.

The University will protect the privacy of individuals involved in a report of prohibited conduct to the extent permitted by law and University policy and procedures. However, an investigation may involve interviews with several people to inquire if they have relevant evidence, and extremely sensitive information may be gathered. While such information will be kept as confidential as possible, the University may also be required to disclose certain information during or following an investigation.

When making a report of a crime, Campus Security Authorities shall include as much information as possible for law enforcement purposes and to ensure that the incident is not double counted in the annual crime statistics. The report may be submitted for statistical purposes only without identifying the victim, if the victim specifically indicates that he or she does not want the report to go further than the Campus Security Authority.



California Health Sciences University

The University encourages its professional counselors, when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The University does not have pastoral counselors.

D. Security of and Access to Campus Facilities

The University does not own or control campus residential facilities. All campus buildings are equipped with electronic key card access control on exterior entrances. Students and employees are issued key cards that are programmed with the appropriate permissions that allow access to appropriate entrances at appropriate times of the day and week depending on job requirements and hours of operation. Exterior doors are kept locked except to facilitate daily business during hours of operation. Campus Safety Officers check exterior and interior doors during their patrols. Certain employees and students are granted after-hours access depending on job responsibilities and hours of operation. Front desk receptionist and/or campus safety personnel monitor access during certain hours of the day.

E. Security Considerations in the Maintenance of Facilities

The Office of Facilities Management maintains campus facilities with a concern for safety and security. They inspect campus facilities and make repairs affecting safety and security. They also respond to potential safety and security hazards reported by students, employees and campus safety officers such as broken windows, locks or lighting deficiencies.

F. Law Enforcement Authority and Jurisdiction of Campus Security Personnel and Relationship with State and Local Law Enforcement

The Office of Campus Safety is responsible for campus safety at the University. Its personnel are not commissioned law enforcement officers and do not have arrest authority. In most cases, Clovis Police will be summoned to campus in the case of circumstances that warrant the arrest of an offender. Campus Safety personnel are responsible for patrolling campus, responding to calls for assistance, maintaining the daily crime log, and responding to alarm notifications, among other services. The University does not have a written memorandum of understanding (MOU) with local law enforcement. The University maintains a working relationship with the Clovis Police department for crime awareness training on campus, investigation of criminal incidents, and emergency response.

G. Monitoring Off Campus Locations of Recognized Student Organizations

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.



California Health Sciences University

IV. PROCEDURES

See Attachment: Daily Crime Log Maintenance Internal Procedure



California Health Sciences University

APPENDIX A TO CHSU CLERY ACT CRIME REPORTING, CRIME STATISTICS AND SECURITY PRACTICES POLICY

Clery Act Daily Crime Log Maintenance Internal Procedure

Purpose

- Define how the University will interpret and apply Clery Act guidelines for maintaining the daily crime log.
- Provide standard operating procedures for maintaining the daily crime log.

General

The Clery Act requires that all institutions that maintain a campus police or security department create, maintain and make available a daily crime log. The Daily Crime Log is a record of reported crimes that occurred within the University's Clery Geography, or that occurred within Campus Safety's patrol jurisdiction. The log includes all reported and alleged crimes regardless of the outcome of an investigation. While the Annual Security Report provides statistics on certain Clery Act crimes, the daily crime log includes all reported crimes.

Geography

- Clery Geography consists of buildings and property that are part of the University's campus; and public property within or immediately adjacent to and accessible from the campus. The University does not own non-campus buildings or property.
- Patrol Jurisdiction: The crime log will include crimes that reportedly occurred within Campus Safety's patrol jurisdiction.
- See Appendix A for a map of Clery Geography.

Timeliness

- A reported crime shall be entered into the log within two business days of when it was reported to Campus Safety.
- The University will encourage all Campus Security Authorities to report alleged crimes to Campus Safety as soon as possible.
- Annually, the designated Clery Act Coordinator will request crime statistics from law enforcement jurisdictions for crimes that occurred on campus. Any crimes that were reported by law enforcement that were not already included in the log shall be recorded in the crime log at that time.



California Health Sciences University

Record Keeping

Incident reports and crime logs shall be kept for seven years.

Review of the Crime Log For Accuracy

The Campus Safety Director will conduct a review the crime log for accuracy at least annually.

Publicize Availability

The University shall publicize the availability of the crime log, how to view it and what it contains.

The University's daily crime log is available to view upon request at the office of the Campus Safety Director. The crime log contains the list of crimes reported, and basic information about the crime such as the date, location and general description.

Procedure

Users shall consult the Handbook for Campus Safety and Security Reporting provided by the Department of Education for further explanation when entering crimes into the crime log. The procedures below provide a quick reference guide, and they explain how to carry out the guidance in the handbook.

The Clery Act requires institutions to maintain a fire log that records fires that occur in on-campus student housing facilities. Since the University does not maintain any student housing facilities, a daily fire log will not be created or maintained. The Clery act does not require institutions to record fires that occurred anywhere else on campus outside of student housing.

Entering Data in the Daily Crime Log

- All fields in the crime log must be completed. If information is unknown, enter unknown.
- The Crime Log must not contain information that would jeopardize the confidentiality of the parties involved such as names, initials or room numbers.
- For the incident number, use the date that the incident was reported using the following format: MMDDYYYY. Do not include spaces or dashes. If a second incident was reported on the same day, append - 2 to the end of the second incident number.
- If multiple criminal offenses are committed during a single incident, all of the offenses must be recorded in the log. See the Handbook for Campus Safety and Security Reporting for more explanation this point.



California Health Sciences University

Disposition

- Include the current status of each complaint in the crime log.
- The University does not employ sworn or commissioned law officials/officers and therefore does not “unfound” crime reports.

The following dispositions will be used in the crime log:

Disposition	Definition
Pending investigation	The case is currently being investigated by the appropriate office within the University.
Closed – referred to law enforcement	Case referred to law enforcement.
Closed – referred to student conduct review	Case referred to Student Life office for student conduct review.
Closed	This disposition is used for cases that do not require any follow-up or when the investigation has been closed.

Updating the Disposition in the Crime Log

The Campus Safety Director will update the disposition of a crime if the disposition changes within 60 days of the crime being recorded in the crime log. The disposition will be updated within two business days of the Campus Safety Director receiving the information. The University is not required to update the disposition if it changes 60 days after the crime was first entered in the crime log, but it may do so at its discretion.

Crime Reporting Responsibilities

- The Campus Safety Director will record all crimes in the Daily Crime Log within two business days of receiving notification of the crime.
- Student Life staff and Campus Safety officers will report crimes to the Campus Safety Director. The Title IX Office and all other CSAs shall report any crimes via email to the Campus Safety Director.
- Annually, the Director of Student Life will provide the following information to the Campus Safety Director for inclusion in the crime log: arrests and referrals for disciplinary action for weapons law violations, drug abuse law violations and liquor law violations.
- Annually, the designated Clery Coordinator will coordinate with appropriate departments on campus to identify any crimes committed on non-campus properties including short overnight trips to hotels. Any identified crimes will be provided to the Campus Safety Director for inclusion in the Crime Log.



California Health Sciences University

- Annually, the designated Clery Coordinator will request a crime report from the local law enforcement that includes crimes committed in the University's Clery geography.
- Twice per year, the Campus Safety Director will request reports of crime from the University's CSAs. See separate policy and procedures regarding CSAs.

Record Keeping

Incident reports and crime logs shall be kept for seven years. The format will be hard copy and electronic format if applicable. The records shall be maintained by the Campus Safety Director and the Clery Coordinator.

Publicize Availability

The University shall publicize the availability of the crime log, how to view it and what it contains.

The following notice shall be placed on the University's website, in the security office or in the student and employee handbook or other place that it is likely to be seen:

- The University's daily crime log is available to view upon request at the office of the Campus Safety Director. The crime log contains the list of crimes reported, and basic information about the crime such as the date, location and general description.

Requests to View the Crime Log

The Crime Log must be available to view upon demand by anyone. Hard copies of the Crime Log for the most recent 60 days shall be made available immediately during normal business hours in the office of the Campus Safety Director. Requests to view crime log data older than 60 days will be fulfilled within two business days.

Review of the Crime Log for accuracy

Procedure for Quality Control Check of Crime Reporting

Annually, the Campus Safety Director (or designee) will review the crime log and incident reports for the previous 12 months. In the review, the Director will ensure that any crimes noted in the incident reports are properly recorded in the University's crime log.

Recording quality control checks

The record of the quality control check will consist of a date range for incident reports reviewed and a summary statement for any substantive updates or changes to the crime log. The record of the quality control check will be maintained by the Campus Safety Director in electronic form and/or hard copy format for seven years.



California Health Sciences University

Classifying and Counting Crimes

The University shall classify and count reported incidents in the daily crime log based on the definitions specified by the Clery Act, and the FBI's Uniform Crime Reporting Program.

Clery Act Crimes

The Clery Act requires the inclusion of four general categories of crime statistics:

- Criminal Offenses - Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
- Hate Crimes - Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/ Vandalism of Property that were motivated by bias.
- VAWA Offenses - Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA but is included in the Criminal Offenses category for Clery Act reporting purposes).
- Arrests and Referrals for Disciplinary Action for Weapons -Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations and Liquor Law Violations.

Non-Clery Act Crimes

The following non-Clery Act crimes will be included in the daily crime log:

1. Larceny-theft
2. Other Assaults (simple)
3. Forgery and counterfeiting
4. Fraud
5. Embezzlement
6. Stolen property: buying, receiving, possessing
7. Weapons: carrying, possessing, etc.
8. Prostitution and commercialized vice
9. Vandalism
10. Sex offenses (except forcible rape, prostitution, and commercialized vice)
11. Disorderly conduct

See Appendix C for Clery Act Crime definitions

See Appendix D for non-Clery Act crime definitions



California Health Sciences University

Campus Security Authority (CSA) Definition

The following qualify as a designated CSA under the Clery Act:

1. A campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department, such as an individual who is responsible for monitoring entrances into institutional property.
3. 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.
4. An official of the institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

See separate policy and procedure related to CSAs for further analysis and discussion.



California Health Sciences University

APPENDIX B TO CHSU CLERY ACT CRIME REPORTING, CRIME STATISTICS AND SECURITY PRACTICES POLICY

Campus Safety Patrol Jurisdiction

Current On-Campus Geography and Public Property Map 6/2019





California Health Sciences University

APPENDIX C TO CHSU CLERY ACT CRIME REPORTING, CRIME STATISTICS AND SECURITY PRACTICES POLICY

Clery Crimes Definitions

1. **Murder and non-negligent manslaughter:** the willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The program classifies justifiable homicides separately and limits the definition to: (1) the killing of a felon by a law enforcement officer in the line of duty; or (2) the killing of a felon, during the commission of a felony, by a private citizen.
2. **Manslaughter by negligence:** the killing of another person through gross negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities are not included in the category Manslaughter by Negligence.
3. **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.
4. **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. Count one offense per victim. Fondling is recognized as an element of the other sex offenses. Therefore, count fondling only if it is the only sex offense.
5. **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
6. **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent.
7. **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.
8. **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. Simple assaults are excluded.
9. **Burglary (breaking or entering):** the unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.



California Health Sciences University

10. **Motor vehicle theft:** the theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.
11. **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.
12. **Arrests and referrals for disciplinary actions, including:**
 - a. Arrests for liquor law violations, drug law violations, and illegal weapons possession.
 - b. Persons who were not arrested but who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.
13. **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. Hate Crimes include any of the following offenses that are motivated by bias:
 - Murder and Non-negligent Manslaughter
 - Sexual Assault
 - Robbery
 - Aggravated Assault
 - Burglary
 - Motor Vehicle Theft
 - Arson
 - Larceny-Theft
 - Simple Assault
 - Intimidation
 - Destruction/Damage/Vandalism of Property
14. **Violence Against Women Act (VAWA) Offenses:** any incidents of Domestic Violence, Dating Violence and Stalking. Note that Sexual Assault is also a VAWA offense but is included in the Criminal Offenses category for Clery Act purposes.
15. **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



California Health Sciences University

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. Dating violence does not include acts covered under the definition of domestic violence.

16. **Domestic Violence:** a felony or misdemeanor crime of violence committed by the following:

- a. By a current or former spouse or intimate partner of the victim;
- b. By a person with whom the victim shares a child in common;
- c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d. 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;
- e. 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.

17. **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 the safety of others; or
- Suffer substantial emotional distress.

For the purposes 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.
- 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.



California Health Sciences University

APPENDIX D TO CHSU CLERY ACT CRIME REPORTING, CRIME STATISTICS AND SECURITY PRACTICES POLICY

Non-Clery Crimes Definitions

These crimes shall be entered into the crime log but are not Clery Act reportable crimes and will not be included in the Annual Security Report. The definitions are taken from the UCR Offense Definitions.

1. **Larceny-theft (except motor vehicle theft and not Clery Reportable unless connected to a Hate Crime)** — The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles, motor vehicle parts and accessories, shoplifting, pocket picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, check fraud, etc., are excluded.
2. **Other assaults (simple)** — Assaults and attempted assaults where no weapon was used or no serious or aggravated injury resulted to the victim. Stalking, intimidation, coercion, and hazing are included.
3. **Forgery and counterfeiting**—The altering, copying, or imitating of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud. Attempts are included.
4. **Fraud**—The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion and obtaining of money or property by false pretenses. Confidence games and bad checks, except forgeries and counterfeiting, are included.
5. **Embezzlement**—The unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.
6. **Stolen property: buying, receiving, possessing** — Buying, receiving, possessing, selling, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by burglary, embezzlement, fraud, larceny, robbery, etc. Attempts are included.
7. **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



California Health Sciences University

or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. Attempts are included.

8. **Sex offenses (except forcible rape, prostitution, and commercialized vice)** — Offenses against chastity, common decency, morals, and the like. Incest, indecent exposure, and statutory rape are included. Attempts are included.
9. **Disorderly conduct**—Any behavior that tends to disturb the public peace or decorum, scandalize the community, or shock the public sense of morality.
10. **Liquor laws**—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. Federal violations are excluded.

-
- Policy Owner: VP of Operations
 - Effective Date: 9/19/2019
 - Approval by Provost Date: 9/26/2019
 - Approval by the President: 9/26/2019