

# FREQUENTLY ASKED QUESTIONS ABOUT THE CLERY ACT

## What is the Jeanne Clery Act?

The Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act (commonly known as the Clery Act; formerly the Campus Security Act) is a federal law that requires institutions of higher education (colleges and universities) in the United States to disclose campus security information including crime statistics for the campus and surrounding areas. It was first enacted by Congress in 1990 and most recently amended in 2013 by the Violence Against Women Reauthorization Act.

## Who is Jeanne Clery?

In 1986 Jeanne Clery, a freshman at Pennsylvania's Lehigh University, was murdered and sexually assaulted in her campus residence hall room by another student she didn't know. Her school hadn't informed students about 38 violent crimes on campus in the three years preceding her murder. Jeanne Clery's parents led the effort to enact the original Campus Security Act. In 1998, Congress formally named the law in memory of Jeanne Clery.

## Which schools must comply with the Clery Act?

All institutions of postsecondary education, both public and private, that participate in federal student aid programs must publish and disseminate an annual campus security report as well as make timely warnings of any ongoing threats to the campus community.

## What does College of the Desert have to disclose under the Clery Act?

College of the Desert must disclose the most recent three years of Clery crime statistics and security policies in the Annual Security Report that must be published by October 1st of each year. The Annual Security Report covers a specific calendar year (January 1 through December 31), not academic term.

## Who is entitled to receive information under the Clery Act?

Currently enrolled students and employees are notified of the availability of the Annual Security Report. Prospective students and employees are eligible to receive the Annual Security Report and are provided information on how to request a copy. The general public, including parents and the news media, have access to the Annual Security Report and the Daily Crime Log. Printed copies of the Annual Security Report and the Daily Crime Log are available

\*In 2020 the U.S. Department of Education issued a directive to rescind and replace the 2016 version of the CLERY handbook for Campus Safety and Security Reporting with updates in the Clery-related Appendix of the Federal Student Aid (FSA) Handbook.

online at [www.collegeofthedesert.edu](http://www.collegeofthedesert.edu). Hard Copies are available at any College of the Desert Public Safety Department upon request.

### What is the Daily Crime Log?

The purpose of the Daily Crime Log is to record criminal incidents and alleged criminal incidents that are reported to College of the Desert Public Safety or Campus Security Authority (CSA). A crime must be entered into the crime log within one business day of the reporting to College of the Desert Public Safety Department.

### Where is the Daily Crime Log located?

The College of the Desert Daily Crime log is located on the College of the Desert website on the Public Safety Department page [here](#).

### Do school officials other than law enforcement have reporting obligations under the Clery Act?

Yes, they do. All institutional officials with significant responsibility for campus and student activities are referred to in the Clery Act as a Campus Security Authority (CSA). All CSA's have reporting obligations under the Clery Act. Faculty who serve as advisors to student groups, coaches, and staff involved in student affairs are all included in this group. Only professional mental health counselors are exempt from reporting when acting in these roles.

**If a student reports an incident to a Campus Security Authority (CSA) in confidence, is the incident still reported to College of the Desert Public Safety?** Yes. According to the Clery Act, any incident that falls in the Clery crime categories, must be recorded in the Daily Crime Log and the statistic reported in the Annual Security Report. So even if the incident is reported to College of the Desert anonymously (without revealing the identity of the victim) through a Campus Security Authority (CSA), College of the Desert Public Safety is required to record the nature of the incident, the approximate time and location to ensure accurate statistics.

### Does reporting an assault mean that charges have to be filed with the police?

No. Reporting is not the same as filing charges. A victim can report an occurrence, receive assistance and counseling, and exercise their rights under the Clery Act without ever having to file formal charges with the police. Students may even go through their school's disciplinary channels without filing formal charges against someone.

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Does someone have to be convicted of a crime before it is reportable under the Clery Act?

No. Crimes are counted when they are reported, regardless of prosecution.

What criteria is used to determine how crimes are reported?

The Clery Act requires College of the Desert to report statistics on Clery crimes in the Annual Security Report. The criteria for reporting these crimes are as follows: • All Clery crimes reported to College of the Desert Public Safety, a Campus Security Authority (CSA) or other law enforcement • Location within the Clery Geography • Crimes must be disclosed in the year reported\*

What is Clery Geography?

The Clery Act requires institutions to report crimes based on specific geographical specifications. See the Annual Safety Report for specific geographies defined. \*

What are the categories and definitions of the Primary Clery crimes that must be disclosed?

See the Annual Safety Report for specific categories and definitions.\*

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