

# Campus Safety

By Stephen R. Aborn



Clery Act's role in security measure alerts for today's universities



Smart Creative/Shutterstock.com

**D**ecades worth of surveys have demonstrated that families and students place campus safety and security at the forefront of the decision-making process when deciding on where to enroll. For example, in a 2018 report, one of the most important factors for parents was a safe environment. For students, this was the second most important factor in the college selection process.

Keeping our nation's college and university population safe and secure requires the partnership of college administrators, law enforcement and security professionals. Many campuses are ramping up their security to ensure their students, staff and visitors continue to remain safe and to protect their reputation as a secure school.

In April of 1986 Jeanne Clery, a 19-year old Lehigh University college student was brutally raped and murdered in her campus resident hall by Joseph M. Henry. At the murder trial, it was uncovered that the attack on Clery was one of 38 violent crimes recorded at the university in three years but were never publicly reported. Clery's parents sued Lehigh University and won.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act is a consumer protection law

that helps prospective students and families understand the safety of one academic institution versus another. Signed into law in 1990, the Clery Act is a federal statute which mandates that universities are responsible for making public any crimes that happen on their grounds every year. According to an executive summary of the act in the Federal Register, "the Clery Act requires institutions of higher education to comply with certain campus-safety and security-related requirements as a condition of their participation in Title IV HEA programs (i.e., federal financial assistance programs)."

Compliance is monitored by the Department of Education (DoE) who can impose penalties per each violation. Noncompliance with the Clery Act is very costly for colleges and universities. The cost for a single violation for 2019 is \$57,317. In addition to fines and punitive damages, institutions can lose their financial aid funding and incur significant damage to the institution's reputation.

The Clery Act is about crime reporting and campus security authorities (CSAs) are a critical part of the process. CSAs, which includes campus security professionals, provide vital support and create better outcomes across campuses. Often, CSAs are the front-line safety and security resource for both students and faculty.

### Timeliness Critical to Saving Lives and Reputations

"On the morning of April 16, 2007, student Seung Hui Cho shot a man and a woman in a dormitory; both died from their wounds," reported The Washington Post. "Police initially believed the case was a domestic dispute and that there was no threat to the rest of the university, so school officials did not warn the rest of the community. By the time Virginia Tech officials sent a warning hours later, Cho had stormed through Norris Hall, killing 30 others and himself."

Virginia Tech was required to pay fines from the DoE, but the graver loss was the mass loss of lives, as well as the tarnished reputation of the university. The deadly shooting at Virginia Tech forced a conversation about whether the Clery Act timely warning requirement provided enough of a mechanism to warn the campus about immediate emergencies like an active shooter incident.

Today, campuses are required to implement a comprehensive assessment plan and process to ascertain, if there is a significant emergency or perilous situation, there will be a notification sent to the campus community. Emergency notifications became a Clery Act requirement in 2008 as part of the Higher Education Act.

Under the Clery Act, colleges prepare, publish and distribute an annual security report that includes three years of campus crime statistics and policy statements.

### Timely Warnings Mandated by Clery Act

Active shooter incidents on campus raise questions as to how institutions can best prepare for the unexpected, and prevent future incidents. The Clery Act requires a structured campus crime response which mandates timely warnings and alerting members of the campus community if there are any immediate or ongoing threats.

Issuing an overabundance of timely warnings can diminish the impact of the alert, so developing the particular criteria of what warrants the alert is critical. The Clery Center, a national nonprofit organization founded in 1987 that empowers colleges and universities to create safer campuses, offers a checklist to help guide a comprehensive and effective timely warning and emergency notification process.

"Developing policies and procedures and analyzing when it is or is not necessary to issue a timely warning in response to a situation that arises on campus can be a challenging task," reports The Clery Center. "Institutions are constantly weighing the needs of individuals versus the needs of the overall community when making decisions about how and when to issue such warnings."

Hence, the creation of a 'timely warning team' is warranted. That team generally includes public safety, private security, deans and key stakeholders. The team should oversee the full breadth of the organization without being too cumbersome as to become less effective.

### Timely Warning Methodology

While the Clery crimes that warrant timely warnings include active shooter, homicide, aggravated assault and weapons law violations, among other things, the most important aspect of a reliable, potentially life-saving timely warning system is that everyone who needs to be enrolled is enrolled and that the data is 100 percent accurate. Time-warning methods include text, email and website alerts or a combination of methods. Campuses must disseminate a timely warning if a Clery-specific crime occurs within Clery-specific geography that poses a serious or ongoing threat to the community.

A recent occurrence at an upstate New York campus highlights the critical role security professionals play in communicating incidents. A female student shared a social media post with an Allied Universal security team member that was written by her ex-boyfriend. The post detailed his intention to assault her and her current boyfriend and then kill himself. The campus security professionals took her concerns seriously and assisted her in reporting it to local authorities.

Unfortunately, the social media post was not just a scare tactic.

Shortly after the incident report was filed, the ex-boyfriend was spotted on campus, recognized by one of Allied Universal's security team. Through collaboration with local authorities, the security team assisted in the peaceful arrest of the individual before any harm was done.

There is no doubt that threats and risks exist. Reducing impact and occurrence is achieved through prevention and vigilant adherence to safety and security policies.

### Clery Act Continually Evolves

Over the years, Congress has amended and expanded the Clery Act to address emerging security threats. In March 2013, President Obama signed Violence against a Woman's Act (VAWA) 2013, which strengthened Clery to address all forms of violent campus crime, including sinister safety threats including cyberstalking as well as other forms of Internet-related intimidation.

What are the most prominent, repeat type of Clery Act violations that colleges and universities are making? James Moore, senior advisor for Clery Act Compliance and Campus Safety Operations at the United States Department of Education, said at Clery Compliance Symposium, "We see the greatest number of violations in crime reporting and policy development but timely warnings and emergency notifications are areas that are common problems as well."

Moore also serves as the federal government's leading expert on the Clery Act, the Drug-Free Schools and Communities Act, and other campus safety and crime prevention initiatives.

"Compliance with the Clery Act is an institutional responsibility, not just the responsibility of the public safety team," says Moore. All of the appropriate leaders need to understand requirements and potential consequences of failing to communicate potential serious or ongoing threats to the campus community. In today's climate, this failure to communicate is leaving low-hanging fruit on the tree for a complaint against the institution for a violation of the Clery Act."

### University/Physical Security Partnership Crucial

Physical and emotional abuse is a growing threat on college campuses. Security officers are trained to handle interpersonal abuse scenarios by learning how to define, identify and respond to domestic violence incidents, which can include rape and assault; stalking; verbal abuse; threatening texts and emails.

The Clery Act has increased awareness of major crimes. Additionally, the Campus Sexual Violence Elimination Act (SaVE) requires schools to be more transparent and accountable for a range of these behaviors. Campus security professionals must know how to identify, record and report incidents, and refer victims for help.

Today's security officer is a proactive part of creating a safe environment – prepared for hazards as well as actively promoting a safety culture on campus. Perhaps the most dramatic shift is the switch from security officers being behind-the-scenes enforcers and responders to serving as collaborative promoters of the college's culture.

Institutions need to work with their campus security team to conduct "tabletop" drills on their timely warning and emergency notifications procedures and processes to test effectiveness, and for process improvement. It is important that results are documented and that all findings lead to improved processes.

Effective campus security finds the right balance between creating an open and free environment and upholding the duty to protect. This starts with the acknowledgement that security must be part of the campus' evolution. The right solution balances expenditures between staff, technology, facility design and crime prevention education to develop a program that is effective, efficient and affordable. With new expectations and growing responsibilities, the campus security officer continues to evolve. 📌

*Stephen R. Aborn is the director of higher education at Allied Universal.*