

UNIVERSITY OF CALIFORNIA
Key Areas for Improvement of Clery Act Compliance Efforts

1. **Timely Warnings:** Written policies should be on file regarding campus procedures for posting and distributing timely warnings when the event of a crime poses a threat to a person (e.g. murder, rape, robbery).
2. **Notification of prospective students and employees:** Language in all notification documents (e.g. general UC admissions application, paystubs, postcards, etc..) needs expansion to provide information about the availability of the security report, a description of its contents, and how to request a copy of the report.
3. **Distribution of compliance documents/brochures:** Language in all notification documents (e.g. general UC admissions application, paystubs, postcards, etc..) needs expansion to provide information about the availability of the security report, a description of its contents, and how to request a copy of the report.
4. **Statistical Reporting:**
 - All crime statistics must be verifiable upon request and/or audit. There should be only one person who is responsible for compiling the report and responding to inquiries so that consistent information and facts are maintained. If more than one person is involved, then each individual needs to have a complete understanding of the statistics and the ability to verify the statistics.
 - All requests for statistics from campus security authorities and off-campus police departments should be done in writing and copies of all requests and statistics received should be maintained in a compliance file. Forms and cover letters should be used to request statistics from campus security authorities, explaining the federal law, and providing a definition of campus security authority. If campuses are unable to obtain statistics from campus security authorities or off-campus police departments in the Clery Act required format, then the statistics should be footnoted with an explanation of how the campus requested the statistics and the reason for being unable to collect them in the Clery Act format. The statistics from these entities should be included regardless of whether they are in the same format or not.
 - There is some confusion over reporting Driving Under the Influence (DUI)'s. The Clery Act does not require reporting on DUI's for alcohol but it does require reporting of DUI's for drugs. Campuses need to report DUI's for drugs in all future reports.
5. **Branch campus property:** Crimes occurring in a branch campus location should be reported on a separate chart from campus crimes. If a location is not clearly a branch campus site, then it should be considered a non-campus location. There is a three part

test for reporting crimes at a non-campus location and the location should meet all three criteria: 1) not a branch campus; 2) frequently used by students; and 3) used for educational purposes.

6. **Hate crimes** should be reported by separate categories of prejudice (not lumped together). Rapes are not considered hate crimes by the Department of Education. This is based on the FBI definition that requires gender bias to be in evidence to substantiate a hate crime.
7. **Academic year vs. calendar year statistical reporting:** For all future years campus security authorities should collect crime statistics on a calendar year basis for Clery crime reporting purposes.
8. **Geographic location definitions:** Campuses are required to report crimes in the immediate vicinity of on-campus buildings. For non-campus property they are not required to report crimes on public property surrounding the non-campus property. For example, if a non-campus location is on a floor of a building, then only crimes occurring on that floor should be reported.
9. **Policy and procedure requirements:** Campuses must have written policies and procedures for all programs mentioned in the Clery Act and should not rely upon unspoken, unwritten understandings. In other words, how a campus complies with the Act is critical and there must be up-to-date written policies describing how a campus complies with the act. Furthermore, there should be policies outlined that indicate how to evaluate a newly acquired property via lease or purchase so that crimes can be properly reported immediately upon acquisition.