TABLE OF CONTENTS

1. INTRODUCTION

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f) (the Clery Act), is a federal law that requires colleges and universities that receive federal financial assistance to report to the Department of Education and disclose in its annual security report statistics for the three most recent calendar years concerning the number of Clery crimes that occurred on or within its Clery geography and that are reported to local police agencies or to a campus security authority. These procedures identify the processes the College follows when it reports and discloses crime statistics.1

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1 These procedures should be read in conjunction with the Clery Act Compliance Policy. Capitalized terms used and not otherwise defined in these procedures are defined in the policy.
2. DEFINITIONS

A. Annual Security Report (ASR)

Annual security report means the report that the College publishes by October 1 each year that includes required policy statements and Clery Crime statistics for the prior three years.

B. Dating Violence

Dating violence means violence committed by a person who is or has been in a relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on the reporting party's statement and with consideration of the length of the relationship, type of relationship, and frequency of interaction between the parties. It includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for purposes of Clery Act reporting, though criminal prosecution of crimes must meet the definition of Utah law.

Under Utah law, dating violence means any criminal offense involving violence or physical harm, or threat of violence or physical harm, when committed by a person against his or her dating partner; or any attempt, conspiracy, or solicitation by a person to commit a criminal offense involving violence or physical harm against his or her dating partner. (Utah Code Ann. § 78-7-402)

C. Domestic Violence

Domestic violence means felony or misdemeanor crimes of violence committed (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; or (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. Any incident meeting this definition is considered a crime for purposes of Clery Act reporting, though criminal prosecution of crimes must meet the definition of Utah law.

Under Utah law, any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another. “Domestic violence” also means commission or attempt to commit, any of the following offenses by one cohabitant against another: aggravated assault, assault, criminal homicide, harassment, electronic communication harassment, kidnapping, child kidnapping,
or aggravated kidnapping, mayhem, sexual offenses, stalking, unlawful detention, violation of protective order, any offense against property, possession of a deadly weapon with intent to assault, discharge of a firearm. (Utah Code Ann. § 77-36-1(4))

D. Campus Security Authority

Campus Security Authorities (CSAs) are individuals who, because of their function at the College, have an obligation under the Clery Act to notify the College of alleged Clery Crimes that have been either reported to them in good faith or personally witnessed by them. The role and responsibility of CSAs are defined in Section 8.

**Designated CSA** – Defined as staff who have responsibility for campus security and/or those who have significant responsibility for student and campus activities.

**Temporary CSA** – Defined as faculty and staff who oversee students for activities occurring off campus where overnight stays are required.

E. Clery Crimes

Clery Crimes means crimes that are required to be published and reported to the Department of Education under the Clery Act as further described in Section 3.

F. Clery Geography

Clery geography means property on campus building or property, non-campus building or property, or public property as further described in Section 5.

G. Stalking

Stalking means 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 that 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. Any incident meeting this definition is considered a crime for purposes of Clery Act reporting, though criminal prosecution of crimes must meet the definition of Utah law.

Under Utah law, a person is guilty of stalking who intentionally or knowingly engages in a course of conduct directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to fear for the person’s own safety or the safety of a third person, or to suffer other emotional distress. A person is guilty of stalking who intentionally or knowingly violates a stalking injunction issued pursuant to Utah Code Ann.
§ 77-3a, or a permanent criminal stalking injunction issued pursuant to Utah Code Ann. § 76-5-106.

3. CLERY CRIMES

The Clery Act requires reporting of crimes in the following categories:

A. Primary crimes, including:
   1. Criminal homicide:
      a. Murder and non-negligent manslaughter
      b. Negligent manslaughter.
   2. Sex offenses:
      a. Rape
      b. Fondling
      c. Incest
      d. Statutory rape
   3. Robbery
   4. Aggravated assault
   5. Burglary
   6. Motor vehicle theft
   7. Arson

B. Arrests and referrals for disciplinary actions, including:
   1. Arrests for liquor law violations, drug law violations, and illegal weapons possession.
   2. Persons who did not commit a primary crime and who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

C. Hate crimes, including:
   1. The number of each type of crime in paragraph A of this section that are determined to be hate crimes; and
   2. The number of the following crimes that are determined to be hate crimes:
      a. Larceny-theft
      b. Simple assault
      c. Intimidation
      d. Destruction/damage/vandalism of property

D. Dating violence, domestic violence, and stalking.

4. REPORTING CRIMES

A. Reporting of Crimes
The College strongly encourages accurate and prompt reporting of information that may raise a safety or security concern, including crimes, threats, emergencies, and public safety related incidents, to Campus Patrol at 801-832-2525, or to any CSA. Students, faculty, staff, and guests are encouraged to report all incidents occurring on campus property, off campus involving members of the College community that could have an impact on the College, and any off campus incident involving College property to Campus Patrol in a timely manner. Campus Patrol can be reached anytime of the day or night.

- To report a crime or request assistance  (801) 832-2525
- When using a campus phone Dial 2525
- For emergencies Dial 911

Employees of the Campus Counseling Center or the Student Health Center are deemed “confidential employees” and are not generally required to forward reports of crimes to Campus Patrol.

B. Emergency Reporting of Crimes

The College provides emergency blue light phones, which ring directly to Campus Patrol cell phones, throughout the campus.

1. Athletic Field Parking North East Corner
2. Athletic Field South East Corner
3. Athletic Field South West Corner
4. Parking Structure Lower Level East Wall
5. Parking Structure Main Level East Wall
6. Parking Structure Top Level South East corner
7. Shaw South West Corner of Building
8. East Side of Nunemaker
9. Women’s Locker Room Payne Gym (regular telephone that rings directly to Campus Patrol)

C. Anonymous Reporting of Crimes

The College offers several ways to report criminal activity while preserving privacy. If you are a victim of a crime and do not want to pursue action within the College system, you may still want to consider making a confidential report. With your permission, the Director of Campus Security can file a report on the details of the incident without revealing your identity. The purpose of the confidential report is to comply with your wishes to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents.
involving students or the College community, determine where there is a pattern of crime with regards to a particular location, method, or assailant, and alert the College community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution. Crimes may be reported anonymously using the general Campus Patrol e-mail at campus patrolanonymous@westminstercollege.edu.

5. RECORDING CRIMES

A. All Clery Crimes must be recorded. The College must include in its crime statistics all Clery Crimes occurring on or within its Clery Geography that are reported to local police agencies or to a CSA.

B. Crimes must be recorded by calendar year. The College must record a crime statistic for the calendar year in which the crime was reported to local police agencies or to a CSA.

C. Hate crimes must be recorded by the category of bias that motivated the crime. The categories of bias are:
   1. Race
   2. Gender
   3. Gender identity
   4. Religion
   5. Sexual orientation
   6. Ethnicity
   7. National origin
   8. Disability

D. Crimes must be recorded by location. The College must specify whether each of the crimes recorded occurred:
   1. On campus (separately identifying those that occurred in residential facilities);
   2. In or on a noncampus building or property; or
   3. On public property.

E. Recording reports of stalking.

   1. When recording reports of stalking that include activities in more than one calendar year, the College must record a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a CSA.
   2. The College must record each report of stalking as occurring at only the first location within the institution’s Clery Geography in which:
      a. A perpetrator engaged in the stalking course of conduct; or
      b. A victim first became aware of the stalking.
F. Collecting Statistics

1. Statistics from police agencies: The Director of Campus Security will make a reasonable, good-faith effort to obtain statistics from local law enforcement for Clery crimes that occurred on or within the College’s Clery geography.

2. Statistics from CSAs: The Director of Campus Security will include in the Daily Crime Log statistics for Clery crimes that occurred on or within the College’s Clery geography that are reported by CSAs.

G. The College must compile the crime statistics using definitions from the FBI's UCR Program.

H. In counting crimes when more than one offense was committed during a single incident, the College must conform to the requirements of the Hierarchy Rule in the “Summary Reporting System (SRS) User Manual.

6. CLERY GEOGRAPHY

The College is required to report crime statistics for crimes occurring on the property described below and depicted on the attached map:

A. Campus property: Any building or property owned or controlled by the College within the same reasonably contiguous geographic area of the College and used by the College in direct support of, or in a manner related to, the College's educational purposes.

B. Non-campus building or property: Any building or property owned or controlled by an officially sponsored student organization recognized by the College and any building or property (other than a branch campus) owned or controlled by the College that is frequently used in direct support of, or in relation to, the College's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the College.

C. Public property within or immediately adjacent to the campus: The term "public property" means all public property that is within the same reasonably contiguous geographic area of the College, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the College if the facility is used by the College in direct support of, or in a manner related to, the College's educational purposes.

7. DAILY CRIME LOG

A. The Director of Campus Security must maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred within its Clery geography and that is reported to campus patrol or a CSA. This log must include:
1. The nature, date, time, and general location of each crime; and
2. The disposition of the complaint, if known.

B. The Director of Campus Security must make an entry or an addition to an entry to the log within two business days of the report of the information to campus patrol or a CSA, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

C. Withholding information

1. The Director of Campus Security may withhold information required under paragraphs (A) and (B) of this section if there is clear and convincing evidence that the release of the information would –
   a. Jeopardize an ongoing criminal investigation or the safety of an individual;
   b. Cause a suspect to flee or evade detection; or
   c. Result in the destruction of evidence.
2. The Director of Campus Security must disclose any information withheld once the adverse effect that was the basis for withholding the information is no longer likely to occur.

D. The Director of Campus Security must make the crime log for the most recent 60-day period open to public inspection during normal business hours. Requests for public inspection of daily crime log entries older than 60 days must be made in writing to the Director of Campus Security, 1840 South 1300 East, Salt Lake City, Utah 84105, and will be made available within two business days of the request.

8. CAMPUS SECURITY AUTHORITY

A. The Director of Policy Development and Insurance Programs will identify, notify, and train CSAs at the beginning of the academic year and when an individual newly assumes the role as a CSA.

B. CSAs are defined by their function at the College and typically fall under one of the following categories:
   1. A member of the campus security department.
   2. Individuals with responsibility for campus security in some capacity who are not members of the campus security department.
   3. People or offices that are not members of the campus security department, but where policy directs individuals to report criminal offenses to them or their office.
   4. Officials having significant responsibility for student and campus activities, including student housing and student discipline.
C. Designated staff from the following functional areas serve as CSAs at the College:

| RISK DEPARTMENT                           | Chief Risk Officer  
|                                          | Director of Campus Security  
|                                          | All campus patrol officers  
|                                          | Director of Campus Safety  
|                                          | Director of Policy Development and Insurance Programs |
| ATHLETICS DEPARTMENT                      | Director of Athletics  
|                                          | All athletic coaches and trainers |
| DEAN OF STUDENTS DEPARTMENT               | Dean of Students  
|                                          | Assistant Dean of Students  
|                                          | Director of Residence Life  
|                                          | Student Residence Advisors  
|                                          | Director of Campus Health  
|                                          | Director of Career Services  
|                                          | Director Fitness, Wellness, & Recreation |
| TITLE IX OFFICE                           | Title IX Coordinator  
|                                          | Deputy Title IX Coordinator(s)  
|                                          | Victim Advocate |
| PROVOST OFFICE                            | Director of Student Success and Retention |

D. CSAs have an obligation to report all Clery Crimes that they witness and that have been reported to them which may have occurred in a Clery reportable location. CSAs must immediately report to Campus Patrol information about potential crimes, threats, emergencies, and public safety related incidents for investigation and potential inclusion in the ASR. CSAs who are unsure whether an incident is a Clery Crime should report it.

E. CSAs are required to complete training when notified and report Clery Crimes as defined in this policy. Failure to complete training when required or failure to report a Clery Crime as required will be deemed a policy violation. Three policy violations may result in termination of employment.

F. Temporary CSAs are required to complete training when notified, and no later than within seven days of scheduled travel. If this training is not completed, then the dean or supervisor will be notified that the individual is not eligible for travel.
9. REPORTING CRIME STATISTICS TO DEPARTMENT OF EDUCATION

On or before October 1 annually, the College reports Clery crime statistics to the Department of Education though the annual online Campus Safety and Security Survey.

10. RESPONSIBLE ADMINISTRATORS

The Director of Campus Security is responsible for compiling Clery crime statistics for the three most recent calendar years for inclusion in the ASR.

The Director of Campus Security is responsible for reporting Clery crime statistics to the Department of Education though the annual online Campus Safety and Security Survey.

The Director of Policy Development and Insurance Programs is responsible for identifying, notifying, and training CSAs at the beginning of the academic year and when an individual newly assumes the role as a CSA.

11. HISTORY

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<th>Date of Last Action</th>
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<td>September 23, 2019</td>
<td>Title and responsibility changes</td>
<td>Policy Governance Committee</td>
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<tr>
<td>April 17, 2017</td>
<td>Procedures for Reporting and Disclosing Crime Statistics (4/17/17) APPROVED</td>
<td>Policy Governance Committee</td>
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<tr>
<td>March 10, 2017</td>
<td>Interim Procedures for Reporting and Disclosing Crime Statistics (3/10/17) APPROVED</td>
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<td>SOP WCP-GEN-SOB-05 (1/28/15) SUPERCEDED</td>
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12. SIGNATURE, TITLE, AND DATE OF APPROVAL

Approved: /s/ ____________________________
Bethami A. Dobkin, President