

DEPAUL UNIVERSITY



Crime Reporting and Clery Act Compliance

Category: Operations

Responsible Department: Facility Operations

Responsible Officer: VP for Facility Operations

Effective Date: 3/16/2016

Policy Summary

The policy establishes the University's procedures and practices for crime reporting and disclosure in compliance with various laws such as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Illinois Abused & Neglected Children Act. It describes the protocol used by Public Safety Officers in determining when to notify the Police Department regarding incidents on and off campus. The Director of Public Safety is responsible for issuing the Annual Safety and Security Information Report and Fire Safety Report. The Office of the General Counsel reviews the report annually to ensure compliance. The report is compiled by gathering statistics from DePaul's Public Safety Office, the Dean of Students Office, the Department of Residential Education and Campus Security Authorities (CSAs). Public statistics are supplied by local law enforcement agencies.

Scope

This policy affects the following groups of the University:

- Entire University Community

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Policy

The University, through its Public Safety Office and in concurrence with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, will uniformly and consistently report all serious crimes on campus to the proper municipal authority and provide statistics on these crimes in its Annual Safety and Security Information Report and Fire Safety Report..

Once informed of a crime, DePaul University is committed to assisting the victim feel safe, secure, and free from further harm. The University will make all attempts to provide a calm and supportive environment for the victim.

Except as noted below, DePaul Public Safety officers will report all felonies and serious misdemeanors, which are reported to them or they observe or view, to the Chicago Police Department ("CPD") via 911 as soon as possible, regardless of whether the victim/complainant wishes to cooperate in the investigation or has a change of mind about reporting the crime. If the victim/complainant leaves the scene and/or refuses to talk to CPD or DePaul Public Safety, the Public Safety reports should indicate so and Jane and/or John Doe can be substituted if names are not known. The supervising Public Safety officer will also be notified and report to the scene to assist in the investigation.

In cases involving sexual violence, in general, a survivor may choose whether or not to file a report with local law enforcement. Public Safety will assist a survivor in filing this report if they choose to do so. If they choose not to file a report with local law enforcement, they may still file a report with DePaul Public Safety. As noted above, this report with DePaul Public Safety may be confidentially filed as Jane Doe or John Doe report.

In certain very narrow circumstances involving sexual or relationship violence, Public Safety may be required to contact local law enforcement or other authorities; for example, if a crime is in progress or if minor child is involved in the situation.

If a report includes information about crimes or other behaviors detailed in the [Sexual & Relationship Violence Prevention and Response policy](#) the requirements of that policy will also apply.

For lesser misdemeanors against DePaul University, e.g. minor damage to property, the Public Safety officer will check with his/her supervisor concerning reporting to CPD.

For lesser misdemeanors perpetrated against a person (student, faculty, staff or visitor), the victim should be encouraged and assisted by Public Safety to report the crime to CPD. If the victim refuses to notify the police, Public Safety will indicate "victim refuses" in the report and report it to the CPD if warranted or deemed advisable by the Director of Public Safety.

Crimes that occur off-campus should be reported to local municipal authorities and Public Safety. DePaul partners with CPD regarding crimes that occur off campus involving students.

The Illinois Abused and Neglected Child Reporting Act (325 ILCS 5) mandates that all university personnel who have reasonable cause to believe that a child under the age of 18 known to them in their professional or official capacity may have been subjected to physical or sexual abuse, may be at risk of physical or sexual abuse, or is being deprived of the proper or necessary care are required by law to immediately report such mistreatment to the Illinois Department of Children and Family Services ("DCFS") by calling DCFS' child abuse hotline at 1-800-25-ABUSE.

As mentioned above, employees who report an incident to DCFS may also be required to report the matter to Public Safety pursuant DePaul's other crime reporting guidelines. However, mandated reporters are individually responsible for ensuring that certain conduct is reported directly to DCFS and reporting this conduct to DePaul Public Safety alone will not fulfill this legal obligation.

Questions regarding the requirements of being a mandated reporter or whether a particular situation must be reported to DCFS and/or Public Safety should be directed to Public Safety.

The University complies with the Illinois Sex Offender Registration Act (730 ILCS 150), which requires all sex offenders employed by or attending an institution of higher education to register directly with the public safety director or appropriate administrative body of that institution. Registration procedures are detailed below.

Procedures

Crime Reporting Procedures

1. Alleged crime occurs.
2. Victim approaches a Campus Security Authority (see below for definition of which individuals may be Campus Security Authorities).
3. Campus Security Authority informs victim of University's reporting responsibilities before any information is revealed. These responsibilities include:
 - a. Notifying Public Safety of serious crimes (e.g., murder, rape, theft) and any crimes against person (e.g., simple battery, hate crimes).
4. Notifying the proper municipal authority (e.g., Chicago Police Department) of all felonies and serious misdemeanors reported on campus.
5. Victim is advised of support services available both on and off campus.
6. If the decision of the victim, after reporting of the alleged crime is to:
 - a. Sign a criminal complaint with the proper municipal authority; both Public Safety and municipal authority will cooperatively investigate the criminal complaint.
 - b. Sign only a University complaint but refuse to sign a formal criminal complaint; the Public Safety Office will investigate the allegation and turn the information over to the appropriate internal office and CPD if appropriate.
 - c. Refuse to sign any complaints; a written report will be prepared by the contacted Campus Security Authority and a copy forwarded to the Public Safety Office. If the Public Safety Office is the first contact, a report, will be completed by Public Safety. Public Safety will then turn the information over to the appropriate internal office.
7. Incident reports will be routed by Public Safety to internal offices as follows:
 - a. Dean of Students' Office for complaints against students with a copy to Residential Education for any complaints involving resident students.
 - b. Human Resource Office for complaints against faculty/staff.
8. If University disciplinary options are requested, the Campus Security Authority and Public Safety will inform the victim who to contact.
 - a. If a student, referred to Dean of Students' Office.
 - b. If a faculty/staff member, referred to Human Resources Office.
9. All reported crimes, either with the municipal authority and/or the University, will be reported in DePaul's crime statistics as required by law.

DePaul University does not have a policy on voluntary confidential reporting. However, in cases of sexual assault, the victim may file a Jane and/or John Doe report which enables the victim and/or possible offender to remain anonymous. These reports will be included in the statistics in the Annual Safety and Security Information Report and Fire Safety Report.

Additionally, the DePaul University Counseling Center is available for confidential counseling.

Mandated Reporting Procedures

In compliance with the Illinois Abused and Neglected Child Reporting Act (325 ILCS 5), DePaul University will require all employees to sign an "Acknowledgement of Mandated Reporter Status" at the time of hire, and will keep these certifications on-file, as required by law.

Campus Security Authorities (CSAs)

The Jeanne Clery Disclosure for Campus Security and Campus Crime Act identifies and defines Campus Security Authorities (CSAs) as university faculty and staff members with "significant responsibility" for student and campus activities. Some examples of CSAs could include Public Safety officers, deans, directors, department heads, athletic coaches, student organization advisors, residence hall staff and student affairs staff. A letter is sent annually to individuals identified as CSAs reminding them of their responsibilities. Detailed information about the positions at DePaul that are designated as CSAs is available from Public Safety upon request.

All crimes reported to CSAs will be reported to Public Safety in a timely manner. **If a crime reported to a CSA is a threat to the community, the CSA must promptly report this information to Public Safety as soon as possible.**

Timely Warning Alerts

The Public Safety Office will post timely warning notices to notify members of the community about serious crimes against people that occur on or adjacent to our campus, where prior knowledge of that serious crime would aid others in not becoming the victim of a similar case. These warnings will be posted if the incident is reported to the Public Safety office.

The office issues/posts Crime Alerts for incidents of rape, murder, aggravated assault, robbery involving force or violence (cases involving pick pocketing and purse snatching will be assessed on a case by case basis), major incidents of arson and other crimes determined by the Director of Public Safety. Alerts are posted in the entrance area of most buildings around the affected campus and on the Public Safety website.

The Department does not generally issue safety alerts for the above listed crimes:

1. If the offender is apprehended and the threat of imminent danger for members of the community has been mitigated by the apprehension.
2. If a report was not filed with the Public Safety Office or if the office was not notified in a manner that would allow for the office to post a "timely" warning for the community.

When issuing a timely warning, or otherwise reporting or disclosing information pursuant to the Clery Act and other legal mandates, care will be taken, to the extent permitted or required by law, not to include any identifying information about the individuals involved.

The decision whether or not to issue a Crime Alert will be evaluated on a case by case basis.

The Director of Public Safety is responsible for ensuring that a timely warning is issued to the university community. In the absence of the Director, the Assistant Director at each main campus location is responsible for ensuring that the warning is issued. The Crime Prevention Sergeant typically issues these warnings. A copy of the warning is kept on file.

In addition to Crime Alerts, DePaul has two systems for immediate notification of emergencies on campus:

- a. DPU Alert - DPU Alert is a voice and text message notification system to notify the DePaul community of on-campus emergencies. To register for the alert, please visit the Demographic Portfolio tab under Campus Connection and click on DPU Alert. DePaul will send DPU Alerts in major life threatening emergencies and will follow all appropriate security and privacy procedures in maintaining information in our system. The university also tests the system on a regular basis.
- b. PA and Message Board Emergency Notification - At the Lincoln Park and Loop campuses, a message board and speaker have been placed in each classroom, along with additional speakers situated in hallways. In an emergency, the message boards and speakers will detail the emergency taking place. The system is tested quarterly.

Sex Offender Registration Procedures

In compliance with the Illinois Sex Offender Registration Act (730 ILCS 150), DePaul University requires any student, faculty, or staff member who is required to register as a sex offender in any state to register, in person, as a sex offender with Public Safety within three days of beginning classes or employment at DePaul University. An individual committing such offense after being enrolled in classes or commencing employment with DePaul University must register, in person, in the Loop or Lincoln Park Public Safety office, within three days of his or her conviction. An individual must notify Public Safety, in person, of any and all changes of employment or enrollment status within three days of such change. Additionally, registration must be renewed each year until the individual's registration requirement is complete.

A list of all registered sex offenders, if any should be currently employed or enrolled at DePaul University, will be maintained by Public Safety and, in accordance with law and University procedures, will be made available for review by DePaul University students or employees upon request.

Failure to register by any student or employee who is required to do so may result in consequences pursuant the Code of Student Responsibility, Progressive Discipline, or other University policies as applicable. Individuals registering with DePaul will not be required to pay a registration fee.

Divisional Collaborations

Office of General Counsel
Office of Student Affairs
Office of Human Resources
Office of Academic Affairs
Office of Institutional Compliance

Contact Information

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Appendices

None.

History/Revisions

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