



THE MASTER'S
UNIVERSITY

CLERY ACT CAMPUS SECURITY AUTHORITY REPORT FORM

Forward this form promptly to your campus identified Clery Compliance Office

CSA/Mandatory Reporter Name: _____ Date: _____

Phone Number: _____ Email: _____

The role of a *Campus Security Authority* (or CSA) is to report *Clery Act* violations in four categories:

- 1) WHEN acting in your capacity as a CSA, a reportable crime is disclosed to you:
 - a. CSAs are **not** responsible for reporting or investigating incidents that they overhear students talking about in a hallway conversation; that a classmate mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or otherwise learns about indirectly.
- 2) THAT occur on TMU property, on the public property immediately adjacent to TMU property, or on official TMU sponsored trips or campus activities:
 - a. *Exception:* Sexual Misconduct is also a Title IX violation and any violation of the “sexual misconduct policy” ON or OFF campus must be reported.

Reporting Party Name¹: _____ Phone Number: _____

Clery Crime Category: _____ Date/Time occurred: _____

Location of Incident (include campus name and building #): _____

Description (All the relevant details): _____

Check the appropriate answer to the following questions:

Did the crime occur ON campus owned, controlled, or leased property? Yes: No:

¹ Inform the reporting party that while the report of a crime may be disclosed to the campus community, their name and personal information will remain private.

Did the crime occur ON public property immediately adjacent to the campus? Yes: No:

Did the crime occur AT a campus sponsored activity or event? Yes: No:

Only use this section, if reporting on a Clery Act crime motivated by bias:

Type of Hate Crime: _____

Type of Bias (check): _____Race, _____Religion, _____Ethnicity, _____National Origin,
 _____Gender, _____Disability, _____Sexual Orientation, _____Gender Identity

DEFINITIONS OF REPORTABLE CRIMES:

Four general categories of Clery Act reportable offenses:

1. **Criminal Offenses:** Homicide; Sexual Assault; Robbery; Aggravated Assault; Burglary; Theft of Motor Vehicle; Arson.
2. **Hate Crimes:** any of the above mentioned offenses, and any additional incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property *that were motivated by bias*
3. **VAWA Offenses:** Any incidents of Domestic Violence, Dating Violence and Stalking
4. **Arrests and Referrals for Disciplinary Action:** for weapons – carrying, possessing, etc; violation of criminal law (not policy) related to drugs and liquor.

Category 1 of reportable offenses: Criminal Offenses

- **Murder/Non-Negligent Manslaughter:** the willful (non-negligent) killing of one human being by another.
- **Manslaughter by Negligence:** the killing of another person through gross negligence.
- **Sexual Assault Offenses:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. CSAs are required to report on these four types of Sexual Assaults.²

1. **Rape:** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
2. **Fondling:** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
3. **Incest:** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

² The Clery Act does not require Sexual Assaults occurring OFF campus to be disclosed, but CSA's who are also "responsible employees" under Title IX must report acts of non-consensual sexual misconduct occurring ON or OFF campus (contact your campus Title IX Administrator if you are unsure if you are a mandatory reporter under Title IX).

4. **Statutory Rape:** is sexual intercourse with a person who is under the statutory age of consent. In California the age of consent is 18. If force was used or threatened, or the victim was incapable of giving consent because of his/her age or temporary or permanent mental impairment, the offense is Rape, not Statutory Rape.
- **Robbery:** the taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
 - **Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
 - **Burglary:** The unlawful entry of a structure to commit a felony or a theft (i.e., thefts from dorm rooms).
 - **Theft of a Motor Vehicle:** The theft or attempted theft of a motor vehicle. (include -joyriding).
 - **Arson:** The *willful or malicious* burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

Category 2 of reportable offenses: Hate Crimes

- **Hate Crimes:** any of the category 1 or 2 crimes that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim (race, religion, ethnicity, national origin, gender, gender identity, sexual orientation, disability). **Note: The following category 2 crimes are not reported, unless also accompanied by one of the bias.**
 1. **Larceny-Theft:** the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
 2. **Simple Assault:** an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
 3. **Intimidation:** to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
 4. **Destruction/Damage/Vandalism of Property:** to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Category 3 of reportable offenses: VAWA Offenses

- **VAWA Offenses:** The offenses added to the *Clery Act* by the *Violence Against Women Act*.
 1. **Domestic Violence:** a felony or misdemeanor crime of violence committed— By a current or former spouse or intimate partner of the victim; By a person with whom the victim shares a child in common; By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; 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; 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.
 2. **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with

consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

3. **Stalking:** 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.

Category 4 of reportable offenses: Number of Arrests and Number of Persons referred for disciplinary action for Weapons, Drug, and Liquor Law crimes

- **Weapon Law Crimes:** violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.
- **Drug Law Crimes:** violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
- **Liquor Law Crimes:** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.