

# Understanding Cal Poly Humboldt's 2023 Annual Security Report

The full report is available at: [clery.humboldt.edu](https://clery.humboldt.edu)

# General Overview

- Clery Act: Federal law in 1990, considered consumer protection that focuses on transparency around campus crime policy and statistics
- Named for the year it's published - 2023 ASR
- Statistics are collected for a calendar year, rather than an academic year
- Also contains:
  - current security and safety-related policy statements
  - emergency preparedness and evacuation information
  - crime prevention and sexual assault prevention information
  - information about drug and alcohol prevention programming

# Why comply?

## “Stick”

- Compliance with Clery Act is tied to our access to Title IV funds (Federal student aid) - lack of compliance can result in our funds getting revoked
- Fines: \$67,544 per instance, with increases each year, e.g.:
  - Missing policy statements in the ASR
  - Inaccurate crime statistics
  - Issues with daily crime or fire logs

## “Carrot”

- Transparency for campus and community members
- Allows for individuals to create a safety plan for themselves
- Safety/security related policy statements and procedures are all in one place

# “Reported”

- ASR has reported statistics
- It is not a confirmation that a crime has definitively occurred
  - Investigations (if they occur) often happen after a report is made
  - If an investigation turns up that the crime did not take place as reported, the statistic remains in the ASR unless UPD has determined that the report was purposely false or baseless (i.e. **unfounded**)
- Numbers will differ across reports because of location of incident, what’s shared, how reports are worded, confidentiality, etc.
  - Title IX department annual report, ASR, CAT, Safer Campus Survey, UPD

# Unfounded Crimes

A crime is considered **unfounded** for Clery Act purposes only if sworn or commissioned law enforcement personnel (UPD) make a formal determination that the report is **false** or **baseless**.

- **False:** only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner
- **Baseless:** only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place

A reported crime cannot be designated **unfounded** if no investigation was conducted or the investigation was not completed; nor can a crime report be designated **unfounded** merely because the investigation failed to prove that the crime occurred.

# What happens after something is reported?

1. The initial report is made to UPD, Title IX, Housing, CARE, Office of Student Rights & Responsibilities, or any other **Campus Security Authority**
2. The report is assessed by the Clery Director and UPD to determine if there is an ongoing threat to the campus and if it falls within **Clery Geography**
  - a. If yes, we issue a **Timely Warning** to campus
3. UPD puts the crime statistic on the **Daily Crime Log**
4. All crimes are totaled for the calendar year and included in the **Annual Security Report**

# What happens (continued)

If a report references sexual assault, dating or domestic violence, or stalking, AND the survivor's name is included in the report, Title IX & DHR Prevention Office shares with the survivor:

- confidential support options such as the Campus Advocate Team and CAPS
- additional campus and community resources
- their rights and options under the **CSU Nondiscrimination Policy**, including the option to request supportive measures
- the option to meet with the Title IX & DHR Prevention Office

# What statistics get included in the ASR?

- Included based on the year they were reported, not the year they occurred.
- Every incoming report to Housing, Title IX, OSRR, CARE, and UPD is assessed for the following:
  - Is it considered one of the ***Clery-reportable crimes***?
  - Did it occur on ***Clery geography***?
  - Was it reported to a ***Campus Security Authority***?



# Clery Reportable Crimes

## Criminal Offenses

- Criminal homicide: murder and non-negligent manslaughter, manslaughter by negligence
- Rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Fondling
- Incest
- Statutory Rape

## Hate Crimes

- Anything in the Criminal Offenses category
- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

## Violence Against Women Act (VAWA)

- Domestic violence
- Dating violence
- Stalking

## Arrests and Referrals for Disciplinary Action

- Weapons law violations
- Drug abuse violations
- Liquor law violations

Click [HERE](#) for full details and definitions

# A note on definitions...

The classification happens “behind the scenes”.

Those who experience harm can use whatever words and phrases to describe their experience.

Students and employees can request supportive measures from campus regardless of if what they describe “matches” a definition of a Clery Reportable crime.

# Clery Geography

There are four geography categories in the ASR:

- ***On-Campus Housing*** (places like the Canyon, College Creek, and the Hill), specifically:
  - buildings physically on the ***Main Campus*** that students live in
- ***Main Campus*** (places like academic buildings and lawns)
- ***Noncampus*** (like the Eureka Campus Store, the R/V Coral Sea), specifically:
  - places Cal Poly Humboldt owns or controls that isn't part of the ***Main Campus***,
  - places students frequently use,
  - and places that support our educational mission
- ***Public property*** (parts of LK Wood Blvd), specifically:
  - sidewalks and streets that are immediately adjacent to our main campus and residence halls

# Examples

Assuming the following (fictional) scenarios are reported to UPD or another CSA, they MAY be counted in the year they were reported, depending on the circumstances:

- Someone's car is stolen from a campus parking lot
  - motor vehicle theft
- Someone has marijuana in their possession, in their residence hall room, and they are under 21 years old
  - drug referral or arrest
- Someone's residence hall room is broken into
  - burglary
- Someone is drinking alcohol on the University Quad
  - alcohol referral or arrest
- Someone says an ex partner is showing up outside of all of their classes and they are feeling scared to go to class because of this
  - stalking

You can obtain a copy of  
the report by contacting  
the Clery Director or  
stopping by the office:

**Nicki Viso**

Clery Director  
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