



2.5.040

## Timely Warning and Clery Act Policy

Date of last board of trustees review: February 13, 2019

The originator of this policy is the associate vice president for Public Safety. Questions regarding this policy may be directed to the originator by calling 801-957-4571.

### 1. Policy

The purpose of the Timely Warning & Clery Act Policy is to outline Salt Lake Community College's practices and procedures for providing a safe and secure environment for students, faculty, staff, and campus visitors while complying with federal laws regarding security on campus.

Any changes to the Jeanne Clery Disclosures of Campus Security Policy and Campus Crime Statistics Act of 1998 will supersede the relevant provisions of this policy.

### 2. References

Jeanne Clery Disclosures of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f); 34 C.F.R. § 668.46.



## 2.5.040

# Timely Warning and Clery Act Procedure

Date of last executive cabinet review: April 16, 2024

The originator of this procedure is the associate vice president for Public Safety. Questions regarding this procedure may be directed to the originator by calling 801-957-4571.

### 3. Definitions

- A. **College Community:** college faculty, staff, trustees, members of boards of various college entities, students, registered student organizations, and college organizations on Salt Lake Community College campuses and sites.
- B. **Campus Security Authority (CSA):** individuals at the college who, because of their function for the college, have an obligation under the Clery Act to notify the college of alleged Clery crimes that are reported to them in good faith, or alleged Clery crimes they personally witness. These individuals, by virtue of their position due to official job duties, ad hoc responsibilities, or volunteer engagements, are required by federal law to report crime when it has been observed by and/or reported to them by another individual. These individuals typically fall under one of the following categories:
  - 1. A campus police department or a campus security department of the college.
  - 2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
  - 3. Any individual or organization specified in the college's campus safety procedures as an individual or organization to which students and employees should report criminal offenses.
  - 4. An official<sup>1</sup> of the college who has significant responsibility for student and campus

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<sup>1</sup> CSA's are determined by criteria established in the U.S. Department of Education, Office of Postsecondary Education, [The Handbook for Campus Safety and Security Reporting](#), 2016 Edition, Washington, D.C., 2016.

activities.

- C. **Clery Act Crimes (Clery crimes):** crimes reported annually to the college community, including, but not limited to: criminal homicide; sex offenses; robbery; aggravated assault; burglary; motor vehicle theft; arson; hate crimes; dating violence; domestic violence; stalking; and arrests and referrals for disciplinary action for any of the following: liquor law violations, drug law violations, and carrying or possessing illegal weapons.
- D. **Clery Reportable Location:** property owned, leased, or controlled by the college, including on campus, on public property within or immediately adjacent to the campus, and in or on non-campus buildings or property that the college owns, controls, or leases, is frequented by students and used in support of educational purposes.
- E. **Emergency Notification:** an announcement triggered by a significant emergency event or dangerous situation involving an immediate threat to the health or safety of the college community at a Clery reportable location. This expands upon the definition of Timely Warning to include both Clery Act crimes and other types of emergencies or events that pose an imminent threat to the college community.
- F. **Emergency Notification System:** a mechanism established to enable college officials to quickly contact or send messages to the college community in an emergency. Examples include fire alarms, sirens, alerts via email/text message, and/or local TV/radio.
- G. **Referrals for disciplinary action:** the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
- H. **Timely Warning:** an alert triggered when the college determines a Clery crime has been committed and presents a serious and continuing threat. The college issues this alert to the college community.

## 4. Procedures

- A. **Requirements of the Clery Act under which the college will:**
  - 1. **Publish an Annual Security Report (ASR)**
    - a. By October 1 of each year, SLCC will publish an ASR documenting three calendar years of Clery crime statistics, security policies and procedures, and information on the basic rights guaranteed to victims of sexual assault. All crime statistics must be provided to the U.S. Department of Education.
    - b. This report must be made available to all current faculty, staff, employees, students, and the college community, including any prospective faculty, staff,

employees, and students, via the [college's website](#). Copies of the college's ASR are provided upon request from the college's Public Safety department.

**2. Identify, Notify, and Train Campus Security Authorities (CSAs)**

- a. The college will identify positions that meet the definition of a CSA on an ongoing basis and notify individuals in these roles of their obligations under the Clery Act to report any and all Clery crimes they witness or are reported to them that may have occurred in a Clery reportable location.
- b. The college strongly recommends that all CSAs complete training on their responsibilities and reporting requirements under the Clery Act. The college will provide such training regularly and upon request.

**3. Disclose Crime Statistics**

- a. Crime statistics for incidents that occur in Clery reportable locations are disclosed. The Clery Act requires reporting of crimes in the following categories:

**(1) Criminal Homicide**

- (a) Murder
- (b) Manslaughter by Negligence

**(2) Sex Offenses**

- (a) Rape
- (b) Fondling
- (c) Statutory Rape
- (d) Incest

**(3) Robbery**

**(4) Aggravated Assault**

**(5) Burglary**

**(6) Motor Vehicle Theft**

**(7) Arson**

**(8) Domestic Violence**

**(9) Dating Violence**

**(10) Stalking**

- b. In addition to the Clery Act crimes as mentioned above, statistics are gathered for the following categories of arrests or referrals for disciplinary action if an arrest was not made:

- (1) Liquor Law Violations
- (2) Drug Law Violations
- (3) Weapon Law Violations

- c. Statistics are also compiled for four additional crime categories if the crime committed is classified as a hate crime:

- (1) Larceny/Theft
- (2) Simple Assault
- (3) Intimidation
- (4) Destruction/Damage/Vandalism of Property

#### 4. Issue Timely Warnings

- a. The college provides Timely Warnings about Clery Act crimes that pose a serious or ongoing threat to the college community.
- b. The decision to issue a Timely Warning is determined by one or more college officials who have been pre-identified in the college's ASR.
- c. Because the nature of criminal threats is often not limited to a single location, Timely Warnings are issued in a manner likely to reach the entire college community. Timely Warnings may be issued for Clery crimes occurring in Clery reportable locations.
- d. Crimes that would otherwise be reportable but are reported to a licensed mental health counselor in the context of a privileged, confidential communication are not subject to the Timely Warning requirement.

- (1) Criteria for Issuing a Timely Warning. The college will issue a Timely Warning when the following criteria are met:

- (a) a Clery Act crime is reported;
- (b) the crime occurred in a Clery reportable location;
- (c) the perpetrator has not been apprehended; and
- (d) there is a serious or ongoing threat to the college community because of the crime. This decision considers the following criteria:

- (i) The nature of the crime;
  - (ii) When and where the crime occurred, when the crime was reported, and the amount of information known about the crime;
  - (iii) The continuing danger to the college community; and
  - (iv) The possible risk of compromising law enforcement efforts.
- (e) To make a Timely Warning consideration, all CSAs and local law enforcement agencies are directed to immediately report Clery Act crimes to the SLCC Department of Public Safety.
- (f) If the Timely Warning criteria are met, a notice will be drafted using crime-specific templates and issued by the executive director of Public Safety or designee as soon as pertinent information is available.
- (g) Timely Warnings are generally issued via email but may also be distributed through press releases, text messages, posters, desktop alerts, and messages on SLCC's website when appropriate.
- (h) The college may not use all distribution methods for every incident.
- (2) Content of a Timely Warning. The following information is typically included in a Timely Warning, if available:
- (a) a statement of the incident, including the nature and severity of the threat and the persons or locations that might be affected;
  - (b) any connection to a previous incident(s);
  - (c) physical description and/or composite drawing of the suspect;
  - (d) date and time warning was released;
  - (e) other relevant and important information, such as the gender of the victim or whether the threat involves a student or non-student;
  - (f) actions taken by law enforcement;
  - (g) a request for witnesses to contact the college's department of Public Safety; and
  - (h) appropriate safety tips.

**5. Issue Emergency Notifications:**

- a. The college will inform the college community about a significant emergency event or dangerous situation involving an immediate threat to the health or

safety of the college community occurring on or near college grounds.

- b. An emergency notification expands the definition of Timely Warning as it includes Clery Act crimes and other types of emergencies, such as fire or infectious disease outbreaks. Emergency events may be localized; therefore, notifications may be tailored exclusively to the segment of the college community at risk.
  - c. The college also has emergency response and evacuation procedures specific to its on-campus facilities. A summary of these procedures is disclosed in the ASR. Additionally, the emergency response procedures are tested at least once annually.
  - d. Emergencies where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or mitigate the emergency are not subject to the emergency notification requirement.
6. Maintain a Daily Crime Log
- a. The college maintains a daily crime log documenting the nature, date, time, and general location of each crime reported to the college's department of Public Safety within the last 60 days and the disposition, if known, of the reported crimes.
  - b. Incidents are entered into the log within two business days of receiving the report.
  - c. The Daily Crime Log is available by contacting the college's department of Public Safety at (801) 957-4270.
  - d. Requests for public inspection of daily crime log entries beyond 60 days must be made in writing and will be made available within two business days of the request.