

Campus Security Authorities

The documents in this section are for use by those on campus designated as "Campus Security Authorities." These documents help Campus Security Authorities understand and perform their role in complying with the Clery Act.

These documents, along with a PPT Training are presented and emailed to Campus Security Authorities twice yearly (June/September). These report forms are utilized by Campus Security Authorities to report crimes that are reported to them.

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What is the Jeanne Clery Act?

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student-aid programs are subject to this requirement. The act includes:

- Publishing an annual report disclosing campus security policies and three years' worth of selected crime statistics.
- Making timely warnings to the campus community about crimes that pose an ongoing threat.
- Keeping a public crime log.
- Upholding basic rights for survivors of sexual assault.
- Making accurate crime statistics available to the U.S. Department of Education, which centrally collects and disseminates campus crime statistics at the national level.
- Possible fines from the U.S. Department of Education when schools fail to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to the Hennepin Technical College Campus Security Department, as well as designated campus officials including, but not limited to, directors, deans, department heads, designated student support staff, advisers to students and student organizations and local law enforcement agencies.

The "Clery Act" is named in memory of 19-year-old Lehigh University freshman Jeanne Ann Clery, who was raped and murdered on April 5, 1986, while asleep in her residence hall room.

Her parents, Connie and Howard Clery, later discovered that students hadn't been told about 38 violent crimes on the Lehigh campus in the three years before her murder. They joined with other campus crime victims and persuaded Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990." A 1998 amendment formally named the law in memory of Jeanne Clery.

Who is a Campus Security Authority?

"Campus Security Authority" means:

1. A campus public safety, Security or police department.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a public safety department under paragraph (1) of this definition, such as a private security company.
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities, who manages or otherwise oversees student and campus activities. For example, staff responsible for a student center, or student extra-curricular activities; a team coach; faculty advisors to student groups; staff responsible for student discipline; campus judicial staff.

Each campus must identify these individuals. The Clery Act Coordinator is responsible for ensuring they are aware of their responsibilities and submit periodic statistics on any crimes that have been reported to them.

The following officials are exempt from reporting when they are acting as pastoral or professional counsels. For this purpose:

- A *Pastoral Counselor* is a person who is associated with a religious order or denomination, is recognized by the religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- A *Professional Counselor* is a person whose official responsibilities including providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Other persons who have significant responsibility for campus and student activities and who counsel or advise students and employees are not exempt from reporting, even if the counseling is confidential.

Definitions of Clery Act Crimes

Murder and Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another.
NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence.

Sex Offenses–Forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Forcible Rape

The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault With An Object

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/ or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses–Nonforcible: Unlawful, nonforcible sexual intercourse.

A. Incest

Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape

Nonforcible sexual intercourse with a person who is under the statutory age of consent.



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Robbery: The taking or attempting to take anything of value from 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. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned – including joy riding).

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.

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

(Crime Definitions from the Uniform Crime Reporting Handbook and Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program)

Clery Act Hate Crime Definitions

The Hennepin Technical College Campus Security Department is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug violations and/or illegal weapons possession (see definitions above), and larceny, vandalism, intimidation, and simple assault (see definitions below).

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: Constructive possession is defined by Black's Law Dictionary, 6th ed. as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")

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.

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.

Destruction/Damage/Vandalism of Property (Except "Arson"): To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, religion, ethnicity, gender, sexual orientation, or disability, the assault is then also classified as a hate/bias crime.

Clery Geographic Location Definitions

An institution must report statistics for offenses according to their occurrence in the following locations, or geographic categories:

- **On-Campus**

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

- **Public Property**

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. Generally, sidewalks and public streets running through campus and sidewalks and public streets adjacent to campus (the sidewalk immediately adjacent, the street, and the second sidewalk across the street are all counted).

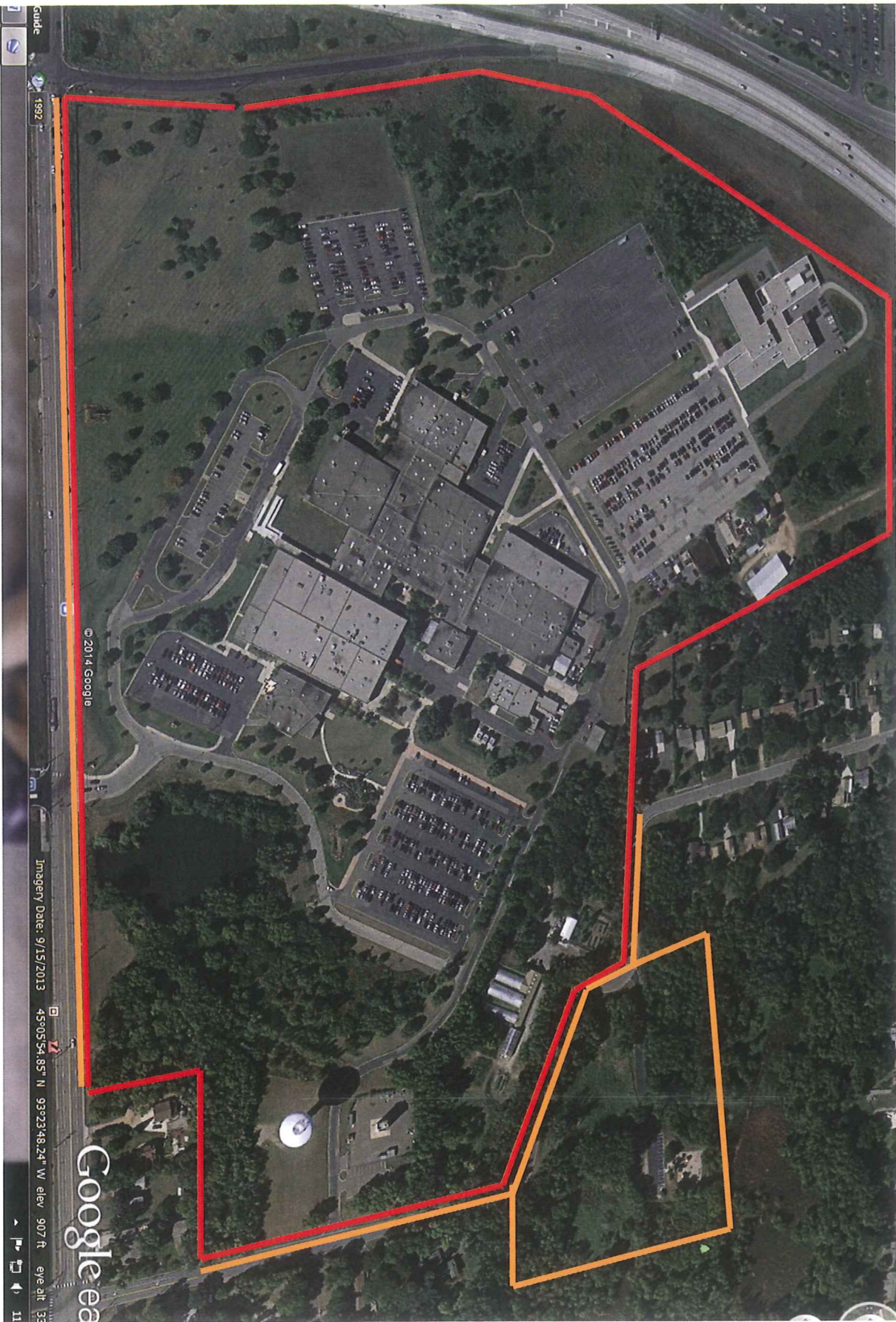
- **Non-campus**

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

BROOKLYN PARK CAMPUS – CLERY GEOGRAPHY REPORTING MAP

— Property boundary

— Public roadway/sidewalk & Greenhaven Park



EDEN PRAIRIE CAMPUS – CLERY GEOGRAPHY REPORTING MAP

Property boundary Public Roadway & Staring Lake Park



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Please do not investigate the crime or attempt to determine whether a crime, in fact took place. Simply report the information. Appropriate college personnel may later contact you or others to gather additional information. With the exception of liquor, drug, and weapons law violations, it is immaterial whether an arrest is made.

Crimes that should be reported are:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Forcible sex offences
- Non-forcible sex offences
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hate crimes
 - Theft
 - Simple assault
 - Intimidation
 - Destruction/damage/vandalism of property
 - Bodily Injury
- All liquor, drug or weapon law violations resulting in an arrest

For reporting purposes, please assume that a hate crime is any crime manifesting evidence that the victim was selected because of the victims actual or perceived race, religion, sexual orientation, gender, ethnicity/national origin, or disability.

If you have any questions regarding reporting obligations or need help filling out a form, please contact the Hennepin Technical College Director of Security – Randy Roehrick.

APPENDIX A

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CAMPUS SECURITY AUTHORITY CRIME AND INCIDENT REPORT FORM

If you are an individual identified as a "Campus Security Authority," use this form to report the required information about specified crimes (listed below) pursuant to the federal Clery Act. The information collected from these forms is used to prepare a compilation of statistical crime information for inclusion in HTC's Annual Security Report.

Reports of offenses that pose an immediate or continuing serious threat to the campus community that may require an emergency notification or timely warning to the community are to be reported immediately to campus security staff and/or to the Director of Security. Submission of this report form should follow that immediate report.

Campus Security Authority Information:

Last Name:		First Name:	
Phone:		E-Mail:	
Campus:		Department:	
Date of this report:		MM/DD/YYYY	
When & how did you receive this information?		Date reported to you:	

Incident Information:

Date of incident:		MM/DD/YYYY	Time of incident:		<input type="checkbox"/> AM <input type="checkbox"/> PM
Or date range: from		to		or date(s) unknown:	<input type="checkbox"/>
Criminal offense – select the category that best describes the incident you are reporting:					
<input type="checkbox"/>	Criminal Homicide – murder, non-negligent manslaughter, the willful (non-negligent) killing of one human being by another or negligent manslaughter, the killing of another person through gross negligence (do not include traffic fatalities)				
<input type="checkbox"/>	Sex Offense (Forcible) – forcible rape, forcible sodomy, sexual assault with an object, forcible fondling				
	Were the victim and offender acquainted? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown				
<input type="checkbox"/>	Sex Offense (Non-forcible) – incest, statutory rape				
<input type="checkbox"/>	Robbery – taking something of value from a person by force or threat of force or violence				
<input type="checkbox"/>	Aggravated Assault – attack of a person that inflicts severe or aggravated bodily injury often with the use of a weapon or by means likely to produce death of great bodily harm				
<input type="checkbox"/>	Burglary – unlawful entry of a structure to commit a felony or theft, thefts from areas of open access are not burglaries				
<input type="checkbox"/>	Motor Vehicle Theft – theft of any self-propelled vehicle that runs on land surfaces				
<input type="checkbox"/>	Arson – willful or malicious burning or attempt to burn a dwelling house, public building, motor vehicle, aircraft or personal property of another				
Hate Crime: any criminal offense committed against a person or property that is bias motivated. Is there evidence that the incident was motivated by bias based on any of the following characteristics?					
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No		
<input type="checkbox"/>	Race	<input type="checkbox"/>	Religion	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Ethnicity/ National Origin

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Appendix A**

Dating Violence: committed by a person who has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors; length of the relationship, type of relationship, frequency of interaction between the persons involved in the relationship.			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Domestic Violence: includes felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction receiving grant monies, or 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.			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Stalking: means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress.			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Incidents that involve arrests or judicial referrals:			
<input type="checkbox"/>	Liquor law violation – underage drinking, distribution to minors, does not include public drunkenness or intoxication		
	<input type="checkbox"/>	Arrest	<input type="checkbox"/>
			Referral
<input type="checkbox"/>	Drug Law Violation – use, possession, distribution of a controlled substance		
	<input type="checkbox"/>	Arrest	<input type="checkbox"/>
			Referral
<input type="checkbox"/>	Weapon Law Violation – possession or use of an illegal weapon, does not include policy violations		
	<input type="checkbox"/>	Arrest	<input type="checkbox"/>
			Referral
Victim Information:			
It is the policy of HTC to ensure that victims of and witnesses to crime are aware of their right to report criminal acts to the police and to report college policy violations to the appropriate office (i.e., student conduct violations to the Dean of Student Success Services, employee conduct violations to the Office of Human Resources). However, if a reporting person requests anonymity, this request must be honored to the extent permitted by law. Accordingly, no information should be included on this form that would personally identify the victim without his/her consent.			
<input type="checkbox"/>	Female	<input type="checkbox"/>	Male
			Age: _____
<input type="checkbox"/>	HTC Student		<input type="checkbox"/>
		HTC Employee/Contractor	<input type="checkbox"/>
			Visitor
Provide name and contact information of victim if he/she gives permission:			
Last name:		First Name:	
Telephone:		E-Mail:	
Address:			
Is the victim willing to provide his/her name for security/police follow-up? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Has the victim made a HTC Security Report? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Has the victim made a police report? <input type="checkbox"/> Yes <input type="checkbox"/> No			
To which police agency? _____			
Has a Student Conduct Code/Disciplinary referral been made? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Has a referral to the Office of Human Resource been made? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			

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Upon completion of this form, send it to Randy Roehrick, Director of Security, by e-mail (Randy.Roehrick@hennepintech.edu), or inter-campus mail.

For questions regarding this form contact Randy Roehrick, Director of Security at 763-248-1354 or email at Randy.Roehrick@hennepintech.edu.

Reference information:

U.S. Department of Education, Office of Postsecondary Education, *The Handbook for Campus Safety and Security Reporting*, Washington, D.C., 2011 available at the Department's website <http://www2.ed.gov/admins/lead/safety/handbook.pdf>.