
Clery Act - Notifications of Significant Emergencies and Dangerous Situations

359.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure the Department fulfills its obligations to the campus community as outlined in 34CFR 668.46(e), the Jeanne Clery Disclosure of Campus Security Policy (referred to as the Clery Act) and Campus Crime Statistics Act.

The Clery Act and Campus Crime Statistics Act (Clery Act), require that colleges and universities provide timely and relevant information about campus crimes and emergency situations to campus residents and stakeholders, such as students and employees. Moreover, in complying with the Clery Act, it is important that campus police and public safety agencies maintain accurate documents demonstrating the agency's inclusive efforts to inform all appropriate constituencies, actual and potential, of the availability of crime data and reports.

Refer also to Policy 822 - Jeanne Clery Campus Security Act for Departmental and programmatic responsibilities.

359.2 POLICY

It is the policy of the UOPD to comply with the Clery Act and to contribute to the university's fulfillment of Clery Act requirements in regard to two types of alerts that may keep the campus informed about safety and security threats: "emergency notifications" and "timely warnings."

At the UO, "emergency notifications" are known and disseminated as "UO Alerts," as per the UO Emergency Operations Plan. Certain UOPD supervisors and administrators are trained to launch "UO Alerts" when necessary, to immediately notify campus stakeholders by various means of imminent threats to safety.

At the UO, "timely warnings" are known as "Campus Crime Alerts," and are the responsibility of UOPD. "Campus Crime Alerts" are usually created and disseminated when Clery-reportable crimes (such as Criminal Homicide, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson and Hate Crimes; see Policy 822.4(a),(b)) are reported on UO-owned and , controlled properties. The list of crimes is not inclusive and "Campus Crime Alerts" may be issued for any serious or continuing threat to person, property or campus safety.

359.3 PROCEDURE

UOPD staff will follow the UO Emergency Operations Plan in assessing, creating and disseminating "UO Alerts."

UOPD staff will follow the Department's "Clery Campus Crime Alert Protocol" document to promptly and efficiently analyze incidents, and create and distribute "Campus Crime Alerts" when warranted. Each incident is considered on a case-by-case basis, depending on the facts of the case and the information known by UOPD.

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359.3.1 ADMINISTERING ALERTS

The Incident Commander is responsible for approving the content and timing of alerts (in some situations, this responsibility is delegated either by a formally identified Incident Commander, or by the Chief of Police). In addition, the Incident Commander must determine whether an alert hinders either a criminal investigation or emergency operation.

- (a) An alert is determined to hinder a criminal investigation when there is **clear and convincing evidence** that the release of such information would jeopardize an ongoing criminal investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.
 1. If posting an alert **will not** hinder the investigation, the alert will be issued in the manner described above.
 2. If after consulting with appropriate staff it is determined that posting an alert **will** hinder the investigation, such information will be withheld until that damage is no longer likely to occur from the release of information.
 - (a) Consideration should be given to notifying crime victims before alerts are issued to the campus community.

359.3.2 ALERT CONTENT AND DISTRIBUTION

Alerts shall contain information on the nature, location and time of incidents that may affect the safety and security of campus constituents. Alerts will also contain instructions or suggestions that may enhance the safety and security of recipients. Care should be taken so that the content or timing of Alerts will not interfere with an emergency response or a criminal investigation, or put the personal safety any civilian or responder at risk.

When necessary, UOPD will work with other local agencies to gather relevant information for alert content, including when incidents occur off of UO-owned or , controlled property.

As a general rule, alerts will be distributed as soon as possible within the guidelines for each type of alert ("UO Alerts" as governed by the UO Emergency Operations Plan and "Campus Crime Alerts" as governed by the "Clery Campus Crime Alert Protocol"). Alerts need not wait until all information has been confirmed.

359.3.3 NOTIFICATION TO THREATENED PERSONS

In all cases of a credible threat to harm another campus student/staff/faculty member, every effort should be made to notify the intended victim through appropriate channels and to provide whatever assistance may be necessary for that person's safety. The officer/employee receiving the threat information is responsible for:

- (a) Immediately notifying the Watch Commander/immediate supervisor
- (b) Documenting the threat information in a report

The on duty Watch Commander is responsible for:

- (a) Notifying Command Staff of the incident and threat information
- (b) Notifying the intended victim through appropriate channels
- (c) Ensuring that the notification procedure is completed
- (d) Coordinating with other departments and agencies as required
- (e) Ensuring proper UOPD Command Staff are briefed to the threat information

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359.3.4 MAINTENANCE OF CRIME ALERTS

- (a) All records pertaining to Timely Warnings (crime reports or other notification documents, e-mail correspondence and warnings) are maintained by the Clery Coordinator in electronic and paper format. Timely Warnings are archived on the UOPD website.
- (b) Copies or other documentation of the Alert will be forwarded to the Chief of Police, Assistant Chief, Police Operations Captain, Police Operations Lieutenants, Investigation Sergeant and Crime Analyst.