



POLICE DEPARTMENT

**CLERY ACT
COMPLIANCE**

**ADMINISTRATIVE
PROCEDURE #222**

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard Jr.
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Policy Statement

The Clery Act, signed in 1990, was originally known as the Crime Awareness and Campus Security Act. The act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (shortened to the Clery Act) in 1998. The law is named for Jeanne Clery, a 19-year-old Lehigh University freshman who was murdered in her campus residence hall in 1986. The backlash against unreported crimes on numerous campuses across the country led to the passage of the Clery Act.

Who Is Governed by This Policy

All personnel, including sworn, nonsworn, and contractual or voluntary persons in service with the Johns Hopkins Police Department (JHPD), are governed by this Directive.

Purpose

The purpose of this Directive is to establish procedures for the JHPD’s responsibilities to the Johns Hopkins University (JHU) in fulfilling JHU’s obligation for compliance with the Clery Act.

Policy

It is the policy of the JHPD through Johns Hopkins Public Safety (JHPS) to comply with all provisions of the Clery Act. It is the policy of the JHPD and JHPS to alert the campus community through “timely warnings” of a serious or continuing threat to safety, to maintain a daily crime and fire log accessible by the general public, to publish an annual security and fire safety report that discloses policies and procedures and three years of crime and fire statistics, and to report crime statistics to the U.S. Department of Education annually.

Procedures

I. Requirements

- A. The Clery Act requires higher education institutions to develop, implement, and disclose campus security, fire, missing persons, and evacuation policies and procedures, to:
- Alert the campus community through “timely warnings” of a serious or continuing threat to safety,
 - Develop and maintain a daily crime and fire log,
 - Develop and distribute an annual security and fire safety report that discloses policies and procedures and three years of crime and fire statistics that occurred on campus, in the institution’s residential facilities, in noncampus buildings, or on public property, and
 - Report crime statistics to the U.S. Department of Education annually.
 - The Clery Act also requires that JHU issues emergency notifications for an immediate or pending threat to campus.
- B. The following offenses must be included in the annual Clery Act report and sent to the U.S. Department of Education: (Commission on Accreditation for Law Enforcement Agencies (CALEA) 91.4.1.b)
- Criminal homicide:
 - Murder and nonnegligent manslaughter
 - Negligent manslaughter
 - Sexual offenses:
 - Forcible
 - Nonforcible
 - Robbery
 - Aggravated assault
 - Burglary

- Arson
- Motor vehicle theft
- Domestic and intimate partner violence
- Stalking
- Arrest and/or disciplinary referrals for:
 - Liquor-law violations
 - Drug-law violations
 - Illegal weapons possession
- NOTE: Institutions are required to release statistics concerning hate crimes and shall indicate every occurrence of crime involving bodily injury in which the victim was targeted because of their actual or perceived race, gender, religion, sexual orientation, gender identity, ethnicity, or disability.

C. The JHPD Senior Director for Clery Compliance or their designee shall be responsible for compliance with all requirements of the Clery Act, to include but not limited to: (CALEA 91.4.1)

- Arranging for training when needed,
- Assisting with interpretation of Clery Act requirements, and
- Serving as liaison with the Vice President of JHPS and Chief of Police, all members of the JHPS and JHPD senior leadership team, the City of Baltimore Police (BPD) and Fire Departments, Johns Hopkins emergency management and regulatory leaders, the Crime Data Analyst, and Records Section personnel regarding Clery Act matters.

D. The Senior Director for Clery Compliance or their designee is responsible for the enterprisewide review of all incident reports, including criminal incident reports, and determination of the incident classification.

E. **Crime Log:** The JHPS Crime Data Analyst maintains a Daily Crime Report and a separate Fire Log of all incidents reported to the JHPD and JHPS personnel. This includes all crimes, incidents related to fires, and other serious incidents that occur within the Johns Hopkins designated patrol areas, including on campus, in areas jointly patrolled by the JHPD and BPD, in buildings or properties not affiliated with Johns Hopkins, on public property, or within the JHPD Patrol Zone.

- Each JHPS Site Director shall also receive and review the BPD Crime Briefings and check the JHPD and JHPS records for accuracy.

- Records personnel, with assistance from the Director of Special Services and Senior Director for Clery Compliance or their designee, will compare the BPD Crime Briefing with the JHPD Daily Crime Report to verify accuracy.
 - The Senior Director for Clery Compliance or their designee will notify the Deputy Chief of the Support Services Bureau or their designee about any criminal incidents that are listed in the BPD Weekly Crime Report that do not appear in departmental records or the Crime Log.
 - JHPD Investigations will conduct a follow-up investigation of these incidents and, when required, enter the pertinent information into the Crime Log as an identifiable “late” entry.
 - The Daily Crime Report and separate Fire Log include the incident type, date the incident is reported, date and time of occurrence, general location of each reported incident type, and disposition of the incident, if this information is known.
 - The JHPS Clery Compliance Director and the Crime Data Analyst or their designee post specific incidents in the Daily Crime Report and Fire Log within two business days of receiving a report of an incident and reserve the right to exclude reports from the log in certain circumstances as permitted by law or when not doing so would compromise an active criminal investigation or pose a threat to the victim.
 - JHPS gives the public 24/7 general access to **all** crime data in the JHPD Patrol Zone via the 60-day Crime Log available online. Printed copies are available on request. A copy may also be obtained from the lobby of JHPS at 3001 Remington Avenue, Baltimore, MD.
- F.** JHPS also submits the Daily Crime Report and Fire Log to the Johns Hopkins journal of record, *The Almanac*, for weekly publication. They are also available online at <https://publicsafety.jhu.edu/clery-and-crime-data/crime-fire-logs/>.
- Upon request, the Daily Crime Report and Fire Log, including incident descriptions, are provided weekly to Johns Hopkins and are available online at <https://publicsafety.jhu.edu/clery-and-crime-data/crime-fire-logs/>.
- G.** When the JHPD becomes aware of criminal incidents that constitute an ongoing or continuing threat to the campus community, JHPS shall issue a timely warning to the community by activating the JHU/Johns Hopkins Medical Institute (JHMI) ALERT system in conformance with [Campus Notifications \(GOV036\)](#) and/or a JHPS campus-specific Standard Operating Procedure (SOP). (CALEA 91.1.5.b)

- Depending on the particular circumstances, a timely warning may be disseminated by using one or a combination of the following: email, various campus publications, the JHPS and JHU websites, crime alerts, flyers posted at various locations on campus, or activation of the JHMI or JHU ALERT system. (CALEA 91.1.5.c)

II. Annual Disclosure of Crime Statistics

- A. The JHPD, through the Crime Data Analyst and Senior Director for Clery Compliance or their designee, publishes and distributes the Annual Security & Fire Safety Report on a yearly basis. The statistics collected conform to the Federal Bureau of Investigation's National Incident-Based Reporting System requirements.
- B. JHPS prepares this report to comply with the Clery Act. The full text of this report can be located on the JHMI or JHU website at <https://publicsafety.jhu.edu/clery-and-crime-data/clery/>.
- C. The Annual Security & Fire Safety Report includes the following JHU policies and procedures:
- Reporting a crime,
 - Timely warnings,
 - Emergency preparedness,
 - Emergency notification system,
 - Rape and sexual violence,
 - Relationship violence,
 - Weapons policy,
 - Alcohol and drugs policy,
 - Disciplinary policies,
 - Missing persons,
 - Security of residence,
 - Use of facilities,
 - The Clery Act,
 - Hate crimes,
 - Campus crime statistics,
 - Crime statistics for noncontiguous properties, and
 - University fire policies.

- D. The Annual Security & Fire Safety Report also includes information about the JHU Gender-Based Violence Prevention program, which may be accessed along with other confidential resources at <https://studentaffairs.jhu.edu/chew/gender-violence-prevention/> for greater detail on the rights of victims of sexual assaults, including:
- Confidentiality,
 - Academic and housing accommodations,
 - Counseling, and
 - Outside resources.
- E. Additional information regarding JHU’s resources for sexual violence and misconduct and other resources can be found online using the following links:
- JHU Student Health Promotion and Well-Being Services webpage: <https://wellbeing.jhu.edu/HealthPromotion/services/>
 - JHU Student Health Promotion and Well-Being Confidential Resources webpage (for violence prevention and education resources): <https://wellbeing.jhu.edu/HealthPromotion/confidential-resources/>

III. **Crime Statistics**

Under the Clery Act, the JHU’s annual statistics must include crimes reported to campus security authorities. The term “campus security authorities” is defined as “campus security officials and campus officials with significant responsibility for student and campus activities.”

- A. The U.S. Department of Education considers disciplinary officers, counselors, deans, athletic coaches, and student affairs professionals to be among the officials who have an obligation to provide information for the preparation of crime statistics. These and other responsible officials, in turn, must ensure that others within their school or unit inform them about incidents that may be reportable even when those incidents do not, for whatever reason, result in police reports or investigations.
- In conformance with JHPD Directive #470, Field Reporting System, all members shall ensure that all offenses covered by the Clery Act are reported to the Senior Director for Clery Compliance or their designee.
- B. The information provided to JHPS by other institutional officials **shall not** include personally identifiable information about victims or anyone involved in the incident. In addition, officials are not expected to decide whether a crime has occurred or how to categorize possible crimes. Their role is to provide relevant information about possible offenses to JHPS.

- C. Two categories of school officials deemed to have significant responsibility for student and campus activities are exempted from this reporting requirement:
- Pastoral Counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination, or provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
 - Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of their license or certification.
- D. The U.S. Department of Education has specifically stated that the reporting exemption is not intended to relieve nonprofessional and informal counselors from the reporting obligations.
- E. On a yearly basis, JHPS shall submit a crime statistics report to the U.S. Department of Education.

IV. Officers Assigned to Other Agencies

Officers assigned to or assisting other law enforcement agencies will be guided by this Directive.

Policy Enforcement

Enforcement	JHPD managers and supervisors are responsible for enforcing this Directive.
Reporting Violations	Suspected violations of this Directive should be reported to the Chief of Police through the Senior Director for Clery Compliance or their designee.

Related Resources

University Policies and Documents
Operational Procedure #470, Field Reporting System Campus Notifications (GOV036) JHPS SOP, Homewood Campus, Notifications & Timely Warnings JHPS SOP, Peabody Campus, Notifications & Timely Warnings JHPS SOP, East Baltimore Campus, Notifications & Timely Warnings

External Documentation
Police Department Forms and Systems

Contacts

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Policy Management	(667)306-8618	jhpdpolicyinquiry@jh.edu