



Ongoing Disclosures for VAWA Offenses for Incidents Reported to Title IX or BIT

2nd Annual Mid-Year Conference

Cathy Cocks

*Consultant, Student Affairs, Title IX &
Equity Compliance*

D. Stafford & Associates

Bill Lafferty

*Director of Federal Relations, NACCOP
Director, Regulatory Compliance & Public
Safety Services, D. Stafford & Associates*

Session Agenda



VAWA Offenses



Sexual Assault

- Rape, Fondling, Incest, & Statutory Rape

Domestic
Violence

Dating
Violence

Stalking

Preferred Receivers of Reports



- Title IX
- Student Conduct
- Human Resources
- Student Life
- Residence Life
- Dean of Students
- Response or Assessment Teams - BIT/CARE, Bias Response Team, Sexual Assault Response Team
- Case Managers/Intake Personnel

Ongoing Disclosures



**Timely
Warning
(TW)**

**Emergency
Notification
(EN)**

**Daily Crime
Log (DCL)**

Timely Warning (TW) & Emergency Notification (EN) Overview



- Does your institution have a policy and procedure for requiring CSAs to report crimes immediately to the reporting structure of the institution?
- Does your department or institution have a TW/EN policy and procedure?
- What information do you include in a TW/EN?
- What are the circumstances for issuing a TW/EN?
- How does your institution alert the campus community when a TW/EN is deemed appropriate?
- Who makes the decision to distribute a TW/EN?
- How do you distribute the TW/EN?

Timely Warnings - What Are The Requirements?



- Assess the:
 - ✓ Clergy crimes
 - ✓ that are reported to a Campus Security Authority or Local Law Enforcement Agency
 - ✓ that occurred on or within the institution's Clergy Geography.
- Put out a timely warning if a reported crime is considered by the institution to represent a serious or continuing threat to students and employees.

When is an Emergency Notification Required?



- Under the *Clery Act*, every institution is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees.
 - An “**immediate**” threat as used here includes an imminent or impending threat, such as an approaching forest fire, or a fire currently raging in one of your buildings.

USC ADMITS TO ‘TROUBLING DELAY’ IN WARNING ABOUT FRATERNITY DRUGGING, SEXUAL ASSAULT REPORTS

USC freshman Blake Walters, 18, right, marches out in front of a group of USC faculty, students and area residents as they chant slogans and carry signs during a demonstration on the USC campus on Friday. The demonstration comes one week after sexual misconduct allegations against Sigma Nu fraternity members surfaced. (Brian van der Brug/Los Angeles Times)

BY TERESA WATANABE, COLLEEN SHALBY

OCT. 29, 2021 UPDATED 9:02 PM PT



How the Crime Log Differs from Other Campus Safety and Security Disclosures



- Crimes that must be entered in the Daily Crime Log within two business days include:
 - crimes that are reported directly to the campus police or security department;
 - crimes that are initially reported to another campus security authority who subsequently reports them to the campus police or security department; and
 - crimes reported to a local law enforcement agency which subsequently reports them to the campus police or security department.

Preferred Receivers of Reports - Training



- Trained to assess reports and notify the reporting structure of the institution in a timely manner about all crimes
- Trained to understand the Clery Act crimes and their definitions/elements for proper classification
- Trained to understand the legal standards and requirements for developing ongoing disclosures - who, what, when, why, and how
- Trained to develop an audit trail and tracking system for all reports
- Trained to report in real time, but also understand the need for ongoing reconciliation

When a CSA Reports a Crime...



Final Summary of TW vs. EN

	Timely Warning (TW)	Emergency Notification (EN)
Legal Standard:	Potential ongoing or serious threat	Immediate threat to health and safety
Circumstances:	Clery-reportable crimes that have been reported (occurred in past)	Clery-reportable crimes as well as other types of emergencies (happening right now or about to happen)
Audience:	Community-wide	Can send to a segment of the community, if appropriate
When Issued:	As soon as pertinent information is available	Upon confirmation of emergency (when possible)
Follow-Up:	Not Required	Required



BIT/CARE PROCESSES



Threat Assessment



Systematic, fact-based method of investigation and examination



Focusing on an individual's patterns of thinking and behavior



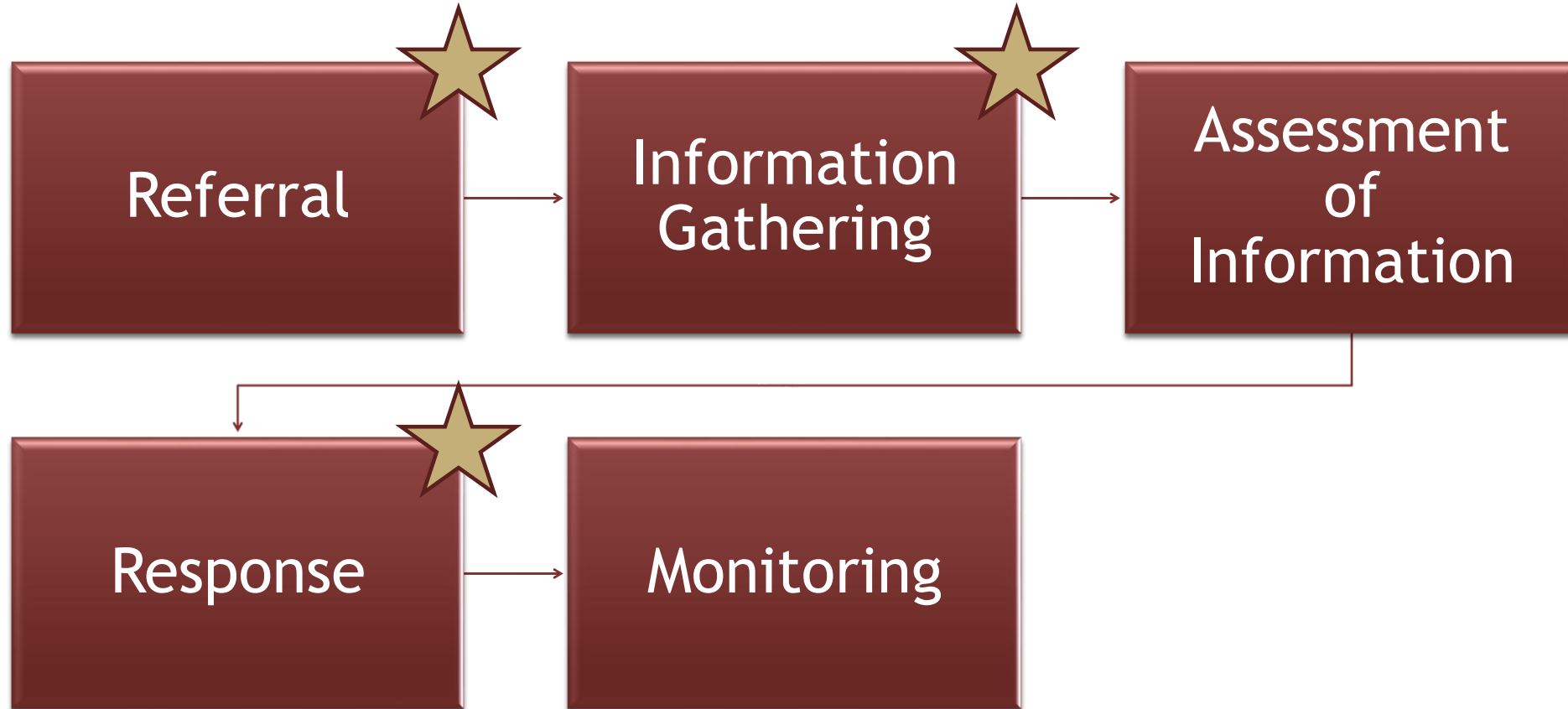
Beginning of the management process



Guides a course of action to mitigate a threat

The central question in a threat assessment inquiry or investigation is whether a person *poses* a threat, not whether a person has made a *threat*.

Common Intersections with the Clery Act





On a team of CSAs,
who is responsible?







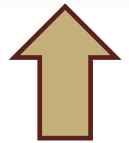
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