



# Campus Security Authorities (CSA) Reporting Form

**Confidential**

According to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)), San Jose State is required to collect and annually publish statistics concerning the occurrence of selected crimes on campus property (including residential facilities), non-campus property, and public property, reported or known to University Police, local police or any individuals identified by the University as "Campus Security Authorities" (CSA). Campus Security Authorities are defined as, "An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial procedures." The information collected from these forms is used to prepare a compilation of statistical crime information for inclusion in the campus' Annual Security Report. University Police will use this form to determine the category of the crime or incident and the location under which the incident should be reported according to the requirements of the Clery Act. Data collected on this form is to be used to promote crime awareness and enhance campus safety.

It is the policy of San Jose State University to ensure that complainant and witnesses to crime are aware of their right to report criminal acts to the police, and to report University policy violations to the appropriate office. However, if a victim requests confidentiality, 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 complainant without his/her consent.

For Clery purposes, the student status of the complainant or the respondent is not a relevant fact as to whether or not this report form is to be completed. If a crime occurs on San Jose State Clery geography, documentation is required, regardless of whether it is believed another report had been previously filed. In order for San Jose State to satisfy the statistical reporting requirements of the Clery Act, all CSAs are required to complete this form when specified crimes/incidents (listed below) are reported to them or at the end of the year advising no crimes were reported to them. In addition, a person reporting an incident to a CSA shall also be encouraged to report the crime to the San Jose State University Police Department or to the title IX office for Sex Crimes.

**Procedures**

If you are one of San Jose State's CSAs and you receive a report please do the following:

1. "Good-faith" confidential, second hand reports shall be accepted.
2. Encourage the crime complainant (s) and/or witness(es) to report the incident to University Police
3. If the incident indicates the possibility of an imminent community threat, inform UPD without delay.
4. If the incident reported is a rape or other violent crime:
  - a. Inform the complainant (s) and/or witness(es) of the support services available
  - b. Actively support the complainant (s) and/or witness(es) in accessing these services.
5. Complete the Crime & Incident Report form and handle as a "confidential" document.
6. Submit the form (pages 1-2) in a confidential envelope and deliver it to: UPD 377 South 7<sup>th</sup> Street, San Jose Ca. 95192

<b>Name of CSA</b>	<b>Department</b>	<b>Date of Report</b>	<b>Time of Report</b>
<b>Position</b>	<b>Phone Number</b>	<b>Date of Incident</b>	<b>Time of Incident</b>

**\*Name of Reporting Party:** \_\_\_\_\_

<input type="checkbox"/> complainant	<input type="checkbox"/> witness	<input type="checkbox"/> accused	<input type="checkbox"/> other	Relationship to Victim: _____
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\*If Reporting Party wishes to remain confidential, simply write CONFIDENTIAL in the "Reporting Party" field instead of a name and skip completing the contact information.

**Contact Information:** Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Was a Police Report Filed?  Yes  No  Unknown Specify Local Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Report # (if known): \_\_\_\_\_

Crime/Incident Information	
<input type="checkbox"/> No Crimes were reported to me for the _____ calendar year.	<i>Sign Here</i> _____

**Offenses - Part I**

- |  |   |
|--|---|
| <input type="checkbox"/> Murder/Non-negligent manslaughter | <input type="checkbox"/> Aggravated Assault                             |
| <input type="checkbox"/> Negligent Manslaughter            | <input type="checkbox"/> Burglary                                       |
| <input type="checkbox"/> Rape                              | <input type="checkbox"/> Motor Vehicle Theft                            |
| <input type="checkbox"/> Statutory Rape                    | <input type="checkbox"/> Arson  |
| <input type="checkbox"/> Fondling                          | <input type="checkbox"/> Weapons: carrying, possessing. Describe: _____ |
| <input type="checkbox"/> Incest                            | <input type="checkbox"/> Drug Abuse Violation                           |
| <input type="checkbox"/> Robbery                           | <input type="checkbox"/> Liquor Law Violation                           |

### Sexual Misconduct

Sexual misconduct is of special concern to the campus community because they have been historically under reported. The victim of sexual misconduct typically desires confidentiality and anonymity; as a result he/she will often seek a reporting source other than law enforcement such as a designated CSA. Because the offender may continue to pose a threat to the community, the threat potential needs to be evaluated and the campus community alerted/warned as necessary. In this regard, the following additional information is requested.

Was the Assailant:	<input type="checkbox"/> Unknown offender (stranger)		<input type="checkbox"/> Known offender (friend, acquaintance, classmate, date, etc.)				
	<input type="checkbox"/> San Jose State affiliated		<input type="checkbox"/> Faculty <input type="checkbox"/> Staff <input type="checkbox"/> Student				
Description of the Assailant:	Race/Gender	Age	Height	Weight	Hair Color	Eye Color	Physical Features:
Circumstances	Alcohol involved: <input type="checkbox"/> Victim <input type="checkbox"/> Suspect <input type="checkbox"/> Unknown Drugs/narcotics involved: <input type="checkbox"/> Victim <input type="checkbox"/> Suspect <input type="checkbox"/> Unknown Weapon involved: <input type="checkbox"/> Victim <input type="checkbox"/> Suspect <input type="checkbox"/> No						

Victim sustained emotional/psychological trauma

Victim sustained physical injuries

**Describe injuries:** \_\_\_\_\_

**Offenses - Violence Against Women**

Domestic Violence

Dating violence

Stalking

**Location(s) of Crime/Incident(s) (Be specific):** \_\_\_\_\_

Which services have you discussed with the reporting party at the time of their report (check all that apply)?

- Title IX investigator Monday – Friday 8am to 5pm (408) 924-7290
- Sexual Assault Advocate Rape Crisis (408) 295-4011
- University Police Department 24 hours a day 7 days a week (408) 924-2222
- Campus Student Wellness Center (408) 924-6122

### Hate Crimes

San Jose State is also required to report statistics for bias related (hate) crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson, sex offenses (see above) and larceny, simple assault, intimidation, and destruction/damage/vandalism of property (see below).

Larceny-theft

Simple Assault

Intimidation

Destruction/Damage/Vandalism of Property

Was this crime/incident motivated by bias?	<input type="checkbox"/> Unknown	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If yes, identify the category of prejudice:	<input type="checkbox"/> Race	<input type="checkbox"/> Religion	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> National Origin
	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Gender	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender Identity

### Description of the Incident or Crime:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Definitions

### Criminal Homicide (Manslaughter by Negligence)

The killing of another person through gross negligence. (Attempts are classified as aggravated assaults)

### Criminal Homicide (Murder and Non-negligent Manslaughter)

The willful (non-negligent) killing of a human being by another. (Attempts are classified as aggravated assaults)

### Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- (a) **Rape** – the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. The definition of rape includes forcible rape, sodomy, and sexual assault with an object.
  - a. Forcible rape – The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  - b. Sodomy – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
  - c. Sexual Assault With An Object- To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- (b) **Fondling** – the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental capacity.
- (c) **Incest** – nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- (d) **Statutory Rape** – nonforcible sexual intercourse with a person who is under the statutory age of consent.

### Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of violence and/or fear.

### Aggravated Assault

An unlawful attack of another for the purpose of inflicting severe or aggravated bodily injury accomplished by the use of a weapon or means likely to produce death or great bodily harm. It is not necessary that an injury results when a gun, knife or other weapon was used but which could have resulted in serious injury. (Includes attempts)

### Burglary

The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony. (Includes attempts, but excludes vehicle burglary.)

### Motor Vehicle Theft

Taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle. (Includes attempts and joyriding)

### Arson

The willful or malicious burning or attempt to burn (w/o the intent to defraud) a dwelling house, public building, motor vehicle or aircraft, or personal property of another, etc. (Includes attempts)

### Dating Violence

The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim:

- (1) the existence of such a relationship shall be determined by the victim with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship
- (2) for the purposes of this definition:
  - (i) dating violence includes sexual or physical abuse or the threat of such abuse
  - (ii) dating violence does not include acts covered under the definition of domestic violence

### Domestic Violence

The term "domestic violence" includes felony or misdemeanor crimes of violence committed:

- (i) by a current or former spouse or intimate partner of the victim, (ii) by a person with whom the victim shares a child in common, (iii) by a person who is cohabitating with the victim as a spouse or intimate partner, (iv) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, (v) 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 where the crime occurred.

### Stalking "Stalking" means

- (1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (i) Fear for his/her safety or the safety of others; or (ii) Suffer substantial emotional distress
- (2) For the purposes of this definition – (i) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means – follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling (iii) Reasonable person means—a reasonable person in the victim's circumstances

### Hate Crime

A criminal act involving one/more of the below listed crimes which was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, gender identity, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

### Larceny-Theft (Except Motor Vehicle Theft)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

### 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

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**On-campus property:** Any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purpose, including any buildings or property that is owned by the University but controlled by another person and which is frequently used by students and supports institutional purposes such as a food or other retail vendor. (Excluding residential apartments)

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

**Public property:** All public property, including: thoroughfares, streets, sidewalks, parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

## DEFINITION OF CAMPUS SECURITY AUTHORITY (CSA)

- a. A police department or security department of the University.
- b. Any individual who has responsibility for campus security but who is not a member of the campus police department or the campus security department (e.g. parking enforcement staff, special event venue security, community service officers).
- c. Any individual or organization specified in the University's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- d. **Any official of the University who has a significant responsibility for student and campus activities** (e.g. Dean of Students; Student Judicial Affairs Officer; Directors of Campus Social Justice Centers; Director of Student Housing; Director of Athletics and team coaches; Coordinators directors and/or advisors to student organizations, programs, activities, campus recreation, Greek Affairs; etc.).

## INSTRUCTIONS

- a. The potential for duplication of reported crimes is not be a factor in determining whether or not a report is received.
- b. This reporting form does not replace or change any existing reporting requirements or procedures established for disciplinary referrals for student or employee misconduct.

Questions concerning this form or the Clery Act should be directed to the Clery Coordinator at the University Police Department 408 924-6551.