

FAQs: Clery Act Timely Warnings

What is the Clery Act?

The Jeanne Clery Act Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that promotes campus safety by ensuring that students, employees, parents, and the broader community are informed about important public safety and crime prevention matters. Being informed enables community members to make informed decisions and take an active role in their own safety and security.

The Clery Act requires higher educational institutions that receive federal funds to:

- Disclose accurate and complete crime statistics for specified types of incidents that are reported to designated university officials who are Campus Security Authorities (CSAs) and local law enforcement as having occurred on or near the campus.
- Disclose campus safety policies and procedures that specifically address topics such as sexual assault prevention, drug and alcohol abuse prevention, and emergency response and evacuation.
- Advise the community about specific crimes and other threats to health and safety that are thought to pose either an ongoing or an immediate threat.

Where Can I Learn More?

The annual Safety, Security and Fire Report contains a wealth of safety and security information including: safety and security policies, information about the role of Campus Security Authorities (CSAs), how the community is informed about potential threats, and three years of crime statistics. The report for the main campus and separate campuses, including overseas campuses, can be found here: <https://police.stanford.edu/security-report.html>

What is a Timely Warning?

The Clery Act requires institutions to issue Timely Warnings to the campus community about specified crimes (the Clery-reportable crimes) that occur on Clery geography, when these crimes are considered to pose a serious or ongoing threat to students and employees. In the event that there is an incident that is neither a Clery-reportable crime or an incident that requires an Emergency Notification, the university may, on a case-by-case basis, use the AlertSU system to send a notification (e.g., power failure or missing child).

What is an Emergency Notification?

An Emergency Notification is sent upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, unless issuing a notification will compromise efforts to contain the emergency. An Emergency Notification is similar to a Timely Warning with some slight differences as noted in the table below.

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What are the differences between a Timely Warning and an Emergency Notification?

	Timely Warning	Emergency Notification
<i>Recipients</i>	The entire campus	The entire campus, or an identified subset that may be impacted by the emergency
<i>Triggering incident</i>	Clery-reportable crimes believed to present a serious or continuing threat to the community	Any situation thought to pose an immediate threat to the health and safety of the campus community
<i>Timeline for sending a message</i>	As soon as pertinent information is available	As soon as first responders confirm a significant emergency or dangerous situation
<i>Follow-up message required?</i>	No	Yes

Who decides when to issue a Timely Warning or an Emergency Notification?

Authorized persons include: the university President and the Provost (or designee), the General Counsel, the Chief of the Department of Public Safety (or on-scene SUDPS Incident Commander or designee), the Associate Vice Provost for Environmental Health & Safety, the Vice President for Public Affairs, the university Emergency Manager, the Vice President of University Communications (or designee), the Executive Director of UIT Services and the Vice Provost for Institutional Equity, Access and Community.

How is “Timely” Defined?

There is no specific time frame that determines how recent an incident must be to warrant a Timely Warning, or how quickly the resulting AlertSU message must be sent. The most common reason for a delayed notification is because the crime is not immediately reported to DPS.

In what circumstances does Stanford send Timely Warnings about reported sexual assaults?

The decision to issue a Timely Warning for sexual assault or other sex offenses under the Clery Act will be made on a case-by-case basis. Factors that will be considered when making this decision include: the level of force and violence used to commit the crime; the potential use of a drug to commit the crime; and the existence of multiple crimes of a similar nature occurring in close proximity, either in time or location.

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The Stanford Chief of the Department of Public Safety and the Vice Provost for Institutional Equity, Access, and Community (or their designees) are responsible for determining whether a Timely Warning will be issued for sexual assaults; either official or their designees may make this determination. Consultation with other university staff persons may occur on a need-to-know basis.

What are Clery-reportable crimes?

- Murder/manslaughter
- Rape
- Statutory rape
- Incest
- Fondling
- Robbery
- Aggravated assault
- Domestic violence
- Dating violence
- Burglary
- Vehicle theft
- Arson
- Stalking
- Hate crimes
- Alcohol laws violations
- Drug laws violations
- Weapons laws violations

The definitions for these crimes can be found in the Annual Safety, Security and Fire Report, located at <https://police.stanford.edu/security-report.html>

What is Clery geography?

Defining the university's Clery geography can be complex. At a high level, Clery geography includes the following locations:

- On-campus (e.g., the main university campus), including a distinction about whether the crime occurred in student housing.
- Public property that is located within the main campus or immediately adjacent to the campus.
- Non-campus buildings or property, that the university owns or controls, that support the academic mission of the campus and are used by students. This is the most complex category to define, as it includes facilities located in other counties (e.g., the Redwood City Campus in San Mateo County), states (e.g., Stanford in Washington), and countries (e.g., overseas studies campuses).

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Why might the Department of Public Safety choose to not send a Timely Warning?

A Timely Warning will not be sent if the reported crime is not a serious crime or does not pose an ongoing threat. Additionally, there may not be sufficient information in the Clery crime report to place the incident location within Stanford's Clery geography. A Clery report or Mandated Reporter report may lack other details that would inform officials of the nature or severity of the threat to community safety. In some cases, the victim may decline to speak to or make a report to DPS, or they may only share limited information with other campus officials.

Additionally, if the reported suspect is detained before sufficient information is gathered, confirmed, and composed into an alert, and there is no other information about active safety threats, the Timely Warning process may be cancelled prior to distribution. There is also a provision in the Clery Act noting that a Timely Warning should be sent unless it will compromise efforts to assist a victim or contain, respond to, or mitigate the emergency.

Why aren't crime alerts always issued immediately after an incident occurs?

Timely Warnings can be delayed because information indicating a threat to the community may only be available after some initial investigation, potentially several hours after an incident occurred. The most common reason for a delayed notification is because the crime is not immediately reported to DPS. A Timely Warning *may not* be sent when an incident is reported after a significant period of time has passed.