

Counting What Counts in Clery

Facts:

- For each category (primary and Hate Crimes), 2011 Handbook has us count incidents in residence halls twice, 1 On Campus; 1 On Campus Residential
- 2011 Handbook has us double count Hate Crimes in Part I (now called Primary) crimes and in Hate Crimes
- VAWA proposed regulations has us separately count domestic violence, dating violence and stalking crimes
- VAWA proposed regulations exempts sexual assault from the hierarchy stating, "[i]n reporting incidents of sexual assault, the Hierarchy Rule does not apply." This is not limited to a single incident of sexual assault, if the hierarchy does not apply to incidents of sexual assault, it is conceivable that we would report multiple different kinds of assault, as well as the graver crime in the Hierarchy.
- Department of Education has said again and again that overcounting crimes is as bad as counting crimes, but its own rules demand overcounting.

Sample incident:

Boyfriend culminates months of in-person and cyber-stalking by screaming racial epithets at his girlfriend in her residence hall, sodomizes and rapes her, sexually assaults her with an object, and then lights her room on fire, resulting in her death.

What the count would actually be if the proposed regulations take effect:

- 1 on campus homicide
- 1 on campus arson
- 1 on campus rape
- 1 on campus sodomy
- 1 on campus sexual assault with an object
- 1 on campus residential homicide
- 1 on campus residential arson
- 1 on campus residential rape
- 1 on campus residential sodomy
- 1 on campus residential sexual assault with an object
- 1 on campus hate crime (race) homicide
- 1 on campus hate crime (race) arson
- 1 on campus hate crime (race) rape
- 1 on campus hate crime (race) sodomy
- 1 on campus hate crime (race) sexual assault with an object
- 1 on campus residential hate crime (race) homicide
- 1 on campus residential hate crime (race) arson
- 1 on campus residential hate crime (race) rape
- 1 on campus residential hate crime (race) sodomy
- 1 on campus residential hate crime (race) sexual assault with an object
- 1 on campus Dom Viol/Dating Viol/Stalking on campus homicide
- 1 on campus Dom Viol/Dating Viol/Stalking arson
- 1 on campus Dom Viol/Dating Viol/Stalking rape
- 1 on campus Dom Viol/Dating Viol/Stalking sodomy
- 1 on campus Dom Viol/Dating Viol/Stalking sexual assault with an object
- 1 on campus residential Dom Viol/Dating Viol/Stalking on campus homicide
- 1 on campus residential Dom Viol/Dating Viol/Stalking arson
- 1 on campus residential Dom Viol/Dating Viol/Stalking rape
- 1 on campus residential Dom Viol/Dating Viol/Stalking sodomy
- 1 on campus residential Dom Viol/Dating Viol/Stalking sexual assault with an object
- 1 residence hall fire in Annual Fire Report

What we *thought* the count would be after VAWA:

- 1 on campus homicide
- 1 on campus arson
- 1 on campus residential homicide
- 1 on campus residential arson
- 1 on campus hate crime (race) homicide
- 1 on campus hate crime (race) arson
- 1 on campus residential hate crime (race) homicide
- 1 on campus residential hate crime (race) arson
- 1 residence hall fire in Annual Fire Report
- 1 domestic violence homicide
- 1 domestic violence residential homicide
- 1 domestic violence arson
- 1 domestic violence residential arson
- 1 stalking homicide
- 1 stalking residential homicide
- 1 stalking arson
- 1 stalking residential arson

Current count:

- 1 on campus homicide
- 1 on campus arson
- 1 on campus residential homicide
- 1 on campus residential arson
- 1 on campus hate crime (race) homicide
- 1 on campus hate crime (race) arson
- 1 on campus residential hate crime (race) homicide
- 1 on campus residential hate crime (race) arson
- 1 residence hall fire in Annual Fire Report

1 incident: counted 9 times

1 incident: count 17 times

1 incident: count 31 times

Solution- change policy so crimes are only counted once, in the appropriate category that would most reveal useful information to those reading the Annual Security Report or Department statistics.