**UNIVERSITY OF CALIFORNIA, DAVIS**
**AUDIT AND MANAGEMENT ADVISORY SERVICES**




**UC Davis**
**Clery Act Compliance**
**Audit & Management Advisory Services Project #25-12**




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**Clery Act Compliance**
**AMAS Project #25-12**

**MANAGEMENT SUMMARY**

**Background**

As part of the fiscal year (FY) 2025 audit plan, AMAS reviewed Clery Act Compliance.

The Jeanne Clery Campus Safety Act (Clery Act) mandates institutions participating in Title IV federal student aid programs to establish, implement, and disclose safety protocols and issue an annual security report (ASR) by October 1 each year. The ASR must include crime statistics for the previous three calendar years, campus safety policies, and procedures. The Clery Act also requires institutions to maintain a daily crime log, issue timely warnings for ongoing threats, and provide emergency notifications for significant campus incidents. The United States Department of Education enforces the Clery Act and conducts audits to ensure that institutions comply with Clery Act requirements. Failure to comply with the Clery Act could result in Civil Monetary Penalties (CMP), which currently stand at $71,545 per violation.

At UC Davis, the Office of Compliance and Policy ensures campus compliance with the Clery Act and is charged with drafting and issuing the ASR every year. The UC Davis Police Department (UCDPD) contributes to this process and owns several processes that are mandated by the Clery Act, including maintenance of a daily crime log and issuance of timely warnings. Beyond these two units, several campus units collect reports of incidents that are ultimately gathered and compiled by Office of Compliance and Policy based on Clery designation.

**Purpose and Scope**

The purpose of this audit was to determine whether Clery Act data are complete, accurate, and reported in accordance with Clery Act requirements.

To accomplish these objectives, we gathered, reviewed, and analyzed crime or incident data from UCDPD, Student Housing and Dining Services (SHDS), the Title IX Office, and Workplace Violence and Prevention – Health (WPVP – Health). We obtained underlying support for the ASR, crime data, and daily crime logs, such as incident reports and crime case narratives. We interviewed staff within Office of Compliance and Policy, UCDPD, and departments to perform walkthroughs of Clery crime data identification, collection, evaluation, recording, and reporting practices. We evaluated policies and procedures that support disclosures made in the ASR. Finally, we consulted with the University of California Office of the President for edification and guidance on Clery Act requirements.

The 2024 ASR captures both UC Davis campus and Health operations and includes crime statistics and disclosures for the period of calendar year 2021 through 2023. We evaluated the ASR's calendar year 2023 crime statistics and disclosures.

**Conclusion**

We were able to verify that the Office of Compliance and Policy has improved centralization of Clery reporting by designating a full-time Clery Compliance Coordinator (CCC) as of fall 2024. The CCC has begun to centralize Clery-reporting procedures by requiring that reports be sent

directly to UCDPD. UCDPD has begun to centralize Clery coordination by assigning a portion of Clery compliance job functions to its Crimes Analyst to improve internal controls and promote compliance with Clery requirements.

Our review identified five omissions from the university's 2024 ASR crime statistics. In addition, disclosures made in the 2024 ASR, maintenance of daily crime logs and issuance of timely warnings did not comply with federal regulations[1]. Management has agreed to correct compliance deficiencies.

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[1] Pursuant to federal regulations, each violation may be subject to a maximum fine of $71,545, per the 2025 CMP rate if violations are detected during a Department of Education compliance review.

## Observations, Recommendations, and Management Corrective Actions

| Ref | Observation | Recommendation | Management Corrective Action |
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| **Crime Statistics** | | | |
| A | *Crime statistics were underreported in the 2024 ASR.*<br><br>The Clery Act requires institutions to collect, classify, and report specific crime statistics annually for incidents that occur on campus, public areas near campus, and certain non-campus locations ("Clery geography"). These statistics must be included in the ASR.<br><br>We tested a judgmental sample of 20 Clery-reported incidents to determine whether they were categorized correctly, occurred within Clery geography, and reported within the correct timeframe (CY2023). We also tested a separate sample of 40 non-Clery-reported incidents to determine whether they were appropriately classified as non-Clery: 10 incidents were selected from each of the following units: UCDPD, SHDS, Title IX office, and WPVP – Health.<br><br>All 20 Clery-reported incidents were categorized correctly, occurred within Clery geography, and were reported in CY2023. Of the 10 non-Clery-reported incidents reported to UCDPD, one was a Clery crime that should have been reported in the 2024 ASR.<br><br>In addition to the instances of underreporting, four additional incidents were identified as Clery-crimes that were not reported. These four incidents stemmed from a single case involving five separate offenses, only one of which was reported in the ASR. | To improve complete and accurate reporting of crime statistics, UCDPD should improve practices to identify Clery crimes, including development of roles and responsibilities for UCDPD staff involved with Clery Act coordination or compliance.<br><br>Office of Compliance and Policy should amend practices to improve crime statistics reporting, including incorporating more unit representatives for periodic meetings and finalizing implementation of the CSA online reporting tool and procedures.<br><br>Office of Compliance and Policy should | 1) By 8/1/2025, UCDPD will implement procedures for real-time review of reported incidents, including CSA reports and courtesy incident reports, to determine whether they constitute Clery crimes within the University's Clery geography and whether issuance of timely warning and emergency notification is warranted.<br>2) By 12/1/2025, UCDPD will document roles and responsibilities for personnel involved with Clery Act coordination or compliance.<br>3) By 5/1/2025, Office of Compliance and Policy will incorporate Workplace Violence |

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| Due to limited resources and the record high volume of incidents[2] at UC Davis, capturing and recording crime or incident reports is challenging for units such as UCDPD, which lacks adequate provision of resources dedicated to Clery compliance.<br><br>Another factor is that several channels for reporting are available to victims. This is necessary and prudent for meeting safety and policy requirements but also presents difficulties for administrators to track and update incident reports efficiently and accurately. The error involving the five offenses linked to a single case occurred due to siloed reporting systems that do not communicate effectively. This led to incomplete information being captured across units resulting in gaps in crime reporting. With fines of up to $71,545 per violation, these omissions place the university at significant risk of financial penalties. Omissions pose an additional risk by preventing proper evaluation for other Clery Act requirements, such as determining whether timely warnings or emergency notifications must be issued.<br><br>The units have taken the following actions to improve reporting practices:<br>• The Office of Compliance and Policy and UCDPD gather and compile incidents into a local Clery database that is used to synthesize data for the ASR.<br>• At the Office of Compliance and Policy, the Clery Compliance Coordinator performs these tasks. At UCDPD, we did not identify a sole Clery coordinator.<br>• UCDPD has amended its Crimes Analyst's position to include 30% time to perform Clery Act Coordinator job functions.<br>• Office of Compliance and Policy has begun to meet periodically with units such as SHDS and UCDPD, to maintain more accurate and complete logs of crimes and incident reporting. WPVP representatives are not yet included in these meetings. | address the errors identified in the 2024 ASR. | and Prevention at UC Davis Health and UC Davis campus representatives to its schedule of periodic meetings.<br>4) By 12/1/2025, Office of Compliance and Policy and UCDPD will complete implementation of the CSA online reporting tool and procedures, including training for key CSAs on how to use the new reporting system as well as training for key UCDPD staff on reviewing and tracking CSA reports in a timely manner.<br>5) By 8/1/2025, Office of Compliance and Policy and UCDPD will correct the omissions identified and reissue an updated 2024 ASR.<br>6) By 8/1/2025, Office of Compliance and Policy and UCDPD |

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[2] Approximately 4,500 incidents were recorded across SHDS, WPVP – Health, and the Title IX office. This figure includes duplicative records, as a complainant may provide incident statements to more than one reporting unit. Duplicate records cannot be isolated and removed because each reporting system uses unique ticketing and identification numbers.

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| | • Office of Compliance and Policy and UCDPD are developing a CSA online reporting tool to improve centralization of reporting practices. | | will review and reconcile all reports received by UCDPD in CY2023 against incidents reported in the 2024 ASR. If any omissions are identified, Office of Compliance and Policy and UCDPD will correct them and reissue an updated 2024 ASR. |
| **Campus Security Authorities** | | | |
| B | *Campus Security Authorities' training completion rates are significantly low and the training itself is not sufficient for meeting training obligations.*<br><br>Campus Security Authorities (CSAs) are designated individuals, such as campus security or staff overseeing student activities, who must report Clery Act crimes for inclusion in the crime log and annual report. They document incidents but do not investigate them. CSAs at UC Davis are notified of their obligations twice a year and must complete mandated trainings available through the UC Learning Center biennially, or in-person with the Office of Compliance and Policy's Clery Compliance Coordinator. The Office of Compliance and Policy maintains a list of CSAs using personnel data from UC Path. In 2023, this list contained 1,360 CSAs across campus and health operations.<br><br>The estimated training completion rate is approximately 10%. The Clery Act requires institutions to ensure CSAs are trained to understand and fulfill their reporting obligations. This low completion rate signals insufficient tracking or enforcement of training requirements, which contributed to noncompliance with the Clery Act and underreporting of crimes, as seen in section A above. | Office of Compliance and Policy should address low training completion rates on an ongoing basis.<br><br>Office of Compliance and Policy should evaluate existing trainings. | 1) By 6/1/2025, Office of Compliance and Policy will implement a process for periodically assessing CSA training completion rates and procedures for following up as appropriate.<br>2) By 10/1/2025, Office of Compliance and Policy will communicate with Office of the President to determine whether current training available to UC Davis staff is sufficient for |

| | | | improving compliance with the Clery Act. |
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| | Office of the President has advised that campuses develop more comprehensive training and not rely exclusively on the UC Learning Center training module to satisfy training obligations. | | |

**Daily Crime Log**

| C | *Daily crime log publications are not compliant with Clery Act requirements and contain more information than federally mandated.*<br><br>The Clery Act requires institutions to maintain a single publicly accessible daily crime log that records all reported crimes within their Clery geography. The daily crime log must be "easily understood" and entries must include the nature, date, time, and location of each crime, along with its disposition, if known. Updates to the crime log must be made within two business days, except in cases where disclosure could compromise an ongoing investigation. Timely updates to the daily crime log are crucial for promoting transparency in campus safety.<br><br>Using the same judgmental sample of 20 Clery-reported crimes identified (see Section A), one late entry was identified in the daily crime log. It was also observed that excessive information, such as arrestee name and date of birth is included in daily crime logs. This information is not necessary to meet Clery Act requirements and may impact ease of readability, which is a Clery requirement. It has been represented that this information is included to satisfy a separate state law.<br><br>Additionally, the institution maintains two separate crime logs – a daily crime log and an online crime log – rather than a single crime log, as required by the Clery Act. Further, two separate files containing separate categories of crimes can impede the crime logs' consistency and readability, both of which put the university at risk of noncompliance with the Clery Act.<br><br>To address these issues, UCDPD has identified a methodology for generating daily crime reports using its Records Management System (RMS). | UCDPD should determine best practices surrounding information included in daily crime logs and amend practices to meet requirements and improve readability. | 1) By 5/1/2025, UCDPD will determine best practices around the level of detail included in daily crime logs and incorporate those changes to its daily crime log procedures. This may include contacting Campus Counsel, Office of the President, or others with subject matter expertise.<br>2) By 6/1/2025, UCDPD will implement a process for publishing a timely, single crime log. |

| ASR Disclosures | | | |
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| D | *The 2024 ASR disclosures were not fully compliant with Clery Act requirements.*<br><br>The Clery Act requires institutions to disclose safety and security policies within their ASRs, including procedures for responding to emergencies, reporting crimes, and ensuring transparency through public safety communications. There are roughly 111[3] separate disclosure requirements that institutions are expected to comply with.<br><br>We evaluated eight of these requirements that are associated with UC Davis Emergency Notification procedures, as carried out by UCDPD. Based on our review, we identified some areas of compliance: the ASR includes some mandated language, such as segments of the population who will receive emergency notifications.<br><br>We also found that the ASR describes emergency notification practices that do not consistently align with local policies. For example, the Patrol Procedure Manual includes detailed steps for how an emergency will be confirmed, including "visual observation, officer investigation, etc." These steps are not disclosed in the ASR.<br><br>Failure to disclose required policies and procedures increases the risk of Clery Act noncompliance and may leave the campus community uninformed about safety protocols, reducing their ability to respond effectively to emergencies and increasing overall security risks. | Office of Compliance and Policy should revise ASR disclosures on emergency notifications to align with local policies and procedures. | 1) By 10/1/2025, Office of Compliance and Policy will revise ASR emergency notification disclosures to align with local policies and procedures for both campus and health. |
| **Local Policies and Procedures** | | | |
| E | *Local policies and procedures that support 2024 ASR disclosures were inconsistent with one another.*<br><br>Institutions are required to establish and maintain policies and procedures that support disclosures in their ASR. These policies must be accurately documented, consistently applied, and support the | UCDPD and Office of Compliance and Policy should assess and update internal policies to ensure consistency and | 1) By 10/1/2025, Office of Compliance and Policy will coordinate with policy holders, including UCDPD and campus and |

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[3] This figure is sourced from D. Stafford & Associates, a professional consulting firm specializing in campus safety and security, compliance, sexual misconduct response and investigation, and law enforcement issues on college and university campuses in the United States.

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| | institution's compliance efforts. We evaluated UCDPD's Patrol Procedure Manual and compared it to UC Davis Policy 390-15: Emergency Management and Campus Security. We also reconciled information from these two sources against disclosures made in the ASR.<br><br>UCDPD policy includes some mandated elements, such as describing the police department's process for confirming emergency situations. We also noted areas of non-compliance and variances between location policies and procedures, which may have impacted Clery compliance.<br><br>We found that local policies and procedures omit federally mandated information and are inconsistent with one another. For example, the policies identified above do not identify segments of the campus population who will receive alerts or the individual who is responsible for making this determination. Where federally mandated requirements are addressed by policies, there are inconsistences between the two policies. For instance, the policies provide different guidance for content, such as what information must be included in an emergency alert.<br><br>Lack of consistent policies and procedures to support required ASR disclosures increases the risk of noncompliance, which could result in financial penalties, reputational harm, and impacts to personal safety. | compliance with federal requirements. | health Emergency Managers, to create greater consistency amongst emergency notification policies.<br>2) By 10/1/2025, UCDPD will revise emergency notification policies to include mandated disclosures.<br>3) By 10/1/2025, UCDPD will develop procedures to support compliance with policies developed as part of E.2. |
| **Timely Warnings** | | | |
| F | *Incidents are not properly evaluated for timely warning applicability and determination forms are not sufficiently documented.*<br><br>The Clery Act requires institutions to issue timely warnings to the campus community for Clery-reportable crimes that pose a serious or ongoing threat to safety. These warnings must be sent as soon as relevant information is available to enable individuals to protect themselves. Institutions must establish and disclose their procedures for determining when and how these warnings are issued. Complying with timely warning requirements is challenging because it demands that decisions be made promptly, often under pressure, and based on incomplete or evolving information. | UCDPD should assess and update procedures for determining timely warning applicability and required documentation to support instances of non-issuance.<br><br>UCDPD should require periodic | 1) By 7/1/2025, UCDPD will implement a process to evaluate all alleged Clery crimes that occur within the University's Clery geography for timely warning applicability. This includes reports from CSAs and incidents coded as |

| | | trainings for all UCDPD personnel. | courtesy reports. The new process will include multiple levels of review of timely warning determinations. |
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| | Approximately 430 Clery crimes were reported in UCDPD's database in CY2023, but the department issued timely warnings for only eight. We tested three incidents to determine whether a timely warning should have been issued and to verify that the department maintains documentation to support its determination.<br><br>We identified one instance of a crime that represented an ongoing threat to the campus community, for which a timely warning was not issued. A timely warning determination form for this incident was completed by a sergeant within UCDPD, however, the determination not to issue a warning was not sufficiently supported by the victim statement.<br><br>Two of the crimes tested were misclassified as non-Clery crimes, therefore timely warning determination forms were not completed for these crimes. Both crimes resulted in arrests, which would have eliminated "ongoing" threats, so it was appropriate that timely warnings were not issued for these two offenses. However, determination forms should have been completed to ensure adequate support for the assessment and classification of each crime. Insufficient education around Clery classification and de-centralized Clery coordination within UCDPD, as discussed and addressed above in section B, were factors that contributed to these errors.<br><br>UCDPD maintains a practice of not evaluating "miscellaneous service reports"[4] for timely warning applicability. These incidents do not rise to the standard of proof necessary to establish that they are criminal offenses. However, they may rise to Clery applicability and therefore can also trigger the need to issue a timely warning.<br><br>Together, these shortcomings can jeopardize campus safety and increase the risk of harm to the community. | | 2) By 5/1/2025, UCDPD will revise its timely warning determination form to require an explanation for why it is determined that there is no threat to the campus community, and if a timely warning will hinder investigation, indicate what information needs to be withheld from the notification.<br>3) By 12/1/2025, UCDPD will require periodic trainings for all UCDPD personnel, including training on changes implemented as part of A.1, A.2, C.2, E.2, E.3, F.1, and F.2. |

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[4] These are courtesy reports of incidents that may not rise to the standard of proof necessary for the police department to enter the offense as crime record within RMS. Examples include reports of incidents that were provided by CSAs.

| | To address these issues, UCDPD has digitized its timely warning determination forms so they will be stored in RMS. | | |
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