



TACIR

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on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM: Cliff Lippard
Executive Director

DATE: 29 June 2023

SUBJECT: Senate Bill 2287/House Bill 2729 (Emergency Communications on College & University Campuses)—Update

Senate Bill 2827 by Senator Hensley and House Bill 2729 by Representative Ogles, as amended, direct the Commission to perform a comprehensive evaluation of the routing and storage of emergency communications on colleges and universities in this state. The evaluation must include a review of

- the ability of the institution to store data and recordings relating to emergency communications, and the ability to store and retrieve complaints of criminal activity alleged to have occurred on campus; and
- best policies and procedures, and consistency of messaging in this state, with respect to improving the ability of colleges and universities to store data and recordings relating to emergency communications.

Representative Ogles proposed the study after he learned that colleges and universities in Tennessee have adopted differing policies and procedures for handling calls and other methods of reporting crime and emergencies on their campuses.¹ He said it can be unclear whether these policies and procedures result in communications being recorded and saved for use in future investigations, and expressed concern that crimes, including assault and sexual assault, on some campuses might be underreported after some public and private institutions reported little or no crime over several years.

¹ Interview with Representative Brandon Ogles, Tennessee General Assembly, May 25, 2022.

The murder of Jeanne Clery led to the passage of federal and state campus crime reporting laws.

Federal and state laws requiring colleges and universities to report campus crimes developed in response to the 1986 murder of Jeanne Clery. Jeanne was a freshman at Lehigh University in Pennsylvania when she was sexually assaulted and brutally murdered in her dorm room. After her murder, Jeanne's parents were surprised to learn that there had been 38 violent crimes on the campus in the three years prior.² At the time, there were no standards or requirements for campus crime reporting; fewer than 400 of 3,000 institutions then-nationwide were reporting to the FBI's uniform system. The Clerys sued Lehigh University, alleging that their daughter wouldn't have enrolled had she known about these violent crimes, and that the school misrepresented its security policies and was negligent in its response to known security issues. The case was settled out of court.³

The Clerys worked to get federal and state laws passed to require crime reporting by colleges and universities. Pennsylvania was the first state to pass a campus crime reporting law in 1988⁴ with other states following suit, including Tennessee.⁵ In 1990, the Clerys lobbied to get a federal campus crime reporting law passed, the *Crime Awareness and Campus Security Act*,⁶ which was renamed to the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (the Clery Act) in 1998.⁷

² Rob O'Dell and Anne Ryman. 2016. "It Means Her Life Was Not in Vain': The Tragedy That Gave Birth to the Clery Act," *The Arizona Republic*, April 15. Accessed June 6, 2023.

<https://www.azcentral.com/story/news/local/arizona-investigations/2016/04/15/tragedy-that-gave-birth-to-clery-act/82811052/>.

³ Beverly Beyette. 1989. "Campus Crime Crusade: Howard and Connie Clery Lost Their Daughter to a Crazy Thief; Now They're Angry and Fighting Back." *Los Angeles Times*, August 10. Accessed June 13, 2023. <https://www.latimes.com/archives/la-xpm-1989-08-10-vw-301-story.html>.

⁴ College and University Security Information Act, P.L.448, No. 73 (1988).

⁵ College and University Security Information Act, Chapter 317, Public Acts of 1989.

⁶ Crime Awareness and Campus Security Act of 1990, Public Law 101-542, 101st Congress. (1990).

⁷ US Department of Education 2021. *Clery Act Appendix for FSA Handbook*.

The Clery Act requires most postsecondary institutions to publicly report information about campus crime.

The Clery Act requires that all postsecondary institutions participating in Title IV student financial assistance programs—including Pell Grants, Direct subsidized or unsubsidized loans, Direct Plus loans, Direct Graduate Plus loans, and Federal Supplemental Educational Opportunity Grants (FSEOG)—disclose campus crime statistics and other information to students and the public.⁸ In 2013, the US Congress passed the Violence Against Women Reauthorization Act (VAWA), which included amendments to the Clery Act requiring institutions to disclose additional statistics, policies and programs related to dating violence, domestic violence, sexual assault, and stalking.⁹

Annual Security Report

Institutions subject to the Clery Act must annually file Annual Security Reports (ASR) with the US Department of Education. In the ASRs, they must report all crimes occurring within the institution's Clery geography, which includes the campus, public property within campus boundaries and immediately adjacent to campus, and non-campus buildings and property owned or controlled by the institution that are used for educational purposes and frequently used by students but not a part of the campus, or those owned or controlled by a student organization officially recognized by the institution.¹⁰ Information required to be reported includes the number of occurrences of murder, robbery, burglary, arson, liquor law violations, rape, aggravated assault, motor vehicle theft, drug abuse, weapons violations, fondling, incest, statutory rape, hate crimes, domestic and dating violence, and stalking. The ASR must include statistics for the three most recent calendar years.

These crimes are reported to postsecondary institutions by campus security authorities (CSAs). The CSAs include campus police and security and others like the Dean of Students who have significant responsibility for students and activities on campus.¹¹

⁸ 20 United States Code, Section 1092(f).

⁹ Violence Against Women Reauthorization Act, Public Law 103-322, 103rd Congress (2013).

¹⁰ 34 Code of Federal Regulations, Section 668.46.

¹¹ US Department of Education 2021. *Clery Act Appendix for FSA Handbook* 34 Code of Federal Regulations Section, 668.46.

The Clery Act does not require the institution to initiate an investigation into a crime that is reported by CSAs.¹²

These institutions must also request crime statistics from local law enforcement agencies with jurisdiction over their Clery geography and include the data in their ASRs.¹³ These statistics must be collected from all of an institution's campuses, including any in a foreign country. However, the Clery Act does not require local law enforcement to provide this data.¹⁴ Crime statistics from the ASRs are publicly available on the US Department of Education website <https://ope.ed.gov/campussafety/#/>.

The annual report must also include information and statements of policy on a variety of campus safety topics including campus security procedures and practices and the enforcement authority of campus police and security personnel along with information on their working relationships with state and local police agencies. Institutions must also publish their policies regarding reporting of crimes on campus.

Daily Crime Logs

Institutions with a campus police or security department must maintain a daily crime log, which must include a description of the crime, date, time, and location of each crime and the disposition of the complaint. Institutions must also make their daily crime logs for the most recent 60-day period available for public inspection. Any portion of the log older than 60 days must be made available for public inspection within two business days of a request.¹⁵

Enforcement of Reporting Requirements

The US Department of Education conducts reviews to evaluate an institution's compliance with the Clery Act requirements¹⁶ and issues a Final Program Review

¹² US Department of Education. 2021. *Clery Act Appendix for FSA Handbook* 34 Code of Federal Regulations Section, 668.46.

¹³ 34 Code of Federal Regulations, Section 668.46(c)(9).

¹⁴ US Department of Education Office of Postsecondary Education 2016. *The Handbook for Campus Safety and Security Reporting*.

¹⁵ 34 Code of Federal Regulations, Section 668.46(f).

¹⁶ US Department of Education Office of Federal Student Aid. "Clery Act Reports." Accessed June 13, 2023. <https://studentaid.gov/data-center/school/clery-act-reports>.

Determination when the review is completed. A violation of the requirements of the Clery law could result in fines of up to \$62,689 per violation.¹⁷

The office of Federal Student Aid (FSA), a part of the US Department of Education, may initiate a campus crime program review of an institution's campus crime program after receiving a complaint, or there are media reports about crimes at a particular institution.¹⁸ They may also randomly select institutions for program reviews. Also, as part of the administration of Title IV programs, postsecondary institutions are audited by the US Department of Education annually and auditors look to see if the institution is accurately completing their ASRs and distributing them to their students and staff.¹⁹

Since 2008, the US Department of Education has found that three of Tennessee's postsecondary institutions have not been in compliance with the Clery Act requirements: the Arnold's Beauty School (2019), University of Memphis (2016) and Memphis Theological Seminary (2015). As part of an audit, Arnold's Beauty School was found to have failed to produce an accurate and complete ASR and distribute it to students and staff.²⁰ Arnold's Beauty School remedied the Clery Act violation and was later found by the US Department of Education to be in compliance.

The University of Memphis was selected for a program review from a list of institutions. It was found to have failed to properly classify and disclose crime statistics. It also did not prepare an ASR and distribute it as a single comprehensive

¹⁷ S. Daniel Carter (SAFE Campuses, LLC). 2022. "The U.S. Dept. of Education Has Increased Clery Act Fines to \$62,689." Accessed June 13, 2023. <https://safecampuses.biz/the-u-s-dept-of-education-has-increased-clery-act-fines-to-62689/>.

¹⁸ US Department of Education. 2017. "University of Memphis Final Program Determination." Accessed June 6, 2023. https://studentaid.gov/sites/default/files/University%20of%20Memphis%20%20%20%20%20FPRD%20%20%20image2016-07-17-180808_Redacted.pdf.

¹⁹ US Department of Education Office of Inspector General. 2023. *Guide for Financial Statement Audits of Proprietary Schools and for Compliance Attestation Examination Engagements of Proprietary Schools and Third-Party Servicers Administering Title IV Programs*.

²⁰ US Department of Education. 2019. "Arnold's Beauty School Final Program Determination." Accessed June 6, 2023. https://studentaid.gov/sites/default/files/Arnolds_Beauty_College_FAD_04201783254.pdf.

document and failed to maintain a complete and accurate daily crime log.²¹ It was not fined.

However, Memphis Theological Seminary was fined. It failed to produce an ASR for two years and did not include crime statistics for certain categories of crimes in its ASR one year. The institution had also failed to meet the requirements of another law, the Drug Free Schools and Communities Act, because it did not comply with drug and alcohol abuse prevention requirements.²² The institution agreed to pay \$37,500 for failing to meet the requirements of these two laws.²³

The Tennessee Comptroller's Office also completed performance audits of seven of the state's public universities in 2019 and 2020, and there were findings related to the Clery Act in the audits. In its 2020 audits of Austin Peay State University (APSU), East Tennessee State University (ETSU), Middle Tennessee State University (MTSU), Tennessee State University (TSU) and Tennessee Technological University (TTU) the Comptroller's Office found that the schools failed to design and implement internal controls to ensure that daily crime logs were accurate.²⁴ This was also an observation but not a finding in the University of Memphis audit report. The Comptroller's Office also found that APSU, TSU and TTU did not design and implement internal controls to ensure their ASRs included all required components. In its 2019 audit of the University of Tennessee system, the Comptroller's Office found that the University of Tennessee at

²¹ US Department of Education 2017. "University of Memphis Final Program Determination." Accessed June 6, 2023.

https://studentaid.gov/sites/default/files/University%20of%20Memphis%20%20%20%20%20FPRD%20%20%20image2016-07-17-180808_Redacted.pdf.

²² US Department of Education 2015. "Memphis Theological Seminary Final Program Determination." Accessed June 6, 2023.

https://studentaid.gov/sites/default/files/fsawg/datacenter/library/Memphis_Theological_Seminary_TN_010529_09_19_2015_FPRD_Redacted.pdf.

²³ US Department of Education 2017. "Memphis Theological Seminary Settlement Agreement." Accessed June 6, 2023.

https://studentaid.gov/sites/default/files/Memphis_Theological_Seminary_Settlement_Agreement_10_18_17.pdf.

²⁴ Tennessee Comptroller's Office. 2020. "The Austin Peay State University Board of Trustees Performance Audit;" "The East Tennessee State University Board of Trustees Performance Audit;" "The Middle Tennessee State University Board of Trustees Performance Audit;" "The Tennessee State University Board of Trustees Performance Audit;" and "The Tennessee Technological University Board of Trustees Performance Audit." Accessed June 5, 2023. [https://comptroller.tn.gov/advanced-search.html#t=advanced&sort=date%20descending&f:division=\[State%20Audit\]](https://comptroller.tn.gov/advanced-search.html#t=advanced&sort=date%20descending&f:division=[State%20Audit]).

Martin (UTM) and the University of Tennessee Health Center (UTHSC) did not include all required reporting elements in their ASRs, and that the UTHSC did not consistently update its daily crime log.²⁵

Tennessee has its own campus crime reporting law, but its requirements differ somewhat from those in the Clery Act.

Tennessee's campus crime reporting law, the College and University Security Information Act, has reporting requirements that are similar but not identical to the Clery Act requirements. The state law was passed by the General Assembly in 1989, the year before passage of the Clery Act.

Tennessee's Campus Crime Reporting Requirements

Tennessee's law requires postsecondary institutions to report crimes occurring on campus to the Tennessee Bureau of Investigation (TBI). It also institutions to report crimes that occur in student housing that is on or off-campus.²⁶ Student housing includes "all residence halls and sorority and fraternity residences owned or under the control of the institution."²⁷ Unlike the Clery Act, Tennessee's law does not require institutions to include crime statistics for crimes that occur in non-campus buildings and property owned or controlled by the institution that are used for educational purposes and frequently used by students or those owned or controlled by a student organization officially recognized by the institution.

Another difference between the Tennessee law and the federal Clery Act is that the state law requires institutions to report data on a wider variety of crimes than the Clery Act does.²⁸ For example, they report data on the number of larcenies on campus in the state report but not the federal report. Unlike under the Clery Act, they are required to report only crimes that have been investigated.

²⁵ Tennessee Comptroller's Office. 2019. "The University of Tennessee Board of Trustees Performance Audit." Accessed June 5, 2023. [https://comptroller.tn.gov/advanced-search.html#t=advanced&sort=date%20descending&f:division=\[State%20Audit\]](https://comptroller.tn.gov/advanced-search.html#t=advanced&sort=date%20descending&f:division=[State%20Audit]).

²⁶ Tennessee Code Annotated, Sections 49-7-2202 and 49-7-2203.

²⁷ Tennessee Code Annotated, Section 49-7-2202.

²⁸ Tennessee Bureau of Investigation CJIS Support Center. 2018. *TIBRS Data Collection*, 14th edition. Accessed June 5, 2023. <https://www.tn.gov/content/dam/tn/tbi/documents/TIBRSDataCollectionManual14thEditionRevised12-21-20.pdf>.

State regulations require that the institutions submit the crime data to the TBI monthly²⁹ and designate a Reporting Agency Coordinator (RAC) who will be responsible for submitting the data. The RAC must have at least 16 hours of initial training and eight hours of training annually thereafter on the Tennessee Incident Based Reporting System (TIBRS).³⁰ This is the method Tennessee uses to collect information on crimes in the state. Institutions can use a web-based application provided by the TBI that is called the Tennessee Crime Online Portal (TnCOP) to collect the data, or they may purchase a records management system from various commercial vendors.³¹ The cost of record management systems from commercial vendors can run into the six figures.³²

The TBI publishes the *Crime on Campus* report each year showing the crimes reported by each institution and is available to the public on the TBI website <https://www.tn.gov/content/tn/tbi/divisions/cjis-division/recent-publications.html>.

Like the Clery Act, Tennessee's law requires institutions with a campus police or security department to keep and maintain a daily crime log.³³ It must list in chronological order all crimes reported to the campus police or security department, the date, time and location of the crimes, as well as the names and addresses of all persons arrested and charges against them. The logs are required to be available for public inspection during normal business hours.

Establishment and Authority of Campus Police in Tennessee

In 2021, there were 152 institutions in Tennessee required to file Clery reports. The TBI lists just 25 with campus police departments.³⁴ In Tennessee, the governing boards of public institutions of higher education—as well as private universities that meet certain

²⁹ Tennessee Rules & Regulations, Section 1395-1-7-.04.

³⁰ Tennessee Rules & Regulations, Sections 1395-1-7-.02 and 1395-1-7-.03.

³¹ Tennessee Bureau of Investigation CJIS Support Center 2018. *TIBRS Data Collection*, 14th Edition. Accessed June 5, 2023.

<https://www.tn.gov/content/dam/tn/tbi/documents/TIBRSDataCollectionManual14thEditionRevised12-21-20.pdf>.

³² Videoconference interview with Elizabeth Clemens, dispatch operations supervisor Tennessee Technological University, June 13, 2023.

³³ Tennessee Code Annotated, Section 49-7-2206.

³⁴ <https://crimeinsight.tbi.tn.gov/public/Browse/browsetables.aspx?PerspectiveLanguage=en>.

criteria³⁵—are authorized to employ police officers, public safety officers, and security officers.³⁶ Properly commissioned police officers have the power to enforce all state laws as well as the rules and regulations of the institutions. Under this statute,

- campus police officer means a person commissioned by an employing institution, school, or board and rendered an oath to provide police services, enforce law, exercise arrest authority and carry firearms, and thus is subject to the Tennessee Peace Officer Standards & Training Commission (POST);
- campus security officer means a person employed by an institution to provide nonpolice, security-related services and as such is not commissioned to exercise arrest authority nor carry firearms without additional provision of law, nor is subject to the Tennessee POST Commission;
- law enforcement agency means an institution, school, or board employing one or more commissioned police officers; and
- public safety officer means a person who, in addition to being a commissioned, campus police officer . . . performs other significant duties, such as certified firefighter, medical first responder or other tasks associated with homeland security based on the needs of a particular institution.³⁷

Enforcing Tennessee’s Campus Crime Reporting Law

The TBI’s administrative rules state that the TBIs’ Crime Statistics Unit (CSU) are responsible for conducting quality assurance reviews for each institution³⁸ after which TBI must generate a written report detailing its findings and recommendations for corrective actions. The institution is given a specified time within which to submit a

³⁵ Tennessee Code Annotated, Section 49-7-118 states that only private universities and colleges that meet one of the following criteria may employ commissioned police officers: 1) private universities and colleges that are accredited by the Southern Association of Colleges and Schools and located within a county with a population in excess of 800,000, 2) private universities and colleges that have enrollment of at least 9,000 students and 9,000 or more employees, and located within counties having a metropolitan form of government 3) private universities and colleges that are accredited by the Southern Association of Colleges and Schools and have an enrollment which is 30% or more of the population of the municipality, or 4) private colleges and universities that have a main campus of 1,000 acres or more that is located in a municipality.

³⁶ Tennessee Code Annotated, Section 49-7-118.

³⁷ Ibid.

³⁸ Tennessee Rules & Regulations, Section 1395-1-7-.06.

written response to the report, which should include corrective actions taken by the institution to address findings.

An institution that does not comply with the TIBRS program requirements can lose its certification.³⁹ The TBI is required to notify the Tennessee Board of Regents, the University of Tennessee Board of Trustees or the Higher Education Commission when an institution is found to be in non-compliance with program requirements. An institution can be recertified after the institution corrects the area(s) of non-compliance including and submits three consecutive months of previously un-submitted data with an error rate of less than 4%. There are no institutions are in non-compliance as of March 23, 2023.⁴⁰

To further ensure that institutions are complying with the law the General Assembly passed Public Chapter 958, Acts of 2022.⁴¹ It gives the Comptroller the authority to conduct reviews of postsecondary institution to ensure they are complying with the requirements of the state's campus crime reporting law.

Eight other states also require postsecondary institutions to report campus crime data.

Tennessee is not the only state with laws requiring postsecondary institutions to compile and report crime statistics. Eight other states have laws requiring institutions to report on campus crimes: California, Connecticut, Delaware, Kentucky Louisiana, Massachusetts, Pennsylvania and West Virginia.

Reporting requirements vary between these states. Five of the eight states, Connecticut, Delaware, Louisiana, Massachusetts and Pennsylvania, require institutions to file annual reports.⁴² West Virginia, requires public college presidents to provide information on crimes to the public on a regular and timely basis, but they are not

³⁹ Tennessee Rules & Regulations, Section 1395-1-7-.07.

⁴⁰ Videoconference interview with Yeselin Pendleton, assistant director CJIS division, and Steven Jancarek, statistical analyst, Tennessee Bureau of Investigation, March 23, 2023.

⁴¹ Tennessee Code Annotated, Section 49-7-2208.

⁴² Connecticut General Statutes, Section 10a-55a; 14 Delaware Code, Sections 9001 through 9007; Louisiana Revised Statutes, Sections 17:3399.11 through 17:3399.18; Annotated Laws of Massachusetts, Chapter. 6, Section 168C 18; and Pennsylvania Statutes Information, Sections 20.301 through 20.305.

required to publish an annual report.⁴³ California requires information on crimes reported to campus police or security and arrests for crimes be compiled and be made available on request to students, employees, and those applying to the institutions.⁴⁴ The law also requires the California State Auditor to choose six institutions every three years to evaluate their compliance with the federal and state crime reporting laws.⁴⁵ Three states, Kentucky, Massachusetts and Pennsylvania, require institutions to maintain daily crime logs.⁴⁶

There are no federal or state laws requiring postsecondary institutions to save recordings of calls made to campus police and security.

Only some of Tennessee's postsecondary institutions record calls made to campus police and security.⁴⁷ Federal law does not require institutions to record calls or save the recordings, nor does Tennessee law. This is not unusual because no other state requires postsecondary institutions to save recordings of calls made to campus police and security. There are also no federal or state laws that dictate how long the recordings should be kept if calls are recorded. Tennessee doesn't require local governments to save 911 recordings for a specified period of time. There are, however, twenty-six states that have laws specifying how long local governments must save

⁴³ West Virginia Code, Section 18B-4-5a.

⁴⁴ California Education Code, Sections 67380 and 94380.

⁴⁵ California Education Code, Section 67382.

⁴⁶ Kentucky Revised Statutes, Sections 164.948 through 164.9495 and 164.993; Annotated Laws of Massachusetts, GL Chapter 41, Section 98F; and Pennsylvania Statutes Information, Sections 20.301 through 20.305.

⁴⁷ Videoconference interviews with:

Chief Aaron Patton, chief of police, Jackson State Community College. May 11, 2023.

Chief Derek Myers, chief of police, University of Memphis. May 16, 2023.

Chief Troy Lane, chief of police and associate vice chancellor for public safety, University of Tennessee. May 18, 2023.

Lynn Fisher, director of emergency management, Michael Kasitz, assistant vice president for public safety, chief Sammie Williams, chief of police, and Kristie Winters, assistant chief of police, Austin Peay State University. May 22, 2023.

Chief Pat Cunningham, chief of police, Belmont University. May 25, 2023.

recordings of 911 calls or related written records.⁴⁸ The time periods range from 30 days to 10 years.

Campus police interviewed by staff said that they do save crime data and recordings of calls.

Commission staff interviewed campus police at six postsecondary institutions in Tennessee to get a sense of how they are complying with the requirements of state and federal crime reporting laws. To store information on reported crimes, some use electronic records management systems to keep track of their information.⁴⁹ One institution does not use records management systems specifically designed for storage of crime data but instead saves the information in Microsoft Word documents on their computer.⁵⁰

The period of record retention varied among those interviewed. Several of those that use electronic records management systems say they save electronic versions of the information indefinitely.⁵¹ Two people that were interviewed said that they keep hard

⁴⁸ Alabama, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Indiana, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, North Carolina, Oregon, South Carolina, Texas, Vermont, Virginia, Washington, West Virginia, and Wyoming.

⁴⁹ Videoconference interviews with:

Elizabeth Clemens, dispatch operations supervisor, Tennessee Technological University, June 13, 2023.

Chief Derek Myers, chief of police, University of Memphis. May 16, 2023.

Chief Troy Lane, chief of police and associate vice chancellor for public safety, University of Tennessee. May 18, 2023.

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⁵⁰ Videoconference interview with Chief Aaron Patton, Chief of Police, Jackson State Community College, May 11, 2023.

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copies of their records.⁵² They tend to keep paper copies of the information for shorter periods of time with one staff person saying that they kept hard copies of daily crime logs and other data for 10 years.⁵³ Another said they had hard copies of daily crime logs going back to 2018.⁵⁴

Most of the institutions record calls that campus police or security receives,⁵⁵ although two do not.⁵⁶ Of those who do record calls, one said they keep copies of the recordings for 30 days;⁵⁷ two said they keep copies for 90 days and another said they kept copies of

Lynn Fisher, director of emergency management, Michael Kasitz, assistant vice president for public safety, chief Sammie Williams, chief of police, and Kristie Winters, assistant chief of police, Austin Peay State University. May 22, 2023.

Chief Pat Cunningham, chief of police, Belmont University. May 25, 2023.

⁵² Videoconference interview with chief Pat Cunningham, chief of police, Belmont University, May 25, 2023; and videoconference interview with Chief Aaron Patton, Chief of Police, Jackson State Community College, May 11, 2023.

⁵³ Videoconference interview with chief Pat Cunningham, chief of police, Belmont University, May 25, 2023.

⁵⁴ Videoconference interview with Chief Aaron Patton, Chief of Police, Jackson State Community College, May 11, 2023.

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⁵⁶ Videoconference interview with chief Aaron Patton, chief of police, Jackson State Community College, May 11, 2023 and videoconference interview with Elizabeth Clemens, dispatch operations supervisor, Tennessee Technological University, June 13, 2023.

⁵⁷ Videoconference interview with chief Pat Cunningham, chief of police, Belmont University, May 25, 2023.

the recordings for 10 years.⁵⁸ All said that they could save a recording for a longer time period if required.

Campus police interviewed by Commission staff had several recommendations for improving federal and state campus crime reporting.

Postsecondary institution staff had suggestions for improvements at both the federal and state levels to make reporting of crimes easier. One person suggested funding for records management system software for postsecondary institutions in the state. He noted that his institution's funding is dependent on enrollment, which has seen a decline.⁵⁹

Another recommendation was that the US Department of Education should include information on how to interpret the Clery Act data on the website where it reports this data.⁶⁰ In addition, it was recommended that the federal government include national data in the college crime data that the US Department of Education provides on its website.⁶¹ The Department lists crime data by school but it does not summarize the data to provide a national perspective on the status of the crime on campuses in this country.

The staff interviewed had suggestions for additional changes to the requirements of the Clery Act. One said that they should not just make CSAs responsible for reporting crimes. They should tell everyone to report crime.⁶² An institution may have hundreds

⁵⁸ Videoconference interview with chief Troy Lane, chief of police and associate vice chancellor for public safety, University of Tennessee, May 18, 2023; and videoconference interview with Lynn Fisher, director of emergency management, Michael Kasitz, assistant vice president for public safety, chief Sammie Williams, chief of police, Kristie Winters assistant chief of police, Austin Peay State University, May 22, 2023.

⁵⁹ Videoconference interview with chief Aaron Patton, chief of police, Jackson State Community College, May 11, 2023.

⁶⁰ Videoconference interview with chief Pat Cunningham, chief of police, Belmont University, May 25, 2023 and videoconference interview with chief Troy Lane, chief of police and associate vice chancellor for public safety, University of Tennessee, May 18, 2023.

⁶¹ Videoconference interview with chief Pat Cunningham, chief of police, Belmont University May 25, 2023.

⁶² Videoconference interview with chief Pat Cunningham, chief of police, Belmont University May 25, 2023.

or even thousands of CSAs.⁶³ It might be easier to tell everyone to report crimes, so they don't have to determine if they meet the requirements of a CSA. Another said he would like to see the federal government reconsider its requirement to contact other law enforcement entities for information on accidents that happen off campus.⁶⁴ For example, an institution may have a study abroad program in another country and the campus police and security would have to contact law enforcement in that country to request crime data for their ASR. One could argue that this does not increase campus safety.

⁶³ Videoconference interview with Chief Derek Myers, Chief of Police, University of Memphis, May 16, 2023; and videoconference interview with chief Troy Lane, chief of police and associate vice chancellor for public safety, University of Tennessee, May 18, 2023.

⁶⁴ Videoconference interview with chief Troy Lane, chief of police and associate vice chancellor for public safety, University of Tennessee, May 18, 2023.