OUR RIGHT TO KNOW: HOW CAMPUS POLICE CHIEFS EXPERIENCE THE CLERY ACT

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Abstract

The research explores the shared, lived experiences of nine SUNY campus police chiefs at separate state-operated campuses in relationship to the Clery Act and its influence on real-world outcomes of raising awareness about crime risks, increasing campus safety, and the pursuit of remaining compliant with the act’s many provisions. SUNY is the largest comprehensive university system in the United States with 64 campuses across the state of New York. The study uses Cohen and Felson’s Routine Activities Theory as a point of engagement but does not seek to test this theory. The study’s qualitative methodology is an Interpretive Phenomenological Analysis (IPA) – part of an interpretive framework and social constructivist paradigm.

The study found that police chiefs and the Clery Act share an intersection in a guardian role where despite overlapping compatibility regarding the spirit of the act, police chiefs maintain a tension with the specific byproducts that accompany the act’s implementation. The study revealed a shared experience by chiefs that the act serves to flail at reducing student risk or in changing offender motivation. The chiefs’ experiences affirmed the act’s real-time reporting requirements. The study further revealed a lack of agency by campus police chiefs to drive any act-related changes.

Keywords: Clery Act, Campus Safety, Police, Compliance, Right to Know, Campus Crime, Law Enforcement, Jeanne Clery
Dedication

To all victims and survivors of campus crime. With you always in mind, we must seek the most effective practices that will protect future generations of college-bound students.
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Chapter One: Introduction

Campus police chiefs enter their workplace each day with the goal of maximizing safety. This includes the traditional role of leading departments that respond to all types of incidents that no campus is immune to experiencing. Therefore, it holds true that the same campus police chiefs share a spirit and overlapping mission with the Clery Act, a federal campus safety-based statute. The Student Right-to-Know and Campus Security Act, passed in 1990 and subsequently amended several times (including the 1998 amendment to become the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act), exists to inform both prospective and current students about safety on campus (Janosik, 2004). The Clery Act, as it has become commonly known, was named after Jeanne Clery, who was murdered in her dormitory room at Lehigh University in 1986 (McNeal, 2007). Clery’s parents, Howard and Connie Clery, contended that had they known about the level of crime at the university, their family’s enrollment decision and the subsequent outcome might have been different (McNeal, 2007).

The purpose of this analysis is to discover, understand, and describe the experiences of university police chiefs in the State University of New York (SUNY) system and how they make sense of the Clery Act’s impact and influence on the associated outcomes. For the purposes of this study, the influence of the Clery Act is defined as the outcomes of the act on the experiences of university police chiefs to increase awareness, increase campus safety, and comply with all provisions of the federal mandate. Knowledge generated from this research is expected to provide insights and better inform policy makers, legislators, interested professional associations, and university administrations. This knowledge may eventually result in enhancements to the Clery Act and its goals of making our campus communities safer.
The study explores my interest in the shared experiences that are occurring at the intersection of the Clery Act's mandated requirements and the work of university police chiefs to both comply and advance similar goals. This study could lead to new knowledge that may inform future efforts or legislative changes to ensure that the act accomplishes its mission. The results of this research could provide insights that provide a path forward that may assist students, families, campus leaders, and lawmakers to enhance the effectiveness of the act on its intended outcomes. In a larger context, improvements could better our campus communities and societal issues around safety and violence.

**The Complex Intersection of Chiefs and the Clery Act**

The level of safety at our nation’s colleges and universities has been, and continues to be, a concern (Fisher, 1995; Fletcher & Bryden, 2009). Despite existing as landmark piece of American legislation for over a quarter century and a frequent part of political and media commentary, the efficacy of the Clery Act at preventing crime or making campuses safer places is uncertain. Also uncertain is the impact of the act on the experiences and sense-making by university police chiefs who are frequently tasked with both associated compliance tasks and advancing the compatible goals of the act. Previous research has indicated that student awareness of the campus-crime report and usage of the publicly available crime data has been low (Janosik & Gehring, 2003). A single-institution study of parental awareness of the Clery Act revealed similarly low awareness of the report’s existence and usage as a tool in postsecondary school selection (Janosik, 2004).

A survey of 371 campus law enforcement administrators revealed that the majority did not feel the act was accomplishing its original mission, with 90% stating they could not credit the act with improving campus crime rates (Janosik & Gregory, 2003). The current impact of the
Clery Act extends beyond the end users consisting of students and families, challenging institutions of higher education with both daunting compliance requirements and battling suspicious perceptions regarding the honesty of tabulated reporting efforts (McNeal, 2007). Some campuses have indeed been found responsible for failing to accurately report crimes and disturbingly placing their perceived images above accuracy or compliance. In a 2007 survey, campus law enforcement administrators indicated that a lack of institutional support and ambiguity in the act itself served as impediments to compliance (McNeal, 2007). This limited knowledge is the only available research-based information on the perspectives of campus police chiefs and their experiences with the Clery Act. There is no available information on how the act is experienced by the campus-based police chiefs and how they make sense of the resultant outcomes and net effects of the legislation. Therefore, this study seeks to understand the meanings assigned by the police chiefs in their shared experiences of working to accomplish their mission, including community awareness and campus safety, all while ensuring institutional compliance.

**Significance**

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics* Act exists with the promise that by providing transparent disclosure of crime data, the campus community members can make better or safer decisions, thus increasing campus safety overall (Nobles, Fox, Khey, & Lizotte, 2013). The intention of the act is relevant; as a prospective student or employee, the level of crime could be paramount to the decision to matriculate at the school or accept the position (Nobles et al., 2013). The statistics published in the required Annual Security Report can help illuminate the prevalence of particularly troubling campus
crimes such as forcible sex offenses, aggravated assaults, burglary, robbery, murder, and the most serious crimes of significance to students and their families.

The efficacy of the Clery Act, beyond mere compliance, is a concern. Mass shootings on campuses, the prevalence of sexual assault, and emerging mental health issues have been increasing foci of scrutiny, and the sought-after answers to campus safety concerns are both evasive and part of a potential national health emergency (Aronowitz & Vaughn, 2013). Regardless of whether mental health or other reasons serve as the causes, campuses have continued to struggle with the threats of violence that can undermine academic life and goals (Baker & Boland, 2011). The fear of crime on a campus, real or perceived, can have implications, including students leaving the institution or being fearful of their potential statuses as victims (Baker & Boland, 2011). Given the scale of the act, it is therefore startling how little scholarly research exists to study its intersection with key practitioners who execute its mission and core purpose.

**Research Problem and Research Questions**

Campus-based police chiefs often collect crime data, assemble required annual security reports, and are operationally tasked directly with the daily challenges of maximizing safety on campuses. The purpose of this study is to explore and understand the shared, lived experiences of these campus police chiefs in relationship to the Clery Act and its influence on their outcomes of raising awareness, increasing safety, and remaining compliant with the act’s many provisions. By facilitating understanding, we can better describe the conceptions these unique campus leaders hold about the legal relationships with their experiences and sense-making of those experiences.
The voices of campus law enforcement executives—both involved with act compliance and invested in developing safer campuses—have essentially been left out of the national dialogue about making our colleges and universities safer places for students to learn. With the exception of a quantitative survey undertaken by Janosik and Gregory (2003), a survey that did not control for department rank, there is nothing in the literature to elicit the perspectives of campus police chiefs. It is worthwhile and relevant to conduct a study that explores the perspectives of the police chiefs in order to determine how these law enforcement executives perceive and make sense of the Clery Act in pursuit of accomplishing its mission. Given the significant financial and human resources that campuses dedicate to compliance and annual reporting, all institutions of higher education have a vested interest in seeing the act work as intended.

Using qualitative methods to allow chiefs to expand on their experiences with the act, we can better grasp the variables that factor into how the act pivots from legislation to actual campus outcomes within the shared experiences of campus police chiefs. By exploring these missing themes, new insights to better inform policy makers, legislators, interested professional associations, and university administrations may result in enhancements to the act and its goals of making our campuses safer. The study explores the following three research questions:

1. How do campus police chiefs describe their experiences leveraging Clery Act compliance efforts into gains in campus safety?

2. How do campus police chiefs describe their perspectives on how their campuses’ Clery Act efforts, including the Annual Security Report, impact efforts to increase students’ awareness of levels of crime on campuses?
3. How do campus police chiefs make sense of the Clery Act as a positive tool and an influencer on their decisions, and of its overall value to accomplish their missions?

The specific scope of this study includes a subset of sworn police chiefs who are part of the State University of New York (SUNY) system, the largest comprehensive university system in the United States. The SUNY system has participated in past Clery-related regulatory audits or formal reviews, including a 2014 review performed by the Office of State Comptroller’s Division of State Government Accountability (DiNapoli, 2014). Even more specifically, the small, purposive sample of chiefs is restricted to those sworn police chiefs in the SUNY system who have significant compliance-coordination responsibilities within their duty portfolios. This sample is therefore intimately familiar with the act and with safety on campuses, and it is professionally invested in both. Working at different state-operated institutions, this purposive sample possesses some overlapping experiences with the basics of compliance and compiling data, yet each participant will make meaning of the phenomena differently.

Definitions of Key Terminology

**Annual Security Report:** A required publication by all colleges and universities (by October 1) that discloses a myriad of campus policies, crime rates for select offenses for the previous three years, crime prevention programs, facility security information, and much more. The ASR is available both online and in print form to all students, faculty, and staff—current and prospective.

**Awareness:** Comprised of a number of factors, including reported knowledge of crime rates, reported reading of the Annual Security Report, knowledge of where to locate information regarding campus crime, campus policies on safety, emergency information, police contact information, and general knowledge about the presence and purposes of the Clery Act.
**Clery Act:** The Student Right-to-Know and Campus Security Act, passed in 1990 and subsequently amended several times (including the 1998 amendment to become the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*). Exists to inform both prospective and current students about safety on campus (Janosik, 2004).

**Campus Police Chief:** A campus-based law enforcement executive with formal oversight for a fully sworn and accredited police agency. For this study, references to police chiefs shall include those working in the State University of New York (SUNY) policing system.

**Crime Log:** A required log/roster maintained in college and university police (or safety) departments that provides up-to-date accounts of reported criminal activity. The crime log provides more current reporting than the annual security report (as the ASR will only show the most recent three calendar years).

**Higher education:** Undergraduate and graduate education.

**Jeanne Clery:** A 19-year-old Lehigh University student who, in 1986, was raped and murdered in her residence hall room. Her surviving parents held that had they known about the crime risks at or around Lehigh, their enrollment decision may have been different, or Jeanne may have taken more precautions, preventing her death (McNeal, 2007).

**Police Chief:** Ranking executive leading a sworn or commissioned police force situated on a college campus, whose mission is primarily to serve the campus population.

**Routine Activities Theory:** A criminological theory (Cohen & Felson, 1979) positing that routine activities impact macro-level criminal behavior and that three essential elements explain the presence of crime: (1) a motivated offender, (2) a suitable target, and (3) the absence of a capable guardian.
Timely Warnings: Required warnings announced to the campus community following report of Part I Uniform Crime Reporting (UCR) offense (as defined by the FBI). These offenses include murder, manslaughter, robbery, burglary, sexual assault, and weapons possession. Timely warnings are only required for those situations where the threat is ongoing/continued.

The following section of this chapter will include a description and discussion of Routine Activities Theory that will serve as the theoretical lens for this study.

Theoretical Framework

Cohen and Felson (1979) are the seminal authors behind the Routine Activities Theory, a criminological theory developed during the 1970s to explain changing macro trends in crime. Despite improving economic conditions during that decade, crime increased. The authors noted the shift in people’s routine activities and behaviors away from the home, particularly in women, into the workforce and college. The seminal authors posited that these routine activities influence macro level criminal behavior. More specifically, the theory proposes that three essential elements, in coexistence, explain the presence of crime: (1) a motivated offender, a (2) suitable target, and (3) the absence of a capable guardian. The following paragraphs will detail how each of these elements relates to the Clery Act.

The first tenet, a motivated offender, includes any person who has the desire or willingness to commit crimes. Felson (2001) points out the distinction that Routine Activities Theory focuses on the potential victim more than the offender, which is the more common case with criminological theories. In this theory, the concept of the offender is standardized. The theory assumes that the desire to offend is constant (Cohen & Felson, 1979). The theory also avoids defining any motive for the offenses and instead simply accepts that offending occurs via
opportunity. In relationship to this study and the Clery Act, the theory assumes that both students and nonstudents represent a statistically representative population of motivated offenders.

The second tenet of the theory is a suitable target (Cohen & Felson, 1979). A suitable target is any individual (or property) that the motivated offender seeks to either possess or control (Felson, 2001). The suitable target is established through perceived value, accessibility, and defensibility. A suitable target could include a tourist wearing expensive jewelry, an intoxicated student passed out at a house party, or an elderly woman walking by herself at night, loosely carrying a large purse.

The third and final tenet of routine activities theory is the lack of capable guardianship (Cohen & Felson, 1979). A capable guardian could be a function of being alert and fit. It can also include guarding one’s possessions. A critically important aspect of capable guardianship is also the presence of social guardians, or lack thereof, which could act to protect the target. Social guardians could include family members, alert neighbors, friends, hotel or apartment staff, and law enforcement agents. In the college setting, many students move away from home for the first time and move away from their established social guardians.

The primary principle behind Routine Activities Theory is that the increase and convergence of these three variables will correspond with an increase in the likelihood for victimization and crime (Cohen & Felson, 1979). As people’s routine activities and behaviors alter the balance or prevalence of the three elements, crime rates and prevalence react accordingly. Assuming that a motivated offender is constant, the increase in suitable targets and/or a decrease in capable guardians in relationship results in more crime and subsequently more victims.
Cohen and Felson (1979) initially tested Routine Activities Theory in relationship to activities away from the home and household. The authors measured non-household activity by calculating married female workers plus unmarried households divided by the total of households. The greater household activity ratio had a correlation with serious crimes, including homicide, rape, assault, robbery, and burglary. As time has progressed, the theory has evolved into additional settings and with context outside of Cohen and Felson’s original hypothesis and test.

**Criticism of Rational Choice Theory.**

One concern for contemporary use of the Routine Activities Theory is the original authors’ use in the physical convergence of offender and target in crimes that required a spatial relationship. Yar (2005) raises concerns that the theory does not translate as well in online crimes such as identity theft. In those cases, capable guardianship is potentially removed as a variable. Online crimes can occur with tremendous distance and days apart from the original attempt to victimize, as seen in phishing scams (Yar, 2005). The original development of the theory in the late 1970s was admittedly before the digital age. In the historical trajectory of the theory since 1979, however, new topics, including cyberstalking and cybercrime, have been applied to Routine Activities Theory. Reyns, Henson and Fisher (2011) applied the theory to cyber-lifestyles and cybercrime victimizations and found a relationship for the adapted theoretical perspective. Another contemporary topic studied under Routine Activities Theory has been sexual harassment of college-age women (Clodfelter et al., 2010).

**Rationale for theory selection.**

Each of the three proposed research questions connects to one of the three major tenets of the Routine Activities Theory. While the questions and purpose of the study are not intended to
test or validate the theory, the theory presents an appropriate structure to engage the data and make sense of the variables involved in this study. In considering criticism of this theory relative to online crime, it is also worth noting that the current Clery-reportable crimes are consistent with the spatial relationship originally envisioned by Cohen and Felson. The initial work by Cohen and Felson tested correlation with serious crimes, including homicide, rape, assault, robbery, and burglary. These same crimes correspond directly with crimes that are act-reportable.

Routine Activities Theory is ideal to explore macro trends on persons leaving the home for the first time, consistent with the seminal authors’ intent in the 1970s. While many of the variables in the 1970s (such as women entering the workforce or attending college) are no longer emerging trends, the phenomenon of students leaving home for the first time to reside at colleges or universities is still consistent with the principles of Routine Activities Theory and represents a timeless application of this theory. Gardella, Nichols-Hadeed, Mastrocinque, Stone, Coates, Sly and Cerulli (2015) examined the Clery Act using the Routine Activities Theory and successfully tested the hypothesis that crime reported in the annual institutional report (as required by the Clery Act) was far lower than actual crime rates. Gardella’s quantitative study was the only literature identified that explored both the Clery Act and Routine Activities Theory.

**Application to study.**

As the Routine Activities Theory assumes the motivated offender is constant, the Clery Act’s designed intent can be interpreted to serve to “harden” the target—such as a new college student—to make appropriate decisions and understand his or her vulnerability as a target. Research studying Routine Activities Theory supports the claim that unstructured activities among younger persons lacking parental attachment or experiencing the waning of parental
attachment will lead to an increased risk of victimization (Henson, Wilcox, Reyns, & Cullen, 2010). Cohen and Cantor (1980) studied Routine Activities Theory in relationship to the risk of victimization in larceny crimes and found relationships to sociodemographic risks such as age, income, and living environment. In a separate study, Cohen, Kluegel and Land (1981) also found that age has a formal relationship to the levels of risk for victimization, with younger persons more at risk than older persons. Mustaine and Tewksbury (1998) identified alcohol-consumption behavior, a concern among college students, as a reliable predictor of victimization.

The Clery Act simultaneously pressures colleges to be more capable guardians, perhaps less so than in past eras when universities may have served more actively in loco parentis (acting in the place of parents). As stated in the introduction, Jeanne Clery’s surviving parents placed blame with Lehigh University for the death of their daughter. They expressed the belief that Lehigh had failed to accept a role as guardian and, through lack of awareness, had also left their daughter a vulnerable target. The legislation has served to attempt to reduce the vulnerability of students as suitable targets and holds postsecondary institutions accountable to more effectively serve as capable guardians. Colleges and universities are motivated to comply with the goals of the act in multiple ways: the potential for monetary fines imposed for failure to comply, the potential loss of access to federal financial aid, the threat of negative headlines in the media, the pressure by families expecting colleges and universities to put forth their best efforts to protect students, and the potentially damaging effects on enrollment. The experiences of key personnel interacting with act, such as campus police chiefs, are crucial voices to inform the future of this important federal legislation and leaders in higher education.
Chapter Two: Literature Review

The Clery Act exists to inform both prospective and current students about safety on campus through published data, allowing members of the campus community to make better decisions and increase the resulting level of campus safety (Janosik, 2004; McNeal, 2007). The effectiveness of the act is an important consideration. The potential “answers” and ways to better insulate campuses from crime is elusive (Fletcher & Bryden, 2009).

The purpose of this study is to discover, understand, and describe the shared experiences of university police chiefs as they relate to the influence of the act and its associated outcomes. The results of this research could provide insights that provide a path forward that could assist students, families, campus leaders, and lawmakers to enhance the effectiveness of the act on its intended outcomes.

Reference Databases and Search Approach

This resulting literature review evaluates the existing literature in relationship to campus crime and fear of crime, as well as various research into constituent perceptions of the efficacy of act. The literature review is organized into three primary literature strands: (1) the Clery Act background and purpose, tracing the literature on the statute’s evolution since 1990; (2) campus safety, following the evolution of literature into knowledge on the general topic of safety at our colleges and universities; and (3) Clery Act efficacy, exploring literature on constituent subgroups such as law enforcement, parents, students, victim advocates, judicial officers, and housing officials that intersect with the act.

Clery Act Background and Purpose

The Clery Act, as its now commonly known, was passed due to concerns about violent crime on college campuses, and it placed new requirements on colleges and universities

The Pennsylvania law brought greater awareness to Congress and subsequently became a top item on its legislative agenda. The Student Right to Know and Campus Security Act (Public Law 101-542) was passed in 1990 and was amended several times, notably in 1998 when it was renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Public Law 105-244). The act was enacted from these growing concerns about violent crime on college campuses (Gregory & Janosik, 2006; Jennings, Gover, & Pudrzynska, 2007). The Clery act was passed into law when signed by President George H. Bush in November of 1990, directing the responsibility for its implementation to the U.S. Department of Education (Gregory & Janosik, 2013; Gregory & Janosik, 2006; Fisher, Hartman, Cullen, & Turner, 2002).

The Clery Act requires campuses to report crimes accurately in order to begin the process of preventing them (Aronowitz & Vaughn, 2013; Fisher et al., 2002). The Clery Act has been described as controversial, drawing praise and criticism for its subjective benefits and flaws, despite little actual research into the effectiveness of the law (Gregory & Janosik, 2003).

**Purpose of the Clery Act.**

The Clery Act, like any other law, can serve up both symbolic affect or usher in substantive reform (Fisher et al., 2002). The act intended to result in more action by colleges and universities to ensure their campuses are as safe as possible and to allow members of the campus communities to make better decisions based on data (McNeal, 2007). The crime-reporting
requirements of the act focus primarily on violent and serious offenses such as murder, robbery, burglary, forcible sex offenses, aggravated assault, weapons arrests, and arson.

The spirit of the act serves to inform prospective and current students about the rates of crime on campuses, allowing for informed enrollment decisions (Fisher et al., 2002). The act was also intended to serve as a pressure point on institutions of higher education to take action to become safer places, thereby achieving both symbolic and substantive results from the law’s passage (Fisher et al., 2002). Ultimately, there is great concern that in the years since its inception, the act has potentially become a merely symbolic gesture of limited scope that has questionable substantive value to the millions of college students, prospective or current, and their families (Fisher et al., 2002). The act does appear to have served an unmet need in assisting consumer understanding of levels of crime on campuses, as pre-act, only a mere 12% of institutions reported their data to the Federal Bureau of Investigation’s Uniform Crime Reporting (UCR) system (Fisher et al., 2002).

Before the Clery Act, campuses used an inaccurate interpretation of the Family Educational Rights and Privacy Act (FERPA) as a means to not fully disclose campus crime information (Fisher et al., 2002). The Clery Act requires campuses to prepare, publish, and disseminate an Annual Security Report by October 1, which outlines the previous three years of crime statistics and multiple institutional policies regarding campus safety efforts (Fisher et al., 2002).

Clery Act’s continuing evolution.

The Clery Act’s revision in 1998 was signed by President Bill Clinton and added new crimes to be included and increased fines for noncompliance; it was also renamed in honor of Jeanne Clery (Fisher et al., 2002). Additional changes to the act were passed in 2000 and signed
into law by George W. Bush, adding new requirements on sex offender community notifications and reporting requirements for hate crimes (Fisher et al., 2002). The act is based on the aforementioned UCR crime statistics and therefore does not account for unreported crimes that could be obtained through means such as victimization surveys or other capturing mechanisms (Fisher et al., 2002).

On August 14, 2008, the Higher Education Opportunity Act, or HEOA (Public Law 110-315), amended the act in order to create additional requirements (Westat, Ward, & Mann, 2011). The amendments included requirements for more detail surrounding hate crimes, more detail on the relationships between campus personnel and external law enforcement agencies, reporting on emergency notification and evacuation procedures, missing student protocols, and fire-safety reporting (Westat et al., 2011). Additional changes were included surrounding disciplinary proceedings for alleged victims of sex offenses and changes to definitions of housing facilities.

Complying with the act is a complex enough task that, in order to aid institutional efforts, the U.S. Department of Education has issued multiple editions (2016 is the latest) of what is now a 265-page handbook. The handbook clearly expresses that compliance is not a one-person job (Westat et al., 2011). The handbook states that its purpose and intent is to ensure that “everyone involved in complying with the law and in monitoring compliance is on the same page” (Westat et al., 2011, p. 3). The handbook’s existence is one example of governmental attention to compliance, while a web-based search can reveal significant governmental attention to compliance-based audits.

**The Clery Act 25 years later.**

In 2015, the 25th anniversary of the Clery Act’s passage, coupled with significant current interest in recent years surrounding campus crimes such as sexual assault and violent crimes to
include mass shootings, increases the relevance of the discussion of the effectiveness (or lack) of the act’s accomplishment of its primary objectives. In an interview with Connie Clery marking the 25th anniversary of the passage of the act, appearing in the *Chronicle of Higher Education*, Clery was asked about her perspective on the outcome of the law and by extension, the results of her and her late husband’s activism. Gardner (2015) asked Connie Clery about the lack of evidence in the available research indicating that students read or consulted the crime-reporting data provided by the law’s mandate. In response, Connie Clery expressed hope and a belief that the law had made students safer but could not provide detail on how this had come to fruition. Connie Clery asked the interviewer how there could be any doubt. When asked about her belief of how the late Jeanne Clery would react to the resulting impact of her death on legislation and related requirements, Connie Clery communicated her belief that her daughter would be smiling with the knowledge of how many lives have been saved (Gardner, 2015). Although this is both a single interview and Connie Clery is decidedly an important symbolic figure in the legislation’s existence, Connie Clery’s interview responses in an effort to articulate evidence-based specifics affirms the stated problem and is noted in the literature.

The Clery Act has actively held campuses accountable to complex reporting mandates and has raised awareness of risks at institutions of higher education (McNeal, 2007). The act is ever evolving through amendments and has been the focus of intense commentary. Compliance draws significant resources from colleges and universities working to comply with its complex requirements, yet there remains a limited amount of research available regarding the effectiveness of the Clery Act on making campuses safer (Gregory & Janosik, 2013).
Campus Safety

The issue of campus safety as an overarching topic has not diminished since the advent of the Clery Act over a quarter century ago. Regardless of the cause, campuses have continued to struggle with the threats of violence that can undermine academic life and goals (Baker & Boland, 2011). When fearfulness impacts quality of life, students may have a diminished experience or worse- may leave the institution entirely due to have implications that include students leaving the institution entirely due to the perceived risks of being a victim (Baker & Boland, 2011).

Kelly and Torres (2006) found that female students across race, classification, or level of engagement still felt the effects of a “chilly campus climate” (p. 20) that perpetuated fear of crime. Female students, even if feeling safe at particular moments or places on their campuses, factor safety into their experiences as parts of their lives (Kelly and Torres, 2006). Finally, women reported developing coping mechanisms to deal with the fear, including habits such as walking with friends or avoiding places they perceived as unsafe (Kelly and Torres, 2006).

While Kelly and Torres (2006) explored perceptions of fear of being victimized on campus, research does exist to provide some justification for such fears. Jennings, Gover, and Pudrzynska (2007) studied a single institution and found that approximately 22% of students had been the victims of crimes (although the study included theft, which is not Clery-reportable) since enrolling at their institutions. The study found that on a scale of one to five, with one representing a low amount of fear and five representing a high perception of fear and risk to safety, students reported levels of 2.58, a moderate amount of fear of victimization on campus. In a related observation and scale to assess how students may constrain their behaviors to avoid victimization, the data revealed a level of 1.97, indicating that on average, students were not
making different behavioral choices to avoid victimization based on fear of campus crime (Jennings et al., 2007).

In the post-act era, colleges and universities are still regularly under criticism for underreporting crimes (Wilcox, Jordan, & Pritchard, 2007). In a single-institution telephone survey of over 1,000 women, Wilcox et al. (2007) found that over 35% of women reported being victimized by stalking, assault, or sexual victimization while enrolled. Wilcox et al. (2007) also found that over 81% of women reported avoiding certain areas on campus. The study showed that women’s fear of crime is sometimes (statistically) misplaced on stranger-based crime versus acquaintance-based crimes. Studies such as that of Wilcox et al. (2007) reveal not only that crime is, in fact, underreported to police but that current requirements in the act also do not fully inform students about risks in terms of acquaintance- versus stranger-based crimes.

With a common focus of danger on campus originating from a subjective fear of stranger-based crime, perceptions by members of the campus community can also be a matter of location or building design. Steinmetz and Austin (2014) used photographs of campus locations and learned that enclosed or confining walkways, such as tunnels, serve as fear-producing locations to students. Steinmetz and Austin (2014) found that locations with perceived limited routes of escape or lack of refuge provoked the most fear. Large, remote parking lots also created fear. The issue of campus planning, building design, and student perceptions of safe or risky places may be as important as data-based reports such as the ASR (Steinmetz & Austin, 2014).

The act, at least in part, was initially intended to shatter the “fiction that college campuses are entities isolated from problems ravaging the parent society” (Griffaton, 1993, p. 531). Jeanne Clery’s parents, Howard and Connie, began their activism with the premise that had they known about the crime climate in and around Lehigh University, their enrollment decision may have
been different, thus sparing Jeanne’s life. Colleges print marketing materials and create web presences that exude tranquil and inviting learning environments (Griffaton, 1993). The act requires standardized reporting and embeds the report into admissions material and college websites.

Although the act mandated visible publication of crime information to increase the public’s awareness of campus safety, it is noteworthy that campus media and college newspapers have not regularly taken it upon themselves to report on campus safety issues within their communities. Shipman (1994) found that campus newspapers do not check with campus police regularly for data or updates of interest to students on safety issues. Shipman reported that campus law enforcement reported the relationships with those campus press members as generally good, yet the use of this communication mechanism is underutilized unless the story is perceived as “big news.”

As some of the literature addresses, it is unknown whether college campuses are sufficiently dangerous places to appropriately require such a mandate with intense levels of compliance (Fisher et al, 2002). While the tragic demise of Jeanne Clery in 1986 was both heinous and tragic, it is unclear whether the average college campus represents a high-crime area warranting such invasive oversight. Some research suggests, for example, that students are safer on campus than off campus (Fisher et al., 2002). McNeal (2007) argued that the academic community needed to be more committed to being involved with compliance efforts but did not navigate the manner in which greater involvement could be accomplished.

**Clery Act Efficacy**

In many ways, the act’s outcomes rely very simply on accurate and complete data. The original policy initiative was born from belief that academic institutions were misleading their
prospective and current students (Cullen et al., 1997). The veracity of the crime statistics and the public’s use of those statistics is paramount to the efficacy of the act.

Of critical importance is that crime victims will choose to report the offenses to campus police departments, who in turn will record and later represent these offenses in their Annual Security Reports (Fisher et al., 2002). Unfortunately, victimization data reveal that a statistically significant number of students do not report their victimizations—up to three-quarters of burglaries and a more dramatic 96.8% of sexual assault victims (Fisher et al., 2002). Another caveat to the structural efficacy of the act as noted in the literature is the emphasis on interpersonal offenses; it is exclusive of more common property or quality-of-life offenses (Cullen et al., 1997).

Cullen et al. (1997) conducted a telephone survey of a random sample of 3,400 students at 12 colleges and universities to determine the natures of campus-based victimizations, the frequency of actual reporting of the victimizations, to whom the victimizations were reported, the reasons students failed to report victimizations, and the implications of non-reporting on the accuracy of campus reporting. The study revealed that institutional data do not give reliable portraits of crime on campuses, with less than one-fourth of crime being reported to any authority (Cullen et al., 1997). Ultimately, Cullen et al. (1997) found that the act served as a symbolic gesture to take action but was substantively ineffective at the time of the study.

The act, through reliance on UCR data, may underestimate actual crime. Data suggest that self-reported crime victimizations far exceed available data published through institutional crime reports (Gardella et al., 2015). More specifically, Gardella et al. (2015) studied 479 undergraduate students at a single private university and revealed troubling data, such as institutional reporting data of four institutionally reported aggravated assaults to 50 self-reported
sexual assaults. Gardella et al. (2015) also found 10 institutionally reported forcible sex offenses, compared to 66 self-reported forcible sex offenses. With results such as those found by Gardella et al. (2015) showing dramatically underreported numbers of crime, it is uncertain how the intention of the act to inform prospective students or their families about specific levels of crime can be successfully accomplished. Also problematic is the focus on less common but more serious offenses, such as murder, while ignoring property or public nuisance crimes that are more statistically likely yet not included in act’s reporting requirements (Fisher et al., 2002).

**Clery Act efficacy through the lenses of subgroups.**

The following section explores research that probes into the perceptions of act efficacy as viewed through the lenses of critical stakeholders and subgroups who frequently intersect with the act, both in terms of compliance responsibilities and with desired outcomes on campus safety and awareness.

**Lens of judicial officers.**

Gregory and Janosik (2003) surveyed 422 members of the Association for Student Judicial Affairs (ASJA), a key population that both works with students involved in the reported crime data and serves to be directly involved in compilation of judicial referral information, shown in required annual security reports for weapons, drug, and alcohol violations. Gregory and Janosik (2003) found that 99% of respondents reported awareness of the act, and the majority (approximately 63%) reported no caseload changes because of the act. Interestingly, only 51% reported perceptions that their students were aware of the act-related reports, and a mere 7% reported believing student behavior changed because of the act (Gregory & Janosik, 2003).
**Lens of victim advocates.**

Janosik and Plummer (2005) surveyed 147 victim advocates who played roles in helping victims on campus, including those of sexual assault. Janosik and Plummer (2005) found that approximately 93% of victim advocates were aware of the act, yet similar to other data in similar constituent-based research, only 13% of victim advocates believed the report influenced student behavior in a manner that prevented crime or increased personal safety. Noteworthy in this study was a dip in confidence in the candidness of campus administrations in their crime reporting, with only two-thirds expressing confidence in the forthright reporting and 16% believing administrators had hidden incidents of crime (Janosik & Plummer, 2005). Compared to other constituent groups, the victim advocates were far more optimistic about student usage of the reports and crime data to change behavior.

**Lens of chief student affairs officers.**

Janosik and Gregory (2009) obtained survey responses from 327 chief student affairs officers (CSAOs) on their views of the act and safety on campuses. The Janosik and Gregory (2009) study of chief student affairs officers is important due to their multifaceted roles in overseeing act stakeholders, including judicial offices, housing facilities, police departments, and orientation programs—all with significant act compliance responsibilities. Perhaps unsurprisingly, Janosik and Gregory (2009) found that 98% of CSAOs were aware of the act, and 93% believed that students received the required information. The CSAOs were not optimistic about students’ use of the information, however, as only 15% reported the belief that students read the material (Janosik & Gregory, 2009). CSAOs as a group were optimistic that students would attend programming (84%) and would change their behavior (65%) in ways to protect themselves. Janosik and Gregory (2009) found that CSAOs overwhelmingly supported
the position that institutions were candid about campus crime, with 99% reporting this perception and only 3% reporting a belief that they had experienced attempts by administrators to conceal crime on campuses. Overall, the CSAO responses to this study are important data in understanding how college administrators perceive the act versus other studies of constituent groups—particularly students or parents.

**Lens of students.**

Janosik and Gehring (2003) conducted a study that resulted in the alarming revelation that a mere 8% of students were influenced by the institution’s crime data in their enrollment decisions. The study also found that 60% read and reviewed crime-reporting information produced by the colleges and universities, but only 27% attended programs offered by the institutions, as mandated by the act (Janosik & Gehring, 2003). The study additionally found a slight increase in usage of this information among private institutions and smaller institutions with fulltime enrollment numbering under 5,000. The 2003 Janosik and Gehring study affirms that a critical intended audience to the requirements of the Clery Act is not benefitting from the tremendous labor required in compliance.

**Lens of parents.**

Parents are among the core targeted audience members for institutional act-related output as a means for families to make enrollment decisions. Janosik (2004) conducted a single-institution study of 435 parents and their levels of awareness of the act, how parents use the information, and perceptions by parents of how colleges and universities inform students. Janosik (2004) found that approximately one quarter of parents reported being aware of the act, yet only approximately 15% reported actually reading it. Interestingly, only approximately one-third of parents reported believing their students would review the information provided by the
institution (Janosik, 2004). Perhaps most importantly, as the Clerys had based much of their activism leading to the passage of the act on the premise that families like theirs should be better informed, only 6% reported being influenced by any of the institutionally provided information (Janosik, 2004). The results of this study showed that parents, similar to data from a study aimed at students, are largely unmoved and unaware of the act.

**Lens of residence life administrators.**

The available crime data at campuses presented in Annual Security Reports reveals that much of the crime occurs in the confines of residence halls (Gregory & Janosik, 2003). The reporting requirement to specifically reveal crime data occurring in an institution’s residence halls affirms the importance of the residential life departments to be directly involved in the levels of safety in their facilities. In a study of 832 housing officers who were members of the Association of College and University Housing Officers (ACUHO-I), respondents were asked about their perceptions of the act’s impact on both awareness and behavioral choices for students (Gregory & Janosik, 2003). The 335 respondents indicated some key perceptions, including that the act did not meaningfully impact college choice, and over half (55%) perceived no change in student behavior (Gregory & Janosik, 2003). While housing officers reported a perceived increase in crime reporting (54%), less than one-third (31%) reported a perception of crime awareness or prevention programming. Gregory and Janosik (2003) found that 90% reported believing that their campus administrations were open and forthcoming with campus crime data. The research led the authors to note a concern about a lack of knowledge and awareness of the act by the housing officers, given the considerable responsibility to ensure safety in their halls, and recommended training to increase familiarization of these officials with the act (Gregory & Janosik, 2003).
Lens of law enforcement executives.

In the search of the literature, no group was more important to the query of this literature review than law enforcement executives who are tasked with the statistical compilation of crime reporting (compliance) and the influence and leadership to ensure operational safety-based programming (safety). Only two studies were located. First, Janosik and Gregory (2003) surveyed 371 members of the International Association of Campus Law Enforcement Administrators (IACLEA), the major campus law enforcement professional association serving institutions that must comply with the Clery Act. The study of Janosik and Gregory (2003) remains the only identified study that specifically probed campus law enforcement perceptions. The study queried law enforcement perspectives of how the Clery Act has changed law enforcement on campus, dissemination of required reports, the perceived impact on reducing crime (thereby increasing safety), the perceptions of the impact the Clery Act has had on student behavior, and law enforcement perceptions of college administrations’ forthright reporting (whether they perceive that senior administrators conceal reported crime).

Among law enforcement representatives responding to the Gregory and Janosik (2003) study, approximately 57% reported that the Clery Act had resulted in better crime reporting at their departments and institutions, with 43% believing the act had resulted in improved procedures. Similar to other constituent groups, only 10% of the law enforcement respondents believed the act had resulted in a change in student behavior, and 90% could not attribute the Clery Act to any changes in crime rates (Janosik & Gregory, 2003). Janosik and Gregory (2003) found that over 91% of law enforcement personnel were confident that no crimes were being hidden at their institutions. This study reveals that the act does seem to have had some
operational benefit to police departments, at least in initial gains related to the attention given to accurate crime reporting.

Secondly, the other law enforcement–oriented study located in the literature was McNeal (2007), who also used a sample from IACLEA to research impediments to compliance. McNeal used an online survey and the LISTSERV operated for IACLEA members, resulting in 221 completed surveys. McNeal (2007) posited from the data that law enforcement perceived a lack of institutional support. McNeal also found that law enforcement found the complexity of the act to be a barrier.

The voices of law enforcement executives both involved with act compliance and invested in safer campuses has been largely untapped within the national dialogue about making our colleges and universities safe places for students to learn. With the exception of a quantitative survey undertaken by Janosik and Gregory (2003), one that did not control for rank and therefore harness the perceptions of those law enforcement executives most intimately involved with act compliance, there is nothing in the literature to elicit the perspectives of the campus police chiefs or police executives on this important topic.

The limited, available research on the efficacy of the act points to some commonalities among the findings. First, the lengthy government handbook provided by the U.S. Department of Education to aid compliance affirms the complexity of the law. The act remains perceived as confusing and ambiguous (Gregory & Janosik, 2013). Given this complexity and resources required to update this handbook and administer compliance, it is unclear why the government has not itself researched the effectiveness of the act in a manner to better inform potential future amendments to the act. There appears to be a potential nexus with the act’s complexity,
subsequent confusion regarding compliance, the government’s focus on compliance itself, and public faith in the final, published result.

**Limitations of Studies**

A limitation of almost all of the available studies is the overwhelming *quantitative* nature of the research, particularly using survey data. While this survey data results in usable findings to make general conclusions about act effectiveness, there is very little qualitative research to explore the perspectives of those consumers or officials who use or work with the act more intimately. Without more qualitative research, the voices and perspectives of those persons potentially most informed and most invested in the act’s effectiveness are steered toward selecting prepopulated survey responses versus allowing their own perspectives to emerge.

**Demographic and constituent limitations.**

A critical, specific limitation of the literature is that the only two law enforcement studies have been directed to International Association of Campus Law Enforcement Administrators (IACLEA) members with no control for rank. In other words, there has never been a study aimed specifically at police executives or chiefs who would be most intimately involved with act-related efforts on their respective campuses, and no qualitative studies to allow for the voices of the chief law enforcement executives on campuses. The most meaningful study of law enforcement personnel by Janosik and Gregory (2003) used the general membership of the International Association of Campus Law Enforcement Administrators. The demographic composition of respondents to the study by Janosik and Gregory (2003) included only 17% from senior staff (e.g., “chiefs”), and 74% were sworn law enforcement officers (with powers of arrest). In the McNeal (2007) study, the sample population came from respondents to the e-mail LISTSERV.
**Research timeliness limitations.**

There has been little research post-2007 exploring the efficacy of the act. In 2007, the Virginia Tech massacre rattled higher education, and 2008 amendments to the act added the requirement for campuses to send emergency notifications under certain circumstances. A national focus on reducing campus sexual assault has significantly changed the campus-safety landscape. With the exception of studies such as that of Janosik and Gregory (2009), studying act efficacy as perceived by chief student affairs officers, most of the available literature is quickly becoming dated. Since this earlier research, national attention to mass shootings, sexual assault, and other campus safety issues has raised the question about whether the efficacy of the act has changed.

**Summary**

As some of the literature addresses, it is unknown whether college campuses are sufficiently dangerous places to appropriately require such a burdensome, unfunded mandate to have intense levels of compliance (Fisher et al, 2002). Wood and Janosik (2012) recommended in a Clery Act analysis that while campuses should be familiar with and utilize the act handbook, there are many other actions that the U.S. Department of Education could do, such as creating a single commission to oversee compliance efforts and better assist institutions. Wood and Janosik (2012) also recommended adding more purposeful context to the data reported by institutions. These context-based recommendations include providing more detailed information on population density, urban versus rural campus locations, economic conditions and employer availability, cultural conditions and religious characteristics, family cohesiveness, the effective size of the police force in relationship to campus population, attitudes of courts and prosecutors, community attitudes toward police, and cooperative efficiency of overlapping police
jurisdictions (Wood & Janosik, 2012). These recommendations could add context; however, the addition of additional variables would not appear to simplify the use of the data by the end users: students and parents.

Government interest in monitoring the act has been focused sharply on compliance versus effectiveness. The State University of New York system, the country’s largest public system of higher education, has been audited by the New York State Comptroller’s Division of State Government Accountability. Additionally, SUNY has been the subject of past review by regulators. In the latest review reported in August of 2014, the comptroller (New York State Office of the State Comptroller, 2014) reported inaccuracies with statistical crime reporting; however, the inconsistencies included significant over-reporting by some campuses publishing greater rates of incidents required by the act. The comptroller’s report advocated for better strategies for the system to enhance its compliance, but like other government reporting, it steered clear of evaluating the Clery Act’s actual effectiveness on any of the system’s campuses.

The Clery Act currently serves as a symbolic legal reform that represents political action to “do something” about campus crime concerns and to hold campuses accountable for the safety of their students. At its original passage, the act accomplished greater public awareness regarding crimes on campus (Gardella et al., 2015). It is very unclear, however, whether the act has actually accomplished substantive improvements in campus safety (Fisher et al., 2002). As the act has grown through successive amendments, the resulting report and data set are significant and not necessarily well explained to parents or students in a manner that makes the content meaningful or valuable to the end user (Gardella et al., 2015).

The single most powerful theme emerging in the literature is that of the consistently disappointing results surrounding the act’s seeming inability to influence student decisions,
behavior, or campus safety. There is no significant evidence in the literature pointing to a positive shift regarding campus safety attributed to the act. Earlier studies in the beginning of the 21st century revealed that fewer than 27% of students and parents were aware of the Clery Act, and fewer than 10% used the available data to make enrollment decisions (Janosik & Gehring, 2003; Janosik 2004). The available literature leans toward a conclusion and affirmation that, in terms of symbolism versus substance, the impact of the act has thus far been decidedly symbolic.

The aim of this study is to explore the perceptions of campus police chiefs on their experiences working both to comply with the act and to make their campuses safer places. Through examining the insights of campus police chiefs, we can better understand the dynamic relationship occurring at the intersection of the legislation and the real-world experiences of professionals directly tasked with many overlapping mission components.
Chapter Three: Research Design

The purpose of this doctoral thesis is to explore the lived experiences of campus police chiefs relative to the Clery Act and their ongoing efforts to leverage the act into gains in improved campus safety. Campus-based police chiefs often collect the required crime data, assemble the required Annual Security reports, and simultaneously work on the daily challenge of maximizing safety on campuses. In such pivotal roles, the detailed voices of campus police chiefs are an important addition to the discourse related to the act.

In order to capture the experiences of campus police chiefs within the given context of using and complying with the act, I selected an Interpretive Phenomenological Analysis (IPA) as the appropriate methodology to undertake this study. While most often used in psychology or to explore people experiencing health conditions, it is expanding and being increasingly used in other disciplines (Smith, Flowers, & Larkin, 2009). Interpretive phenomenology represented a good fit for this study due to the effort to give voices to the police chiefs and due to the study’s dualistic goals of serving both interpretive and descriptive purposes. This study explores the following three research questions:

1. How do campus police chiefs describe their experiences leveraging Clery Act compliance efforts into gains in campus safety?

2. How do campus police chiefs describe their perspectives on how their campuses’ Clery Act efforts, including the Annual Security Reports, impact efforts to increase students’ awareness of levels of crime on campuses?

3. How do campus police chiefs make sense of the Clery Act as a positive tool and an influencer on their decisions, and of its overall value to accomplish their missions?
Methodology and Research Tradition

Interpretive phenomenology is based on a foundation in phenomenology originally advanced by Edmond Husserl (Creswell, 2013; Moustakas, 1994; Reiners, 2012; Smith, Flowers, & Larkin, 2009). Husserl’s construct was influenced by Immanuel Kant and the lived experiences of people. Husserl’s student Martin Heidegger advanced the original construct to include an interpretive focus (hermeneutics), positing that consciousness is connected to the reality of human existence and that the ontology of being in the world is a primary phenomenon (Dowling, 2007; Reiners, 2012, Smith, Flowers, & Larkin, 2009). Heidegger contemplated how people’s perceptions, emotions, and thoughts (consciousness) are involved and impacted their awareness of events (Reiners, 2012).

Interpretive phenomenology facilitated a new ability to understand participant experiences that reveal themselves through sense-making of the given phenomenon or context (Moustakas, 1994). The analysis goes beyond simply describing the experiences and serves to identify and interpret the underlying meanings that are within the lived experiences (Reiners, 2012). An Interpretive Phenomenological Analysis (IPA) seeks to explore and explain the lived experiences and understanding of those experiences or phenomena in their “own terms, rather than predefined category systems” (Smith, Flowers, & Larkin 2009, p.32). The use of IPA allowed me to communicate with the police chiefs (participants) and collaboratively interpret the lived experiences they have had with the given phenomenon of the Clery Act and its impact on their roles. Interpretive phenomenology is most commonly used with health and psychology subject matter and by those with psychology training. However, IPA can be flexible, and I was drawn to the use of this methodology due to the unique nature of interpretation (hermeneutics) and idiography (Smith, Flowers, & Larkin, 2009). The use of IPA was appropriate due to its
context-dependence (Clery Act) and reliance on the unique social and cultural contexts of the sample (police chiefs), both attributes of phenomenological study (Smith, Flowers, & Larkin 2009). The use of IPA is idiographic, studying the particular and samples are often homogenous (Smith, Flowers, & Larkin, 2009). The specific and particular sample of SUNY police chiefs experiencing the Clery Act aligned with the idiographic perspective of IPA.

*Figure 3.1: Relationship of IPA Theoretical Perspectives*

Another reason for the selection of IPA was Martin Heidegger’s perspective that the researcher enters with an awareness around the preconceptions or “fore-conceptions” that are present (Smith, Flowers, & Larkin 2009). My own professional experiences with the research topic provides understanding of the phenomenon and allows my voice to engage in the conversation. The use of IPA includes a “double-hermeneutic,” an approach in which the
participants (police chiefs) supply meaning making of their experiences with the act and I subsequently apply sense making to the data in a circular cycle with the data to inform any interpretations.

**Participant Selection**

The participants of this study include a subset of sworn police chiefs who work at state-operated campuses that are part of the State University of New York (SUNY) system, the largest comprehensive university system in the United States. Purposive sampling, as used in this study, is critical to ensure that “all participants have experience in the phenomenon being studied” (Creswell, 2013, p. 155). The SUNY system has participated or been involved in past regulatory inquiries or audits to assess system and institutional compliance led by the New York State Office of the Comptroller and has interacted with the U. S. Department of Education, which serves as the enforcer for the statute. More specifically, the small purposive sample of chiefs was restricted to those sworn police chiefs in the SUNY system who (1) have significant Clery compliance coordination responsibilities as components of their professional obligations, (2) have held leadership responsibilities in university or college-based police departments for at least five years, and (3) maintain professional investments and commitments to maximizing the levels of safety on their respective campuses.

**Recruitment.**

Chiefs were recruited through an invitation extended by the SUNY police commissioner. This sample had intimate familiarity with the act, expertise with safety on their campuses, and were professionally invested in both. Working at different institutions, this purposive sample possesses some overlapping experiences relating to act–required tasks, yet each will make meaning of the phenomena differently. The participating chiefs were advised of the rights
relating to participation in the research and allowed to opt in or out with informed consent (copies of consent documents are found in the appendix).

Shared among all participants are significant responsibilities over their campuses’ compliance. This includes the yearlong statistical computations that are reported in the required institutional Annual Security Report and the publishing of the statistics and required policy statements. The chiefs also share responsibility for submitting the crime statistics into the U.S. Department of Education website by the annual deadline and the responsibility for ensuring the Annual Security Report is added to the college website and subsequent required notification advertisements to the campus by the October 1 deadline. The chiefs work with offices such as the campus judicial office to acquire needed information on campus referrals for noncriminal violations identified in the Act. In addition to these compliance-oriented tasks, chiefs spend time attending act-related training sessions and professional-development hours to maintain proficiency with the act’s many nuanced provisions.

Outside of direct act compliance, the chiefs also share responsibility for leading personal-safety efforts on campus. As chief law enforcement officers assigned to their respective campuses, chiefs allocate resources and establish programming to maintain safe campus environments. Between the many act–related tasks and the general duties associated with serving as their campus communities’ chiefs of police, there is a notable intersection between the chiefs’ goals for maximum campus safety and the legislative requirements of the act.

The sample size of nine was within the recommended sampling range for student projects (Smith, Flowers, & Larkin, 2009). This sample provided a sufficient opportunity to identify similarities and contrasting differences among the participants, while preventing the data from becoming overwhelming. Following the guidance of Smith, Flower, and Larkin (2009), I sought
to avoid the problem of a too-large sample that could unintentionally inhibit the “time, reflection and dialogue” (p. 52) that would allow the study to be of high quality.

**Procedures**

This section serves to report “how” data were collected. This section reports on the step-by-step activity of the study.

**Data collection.**

IPA holds that people are sense-making by nature, and the police chief participants will thus naturally work to make sense of their experiences related to the given phenomena (Smith et al., 2009). Data were collected through face-to-face, semi-structured interviews using an idiographic mode of inquiry, undertaken in an atmosphere comfortable to the participants. The interviews were audiotaped. Each interview was scheduled for one hour. I conducted the interviews in office or private-business spaces of the chiefs’ preferences. Some chiefs were interviewed in their private offices, while others preferred to use breakout spaces.

At the scheduled interviews, I reviewed the interview protocols as documented on the interview-protocol document. I did not share copies of the questions either ahead of time or during the interviews. The decision to not share the questions ahead of time or during the interview was driven by the desire for an organic and conversational interview without the distraction or temptation for participants to look ahead or “pace” the interview to match a perception about how many questions might be remaining. Prior to commencing each interview, this researcher confirmed that the participant was amenable to being recorded to allow transcription. I informed all participants that I would be providing written copies of the transcribed interview notes for them to ensure accuracy. The settings allowed the police chiefs
to openly share their experiences, attitudes, and beliefs and subsequently allowed an accurate and thorough understanding of the phenomenon to emerge.

Table 1. Opening Remarks

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<th>OPENING REMARKS:</th>
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<td><strong>Introduction:</strong> Thanks again for agreeing to be interviewed. As you know by now, I’m a doctoral candidate at Northeastern University, and this interview is a component of my dissertation research. Before we begin, I want to review a few things. I want to assure you that all information will remain completely confidential and anonymous. I will be using a pseudonym, and I will not include any information that will make you identifiable. I’d like to ask your permission to tape-record this session. I will be preparing a transcript that will share with you during a post-interview meeting. The transcript is for the purpose of making sure that the content accurately represents your responses. Please ask me to rephrase or any clarify any questions that are unclear. If agreeable, I’d like to begin the interview and turn on my recording device? (Wait for confirmation.)</td>
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<tr>
<td>My focus is on the perspectives of campus police chiefs who work closely with the Clery Act.</td>
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Smith et al. (2009) describe this qualitative methodology as a “conversation with a purpose” (p.3). After each interview, I developed and maintained reflective and analytic memos (Miles, Huberman, & Saldana, 2014). The memos chronicled my evolving perceptions, reflections, and introspections about the data. I followed the standard qualitative interview procedure as described by Smith et al. (2009), a predesigned interview schedule with a set of
open-ended questions that avoids leading participants into baited answers. The steps I followed in development of the interviews included the following:

1. Development of queries that will answer the research question
2. Consideration of the range of topics to cover
3. Logical order of the topics to cover
4. Formulation of questions that are appropriate for the study
5. Editing and revision of the questions as necessary

The final questions are presented in appendix form. During data collection, I was mindful and observant of nonverbal communication, including demeanor, facial expressions, and gesturing. Verbal communication was also diligently recorded to capture depth and robust descriptions that were inclusive of words, meanings, phrases, ideas, and relationships (Creswell, 2013). By employing these interviews, I was able to capture highly detailed information that enabled the collective and shared voices to emerge from the data to reveal the essence of the phenomena (Larkin, Watts & Clifton, 2006).

From an ontological perspective, I was situated with overlapping experience within the police chiefs’ worlds. Interpretive phenomenology is ontologically based, and the realities experienced by the police chiefs are associated with the realities and experiences I worked to share (Larkin et al., 2006). The research results represent an interpretation (hermeneutics) of the experiences of these chiefs. The IPA method, importantly, does not require that I bracket out personally held ideas, thoughts, or concepts. This method embraces the integration of prior experience, knowledge, perspective, and bias in pursuit of the participants’ experiences and meanings (Larkin et al., 2006; Smith et al., 2009). My past experience as a police chief working with the act created an opportunity to intimately approximate the experiences of the participant
chiefs and take a vantage point that allowed a view through their eyes (Larkin et al., 2006; Smith et al., 2009).

**Data analysis.**

I transcribed the interviews in order to allow recording and analysis. After completing the interview, each participant was provided a written copy and an opportunity to review the document as part of a member-checking process. This process is an important mechanism to mitigate direct or indirect biases that I may have inadvertently introduced into the data collection process (Creswell, 2013). The participants received the transcripts for review and participants responded affirmatively with a confirmation that the written version accurately captured their accounts and perspectives on the topic.

The transcriptions were uploaded into MAXQDA 2018 software for analysis. The steps outlined by Smith et al. (2009) were used for the IPA method of research analysis. The parts included transcribing the interviews, making notes related to the interview transcripts (memos attached to each transcript), developing initial emergent themes, and identifying connections across the emergent themes. The data-analysis stage was “a commitment to an understanding of the participants’ point of view, and a . . . focus on personal meaning-making in particular contexts” (Smith et al., 2009, p. 79).

With IPA research, there is not a single method or clear right way to interpret data (Smith et al., 2009). I used six strategies to analyze the data. First, I began by reading and rereading the interviews. Second, I reviewed and refined my notes made for each interview. This facilitated greater understanding of how the narratives bind the interviews together. Third, I clustered data into initial themes – this was often explanatory along the lines of the interview guide. Fourth, I searched for connections across the interviews and refined the initial clustered themes into more
formal subthemes. Next, I sought abstractions from the subthemes, arriving at initial superordinate themes across all participants. I followed these strategies for each interview. Finally, after weeks of immersion with the data, I interpreted the data and refined the superordinate themes.

Decisions to code or flag passages relied heavily on locating the most striking portions of the responses that spoke to the overarching goals of the interviews. In some responses, this took the form of a direct quotation that would appear to directly strike at the research question. In other passages, I saw connections to the theoretical framework used with the study, the classical criminological theory called the Routine Activities Theory. It is important to note that consistent with IPA research, I sought to engage the theory but not test it (Smith, Flowers, & Larkin, 2009). Certain responses seemed to unpack one of the three elements of the Routine Activities Theory. As an interview guide was used to aid in the questions posed to the chiefs, this was particularly complex, as interpretive phenomenology is inductive. The participant responses to questions within the initial structure of an interview guide, coupled with the presence of a theoretical framework, led to some degree of deductive reasoning when initially coding and reviewing the interviews.

**Ethical considerations and IRB.**

The study was approved by the Institutional Review Board. There were no obvious risks to the participants or participants’ institutions. While the phenomena presented the opportunity for strong reactions in the form of professional opinions, the phenomena presented much less risk to revealing any personal or sensitive information. Confidentiality of the chiefs was maintained and their anonymity preserved. While unlikely, participants could conceivably have a concern that identification might yield unwanted attention from ardent advocates of the act or
additional scrutiny by officials reviewing their home institution’s compliance. By eliminating that potential concern, participants could share their experiences more openly without also trying to do calculations on the potential politics involved in their perspectives. Each of the participants was assigned a number as an identifier, in lieu of his or her name, and each was later assigned a pseudonym for the purposes of the study publication. All media files were stored on a password-protected computer with a backup copy on a secure external-storage drive (USB). The computer was in my possession and was stored in a secure office when not in my possession. The backup-storage drive, when not in use, was stored in a locked desk drawer.

**Trustworthiness.**

In order to establish validity in this study, I worked toward Yardley’s (2000) four principles in assessing the quality of the research, including (1) sensitivity to context, (2) commitment and rigor, (3) transparency and coherence, and (4) impact and importance. The sensitivity to context is primarily established in this study by being cautious with the claims as they relate directly back to the data (Smith, Flowers, & Larkin, 2009). Verbatim excerpts pulled from participants add sensitivity to the context. The study establishes rigor, in part, by the homogenous and purposive sample that is appropriately and specifically matched to the participants and executed with a quality interview design (Smith et al., 2009). Importantly, participants were contacted and invited to review the initial interpretations as a member-checking process to ensure I had accurately captured the essence of what they each had said.

The transparency and coherence of this study are established through the detailed descriptions of the process used to design, implement, and conduct the analysis for this research. The steps outlined in this chapter provide the transparency behind the “how” and “why” within the research design, and I worked to establish logically connected themes, forming a clear nexus.
In addition, the fully transcribed interview data provide a transparent view of the study. Finally, the impact and importance of this study are left to the reader to determine whether the subject and phenomena are of impactful significance that could be useful (Smith et al., 2009).

**Positionality Statement (Potential Researcher Bias)**

This positionality statement will evaluate my reflexivity and potential researcher bias and perceptions that serve as underpinnings to my analysis of the efficacy of the Clery Act through the lens of campus police chiefs. I will discuss the impact of my background and direct experiences working with the act as they relate to the research topic. I will also assess how I will be accountable to my biases in order to ensure an accurate gathering and presentation of findings. It is important to note that in interpretive phenomenology, my reflexivity is acknowledged and not necessarily bracketed out of the research (Smith, Flowers, & Larkin, 2009). To this point specifically, however, this positionality statement is thorough in order to transparently reveal how my own background and experiences affect the analysis of the material.

**Author background.**

Positionality is a concept recognizing the various roles of our social constructs and identities, including race, gender, and socioeconomic class, in relationship to others’ identities and the resulting impacts on our perceptions of reality and placements within that construct (Kincheloe & McLaren, 1994). Researcher background is critical to narrowing the loose context that could otherwise cloud the written perspective of the problem of practice (Jupp & Slattery, 2006).

Positioned in the middle class, raised and remaining in the rural communities of upstate New York, I note that my own experiences never included a personal concern or conscious interest in campus safety until it became a professional concern. In my own college-selection
process at three institutions, I never consulted the various campuses’ Annual Security Reports, the documents produced by all aid-receiving American campuses in order to comply with the Clery Act. I never asked any campus about any safety-related questions. My first college-selection process (1990-1991) coincided with the very beginnings of the Student Right to Know and Campus Security Act of 1990, now commonly known as the Clery Act. The safety of the campus and presence of the written report were never discussed amongst my family members. My perspective included a sense of entitlement to high levels of perceived personal safety.

**Interest and involvement with safety on campus.**

While enrolled in college as a first-year student, I took a part-time position at the campus’ safety office. While not responsible for act compliance, I became sensitized to both the type and scope of reported offenses on campus and the campus’ obligation to produce an Annual Safety Report for persons who requested access to it. Following my participation in multiple civil service positions to enter into law enforcement, I accepted a state civil service position as a sworn officer with a state-system campus’ police department. This position provided substantial experience in responding to crime and creating incident and arrest reports that would serve as the basis for annual data contained in the college’s Annual Security Report. Later, promoted to a position as a lieutenant, I found that my role included correcting others’ police reports and ensuring that data were accurately reported to aid in the accurate count of offenses to be listed in the annual report and filing.

After becoming the chief of police, my role included direct involvement in the preparation of the college’s Annual Security Report in compliance with the act. My role also included providing presentations at new student orientations, new-employee orientations, and speaking events where the safety of the campus was a component of the presentations. In this
capacity, I fielded frequent questions about campus safety and invested much energy in working to maintain a safe campus.

In 2012, I left the chief of police position to become the vice president for student affairs. In this capacity, I still assist in the coordination of student safety initiatives and share responsibilities with the coordination of the published ASR and decision-making on time-based campus notifications. My interest in campus-safety issues and ensuring that students and the campus community are informed stakeholders persists today.

**Clery Act involvement as a consumer.**

In a parental role, I have seen three young women off to college, and our youngest daughter is entering her second year as a residential college student. The first two attended the college for which I presently work; therefore, the institutional ASR was not an active factor in their decisions (or ours as parents). When one daughter continued her education at another institution, we did not consult that institution’s ASR or act-related resources, as we believed we were “familiar” with the institutional climate located less than an hour away. Our youngest is safety conscious, yet generally unaware of the Clery Act provisions.

**Documenting biases.**

I believe my past experiences have formed an attitude that prioritizes campus safety and a simultaneous uncertainty about the act’s impact on campus-safety efforts. I hold a potential bias that the existing iteration of the law, following multiple amendments adding length and complexity to the report, may have the counter-effect of being too cumbersome and complex to be thoroughly reviewed by the average consumer.

I do not believe my positionality includes a problematic gap or boundary between myself and those serving as current police chiefs (the “others”). While no longer a police chief, I
maintain some level of identify with the others. “Othering” is a social construct of identity contrasted against the others who may be the focus of the research (Briscoe, 2005).

**Author as researcher.**

Ensuring that my biases and previous personal experiences with the act do not cripple objectivity is paramount to the successful execution of this research study. Machi and McEvoy (2012) recognize that a research interest can be generated from experience. Recognizing the role that my past experiences may have in terms of bias will serve as a valuable tool to control its influence. A key mechanism to control for personal bias is to perform a thorough literature review. The proposed research, a qualitative analysis of the personal experiences of multiple police chiefs’ insights into the effectiveness of the act on campus safety, has not been located in the existing literature. Therefore, if the research results reveal findings that run counter to my own past experiences as a police chief, I will accept the findings.

In both my personal background and my professional work as a senior student-affairs officer, chief of police, police lieutenant, officer, parent, and student, I have formed attitudes, beliefs, and a perspective regarding both campus safety and the role of the act as a tool in helping maximize campus safety. I have also formed attitudes, beliefs, and a perspective on the crime-reporting and awareness capabilities of the act. Through careful analysis and controls, I can control for my biases.
Chapter Four: Results

This qualitative study explores the lived experiences of campus police chiefs relative to the Clery Act and their ongoing efforts to leverage the act into gains in improved campus safety. This section will outline my results. This study explored the following three research questions:

1. How do campus police chiefs describe their experiences leveraging Clery Act compliance efforts into gains in campus safety?

2. How do campus police chiefs describe their perspectives on how their campuses’ Clery Act efforts including the Annual Security Report impact efforts to increase students’ awareness of levels of crime on campuses?

3. How do campus police chiefs make sense of the Clery Act as a positive tool and an influencer on their decisions, and of its overall value to accomplish their missions?

The specific interview questions focused on how the chiefs have experienced the law’s spirit-in-action with their constituents. The questions sought to unpack the chiefs’ perspectives on how this legislation intersects with their own missions of increased campus safety and their perceptions of the cascading real-world effects of the law on their individual campuses. Interviewing the chiefs, who were all experienced in their roles, allowed them to reflect upon and express their experiences with this mandate.

In order to obtain the best sample of shared, lived experiences, I first had to determine criteria to ensure that the participants would be intimately familiar with the nuances of the legislation. More specifically, the sample of chiefs was restricted to sworn police chiefs in the SUNY system who (1) have significant Clery compliance-coordination responsibilities as components of their professional obligations, (2) have held leadership responsibilities in university or college-based police departments for at least five years, and (3) maintain
professional investments and commitments to maximizing the levels of safety on their respective campuses.

Demographics

SUNY is the largest comprehensive university system in the United States with 64 campuses across the state of New York. The system has over 400-thousand students enrolled and has nearly 3-million alumni (“About SUNY,” 2018). Within this system, the State University of New York system includes 29 state-operated campuses. The state-operated enrollment is approximately 222-thousand students.

The state-operated campuses employ sworn, professional police departments with investigative and arrest authority outlined in both the state’s Criminal Procedure Law and Education Law (“New York State University Police,” 2018). These police departments share common central structures but are each managed by a police executive in the position of chief. In some departments, the chief has additional executive assistance in the title of assistant chief and potentially a deputy chief. Many of the state-operated campus police departments have obtained voluntary accreditation through the state’s Division of Criminal Justice Services, a point of distinction illustrating their position at the front edge of best practices within the state’s law enforcement community. For context, across the state of New York, a minority of municipal, county, and state agencies have obtained this voluntary accreditation managed by the New York State Division for Criminal Justice Services.

Purposive sampling, as used in this study, is critical to ensure that “all participants have experience in the phenomenon being studied” (Creswell, 2013, p. 155). Nine respondents from eight institutions accepted the invitations to be interviewed. One chief requested that his assistant chief also participate as they distributed unique compliance responsibilities between
them. For the sake of simplicity, all respondents are referred to as chiefs, as each has “chief” as part of his or her official title. The participants were from eight unique geographic locations across New York State. Table 4.1 provides the reader with relevant information about each participant. Each participant was assigned a pseudonym to maintain his or her confidentiality.

Table 2. Demographics

<table>
<thead>
<tr>
<th>Participant</th>
<th>Gender</th>
<th>Experience (Years)</th>
<th>Supervising role (Years)</th>
<th>Campus size (range)</th>
<th>Campus setting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kirk</td>
<td>M</td>
<td>38</td>
<td>22</td>
<td>5-10k</td>
<td>Suburban</td>
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<tr>
<td>Vince</td>
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<td>6</td>
<td>5-10k</td>
<td>Suburban</td>
</tr>
<tr>
<td>Bryce</td>
<td>M</td>
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<td>8</td>
<td>20-30k</td>
<td>Suburban</td>
</tr>
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<td>0-5k</td>
<td>Rural</td>
</tr>
<tr>
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<td>M</td>
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<td>10-15k</td>
<td>Suburban</td>
</tr>
<tr>
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</tr>
<tr>
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<td>5-10k</td>
<td>Suburban</td>
</tr>
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</tr>
<tr>
<td>Paulette</td>
<td>F</td>
<td>22</td>
<td>10+</td>
<td>5-10k</td>
<td>Urban</td>
</tr>
</tbody>
</table>

Data Collection

The interviews were conducted between March and April of 2018. The interview protocol worked effectively to elicit the chiefs’ perspectives in describing their experiences. I made notes after each interview about my perceptions and takeaways from each person’s described experience in relationship to the topic and my research questions. Once all data were collected and transcribed to written documents, the interviews were uploaded to MAXQDA 2018, the software selected for data organization and analysis. MAXQDA is a professional analytical tool that allowed for the organized analysis of themes.

Decisions to code or “flag” a passage relied heavily on locating the most relevant portion of a chief’s comments in relationship to the most significant goals of the interview. In some responses, this took the form of a direct quote that would appear to directly strike at the research question. In other passages, the author noted connections to the theoretical framework. With the
information imported in MAXQDA 2018, I explored the transcripts and accompanying notes. I began coding across participant answers by selecting those with substance relating directly to the research questions. As this process advanced, I was aware that initial coding often followed along the lines of the interview protocol. I purposefully and consciously checked myself against this, recognizing that interpretive phenomenology is inductive by nature and out of concern that the coding may rely on deductive reasoning. Ultimately, the coding pointed to themes outlined in the accompanying results. Once I organized the data into compatible sets, I spent time rereading the interviews and my notes to seek a deeper synthesis of the participants’ sense-making in more powerful, overarching themes. In this stage, I purposefully worked to apply an inductive reasoning approach to the first themes.

**Themes**

There were five dominant or superordinate themes that I interpreted from analysis of the initial codes that later shifted into subthemes. The five major themes identified are: 1) a juxtaposition of guardians, 2) flailing at target hardening 3) the perpetual offender, 4) support for real-time reporting, and 5) lack of agency.

*Table 3. Frequency Table*

<table>
<thead>
<tr>
<th>Theme</th>
<th>Subtheme</th>
<th>Frequency #</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Juxtaposition of Guardians</td>
<td>Keeping up with an ever-changing Clery Act</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Alignment with Clery Act spirit with police chief mission</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Clery Act influence on colleges as social guardians</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Impact on public trust in higher education</td>
<td>9</td>
</tr>
<tr>
<td>Flailing at Target Hardening</td>
<td>Campus-wide awareness of Clery Act</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Prospective student use</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Parent use</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Current student use</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Evolution of interest during attendance</td>
<td>7</td>
</tr>
</tbody>
</table>
The following section discusses the specific themes within the results.

**1: A juxtaposition of guardians.**

The data reveal several parallels and intersections between the campus-based police chiefs and the Clery Act. The act and the chiefs are seemingly in a unique and complex juxtaposition where the intentions overlap. Chiefs’ responses illustrate a compatibility in how they perceive their roles and their alignment with the spirit of the legislation. Even with the overlap, however, there is a communicated tension between the chiefs’ perspectives on their efforts and the byproducts of the act.

**1.1: Keeping up with an ever-changing Clery Act.**

Chiefs consistently describe an ongoing commitment to remaining knowledgeable about the act requirements and speak of a continuing pursuit for the resources to remain compliant. Kirk says, “It’s always changing. It feels like I’m always catching up. I’ve attended a number of presentations by SUNY legal where we have an expert in the field. Also, with the Clery Compliance Center too . . . I have attended webinars.” Most participants shared a reliance on a key resource to stay abreast of requirements: the written handbook published by the U. S. Department of Education. Vince stated that he knows the manual pretty well, emphasizing “I’ve read it. I’ve read it again. I refer to it and go back to it.” Paulette cited the experience that comes from simply doing it, but echoed Vince in acknowledging “reading the manual over and
over and over. Trying to make sure everything is reported correctly.” Larry similarly drove the point home:

   Probably most of the knowledge that I’ve gained is through training, and some of it—and a good share of it, is through experience and working with those who have done it, studying, looking through the handbook.

1.2: Alignment of Clery Act spirit with police chiefs’ missions.

   While seeking the most up-to-date information to stay compliant was on the minds of participants, the chiefs also made sense of their roles on campus and their missions in manners that reconcile with the spirit of the act. Harry described the mission of a chief to simply “educate students, keep the campus safe . . .” Mike expressed a slightly more personal and deeper connection to making sense of his work:

   I will say that one of the reasons that I came here and one of the reasons that I stayed—because I did move around a couple of SUNYs before I came here—was because the level of support university police had here and the relationship with the community was very productive. And big elements of that is when the rest of the campus is looking at an issue that surrounds, or is looking at safety, they are always coming to us or are asking us for our input . . .

   The police chiefs, all supervising sworn police agencies, commonly drew distinctions that expressed responsibility to the campus and its community members. Cory said, “We’re not the municipal police; we’re part of higher education and part of the educational experience. We’re different. We really operate by trying to talk to people and work with people.” Similarly, Larry stated, “I think that the chief of police mission on the campus is twofold. One is the safety of the campus, and the second is the leadership of the department to meet goals of the philosophy of the
campus itself.” The chiefs expressed a commitment to campus safety and their personal roles in leading that effort.

1.3: Clery Act influence on colleges as social guardians.

The act places clear responsibilities on colleges and universities to transparently share safety information with the public. The chiefs take leading roles in processing this accountability placed on them and on their institutions to fulfill these roles. This appears to be one of the key intersections between the act and the daily work of the chiefs. Bryce explained:

I think that from a public perspective, I think people believe that the Clery Act holds us more accountable. I think there is a perception out there that universities would try to hide crime if they can, and that seems to be what the Clery Act is mostly geared towards. Kirk and other chiefs seemed to chafe at the implication, adding that “even in the absence of Clery, it would still be the responsibility of the institution to provide a safe environment.”

One chief, Mike, pointed out a silver lining to the regulation’s implication:

Any type of regulation can serve to drive focus to an area which can ultimately support the area. I don’t think the actual measures taken to apply drive safety but the interest in the area does drive safety. Arguably, some of the measures taken to comply take resources—whether time, money, take away from efforts to maintain safety.

Another chief, Cory, similarly pointed out:

I think safety is part of the business. You know, parents look at it more than students, so campus safety is clearly part of the business. Would we issue timely warnings? I don’t know. Would we have an Annual Security Report? I don’t know. Would we be as diligent in our educational programs? I think safety would be as important, but I don’t
think we would be as “out front” with the things that aren’t a positive image for the institution.

These perspectives illustrate how the chiefs wrestle with making sense of the implications that the act casts some suspicion and subsequent accountability on campus integrity around safety issues; they also must recognize the seemingly positive byproducts of the more intense focus on safety.

**1.4: Impact on public trust in higher education.**

With their expanded roles as social guardians, the chiefs provided their perspectives on how they perceived the act’s impact on public perception. The chiefs described the experiences whether the act has a positive, negative, or neutral influence on whether families and the public viewed institutions more or less favorably in taking safety issues seriously and being transparent in their efforts (and challenges). Bryce felt that the net effect had likely been negative, commenting:

> I don’t obviously know what it was like before Clery because I’ve never worked in a situation “pre-Clery,” but I would suspect that its only made people more distrustful. The act is so difficult to comply with that you can find someone making a mistake.

Vince perceived the impact differently:

> I would say it’s increased over the years. There’s such huge accountability these days.

> We could be audited; we have been audited. There’s high stakes if you’re not doing this properly. For the public, seeing you talk about, I think they trust it.

Harry saw things similarly to Vince, saying that “the public thinks there’s more scrutiny in the numbers.” He continued, “I think the public’s perception is . . . well, now they have to . . . I think there’s a slight increase.”
Mike could see both sides of the case to be made for how trust has been impacted by the presence of the act:

In some cases, the fact that you’re compiling that data does, may . . . lead some people to say, “Oh my God, there must be a problem there.” But I think more people—and again, looking at the tiny fraction of people that even bother to access that information—I think more people are comforted by knowing that someone is compiling that data and looking at it even if they don’t look at it. And there’s other people who are saying, “Oh my God, there must be a problem if you are looking at it.” I think there’s more positives with respect to the trust level than negatives.

2: Flailing attempts at target hardening.

The act’s growing list of information shared by campuses includes the three preceding calendar years of crime statistics, specific safety policies, and requirements to make timely or emergency notifications when certain circumstances are reported to the institutions. The regulations clearly intended to reduce student suitability as targets through increased awareness about the specific risks a student may experience by attending a specific institution. This is central and core to the act, and perhaps unsurprisingly, it was a heavily discussed superordinate theme that emerged in the data. Chiefs openly described their perspectives on the actual influence of the act to educate and “harden” the targets in order to dutifully inform, prevent crime, and best protect members of their campus communities.

2.1: Campus-wide awareness of Clery Act.

Participants widely shared concerns about the lack of awareness and attention given to the information the act makes available to all campus constituents. Larry described this general awareness:
Minimal . . . and many of them would have no idea about it. Some would have heard the term “Clery” but have no sense of what it entails. And anecdotally, I’ve actually had the director of admissions call me and ask, “Is there any data that I can use for a parent who is asking about data to compare the safety on this campus to the safety on another campus?” So that’s . . . our director of admissions. (laughter)

Bryce echoed this concern and quantified it with the following statement:

I think less than 5% know anything about Clery. Probably a slightly higher percentage of staff would have at least have heard of the Clery Act and may not really understand it or know much about it but would at least recognize the term.

Mike mirrored the same sentiment toward awareness:

I think if you went and interviewed every single student on this campus . . . if 2% of them—and I really think I just oversold this, but if you—if 2% of them even knew what you meant by the Clery Act, I’d be astounded.

Cory added context to the dismal perspective shared by chiefs about campus awareness surrounding the act, stating, “I don’t think they’re aware of the Clery name. But if you asked, ‘Does the college produce a document that has all of the safety procedures and crime statistics?’ Yes.” Despite the added context by Cory, the chiefs shared an indictment of how their campus populations fared in being knowledgeable about the act at their institutions.

2.2: Prospective student use.

In discussing campus awareness about the act and its resources by campus-community members, several subpopulations were discussed to parse out more specific detail in how the chiefs make sense of these stakeholders’ use of the material. Participants described how they perceive prospective students use act-required information in their selections of colleges or
universities. The original spirit of the legislation contended that had the Clerys known about the
crime activity near Lehigh, the family could have had an opportunity to make different decisions
including before electing to enroll. Vince assessed data use by prospective students: “I think our
Clery numbers are not very influential in whether they come or not.”

Larry added additional thoughts:

I don’t think they use the Clery information. Maybe 1 or 2%, if I were to guess, use the
Clery information, and I would say although campus safety is a concern . . . I think that
that they’re basing or looking for the answer in different ways. At orientation or open
houses when we have officers there to talk to folks, there is still very few people who ask
about campus safety, and then the questions they’re asking really require very general
answers.

Harry considered the prompt and applied it to his own family:

I said something to my own son and my daughter about different statistics, and they don’t
care; they want to know if there’s a pool there. What can I do there? What kind of food
do they have? They don’t really care what kind of crime statistics we have.

David dismissed the thought of prospective students using the data in meaningful ways, arguing
that it was “almost none. I would say zero.”

2.3: Parent use.

The participating chiefs also describe their perceptions of how another key
subpopulation—parents—uses the act-required information to help their students select colleges
or universities. Again, the parents of Jeanne Clery contested that the lack of this information was
detrimental to their decision process. Vince, after a pause to reflect, speculated aloud about the
question:
I wonder sometimes how many people really go look at our Clery... and are they concerned about sending their daughter here? I’ve never received a call from anyone saying, “Hey, I’m concerned about this, and I don’t want to send my daughter there in the fall. Should I be concerned?” I don’t get a lot of that. I’m not sure anybody’s... sometimes I think I put a lot of work into it, and I’m not sure anybody’s taking a look and that very few people are looking at it.

Paulette had a similar perception: “I think there are some parents that are more interested in it than other parents. Do they look at it? I... don’t think they do.”

Cory added that parents would indeed be concerned with safety, but not necessarily by using the formal information provided by the campus via the act requirements:

I don’t know, but I don’t think it is significant. I think if that kid likes the institution, whether it is the major or the location or my friend is going there... unless it’s a really violent institution or violent surrounding community, I don’t know how much it goes into play.

Vince expressed a belief that the Clery audience was primarily comprised of parents, but he was highly skeptical of either group’s attention to the safety information:

I think sometimes it’s more for the parent. I’m not sure students pay attention to that, even though it’s such an important thing. I think we bring them here and... the free sweatshirt, we focus more on the tour of the campus, the facilities, and what’s available to them and how they can be entertained, get their education. I don’t think that the students pay attention to Clery that much. I’ve had conversations with parents... they don’t really know what I’m talking about.
2.4: Current student use.

Another subpopulation reached by act-related data and notifications is that of the current students attending colleges and universities in the United States. Bryce expressed a mixture of discouragement and resignation around student use for the information:

I honestly don’t think there’s any students that actually read through it and use it. There might be some who glance at it because of the way we deliver it. But I’ve never had a student come up to me and ask me questions about it or show any concern about statistics from one year to the next. There might be some media attention if someone looks at it and they see a sharp rise or fall in a particular category, but that’s the only way any interest is drawn to it.

Cory held out some limited hope:

Well, I think that’s probably the part that we don’t know. Are they using it? Maybe. Is anybody coming to me and saying your numbers are up, or your RAD program stinks, or “I’ve never heard of RAD”? Are they doing that and bringing something to our attention? No. But I’m hoping there’s a few more people getting and referring to it for information when they have a need.

Vince expressed frustration with the work involved in supplying the information to have it seemingly dismissed. He assessed the use by current students as slight and alluded to the time-consuming Annual Security Report publication, specifically saying, “We send it, and I think it’s getting deleted a lot. I don’t think people are reading it. I talk to student groups, and I feel like I’m speaking a foreign language to them.”
2.5: Evolution of interest during attendance.

Each of the participants was queried about his or her perspective on any change in the interest and use of the act-related information as stakeholders move through their college experiences. This includes evolution from their beginnings as prospective students through their proverbial walks across the stages to culminate their experiences with completion of their degrees.

Harry hesitantly processed the evolution as a logical, if unsure, belief that change occurred:

I’d have to think their knowledge would change because they don’t know anything about it coming in, and at least when they leave, they’ve had some exposure to it. An RA is asked to collect data, and they’ve had training and is much more aware. I think that a student in general has to be more aware because they’re getting warnings and that there’s a reason for that. How much does it change the interest? Probably not much, minimal.

Kirk felt that a more direct point of context was a key variable in any evolution of awareness or knowledge, stating, “I think one of the influences is going to be whether they themselves or friend has been impacted by crime.”

Like Kirk, Bryce felt that the individual context of the student was a major variable:

I imagine it does if someone is concerned about the stats initially when looking at the university. If they pay attention to that and have some sort of opinion at the beginning, then at the end of their four years or however long it takes them to graduate, I think their personal experience changes . . . whether they’re fearful because of the alerts or knew someone who was victimized or they were victimized themselves. Or maybe they were never touched by crime or violence and the statistics don’t mean anything to them—it’s all personal experience.
2.6: Decision-making by students in relation to the Clery Act.

Awareness and knowledge of the act or its related data and sources are one aspect to how campus community members might be more sensitive to their risks and therefore more “hardened” as suitable targets. However, it is something entirely different if students convert awareness or knowledge into different decisions that potentially lessened their risks. Again, this is part of the initial spirit of the act; by being uninformed by Lehigh University about campus crime or associated risks, the Clerys were denied the ability to make fully informed decisions.

Participants discussed how they believe students make different decisions based on information that the act provided them (by requiring colleges to publish notifications).

Mike could not reconcile his experiences with different decisions by students:

My impression is no, and I’m not aware of a single bit of research that would refute that. And I am aware of studies where it showed about 2% ever even looked at it. And then, of course, if you said even half of them changed a decision, that is a minute number.

Paulette felt different decisions were driven by personal experience:

If they’re personally affected by it, they knew the person who was victimized, or it may have happened in their building or something else that hits home a little more. A lot of students learn by experiences and [have the] “It can never happen to me” attitude. It’s always someone else until it gets closer to them, and that may change their behavior.

Harry provided a more concrete example of where he perceived a shift in decision-making after contact with act-related campus action and notifications:

I don’t think they use the ASR at all, but timely warnings—I think that if they know of certain incidents at a certain time in a certain location . . . they are more apt to put themselves in a better situation, whether it’s walking in a group, avoiding an entire
particular residence, maybe not drinking alcohol at a certain time because of reported sexual assaults . . .

2.7: Annual Security Report (ASR) awareness.

Each college and university must publish a comprehensive Annual Security Report (ASR) by October 1, made available to the campus community through notification of availability. Campuses host the reports on their websites, announce the updated publications, and maintain limited copies at institution libraries and police offices. The participating chiefs describe their own perspectives on campus awareness and readership of the required ASR. The work to compile statistics and policies, assemble the report, and produce the document is substantial. Harry questioned whether the work involved in preparing the document added value to his campus, noting that the campus may “announce it in a special standalone announcement, and people may click, but they see its seventy-five pages or whatever it is, and I don’t think people even bother to look at it.” Bryce similarly questioned the use of the ASR, stating that he doubts that anyone reads it: “I’m quite certain no one reads the whole thing. I think people will—if they’re doing anything, they’re glancing at the crime stats.”

While most chiefs shared some degree of lament for the labor involved for such poorly perceived readership, Cory added an important context to the report to make sense of how the investment still added value:

The ASR is like the dictionary or encyclopedia, to where it’s a reference material that somebody goes to when they need to. And that we verbalize the highlights of it, make sure they are aware of what services we provide and what’s in it. But is anybody actually going in? No. I think societally . . . my daughter who is 11 now is using a Chromebook at school and a phone and everything else, and it’s almost like—you probably remember
less people’s phone numbers than you did 10 years ago because it’s in your contacts. The kids are like, I don’t know if I have to remember this because I can say, “Google, go get me this.” I think students now are retaining less because they know how easy it is to electronically find it.

Paulette shared the view of the ASR as an as-needed reference material, adding that “it’s the few key phrases they may be searching to get them where they need to go.”

2.8: Other gaps in awareness.

While the participants pointed to a very porous climate around act awareness across multiple core subpopulations, participants were also asked to describe their perspectives on where specific gaps in awareness exist on their own campus communities. Cory and Kirk pointed to commuter students as a specific gap, with Kirk noting that commuters might look at the information and say, “How does this apply to me? Or students who’ve moved off campus and aren’t living in the act’s covered geography.” Harry pointed to gaps within faculty, saying, “I’m not sure that the majority of the faculty members are aware of it or know what it is or even care about it because they don’t have any responsibility for it.” Paulette also cited faculty, but more specifically adjuncts: “I think adjunct faculty—they’re just teaching a class here or there, but they’ve got another job. They’re just coming to do what they’ve got to do and then leaving.” Cory felt that nontraditional students were potentially in the dark:

I think the nontraditional student, that older student who is coming back to get their masters to be a teacher or is changing their career or something. They’re focused on—I want to park here, my class is here, walk to my car, and then I’ve got a kid, a wife, a husband, and they’re understandably less engaged.
After reflecting, rather than cite a specific gap, Mike said (with some degree of resignation), “We know that we give people a ton of information to people about how to be safe, and we know they’re not going to do it. We are definitely pushing that boulder uphill.”

3: The perpetual offender.

The interview protocol used in this study waded into the area of how the act intersected with the offenders who commit campus crimes. The point of interest was explanatory in relationship to the theoretical framework connected to the approach in this study. The research participants described their perspectives on how, if at all, their campuses’ act-related efforts impacted potential offenders who may commit crimes on their respective campuses. The cadence of answers by chiefs were almost exclusively immediate and often tersely offered. At times, the chiefs did not or would not even expand on their responses to the inquiries, such as Bryce, who simply uttered, “Zero,” and Vince, who bristled that “it’s not tied to a person anyway.”

Harry’s perspective was similar. He said, “No. No, they’re going to do what they’re going to do and become a statistic, and they probably don’t even know they’re a statistic.” Larry made no connection:

I can’t even imagine any offender giving Clery a second thought about whether they’re going to commit a crime. No . . . I can’t even imagine it, and I never had an offender ask me, “Is this stat going to end up in the Clery report?” I don’t think it has any impact.

David similarly saw no relationship between efforts around the Clery Act and offenders committing campus crime:

Most people who are going to come in and commit a crime, they are going to come in whether we have it or not. Whether it’s Title IX or anything else, and we go out and do
programming, it doesn’t matter how many programs we put on or they sit through, so no, I don’t think the Clery Act has any kind of impact there.

Mike processed the possibility more logically but arrived at the same conclusion:

There is nothing that I’ve read in the act, in the history behind it, from the Clerys, from the Clery organization, Security on Campus, where they even intended that to be or were trying to purport that it exists. As far as I know, there’s no study that’s ever looked at that or data that would lead us in that direction.

### Table 4. The Perpetual Offender

<table>
<thead>
<tr>
<th>Name</th>
<th>The Perpetual Offender</th>
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<tbody>
<tr>
<td><strong>Question</strong></td>
<td>Let’s talk about offenders who commit the offenses that find their way into the institutional Annual Security Report. Describe the effects that you believe your institution’s Clery compliance has on potential offenders? Do you believe there is any deterrent effect created because of the Clery Act?</td>
</tr>
<tr>
<td>Kirk</td>
<td>Indirectly…</td>
</tr>
<tr>
<td>Vince</td>
<td>…it’s not tied to a person any way.</td>
</tr>
<tr>
<td>Bryce</td>
<td>Zero.</td>
</tr>
<tr>
<td>Harry</td>
<td>No. No, they’re going to do what they’re going to do and become a statistic, and they probably don’t even know they’re a statistic.</td>
</tr>
<tr>
<td>Mike</td>
<td>I don’t—there is nothing that I’ve read in the act, in the history behind it, from the Clerys, from the Clery organization, Security on Campus, where they even intended that to be or were trying to purport that it exists. As far as I know, there’s no study that’s ever looked at that or data that would lead us in that direction.</td>
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<tr>
<td>Larry</td>
<td>I think there is next to no effect. I can’t even imagine any offender giving Clery a second thought about whether they’re going to commit a crime. No…I can’t even imagine it, and I never had an offender ask me, “Is this stat going to end up in the Clery report?” I don’t think it has any impact.</td>
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David: No. Most people who are going to come in and commit a crime, they are going to come in whether we have it or not. Whether it’s Title IX or anything else, and we go out and do programming, it doesn’t matter how many programs we put on or they sit through, so no, I don’t think the Clery Act has any kind of impact there…

Cory: As far as decision-making and the attempt to commit the crime, I don’t think so. Someone a little smarter may realize in the higher-ed setting…that a robbery on campus is going to get a lot more attention than a robbery in the city. So do they think that if I do that there—and they may not relate it to Clery—but that in the smaller community and that type of community, there may be more to it…

Paulette: In my experience, if their crime’s right on the edge of the campus, like a robbery, that would initiate enough activity by the police and seeing the increase of patrols, they’re still going to commit those robberies but maybe blocks away.

4: Support for real-time reporting requirements.

Across participants, one act-related element seemed to elicit hopeful and impactful endorsements. Participants experience this facet as an efficacious characteristic of the act’s many requirements. Regardless of when the topic arose, chiefs perked up around the use of timely and real-time notifications to the campus communities about reported crimes or continuing threats.

4.1: Timely warnings—awareness and use.

When a reported offense meets the act’s requirement as a Part I Uniform Crime Reporting offense (the FBI’s UCR system) and the threat is continuing (e.g., forcible sex offense, robbery), the campuses are required to notify students and faculty via a timely warning notification (a long-standing requirement since 1990). Based on a 2008 amendment, colleges and universities must also issue immediate emergency notifications when threats are real-time and grave, such as when a reported shooting or a threat with a firearm is believed present in proximity to a campus. Participants described their perspectives on campus awareness and use of the required timely warnings to promptly notify the campuses of certain offenses and
continuing risks. Larry described these timely warnings as “more in their face” and endorsed their effectiveness:

I think the awareness on that is pretty good. I would say that is medium to high.

Whether or not the students know it is a Clery requirement, I think they recognize or have an expectation that campuses are going to do that, and when it goes out, it gets their attention. I think that it probably impacts behaviors too and make individuals safety conscious around that particular topic.

Vince lauded the warnings, assessing them as a “great step in safety”; he stated, “Through RAVE, we can get a message out quickly.” The electronic mass-notification system RAVE is capable of simultaneously blasting text, e-mail, and phone messages with emergency information and instructions. Harry enthusiastically referenced the warning requirements, saying, “I think people take a look and pay attention to those. They are well aware of those.” Bryce also said that he believes students “pay attention to them” and “I think they’re concerned about them.” He added, “When they receive a text message . . . one incident that happens to one person to tens of thousands of people here becomes very immediate and very real to them.”

Vince recognized the warnings as a bright spot in the act requirements and called the interest in the more up-to-the-hour/up-to-the-minute information as how current students would want to receive the information. He described his view of an effective path forward, stating, “I think improving on it should be making it more real-time. Not every day, but right now, it’s old data. One improvement could be to make it more current and breaking down the categories.” Vince questioned how families would or could be interested in “three-year-old data” (referencing the crime statistics published in the ASR) and implied this was central to the underlying challenges he perceived when making sense of the act’s role in safety on his campus.
### Table 5. Timely Warnings - Awareness and Use

<table>
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<tr>
<th>Name</th>
<th>Segment: Timely Warnings - Awareness and Use</th>
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| Vince | I think the timely warnings...we’ve been lucky we haven’t had to send a ton of them out. They were a great step in safety. Through RAVE, we can get a message out quickly.  
I think people definitely support the timely warnings. I think they see them as a necessity. People want to know, and they want to know them. |
| Bryce | I think they pay attention to them, and I think they’re concerned about them.  
When they receive a text message...I mean, one incident that happens to one person to tens of thousands of people here becomes very immediate and very real to them. It instills a lot of fear, and it’s difficult to put that into perspective.  
I think people are definitely aware that there’s a requirement to give out timely warnings and emergency warnings. I don’t know that they understand what the requirement is, but I do think most people are aware that college and universities are expected, if not required, to put out those types of warnings. |
| Harry | I think people take a look and pay attention to those. They are well aware of those. |
| Mike  | I think the administration is fairly up on it.  
Our students obviously want the information. |
| Larry | I think the awareness on that is pretty good. I would say that is medium to high. Whether or not the students know it is a Clery [requirement], I think they recognize or have an expectation that campuses are going to do that, and when it goes out, it gets their attention. I think that it probably impacts behaviors too and makes individuals safety-conscious around that particular topic.  
The timely warnings are more in-their-face. |
| David | The timely notifications, though, it’s a little higher. I do get responses back on those timely notifications...mostly because they are rapes. I’ve gotten a lot of positive reaction with “thank you for putting those out,” but the Annual Security Report itself, very few people actually read that. |
| Cory          | I think students who live on campus may pay more attention. Timely warnings are something students will say something about. They will ask us, and they may not act on it—but they got it. |

**5: Lack of agency.**

Vince and others proposed some improvements throughout the discussions. In each interview and across all chiefs, however, the chiefs seemed to indicate or imply a complete lack of agency to drive any meaningful change. Discussion of change, or hypothetical forecasts for the future of the act, included some exacerbation or resignation to the law as a federal behemoth where impact was not measured by those in power. For example, Mike circled around this:

The best data we have says almost zero percent of prospective students look at the Clery stats. So that right there, before we even get into how useful those stats are, particularly at comparing across institutions, we have to understand that it’s not something the students are looking at, period. There’s really good data to look at what they *are* looking at, and this institution has been really good about spending some time at what they are looking at, and this isn’t it.

Part of the open-ended interview protocol allowed participating chiefs, all experienced in their roles and with the act, to provide recommendations of their own on how they believe the act could be made more effective. Kirk recommended:

Well, you know if you have a document that’s 300-plus pages, in my opinion, it’s overregulation, and like anything, when it becomes voluminous, it loses its effectiveness. And if I did have a seat at the table, I’d make a recommendation to review and to reduce
the volume as to what’s required and to reduce some of the regulation make sure the framework remains that holds institutions accountable.

Harry felt the law had gone too far:

There’s a lot of the stuff that’s gone way too far to the extreme, to now it’s gotten away from its intended purpose. I’d strip out a lot of the stuff that’s been added in that’s just—why? Why do we have this stuff in there—requirements that nobody cares about? Let’s get back to the basics, report the crimes that need to be reported. Let’s pare down a little bit . . . get rid of this 68, 80 pages to something that’s actually manageable and useful.

Larry expressed disgust and a hopelessness that it could be amended into a useful regulation:

Well, I think I would go back to a nearly . . . complete repeal. I think that campuses should be required to . . . post their crime stats using a nationally standardized system. We shouldn’t be creating systems to report crime. We really shouldn’t be looking at geography using statistics or counting crimes that have happened for trips away or in other countries. It really doesn’t make sense in evaluating safety on a particular campus. I think I would keep the ASR, but if it doesn’t have value to the students, I think it has value to the institution in that it puts policies and procedures about safety all in one place, and it also . . . mars the need to have those particular policies. But the stat collection, the data collection, is ridiculously cumbersome; the geography of it doesn’t make sense, and I think there needs to be a better way to compare campus safety from one campus to another. I don’t think the way Clery is operating now serves that purpose for students who are looking at a campus, students who are at a campus, parents.

Many chiefs pointed to the questionable appropriateness of the reported crimes—both what is and what is not reported to the campuses. Vince felt the requirements should prioritize current
data: “Breaking down the categories. Adding disorderly conducts, sometimes the categories don’t match what people really are getting charged with.”

5.1: Reportable offenses.

Participants provided data on how they processed the act’s use of mandatory crimes for reporting. The participants provided their viewpoints on potential changes to the crimes publicly reported on campus Annual Security Reports (ASR) and to the Department of Education (DOE) website. When exploring their experiences with the appropriateness of the crimes used by the Clery Act (Part I UCR crimes), chiefs seemingly felt the tension between the practicality of a national standard and the utility of the offenses that fit the national standard. Kirk offered his viewpoint:

. . . I vacillate. I’ve thought about the categories and whether they give a true picture of what happens in a college community. But you have to have a national standard, and how do you do that? Sometimes it’s the low-level crimes that are more of an indicator for campus crime. Some of the lower level would be disorderly conduct, making graffiti . . .

Bryce and others pointed to a notable absence and a perpetually common crime on a college campus: larceny. Bryce pointed out: “Larceny affects more students than any other crime, it’s not violent, but if you have all your academic information on it, it could more devastating than having your car stolen.” Harry similarly posited that the act’s statistical categories were missing important information. He stated, “[It] doesn’t really give you, they don’t really…there’s no place on there that talks about petit larcenies, that talks about harassments, or talks about simple assaults, the things that actually happen on a college campus day to day.”
Harry said, “I would add petty larcenies in there, I would add simple assaults, I would add in criminal mischiefs as opposed to just hate crime criminal mischiefs. And there might be some you can eliminate.” David also explained:

Most campuses don’t have a lot of murders or arsons and those things. I think reporting on those things is fine because that’s what most people look for, but I think we’re missing the boat by not putting in cases of larcenies, one of the number-one crimes on campus. We put burglaries in, but we don’t put larcenies, which are higher. So when they come in and see zeros, they think, “Oh, this is a safe campus,” but they could be a victim of anything—larceny, they could be a victim of endangering the welfare of a child, where they give alcohol to a minor . . . so I think if they broadened it and asked what crimes happen on a college campus?

Paulette questioned the currently used offenses, noting that “besides the sexual assaults, you may have a handful of burglaries or an arson or something like that, but most of the time, those numbers are zero. Extremely low.” Like others, Cory processed the currently reportable offenses as missing critical crime information that could be more useful and utilitarian for stakeholders:

From the intent of the act, you could either change or report more offenses. So you don’t post reports on how many arrests unless its drug, alcohol, or guns . . . so how many larcenies, how much of your kid’s stuff is getting stolen, how much of the property is being taken? You could pick a handful of our most common crimes that we’re not reporting.
Summary.

This chapter provided analysis of the data leading to the identification of important themes. The police chiefs participating in the study are in juxtaposition with the act, where their roles as social guardians on their respective campuses are at times compatible and simultaneously in tension with the act. The chiefs and the act seemingly share a compatible overlap in how they align their missions to improve campus safety. Despite a conceptual overlap, however, there is less visible tension between the chiefs’ perspectives on their efforts and the unintended byproducts of act compliance. The data also support an ongoing challenge for police chiefs to keep up with frequently changed compliance mandates that accompany the federal legislation. The chiefs had different views on whether the act had a positive, negative, or neutral influence on the public trust related to higher education around safety issues.

The chiefs shared consistent experiences around the act as a vehicle to reduce risk and improve campus safety by decreasing the likelihood for students to be easy victims (target hardening). The chiefs frequently cast candid positions of doubt on the actual influence of the act to educate and “harden” the targets in order to dutifully inform, prevent crime, and best protect members of their campus communities. A clear majority of chiefs expressed an experience that the act has poor campus-wide awareness. The chiefs’ experiences around this challenge of awareness extended to several subpopulations, including prospective students, parents, current students (to include niche populations like adjuncts, commuters, and nontraditional students). The participants did not support any belief that prospective students and their parents’ use of the act-required information in their selections of colleges or universities, contrary to the very spirit of the Clery Act. The police chiefs in this study were particularly critical of the readership and value of the required Annual Security Report (ASR)
published annually by every institution, the primary resource that families searching for colleges and universities would use.

The chiefs expressed strong conviction that the offenders who commit campus crime were completely unmoved and undeterred by any act-related efforts. This point of interest was explanatory in relationship to the theoretical framework connected to the approach in this study, which states that a motivated offender is constant.

While the police chiefs in this study were decidedly critical of the act’s influence on campus safety, there was one area where participants almost universally voiced strong support surrounding the effectiveness of a particular tool within the act requirements. The chiefs clearly expressed their experience that the timely warning and emergency notification requirements—the “real-time notifications” to the campus community about reported crimes or continuing threats—were efficacious components of the act’s many requirements.

Through the analysis of the data, this researcher believes that the chiefs collectively shared an experience that represented a perceived lack of agency to drive any meaningful change with the requirements of the act. Discussion of change, or hypothetical forecasts for the future of the act, included some exacerbation or resignation to the law as a federal behemoth in which the actual impact and efficacy of the statute was not measured or studied by those in power (e.g., lawmakers).
Chapter 5: Findings and Discussion

Discussion

The primary purpose of this study was to explore and understand the shared, lived experiences of campus police chiefs in relationship to the Clery Act to include how it intersects and influences the chiefs’ outcomes in raising awareness about risks, increasing campus safety, and remaining compliant with the act’s many provisions. Campus-based police chiefs are potentially the most compatible practitioners to the spirit of the act. The chiefs often collect the crime data, assemble the required Annual Security Report, and are operationally tasked directly with the daily challenge of maximizing safety on campus. Complying with the act requires significant financial and human resources. All institutions of higher education therefore have a vested interest in seeing the act work to help students and families and to positively influence safety.

The qualitative methods of this study allowed chiefs to provide a composite that can be interpreted to understand the variables that explain how the act does or does not translate from legislation to actual campus outcomes. By identifying these themes, we obtain new insights to better inform policy makers, federal legislators, interested professional associations, and university administrations that may result in enhancements or amendments to the act. This can enhance the levels of safety enjoyed by our nation’s students.

The study explored the following three research questions:

1. How do campus police chiefs describe their experiences leveraging Clery Act compliance efforts into gains in campus safety?
2. How do campus police chiefs describe their perspectives on how their campuses’ Clery Act efforts including the Annual Security Report impact efforts to increase students’ awareness of levels of crime on campus?

3. How do campus police chiefs make sense of the Clery Act as a positive tool and an influencer on their decisions, and of its overall value to accomplish their missions?

The results of the study revealed five significant themes while inductively interpreting codes to reach higher orders of abstraction. Those results and themes will be described within the context of findings here, justifying the interpretations.

**A juxtaposition of guardians.**

The chiefs and the act share various parallel and intersecting interests. The act and the chiefs are seemingly in a unique and complex nexus in which their shared intentions overlap to increase and maintain safety. Despite this overlapping spirit, there is a communicated tension from chiefs toward less desirable byproducts of the act in its local implementation. The act remains perceived as confusing and ambiguous (Gregory & Janosik, 2013). One of the study participants, Cory, provided an excellent example of this tension. While critical of the efficacy of several aspects of the act, Cory actively questioned whether colleges would prioritize safety or be as transparent in the absence of the act’s requirements. He questioned, “Would we have an Annual Security Report? I don’t know. Would we be as diligent in our educational programs?” Cory concluded, “I think safety would be as important, but I don’t think we would be as ‘out front’ with the things that aren’t a positive image for the institution.” In this vein, Cory encapsulated the internal tension of a chief whose professional work aligns with the goals of the act yet who simultaneously wrestles with its cumbersome nature.
In the post–act era, colleges and universities are still regularly under criticism for underreporting crimes (Wilcox, Jordan, & Pritchard, 2007). Campuses are indeed occasionally found responsible for underreporting or being deceptive in their crime reporting practices. When a university makes a headline or faces a fine imposed by the U.S. Department of Education, the resulting impact drives home a sense of need for legislation that holds higher education accountable toward safety.

Another participant, Mike, added context for this finding. Mike acknowledged, “Any type of regulation can serve to drive focus to an area which can ultimately support the area. I don’t think the actual measures taken to apply drive safety, but the interest in the area does drive safety.” Chiefs expressed a need for “something” like the act to ensure accountability but lamented many aspects of the act’s implementation. This juxtaposition, sharing the goals but differing on the direction to move, was a core finding to understanding the experience of the chiefs. Overall, this finding and interpretation can be described as a constant tension between a compatible spirit and discouragement over a perception of clunky implementation.

**Flailing at target hardening.**

As stated in the literature, the act requires campuses to report crimes accurately in order to begin the process of preventing them (Aronowitz, & Vaughn, 2013; Fisher et al., 2002). The spirit of the act serves to inform prospective and current students about the rates of crime on campuses, allowing for informed enrollment decisions (Fisher et al., 2002).

The Clery Act’s growing list of requirements aims to provide robust awareness by students and their families; doing so would conceptually help mitigate risks against victimization. Chiefs openly described their perspectives on the actual influence of the act and how many of the facets are non-efficacious at educating and “hardening” the targets. Chiefs
communicated a sense of diminishing returns in the exhaustive compliance efforts versus the perceived impact. Participant Vince perceived that the efforts were primarily to sensitize parents but stated “We bring them here and…the free sweatshirt, we focus more on the tour of the campus, the facilities, and what’s available to them and how they can be entertained, get their education.”

The act, at least in part, was initially intended to shatter the “fiction that college campuses are entities isolated from problems ravaging the parent society” (Griffaton, 1993, p. 531). The available literature supports the finding that attempts to date represent a flailing at making campus community members more vigilant against victimization. As one example, Janosik and Plummer (2005) surveyed 147 victim advocates who played a role helping victims on campus, including those of sexual assault. Janosik and Plummer (2005) found that approximately 93% of victim advocates were aware of the act, yet similar to other data in similar constituent-based research, only 13% of victim advocates believed the report influenced student behavior in a way that prevented crime or increased personal safety.

The chiefs in this study reported shared experiences that reconcile with the available literature on how the act affects or reduces the likelihood of victimization. The theoretical framework in this study was Cohen and Felson’s (1979) Routine Activities Theory. The theory proposes that three essential elements explain the presence of crime: (1) a motivated offender, (2) a suitable target, and (3) the absence of a capable guardian. As discussed here, the act aims to in part to influence the second variable, the suitability of the target. Both the literature and the results of this study support a finding that most of the efforts are blind grasps that flail at finding a mechanism to make the members of a campus community vigilant against crime risks. While “flailing” may seem a dramatic descriptor, note that while the act has been the focus of intense
commentary and serves to draw significant resources from colleges and universities working to comply with its complex requirements, there remains a limited amount of research available regarding the effectiveness of the act on making campuses safer (Gregory & Janosik, 2013). Therefore, the absence of government research to assess the effectiveness of the legislation points to the efforts being intuitively developed and continuously expanded.

**The perpetual offender.**

The inquiry into offenders was specific to the theoretical framework connected to the approach in this study. Cohen and Felson’s (1979) Routine Activities Theory proposed that a motivated offender was one key component to the presence of crime. Compatible with the theory, the research findings showed that participants flatly rejected any influence of the act on offenders. The participants’ cadences, tones, and brevity in their comments were almost dismissively terse in the mere questions being posed to them (as shown in Table 4.3). Larry was among those who bristled at the suggestion, stating, “I think there is next to no effect. I can’t even imagine any offender giving Clery a second thought about whether they’re going to commit a crime.” The chiefs’ experiences were clearly that the potential presences of motivated offenders, even on a college campus with more idyllic goals of being a form of educational sanctuary, was perpetual.

In many ways, current trends have sensitized campus communities to the constant presence of offenders in their midst. Recall that the act was initially established as federal law in 1990, an era when the internet did not connect us to nearly unlimited information. The literature supports that offenders are indeed on campus. Jennings, Gover, and Pudrzynska (2007) studied a single institution and found that approximately 22% of students had been the victims of crimes. In a single-institution telephone survey of over 1000 women, Wilcox et al. (2007) found that
over 35% of women reported experiencing stalking, assault, or sexual victimization while enrolled. Mass shootings, concerns of sexual violence, and emerging mental health issues have been an increasing national dialogue. The continued national focus and the quest for meaningful answers are difficult to find and the issues are described as a potential national health emergency (Aronowitz & Vaughn, 2013; Fletcher & Bryden, 2009). The crime statistics reported by campuses confirm the presence of offenders across institution types and locations.

**Support for real-time reporting.**

Within the results and data, chiefs consistently lauded the impact and reach of the more time-sensitive aspects of required campus notifications within the act. The chiefs almost universally endorsed the timely warning and emergency notification requirements. Chiefs perceived higher degrees of attention to these warnings and viewed them as particularly effective components of the act’s many requirements. While speculative, it seems plausible that the connectivity of our campus communities and students benefits the emergence of this theme and subsequent findings. Table 4.4 outlines the broad support by chiefs of the efficacy of these time-sensitive requirements required by the act.

Bryce was among the many who voiced strong support for the reach and readership of the timely notifications and corresponding ability to generate attention on campus. He said, “I think they pay attention to them, and I think they’re concerned about them.” He not only experienced higher attention, he had also experienced enough of an impact that he even became concerned that it could sometimes be *too much*:

When they receive a text message… I mean one incident that happens to one person to tens of thousands of people here becomes very immediate and very real to them. It instills a lot of fear, and it’s difficult to put that into perspective.
Recall that Cohen and Felson’s (1979) Routine Activities Theory included the variable of a suitable target. The data support that this is serving as a potential disruptor to the *suitability of the target*. Another example from data showing this happening within the experience of a chief, was this one from Kirk:

> We had an incident with a sorority. We had an incident and put out a timely warning, and that weekend, activity ground to a halt. You didn’t see anyone out—the parties did go on, but everything was muted while we were going through that investigation and after that timely warning.

These experiences shared by the chiefs represented the most impactful accounts of how an act requirement was changing student behavior in any way that could be connected to increasing vigilance, altering student decisions, and thus reducing the suitability of a target consistent with the theoretical framework and original goals of the act.

**Lack of agency.**

Chiefs proposed some improvements throughout the discussions. In each interview and unanimously, however, chiefs seemed to indicate or imply a complete lack of agency to drive any meaningful change. This was observed and interpreted by the researcher in a mix of verbal responses, facial expressions, and gesturing that indicated frustration. I interpreted some of the responses to represent participants feelings that they were “wasting their breath” in even proposing positive changes to the act. The chiefs described experiences that I would interpret as various levels of resignation in their explanations for what would be “better” in the act. Larry became more visibly animated in his response to what could or should change, opening up with call for what I believed he knew was an unrealistic request for a repeal of the legislation itself. I interpreted his statement to not infer a lack of need for legislation that prioritized safety, but
rather a frustrated belief that the current legislation was simply beyond repair and that a path to change it for the better was either blocked or did not exist:

Well, I think I would go back to a nearly…complete repeal. I think that campuses should be required to…post their crime stats using a nationally standardized system. We shouldn’t be creating systems to report crime. We really shouldn’t be looking at geography using statistics or counting crimes that have happened for trips away or in other countries. It really doesn’t make sense in evaluating safety on a particular campus. I think I would keep the ASR, but – if it doesn’t have value to the students, I think it has value to the institution in that it puts policies and procedures about safety all in one place. And it also…mars the need to have those particular policies. But the stat collection, the data collection, is ridiculously cumbersome; the geography of it doesn’t make sense and I think there needs to be a better way to compare campus safety from one campus to another. I don’t think the way Clery is operating now serves that purpose for students who are looking at a campus, students who are at a campus, parents.

Similarly, participant Bryce seemed to chafe when discussing the act’s future or changes and visibly threw his hands forward in demonstrable frustration when discussing needed changes. He expressed some resentment:

You can do the best you can to comply with it and a good faith effort and still be made to look like you’re either inept or malicious in failing to live up to the complex standard. And I’m not even sure it’s assessed consistently, you hear a lot of conflicting interpretations how to comply with it and every time they revise it, it tends to get more complex, not more simple.
Harry’s experience included describing the evolution of the act as having gone “too far to the extreme, to now it’s gotten away from its intended purpose.” He somewhat rhetorically asked “Why? Why do we have this stuff in there—requirements that nobody cares about? Let’s get back to the basics, report the crimes that need to be reported.”

Despite shared, lived experiences that demonstrated strong opinions about how the law should be changed, no participant expressed any path or plan how it could be done or steps that could lead to positive change. In analysis of the data, it became clear that a key finding of this research was a lack of agency by the participants to effect meaningful change.

**Responding to the research questions.**

The findings outlined above serve to outline the specific justifications based in the literature, the theoretical framework, and the data. The following section will respond to each of the three research questions in a manner that distills the findings into a response for each.

**Research Question 1**

How do campus police chiefs describe their experiences leveraging Clery Act compliance efforts into gains in campus safety?

The police chiefs expressed a general skepticism about the nexus between the act and actual gains in campus safety. While the chiefs have an overlapping goal of increasing campus safety, the chiefs’ experiences reveal a lack of belief that the act tangibly increases safety with limited exceptions. The chiefs reported challenges in keeping up with evolving compliance mandates and had different views on whether the act had a positive, negative, or neutral influence on the public trust related to higher education around safety issues. The chiefs did report that one act-related requirement was being leveraged into gains: timely warning and emergency warning requirements that provide more pervasive and real-time notifications to the
campus communities. Chiefs clearly shared the experience that this was an effective component of the law that made a difference.

**Research Question 2:**

How do campus police chiefs describe their perspectives on how their campuses Clery Act efforts, including the Annual Security Report, impact efforts to increase students’ *awareness* of levels of crime on campuses?

The chiefs’ shared consistent experiences around the act as a vehicle to increase awareness of campus crime. Chiefs expressed opinions and experiences that the act generally had poor campus-wide awareness, extending into most subpopulations, including prospective students, parents, and current students (to include niche populations such as adjuncts, commuters, and nontraditional students). The participants did not support any belief that prospective students and their parents’ use of the act-required information in their selections of a colleges or universities. The police chiefs in this study were particularly critical of the readership and value of the required Annual Security Report (ASR). Again, the chiefs did share experiences of the perceived value in heightened awareness around timely warning and emergency warning requirements that provide notifications to campus communities, sometimes in the forms of text messages and standalone e-mail communications.

**Research Question 3:**

How do campus police chiefs make sense of the Clery Act as a positive tool and an influencer on their decisions, and of its overall value to accomplish their missions?

The police chiefs in this study communicated experiences that did not reflect the act as a value-added or positive tool to help them accomplish their mission. The chiefs shared experiences communicating that the act was more burdensome than valuable to accomplishing
their missions. Some chiefs did acknowledge the act was a positive force to compel universities to pay attention to safety, even if out of “defensive measures,” as stated by Mike. Similarly, Cory had pondered whether his campus would still use timely warnings if not required by federal law. Tactically or operationally speaking, however, the chiefs clearly did not see the return on investment (ROI), given the scale involved in complete compliance.

The findings supported that the act, overall, is flailing at disrupting the suitability of targets on campus. The chiefs’ experiences illustrate poor readership and attention by stakeholders to factor the Annual Security Reports or available information to make different decisions (behavioral change). The chiefs’ experiences did support that the more real-time notifications, such as timely warnings (e.g., in the wake of a reported forcible sex offense), had some efficacy at disrupting the suitability of targets, potentially in the short-term.

**Trustworthiness**

The validity of this study is based on the candor of the participants’ thoughtful responses and my ability to reliably collect and subsequently analyze the data. The sample and participants represented police chiefs from the largest public higher education system in the United States. The police chiefs in the sample lead fully-sworn police agencies, are experienced in their agencies, and are very familiar with act requirements. The majority of the sample also leads voluntarily accredited police agencies, further illustrating their roles at the forefront of best practices in campus policing. I allowed each participant to review his or her transcription as a form of member-checking and make any needed corrections to ensure the accuracy of each account.

I worked to control my own researcher bias by using a standardized interview protocol and set of open-ended interview questions. While I made notes after each interview, I refrained
from any coding activity until all data were collected and available for analysis within the selected software. This was intentional to avoid prematurely assigning codes that would then lead the analysis as additional data was obtained and available.

**Limitations**

The findings of the study are informative to the previously untold shared experiences of police chiefs. The research unearthed important data about how these professionals process and experience the act as it intersects with their roles on college campuses. One potential limitation is that the research sample consisted of police chiefs from New York State. As the statute is federal and the sample limited to New York, it is possible that other police chiefs in different states may describe their experiences with the act differently. Similarly, another limitation is that the police chiefs in this study are all from public institutions and have oversight of sworn police departments. While this was a purposeful element in the research design and there are benefits in the homogenous sample with the selected research method, it is noted that directors or private university law enforcement executives could potentially experience the act differently, particularly if they do not lead a sworn police department and rely on local law enforcement or other offices to take a lead role in responding to campus crime or fulfilling key obligations of compliance efforts. This study represents shared experiences by chiefs who have shared similar audits or attended system-wide training briefings. This is a common limitation among IPA research (Smith, Flowers, & Larkin, 2009).

The specific act-related responsibilities and objectives delegated to campus police chiefs can vary and are therefore are not entirely generalizable. More specifically, some police chiefs may have great ownership and the ultimate responsibility to coordinate compliance efforts, while
others may be components in more distributed efforts among teams of campus staff. The chief’s specific level of responsibility would potentially affect his or her perspective on the act.

Finally, my own lack of research experience is a limitation to this study. As the sole person who worked with the data to include all coding activity, the study lacks the diverse perspectives or thoughts that would be present if responsibilities were shared amongst a team of experienced researchers, extending interpretation beyond self.

**Implications**

The implications of the research could be used to engage lawmakers including members of Congress to introduce meaningful amendments that could improve the overall effectiveness of the act and sharpen the focus of the legislation on its most powerful attributes. In particular, the chiefs expressed strong support for the efficacy of the timely campus notifications to include timely warnings and emergency notifications. The implications may include expansion of this model to change the current requirements to publish three previous calendar years. Instead, the act could require reporting in six-month cycles that would capture the common semester-based periods. Requiring colleges to notify the campus of the immediately preceding period (six months) would make the information more relevant for consumers in considering campus activity during a period more closely aligned with their own attendance and connection to the institution.

The act could be amended to make the reportable offenses more relevant to common campus crime. This may include replacing some offenses, such as vehicle theft, with more likely and common crimes. Common theft or disorderly conduct are not currently included in the act despite being much more likely to statistically occur. By adding theft, students could be better sensitized to an actual risk to unattended property and more likely to self-secure valuables.
Based on the findings, another implication may be the elimination of the current format of the Annual Security Reports in favor of methods that are more likely to be used by campus stakeholders, including short real-time communications and potentially electronic dashboards that are easily located and understood. Most campus ASR documents are long format and not ideal for mobile viewing. Understanding how students use and communicate information in 2018, moving the information to mobile-friendly displays that are quickly found and quickly understood would potentially boost readership to the safety-related information campuses want their students to learn in order to reduce their risks.

The findings by this study also revealed some exasperation by police chiefs regarding a perceived lack of agency in driving positive change. Professional associations, such as the International Association of Campus Law Enforcement Administrators (IACLEA) or the International Association of Chiefs of Police (IACP)’s Colleges and Universities Section could leverage their membership and lobbying forces to try to give voices (and thus agency) to police chiefs who see what is or not effective within the federal statute. In order to accomplish this, the respective association leadership structures will need to engage their bases and determine whether there is consensus to make act reforms a platform issue worth pursuing through lobbying or purposeful engagement with lawmakers.

It is a daunting prospect to advocate that lawmakers “undo” or reduce years’ worth of additions by amendment that were seemingly well-intentioned, made in the name of a specific victim (Jeanne Clery), and in a bipartisan pursuit of increased safety. The association leadership, followed by lawmakers, would need to embrace that increased safety might be realized through streamlining and modernizing the operational variables within the act. This is no small task and the magnitude of the implication is apparent.
**Recommendations for Future Research**

The study revealed several themes that could be the subjects of future research. Despite being a major compliance effort for every college and university that receives federal financial aid in the United States, there is currently a startling dearth of research to ensure that the act accomplishes its key objectives. Despite enacting and amending the statute several times, the government has not visibly assessed the effectiveness of the act.

Using the themes identified in this study, further research, including large-scale quantitative studies, could test the themes with a large national sample. Studies could include a quantitative study of campus-based law enforcement executives, controlled appropriately for rank to capture chiefs’ perspectives, that test the themes identified within this study. For example, a future study could test the findings that chiefs perceive the ASR and other efforts as an ineffective “flailing” at making students more risk-aware, a form of target hardening. Similarly, a survey-based study could test if a national sample of chiefs perceive the most time-consuming compliance efforts as inconsequential to student decision-making. The same project could test to determine if a large sample of campus police chiefs do strongly support the real-time use of text-based messages to get alerts and warnings more invasively in the consciousness of students. Future research using a larger, national sample could further confirm that these professionals do indeed suffer from a lack of agency to drive meaningful change around improvements to the act via amendment.

Other future research could sample families during the college selection process (e.g., post-acceptance) to review how they factored safety into their enrollment decisions, where they sought data, and their ideas for improvements. This quantitative, survey-based survey could be attached to the completion of the Free Application for Federal Student Aid (FAFSA), the
standardized application completed by nearly all college applicants. In this assessment, parents and students could be specifically asked about how they are factoring safety-based data into their selection process, where they are finding their data, and where they would prefer to obtain this information. It may be additionally beneficial to ask if they had previously sent children to a college or university and how safety considerations intersected with their decisions.

**Conclusion**

Throughout the research process, I did not know how widely the spectrum of police chief experiences would span, given the similarity of their roles in a state system and the standardized requirements of the act. Recognizing that the chiefs worked at geographically separate locations and that each campus institution accomplishes act requirements as an individual entity, I was hopeful that a meaningful composite would take shape to accurately share the lived experiences of the police chiefs related to this federal legislation. I found the data collection and analysis processes rewarding in regard to thematic discovery.

The police chiefs shed important light and their experiences in how they experience the tension between the shared spirit of the act with the operational and compliance challenges of leveraging that spirit into enhanced safety. The chiefs’ collective voice and experiences endorsed the need for something (such as the Clery Act) to drive attention to campus safety and lauded the efficacy of the timely and emergency-based notifications as difference-makers. Conversely, the chiefs’ collective voice was critical of less effective and cumbersome requirements to publish exhaustive Annual Security Reports reviewed or acted on by scarce few, or the relevance of related details, such as the selection of the crimes required to be included in the report (e.g., larceny missing but vehicle theft included). The police chiefs revealed that they possess ideas on how to accomplish the spirit of the act, yet the process of conducting this
research revealed that they must somehow find agency to drive meaningful change. Their ability to reach a level of agency to successfully reach and successfully communicate with lawmakers is paramount to the levels of safety experienced by the future generations of college students.
References


Appendix A

Cover Letter and Invitation to Participate in Research Study

SUNY Police Commissioner Paul Berger  E-mail Invitation to Chiefs

This is the email to be sent from the New York State University Police Commissioner, Paul Berger, to the 28 police chiefs in order to attract participants to the study:

“Former Alfred State chief and current vice president for student affairs Greg Sammons is a doctoral candidate at Northeastern University. He is seeking volunteers to participate in interviews as part of his dissertation study. He is specifically seeking participants with the rank of chief, working within the State University of New York (SUNY) Police system at a state-operated campus, and who possesses significant responsibilities in completing Clery-related compliance activity.

The study will remain confidential and anonymous; he will be using pseudonyms and will not include any information that will make you identifiable. The interview would last approximately 45 minutes. If you’re willing to assist him with this research, please contact him at sammons.g@husky.neu.edu or at 607-382-3357. Thank you in advance for assisting one of our own to complete his research and doctoral process.”
Appendix B

Invitation to Participate – Volunteers

<table>
<thead>
<tr>
<th>Gregory Sammons</th>
<th>E-mail Invitation to Participate</th>
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“My name is Greg Sammons and I’m a doctoral candidate at Northeastern University. I am seeking volunteers to participate in two interviews as part of my dissertation study. I am specifically seeking participants with the rank of chief, working within the State University of New York (SUNY) Police system at a state-operated campus, and who possesses significant responsibilities in completing Clery-related compliance activity.

Should you be willing to volunteer, I can assure you that all information will remain confidential and anonymous. I will be assigning a pseudonym and I will not include any information that will make your identity identifiable. The interview would last approximately 45 minutes. At any point, if you’re uncomfortable with the process, you could notify me that you’d like to discontinue involvement. If you’re willing to assist me with this research, please contact me at sammons.g@husky.neu.edu or at 607-382-3357. Thank you in advance for considering assisting me complete this research and my doctoral process.”
## Appendix C

### Informed Consent Form

Northeastern University, College of Professional Studies, Doctor of Education  
**Investigator:** Dr. Lynda Beltz, (Principal Investigator), Gregory Sammons (researcher)  
**Title of Project:** Our Right to Know: An Interpretive Phenomenological Analysis of How Campus Police Chiefs Experience the Clery Act

### Informed Consent

We are inviting you to take part in a research study. This form will tell you about the study, but the researcher will explain it to you first. You may ask this person any questions that you have. When you are ready to make a decision, you may tell the researcher if you want to participate or not. You do not have to participate if you do not want to. If you decide to participate, the researcher will ask you to sign this statement and will give you a copy to keep.

**Why am I being asked to take part in this research study?**

The research study specifically seeking participants with the rank of chief (includes assistant chief, deputy chief), with at least five years’ experience as a police administrator, working within the State University of New York (SUNY) Police system at a state-operated campus, and who possesses significant responsibilities in completing Clery-related compliance activity.

**Why is this research study being done?**

The purpose of this study is to better understand the shared experiences of campus police chiefs, working at separate campuses in the SUNY system, in direct relationship to how they perceive the Clery Act’s influence on their effectiveness in meeting their departmental mission of maintaining a safe campus community. Campus-based police chiefs are tasked with collecting the required crime data, coordinating the publication of the required Annual Security Report to be published, and operationally tasked directly with the daily challenge of maximizing safety on campus. SUNY Police chiefs have significant compliance responsibilities associated with this federal statute and their shared experiences are critical understanding the efficacy of the Act.

**What will I be asked to do?**

You will be asked to participate in a recorded interview. Following the interview, a transcript will be made of the interview and there will be a second interview that includes your review of the transcript for accuracy.

**Where will this take place and how much time will it take?**

The study will be completed in a location that is private and suitable to your needs.
The interview is expected to last approximately 45 minutes. A follow-up (second) conversation/interview should last approximately 30 minutes.

**Will there be any risk or discomfort to me?**

There are no foreseeable risks to participate in this research.

**Will I benefit from this research?**

There are foreseeable benefits to participate in this research. However, the information obtained through the research may help inform policy makers and federal administrators on changes or improvements to the topic of the study.

**Who will see this information about me?**

Your part in this study will be confidential. The researcher and Principal Investigator will be the only persons with access to these documents. No reports or publications will use information that can identify you in any way or any individual as being of this project.

Confidentiality of all participating chiefs will be maintained and their anonymity preserved. Each of the participants will be assigned a pseudonym as an identifier, in lieu of real name. Any electronic files will be saved using the pseudonym and be maintained behind my password-protected computer in a folder not visible from my desktop. I will also maintain a single backup copy on a password-protected USB external storage drive. The computer is in my possession and when not in my possession, is secure in a locked office with a unique key. The password-protected backup storage drive, when not in use, will be stored in my locked home. The pseudonym key will be maintained in a folder in a separate, physically locked drawer.

Once the transcripts are verified by participants, the audio recordings will be destroyed. The signed consent documents (ink signature) will be retained in my locked file drawer/folder for the three-year period as required.

As this is a doctoral study, the only other possible monitoring may be Northeastern University to verify that the research is done properly. In that rare instance, we would only permit people who are authorized by organizations such as the Northeastern University Institutional Review Board to access this information.

**What will happen if I suffer harm from this research?**

There are no foreseeable risks to participate in this study. No special arrangements will be made for compensation or for payment because of my participation in this research.

**Can I stop participation in this study?**

Your participation in this research is completely voluntary. You do not have to participate if you do not want to and you can refuse to answer any question. Even if you begin the study, you may
quit at any time. If you do not participate or if you decide to quit, you will not lose any rights, benefits, or services that you would otherwise have.

Who can I contact if I have questions or problems?

If you have any questions about this study, please feel free to contact Greg Sammons at sammons.g@husky.neu.edu, the person mainly responsible for the research. You can also contact Dr. Lynda Beltz at L.Beltz@northeastern.edu, the Principal Investigator.

Who can I contact about my rights as a participant?

If you have any questions about your rights in this research, you may contact Nan C. Regina, Director, Human Subject Research Protection, Mail Stop: 560-177, 360 Huntington Avenue, Northeastern University, Boston, MA 02115. Tel: 617.373.4588, Email: n.regina@neu.edu. You may call anonymously if you wish.

Will I be paid for my participation?

You will not be paid for your participation.

Will it cost me anything to participate?

It will not cost anything to participate.

Is there anything else I need to know?

The research, when completed, will appear in an electronic database of doctoral dissertations called ProQuest.

I agree to participate in this research.

_________________________________________  ________________
Signature of participant                      Date

_________________________________________  ________________
Printed name of person                        Printed name of person

_________________________________________  ________________
Signature of person who explained study and obtained consent Date

_________________________________________
Printed name of person
Appendix D

OPENING REMARKS:

Thanks again for agreeing to be interviewed. As you know by now, I’m a doctoral candidate at Northeastern University and this interview is a component of my dissertation research. Before we begin, I want to review a few things. I want to assure you that all information will remain completely confidential and anonymous. I will be using a pseudonym and I will not include any information that will make you identifiable. I’d like to ask your permission to tape-record this session. I will be preparing a transcript that will share with you during a post-interview meeting. The transcript is for the purpose of making sure that the content accurately represents your responses. Please ask me to rephrase or any clarify any questions that are unclear. If agreeable, I’d like to begin the interview and turn-on my recording device? (Wait for confirmation.)

Interview Guide

My focus is on the perspectives of campus police chiefs who work closely with the Clery Act. My questions begin with understanding more about your experience.

1. How long have you worked at your institution in the police department?
2. How long have you been the chief of police?
3. Do you consider your role as chief of police do be a significant influence on personal safety-related issues on your campus?
4. How would you describe your mission or objective as a chief of police?
5. What is your direct role in ensuring your institution is compliant with the Clery Act?
   a. What specific compliance tasks are you responsible for?
6. How many years have you been involved in this compliance or working directly with Clery Act responsibilities?
7. How would you describe your level of experience or knowledge of the Act? How have you gained your expertise?
8. How, if at all, does the Clery Act influence the perceived accountability of your institution and your department to protect its students?
   a. Describe any changes your institution would make in the prioritization of personal-safety issues if the Clery Act did not exist?
9. How, if at all, does the presence of the Clery Act change your institution’s prioritization of personal safety issues? How has the Clery Act elevated personal safety issues on campus?
10. Let’s talk specifically about prospective students. How would you describe the intended impact of the Clery Act on prospective students today - nationally?
    a. To what extent do you believe prospective students actually use the Clery-required information to make informed decisions on attending your institution?
    b. How closely do you believe the actual impact of Clery on prospective students aligns with the spirit of the Act?
    c. To what extent do you believe parents influence their prospective student’s interest in the institution’s crime reporting or the annual security report, if at all?
11. Let’s talk about current students already enrolled. How would you describe the intended impact of the Clery Act on current students already attending the institution?
   a. To what extent do you believe current students actually use or carefully review the required Annual Security Report and other Clery-required notifications?
12. How do you believe student interest in Clery Act reporting evolves or changes as they transition from prospective student, to first year student, through to senior walking across the stage at commencement?
13. Do you believe there are differences in how employees and students use the Clery-required reports and notifications – and if so, how?
14. Let’s talk more specifically about the Clery Act’s influence on decisions. Describe how you believe students use the published annual security report (ASR), published timely warnings, or other facets of Clery to make informed decisions that keep them safer?
   a. Do you believe informed decisions translate into different or better decisions? How?
   b. If you assigned a percentage to the number of students who you believe actually use the Annual Security Report to make informed decisions, what would you estimate?
15. How widespread or prevalent do you believe campus-wide awareness is of the Clery Act at your institution? If you asked the average faculty member, staff member or student about the Clery Act, what level of knowledge do you believe they possess?
   b. How do you perceive your campus awareness around required Timely Warnings?
16. Do you believe there are gaps in awareness of the Clery Act by any campus constituents? Where?
   a. Do you believe it’s possible to place responsibility for those gaps and if so, what or who is responsible for the gaps in awareness?
17. Let’s talk about offenders who commit the offenses that find their way into the institutional Annual Security Report. Describe the effects that you believe your institution’s Clery compliance has on potential offenders? Do you believe there is any deterrent effect created because of the Clery Act?
18. Let’s come back to the Clery Act in general. Do you believe the currently reportable offenses as required by Clery (the FBI’s Part I UCR Offenses) are the most appropriate offenses to educate students about their crime risks?
   a. What offenses, if any, would increase the effectiveness of Clery to accurately portray campus crime?
19. In what ways do you think the presence of the Clery Act has impacted the level of trust between the public and colleges and universities?
   a. Do you think this impact on trust is fair and well-placed? How so?
20. Lawmakers have amended the Clery Act several times. Based on your experience, how could the Clery Act be amended to maximize its desired and intended effects?

ENDING REMARKS to your Volunteer participant:
Thank you again for agreeing to participate in my interview. I’ll be sending you a copy of the transcript and then contacting you to reconnect for a follow-up conversation to ensure accuracy.
I will make any modifications that you request in order to obtain the most accurate account of your responses.