

Policy Change
Procedure Change
New Policy
New Procedure

Subject Matter Area Review
Constituency Group Review
District Council
Board 1st Reading
Board 2nd Reading

KEY:
BOLD= new language
~~strikethrough~~= delete language

Comments:
CCLC Spring/Fall 2016 Update
Compliance is ok with the CCLC changes

Referred to:

Edited:
1/18/17

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Policy

3515 Reporting of Crimes

The Chancellor shall assure that, as required by law, reports are prepared of all occurrences reported to Campus Safety and Security of any arrests for crimes committed on campus that involve violence, hate violence, stalking, theft or destruction of property, illegal drugs, or alcohol intoxication. The Chancellor shall further assure that required reports of non-criminal acts of hate violence are prepared. Such reports shall be made available as required by law.

References:

Education Code Section [67380](#)

Adopted: July 13, 2016

Last Reviewed: July 13, 2016

Administrative Procedure

3515 Reporting of Crimes

Members of the District who are witnesses or victims of a crime should immediately report the crime to Campus Safety and Security, as long as there is no longer a threat to their safety. If a life-threatening emergency situation still exists the crime should be reported by calling 911 and then contacting Campus Safety and Security as soon as practicable.

In the event an employee is assaulted, attacked, or menaced by a student, the employee shall notify his/her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted, or menaced shall assist the employee to promptly report the attack or assault in the same manner as listed above. The supervisor himself/herself shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

The District shall publish warnings to the campus community about the following crimes and when there is an ongoing and continuing threat to the college community or when such information will enhance the overall safety of the community:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;
- Domestic violence, dating violence and stalking;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to local law enforcement having jurisdiction over the District property near the location where the incident occurred and shared with the college in a timely manner;
- Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the Campus Safety Supervisor, Director of District Security, or the Vice President of Administrative Services for each of the respective colleges, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning may be issued through any or all of these methods: text messaging, on campus loud speakers, automated phone calls, and the college e-mail system to students, faculty, and staff. The information shall be disseminated by Campus Safety Supervisor in a manner that aids the prevention of similar crimes.

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2 Depending on the particular circumstances of the crime, especially in all situations that could pose an
3 immediate threat to the community and individuals, the Campus Safety Supervisor may also post a notice
4 on the District or College web sites at: www.yosemite.edu, www.mjc.edu, or www.gocolumbia.edu,
5 providing the community with more immediate notification. The websites are immediately accessible via
6 computer by all faculty, staff, and students. Anyone with information warranting a timely warning should
7 report the circumstances to Campus Safety and Security, by phone: Modesto Junior College – (209) 575-
8 6351, Columbia College – (209) 588-5167, or in person at the respective college Campus Safety and
9 Security office.

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11 The District shall not be required to provide a timely warning with respect to crimes reported to a pastoral
12 or professional counselor.

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14 If there is an immediate threat to the health or safety of students or employees occurring on campus, the
15 District shall follow its emergency notification procedures.

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17 The District shall annually collect and distribute statistics concerning crimes on campus. All college staff
18 with significant responsibility for student and campus activities shall report crimes about which they
19 receive information.

20
21 The District shall publish an Annual Security Report every year by October 1 that contains statistics
22 regarding crimes committed on campus and at affiliated locations for the previous three years. The
23 Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use,
24 crime prevention, the reporting of crimes, sexual assault, victims’ assistance program, student discipline,
25 campus resources, and other matters. The District shall make the report available to all current students
26 and employees. The District will also provide **perspective prospective** students and employees with a
27 copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained
28 by contacting Campus Safety and Security at the numbers listed above or on each college’s Campus Safety
29 and Security website - MJC: www.yosemite.edu/safety or Columbia:
30 www.gocolumbia.edu/safety/default.php.

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32 **To Report a Crime:**

33 Contact Campus Safety and Security at the numbers listed above (*non-emergencies*) and dial 911
34 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles
35 or inside buildings should be reported to Campus Safety and Security.

36
37 It is the policy of District to notify Campus Safety and Security, as well as local law enforcement when
38 certain crimes occur, typically without providing identifying information about the incident, unless a
39 victim wishes that information to be shared, or an emergency requires disclosure. Victims have the option
40 to notify law enforcement directly, or to be assisted in doing so by campus authorities. If requested,
41 campus officials can facilitate reporting to local law enforcement, but may also respect a victim’s request
42 not to do so. The purpose of this reporting is to comply with the victim’s wish to keep the matter
43 confidential, while taking steps to ensure future safety. With such information, the District can keep an
44 accurate record of the number of incidents involving students, determine where there is a pattern of
45 crime with regard to a particular location, method, or assailant, and alert the campus community to
46 potential danger. Reports filed in this manner are counted and disclosed in the annual crimes **5** statistics
47 for the institution.

1 Campus Safety and Security encourages anyone who is the victim or witness to any crime to promptly
2 report the incident to the local police. Because police reports are public records under state law, the local
3 police cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the
4 annual disclosure of crime statistics can generally be made to Campus Safety and Security authorities as
5 identified below. Confidential reports of crime may also be made to Campus Safety and Security –
6 Modesto Junior College: (209) 575-6351; Columbia College: (209) 588-5167.

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8 Any report of willful homicide, forcible rape, aggravated assault, sexual assault, or hate crime, committed
9 on or off campus, that is received by a campus security authority and made by the victim for the purposes
10 of notifying the institution or law enforcement must be immediately, or as soon as practicably possible,
11 disclosed to the local law enforcement agency. The report shall not identify the victim, unless the victim
12 consents to being identified after the victim has been informed of his/her right to have his/her personally
13 identifying information withheld. If the victim does not consent to being identified, the alleged assailant
14 shall not be identified in the information disclosed to the local law enforcement agency **unless the**
15 **institution determines that both of the following apply, in which case the institution shall disclose the**
16 **identity of the alleged assailant to the local law enforcement agency and notify the victim of the**
17 **disclosure:**

- 18 • **the alleged assailant represents a serious or ongoing threat to the safety of students,**
19 **employees, or the institution; and**
- 20 • **the immediate assistance of the local law enforcement agency is necessary to contact or detain**
21 **the assailant.**

22
23 **References:**

24 Education Code Sections [212](#), [67380](#), [67383](#), and [87014](#); Penal Code Sections [245](#) and [422.55](#); [Jeanne Clery](#)
25 [Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998](#); 20 United States Code
26 Section [1232g](#); 34 Code of Federal Regulations Parts [99.31\(a\)\(13\)](#), [\(14\)](#) and [668.46](#); [Campus Security Act](#)
27 [of 1990](#)

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29 **Procedure Last Revised:** July 13, 2016

30 **Last Reviewed:** July 13, 2016