

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:
Updates provided by Compliance using CCLC templates to inform recommended revisions
[CCLC Spring/Fall 2015 Update](#)

Referred to:

Edited:
11/18/15

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Policy

3515 Reporting of Crimes

Note: This policy is legally required.

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:
Last Reviewed:

Administrative Procedure

3515 Reporting of Crimes

Note: This procedure is legally required. Local practice may be inserted, but should include the following requirements.

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 an 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:

- 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
- 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

1 information shall be disseminated by Campus Safety Supervisor in a manner that aids the prevention
2 of similar crimes.

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

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

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

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

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

33
34 **To Report a Crime:**

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

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

1 and alert the campus community to potential danger. Reports filed in this manner are counted and
2 disclosed in the annual crimes statistics for the institution.

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

10
11 **Note: For districts that participate in the Cal Grant Program, the following is also legally required: To**
12 **assist Districts comply with this reporting requirement, the California Attorney General’s Office and**
13 **University of California Office of the President, in partnership with the Alameda County and San**
14 **Bernardino County District Attorney’s Offices and San Francisco and Oxnard Police Departments, has**
15 **published a Model Memorandum of Understanding that Districts may use as a template to help them**
16 **comply with their reporting requirements. This template, and instructions on how to use the template,**
17 **are available on the Attorney General’s website (<http://oag.ca.gov/campus-sexual-assault>).** Districts
18 **should still consult with their own legal counsel before finalizing any Memorandum of Understanding**
19 **between the District and local law enforcement.**

20
21 Any report of willful homicide, forcible rape, aggravated assault, sexual assault, or hate crime,
22 committed on or off campus, that is received by a campus security authority and made by the victim
23 for the purposes of notifying the institution or law enforcement must be immediately, or as soon as
24 practicably possible, disclosed to the local law enforcement agency. The report shall not identify the
25 victim, unless the victim consents to being identified after the victim has been informed of his/her right
26 to have his/her personally identifying information withheld. If the victim does not consent to being
27 identified, the alleged assailant shall not be identified in the information disclosed to the local law
28 enforcement agency.

29
30 **References:**

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

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36 **Procedure Last Revised:**

37 **Last Reviewed:**