

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

First Reading–3/12/12

Second Reading–4/9/12

Final Reading–5/9/12

## **Revised - GCCCD Procedure**

### **AP 3515 Reporting of Crimes**

Reference: ***Education Code Sections 212; 87014; Penal Code Section 245; U.S. Code Sections 1092(f) (Clery Act)–Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998; 20 U.S.C. Section and 1232(g); 34 Code Federal Regulations, Parts 99.31(a)(13), (14) and 668.46; 34 C.F.R. and Campus Security Act of 1990***

Date Issued: December 3, 2008 Updated:

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[CCLC template language, except italicized language]

#### **Reporting Crimes to the District**

Members of the Grossmont-Cuyamaca Community College District (District) who are witnesses or victims of a crime should immediately report the crime to the District Public Safety Department.

In the event an employee is assaulted, attacked, or menaced by a student, the employee shall notify their 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 to the District Public Safety Department. The supervisor 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 will instruct members of the District Public Safety Department to notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the District in addition to filing a criminal complaint, and to report incidents of sexual violence to the District EEO Officer if the complainant consents. [Update #20]**

#### **To report a crime:**

**For non-emergencies, contact the District Public Safety Department. Dial 9-1-1 for emergencies only. Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the District Public Safety Department.**

**In addition you may report a crime, for both Grossmont and Cuyamaca Colleges, to the following departments:**

- Vice President of Student Services
- Associate Dean of Student Affairs
- Dean of Counseling and Enrollment Services
- Chief Human Resources Officer located at the District Offices

If a victim of a crime does not want to pursue action within the District's system or the criminal justice system, the victim may still want to consider making a confidential report.

With the victim's permission, the District Public Safety Department can file a report on the details of the incident without revealing the victim's identity. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, the District can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The District Public Safety Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the District Public Safety Officers cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified in this procedure.

### **District Notice of Continuing Threat**

The District shall publish warnings to the colleges and District community about crimes that are considered to represent a continuing threat to other students and employees in a manner that is timely and will aid in the prevention of similar crimes. In the event that a situation arises, either on campus or off campus, that, in the judgment of the District Public Safety Department, constitutes a continuing threat, a campus-wide "timely warning" will be issued through the District e-mail system to students, faculty, and staff. The information shall be disseminated by the District Director of Public Safety Department in a manner that aids in the prevention of similar crimes. Anyone with information warranting a timely warning should report the circumstances to the District Public Safety Department, by phone or in person at the District Public Safety Office. The District shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the District shall follow its emergency notification procedures included in the District Emergency Preparedness and Management Plan.

### **District Reporting Statistics**

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

The District shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources, and other matters. ~~The District shall make the report available to all current students and employees.~~ The District will ~~also~~ provide ~~perspective~~ students and employees with a copy of the Annual Security Report upon request. ~~A copy of the~~ The Annual Security Report can be obtained by contacting the District Public Safety Office ~~or~~ and is posted on at the *District* website address.

### **District Disclosure of Disciplinary Proceeding Results**

The District may disclose to the victim of a crime of violence or a non-forcible sex offense the final results of the disciplinary proceeding against an alleged perpetrator, regardless of the outcome. The District may also disclose to anyone ~~;~~ the final results of a disciplinary proceeding in which it concludes that a student violated District policy with respect to a crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are:

- Arson
- Assault offenses
- Burglary
- Criminal homicide—manslaughter by negligence
- Criminal homicide—murder and non-negligent manslaughter
- Destruction, damage, or vandalism of property
- Kidnapping or abduction
- Robbery
- Forcible sex offenses

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The District shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his or her right to confidentiality.