

Reporting of Crimes

References: *Education Code Sections 212 and 87014;*
 Penal Code Section 245;
 Jeanne Clery Disclosure of Campus Security Policy and Campus
 Crime Statistics Act of 1998;
 20 United States Code Section 1232g;
 34 Code of Federal Regulations Parts 99.31(a)(13), (14) and 668.46;
 Campus Security Act of 1990

Students and Employees of Southwestern Community College District who are witnesses or victims of a crime should immediately report the crime to Campus Police.

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 to the Campus Police. 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 College District of its obligation to investigate all complaints of harassment.

The Campus Police Department will notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the College District in addition to filing a criminal complaint, and to report incidents of sexual violence to the Title IX Administrator if the complainant consents.

The Campus Police shall publish in the Police Daily Log to the college 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;
- 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,

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- destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to the Chula Vista Police Department; 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 College District property, that, in the judgment of the Chief of Police constitutes an ongoing or continuing threat, a College District-wide “timely warning” will be issued. The warning will be issued through the college e-mail system to students, faculty, staff and the *SWC Sun* student newspaper. The information shall be disseminated by the Chief of Police in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Chief of Police may also post a notice on the campus-wide electronic bulletin board on the Southwestern Community College District web site at: <http://www.swccd.edu/index.aspx?page=1504>, providing the community with more immediate notification. The electronic bulletin board is immediately accessible via computer by all faculty, staff and students. Anyone with information warranting a timely warning should report the circumstances to the Campus Police, by phone at 619-216-6691 or in person at 900 Otay Lakes Road, Room 105D, Chula Vista, California 91910.

The College 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 College District property, the College District shall follow its emergency notification procedures.

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

The College Police shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on College District property 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 College Police shall make the report available to all current students and employees. The College Police will also provide perspective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security

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Report can be obtained by contacting Campus Police, 900 Otay Lakes Road, #105D or at the Website address published in <http://www.swccd.edu/index.aspx?page=911>.

To Report a Crime:

Contact Campus Police, by phone at 619-216-6691 for emergencies or 619-482-6380 for non-emergencies. Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the police department. In addition you may report a crime to the following areas:

- *Student Services* (619) 482-6369
- *Counseling & Student Support Services* (619) 482-6379
- *Health Services Office* (619) 421-6700 x5350
- *Director of Human Resources* (619) 482-6330

If you are the victim of a crime and do not want to pursue action within the College District's System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Campus Police can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College 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 College Police 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 College Police 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 above.

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

- Arson;

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- Burglary;
- Criminal homicide – manslaughter by negligence;
- Criminal homicide – murder and non-negligent manslaughter;
- Felony 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 College District shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his/her right to confidentiality.