**AP 3500 Campus Safety**

References: ~~Education Code Sections 38001.5, 72330, and 72330.5; Penal Code Section 832.3(g);~~

Education Code Sections 212, 67380, and 87014;

Penal Code Section 245;

20 U.S. Code Sections 1092(f) and 1232g;

34 Code of Federal Regulations 668.46;

34 Code of Federal Regulations 99.31(a)(13), (14);

Campus Security Act of 1990

ACCJC Accreditation Standard III.B.1 [Not sure if still necessary. The standard numbers have changed.]

A campus safety plan shall be developed and will be provided to students ~~in the form of~~ ~~a handbook or brochure. The Campus Safety Plan establishes protocols for security and access to College facilities and~~ ~~will be available~~ on the College’s website.

The Mt. San Antonio College Chief of Police and Campus Safety or designee prepares and annually updates a report of all occurrences reported to campuspolice of, and arrests for, crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication, and of all occurrences of noncriminal acts of hate violence reported to campus authorities. A written report will be submitted to the Board.

Written records of noncriminal acts of hate violence shall include at least a description of the act of hate violence, the victim characteristics, and offender characteristics, if known.

Note: Education Code, Section 67380 defines “hate violence” as: “any act of intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons or the property of any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, gender identity, gender expression, disability, or political or religious beliefs of that person or group.” Section 67380 requires reporting of both occurrences reported to campus police or safety authorities of and arrests for crimes that involve hate violence (Section 67380(a)(1)(A)) and of “non-criminal acts of hate violence” (Education Code, Section 67380(a)(1)(B)).

For purposes of reporting under the Clery Act, “hate crimes” include domestic violence, dating violence, and stalking.

The Mt. San Antonio College’s Chief Student Services Officer or designee is the designated authority that enforces the Student Standards of Conduct.

~~and has designated the Director, Public Safety to prepares, publishes, and annually updates mandated reports of all criminal occurrences that are reported to the Public Safety Department. This includes arrests for crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs or alcohol intoxication, and all occurrences of non-criminal acts of hate violence reported to campus authorities. A written report will be submitted to the Board of Trustees.~~

It is the responsibility of every member of the College community to act in ways that promote the safety of self, others, and the protection of College property. ~~To ensure that the Public Safety Department officers are in a position to protect themselves and others in the event of a violent attack, it is directed that Public Safety officers be issued pepper spray and tactical batons after being properly trained and certified by the State of California Department of Consumer Affairs and Bureau of Security and Investigative Services. It is also directed that Parking Control officers be issued Pepper Spray.~~

~~Use of Pepper Spray~~ [This language incorrectly states legal standards for use of pepper spray. Standards for use of pepper spray are properly covered in Lexipol policy.]

~~The only chemical spray authorized for use by members of the Public Safety Department is Oleoresin Capsicum (OC), also known as Pepper Spray. Pepper spray is a non-lethal weapon which may cause injury. Pepper spray may only be used when force is justified by law to: 1) incapacitate an individual who represents an immediate danger to the officer or other person; 2) overcome resistance to an apprehension; or 3) prevent the unlawful forcible entry to College property by persons who are not authorized and may cause immediate danger to persons.~~

~~Pepper spray shall only be used when it is likely that physical restraint alone would expose the officer or others to substantial risk of injury. Pepper spray shall not be used in any College building unless absolutely necessary to protect officers or others and not used as a means of threatening noncompliant students who are not following College policies.~~

~~Pepper spray may be used as a defensive or control weapon in those instances that threaten the safety of an officer or other person from sustaining injury or to subdue and arrest combative persons. Only the pepper spray issued by the Department of Public Safety shall be authorized.~~

~~Use of Baton~~ [This language incorrectly states legal standards for use of baton. Also, Board procedures should not say deadly force is unauthorized. It must be authorized in the face of a deadly threat, or students, staff, and police and campus safety personnel will be put at undue risk. Standards for use of baton are properly covered in Lexipol policy.]

~~The baton is to be used in overcoming resistance to a lawful apprehension in defense of the officers or others. Only the batons authorized by the Department of Public Safety shall be used.~~

~~In all situations, officers shall use force only when necessary and fully justified by the circumstances. Officers shall use only that degree of force necessary to protect themselves and others from injury or to overcome resistance to their lawful authority.~~

~~At no time should a Public Safety officer strike any person with a baton in the area of the head, neck/throat, clavicle/collarbone, chest, kidneys/liver, spine, or the tailbone, as it would constitute the use of deadly force that is unauthorized by the District.~~

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