

## Chapter 3 - General Institution

### AP 3515 Reporting of Crimes

#### References:

Penal Code Sections 245 and 422.55; Education Code Sections 212, 67380, 67383, and 87014; 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 subdivisions (a)(13), (14) and 668.46; Campus Security Act of 1990

Whenever any employee of Mt. San Antonio College is attacked, assaulted, or menaced, the employee shall promptly report the attack or assault to the Mt. SAC Public Safety Department. In addition, any individual who is a victim or a witness of a crime occurring on campus should immediately report the crime to the Mt. SAC Public Safety Department.

In the event an employee is assaulted, attacked or menaced by a student, the employee shall notify his or 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 Mt. SAC Public Safety Department. The supervisor himself or 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 College of its obligation to investigate all complaints of harassment.

~~The College shall publish warnings to the campus community about crimes that are considered to represent an immediate threat to other students and employees in a manner that is timely and will aid in the prevention of similar crimes. The information shall be disseminated by the College's Public Information Officer in consultation with the College President/CEO in a manner that aids the prevention of similar crimes.~~

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

The College 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 campus police; 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 Chief of Police, constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The warning will be issued through the College e-mail system to students, faculty, staff, and the campus's 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 College website at: [www.mtsac.edu](http://www.mtsac.edu), 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 Chief of Police, by phone at 909.274.5555, or in person at Building 40.

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

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

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

The College 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, hate crimes, sexual assault, victims' assistance program, student discipline, campus resources, and other matters. The College shall make the report available to all current students and employees. The College will also provide perspective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting of the College Public **Police and Campus** Safety Department at 909.274.4555, by viewing the College web page located at [www.mtsac.edu](http://www.mtsac.edu), or by reviewing the published information in the current Schedule of Classes.

### To Report a Crime:

Contact Police and Campus Safety at 909.274.4555 (non-emergencies) and dial 9-1-1 (emergencies only). 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:

- Vice President, Student Services  
909.274.4505
- Dean, Counseling  
909.274.4380
- Director, Student Health Services  
909.274.4400
- Vice President, Human Resources  
909.274.4225

If you are the victim of a crime and do not want to pursue action within the College's system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Human Resources department 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 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 Police and Campus 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 Police and Campus Safety department cannot hold reports of crime in confidence. Confidential reports for purpose of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified below. Confidential reports of crime may also be made to the Director, Equal Employment Opportunity (EEO), Title IX, and Leaves Administration, at 909.274.5423.

The College may disclose the final results of a student 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 may also disclose to anyone, the final results of a student disciplinary proceeding in which it concludes that a student violated College 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, and
- Forcible sex offenses.

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The College 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.

### **Required Reports to Local Law Enforcement Agency**

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

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

Reviewed: June 25, 2013

Reviewed: June 9, 2015