

Chapter 3 - General Institution

AP 3500 Campus Safety

References:

Education Code Sections 38001.5, 72330, and 72330.5 **212, 67380, and 87014**; Penal Code Section 832.3(g) **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**; and ACCJC Accreditation Standard III.B.4 **3.8**

A Campus Safety Plan shall be developed and 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 campus police 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 Public Safety Department has the authority to enforce the Student Discipline Code of Conduct and the State of California Penal Code under Education Code Section 72330. The Mt. San Antonio College Board of Trustees has established the Public Safety Department as a community college police department under Education Code Section 72330(a), which authorizes the governing board of a community college district to establish a community college police department under the supervision of a community college chief of police. Although a designated police department, the Mt. San Antonio College Public Safety Department has a memorandum of understanding mandated by the "Crime Awareness

~~and Campus Safety Act of 1990,” that the Los Angeles County Sheriff’s Department has jurisdiction to investigate all crimes occurring on the Mt. San Antonio College campus.~~

~~The Mt. San Antonio College Public Safety Department is the liaison with the Los Angeles County Sheriff’s Department and local police agencies including Federal and State law enforcement entities.~~

~~The Public Safety Department is responsible for the safety and security of all members of the College community. Every effort is made to inform students, faculty, administrators, and staff members of criminal activity or any other concern that may be an immediate threat to the safety and security of those on campus. Information and workshops on crime prevention are made available to College students, faculty, administrators, and staff members.~~

~~The Mt. San Antonio College’s Chief Student Services Officer **Vice President, Student Services, or designee**, is the designated authority that enforces the Student Discipline Code **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

~~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

~~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.~~

Approved: November 2008
Revised: April 2009
Reviewed: June 25, 2013
Revised: March 26, 2014
Reviewed: June 9, 2015
Revised: February 10, 2016