



## **AP 3515 Reporting of Crimes**

Members of the Chaffey Community College District who are witnesses or victims of a crime should immediately report the crime to Campus Police at 909-652-6911. Police can also be contacted by dialing 9-1-1 (emergencies only) or by using campus blue light telephones. Any suspicious activity or person seen in the parking lots loitering around vehicles or inside buildings should be reported to Campus Police. Any individuals witnessing or who are victims of a crime may also but are not required to call municipal law enforcement authorities.

In addition, an employee who has been assaulted, attacked, or menaced shall report the incident to his/her supervisor and/or the Chief Human Resources Officer as soon as practical after the incident. The supervisor and/or Chief Human Resources Officer shall assist the employee to promptly report the attack or assault to the appropriate law enforcement authorities if the incident has not yet been reported. The supervisor and/or Chief Human Resources Officer 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 unlawful harassment.

### **Timely Warnings**

The District shall publish Timely Warnings to the campus community about the following crimes reported to Campus Police that have occurred on campus, in a campus building, or on public property located on or adjacent to the campus and are considered to represent a serious and continuing threat to students and employees:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – rape, fondling, incest, and statutory rape;
- 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;

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- 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.

Other dangers that pose a serious or continuing threat to the campus community, such as a kidnapping on campus or patterns of larcenies or vandalism, may be instead addressed through a Crime Alert Bulletin.

The Chief of Campus Police or designee will determine the content and broadcast a Timely Warning in a manner that is "timely" and will aid in the prevention of similar crimes, *unless* issuing the warning will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the threat.

Timely Warnings will withhold as confidential the names and identifying information of victims.

Any or all of the following may be used to issue Timely Warnings and notifications about serious emergencies on campus: broadcast via the emergency mass notification system, prominent postings on the District website ([www.chaffey.edu](http://www.chaffey.edu)), broadcast email and voicemail, and broadcast via the public address systems. Crime Alert Bulletins and other informational materials may also be posted on campus bulletin boards and buildings to inform students, faculty, and staff of ongoing safety concerns.

The decision whether or not to issue a Timely Warning will be made by the Chief of Police or designee on a case-by-case basis in light of all available facts surrounding the reported crime. The factors used when analyzing whether a reported crime presents a serious or continuing threat to the campus community include, but are not limited to, the following:

- How much time has passed between the incident and the report?
- Has the perpetrator been apprehended?
- Were there multiple perpetrators working together?



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- Was the incident violent in nature?
- Were date rape drugs or other substances used to facilitate the crime?
- Was a weapon used during the commission of the crime?
- Does the incident appear to be an isolated incident with specifically targeted victims(s)?
- Is there a pattern of similar incidents? (e.g., the same or similar crimes occurring in a short period of time; a particular group being targeted on multiple occasions; etc.)
- Are there other aggravating circumstances or predatory behaviors at issues suggesting that a threat/ongoing danger exists?
- Are there enough details available to determine whether a threat/ongoing danger exists?

Generally, a Timely Warning will specify the type of reported crime, the time and location that the reported crime occurred, a clear description of what occurred, and information to the campus community regarding the steps to take to protect oneself and avoid becoming a victim. The Timely Warning will not identify the victim, by name or identifying information. A description of a subject in a criminal incident will only be included if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, those descriptors will not be included.

A Timely Warning will not be issued if the subject has been apprehended and the threat of imminent danger to the campus community has thus been mitigated. Further, a Timely Warning may not be issued if the report was not filed with Campus Police, a campus security authority, or local law enforcement in a manner that would allow the issuance of a “timely” notice to the campus community.

After a Timely Warning has been issued, the Chief of Campus Police or designee will consider whether a follow-up warning needs to be communicated to the campus community about the situation. If it is determined that a follow-up warning is necessary, it will be made in the manner described above.

In the event the College decides to issue, or not issue, a Timely Warning, the decision will be documented and placed on file with Campus Police.

The District shall not be required to provide a Timely Warning with respect to crimes reported to a pastoral or professional counselor.



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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.

The District shall annually collect and distribute statistics concerning crimes on campus. All college employees 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 prospective 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 Campus Police or is available on the District's website home page.

If a victim of a crime does not want to pursue action within the District's system or the criminal justice system, the victim is encouraged to consider making a confidential report to a Campus Security Authority. A Campus Security Authority 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 Security Report.

Pastoral counselors and professional counselors, when acting as such, are not considered to be Security Authorities and are not required to report crimes for inclusion into the Annual Security Report. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the Annual Security Report. A pastoral counselor is a person who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. A professional counselor is an employee of the District whose official responsibilities include providing psychological counseling to members of the



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District's community and who is functioning within the scope of his or her license or certification.

The District may disclose the final results of a student disciplinary proceeding to a victim or the next-of-kin of a deceased victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The District may also disclose to anyone, the final results of a student disciplinary proceeding in which it concludes that a student violated school 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;
- Non-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/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



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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 of 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.

References: Education Code Sections 212, 67380, 67383, and 87014;  
Penal Code Sections 245 and 422.55;  
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

Approved: 8/20/13

Revised: 10/20/20