



# ANNUAL SECURITY REPORT 2016-2018

A GUIDE TO SAFETY AND SECURITY  
IN THE SAN DIEGO COMMUNITY



## Safe & Sound

MESA COLLEGE  
CITY COLLEGE  
MIRAMAR COLLEGE



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## **PART 1: CAMPUS SAFETY AND THE CLERY ACT**

“Campus Safe and Sound” is the San Diego College District’s Annual Security Report, published in compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” that requires U .S. colleges and universities that participate in federal student financial aid programs to disclose information about crime on and around their campuses.

Each participating institution’s Annual Security Report must do the following:

- Disclose the institution’s campus security policies and three years’ worth of specified crime and arrest statistics;
- Be made available to students, faculty and staff, and applicants for employment;
- Provide information regarding certain of the institution’s policies and procedures that are related to the Clery Act or the Violence Against Women Act;
- Provide information regarding the institution’s emergency procedures;
- Assure campus sexual assault victims of their rights.

The U.S. Department of Education centrally collects and disseminates the statistics reported in the Annual Security Report at: [ope.ed.gov/campusafety](https://ope.ed.gov/campusafety). Schools that fail to comply can be penalized by the U .S. Department of Education.

Additionally, this publication is available on the San Diego Community College District Police Department website at <https://www.sdccd.edu/docs/police/currentsafeandsound.pdf>.

## **The San Diego Community College District**

The San Diego Community College District (the “District”) consists of four institutions: San Diego City College, San Diego Mesa College, San Diego Miramar College, and San Diego Continuing Education. The District’s policies and procedures pertaining to campus safety apply to each institution. In this Annual Security Report, unless otherwise specified, information presented can be understood to apply to each of the District’s four institutions. The District does not have any residential facilities. District organizations do not own or maintain any off-campus facilities.

## **Preparation of the Annual Security Report**

The District’s Student Services Department, including the Title IX Compliance Office, and the San Diego Community College District Police Department (“College Police”) are involved in a coordinated effort to generate, compile and report crime, arrest, and student disciplinary information contained in the Annual Security Report. District employees, including District faculty, managers and supervisors, and any individuals who hold significant responsibilities for students and campus activities, also provide reportable crime incident information that is included in this report.

Relevant crime data from all regional law enforcement agencies are collected through the Automated Regional Justice Information System to be included in the report. College Police Dispatch, in consultation with District Student Services, prepares a summary of the crime statistics for each District institution that it then provides to the Title IX Coordinator, who then works with other District administrators to prepare the Annual Security Report, including the required crime statistics, required policy statements, and other information. College Police and District Student Services coordinate to review all data to ensure accuracy and to avoid duplication.



### **The San Diego Community College District Police Department**

The San Diego Community College District Police Department (“College Police”) operates under the general direction of the Vice Chancellor, Facilities Services, and is overseen operationally by Chief of Police Raymund Aguirre. College Police operates 24-hours-a-day, and may be contacted at:

Police Headquarters/Administrative Office and Investigations  
1536 Frazee Road  
San Diego, CA 92108  
(619) 388-6411

Communications and Dispatch Center  
(619) 388-6405  
24-hour Dispatch: (619) 388-6419 (TTY)

City College Police Substation  
Career Technologies Center  
1081 16th Street, #V-100  
San Diego, CA 92101  
(619) 388-3461

Mesa College Police Substation  
7250 Mesa College Drive, #Q - 100  
San Diego, CA 92111  
(619) 388-2749

Miramar College Police Substation  
10440 Black Mountain Road, Room #T - 100  
San Diego, CA 92126  
(619) 388-7353

College Police officers are sworn peace officers in accordance with the California Education Code and the California Penal Code. Officers receive the same training as all peace officers in San Diego County and the State of California and they have the same authority on or about District property as San Diego Police Department (“SDPD”) officers.

The College Police Department ensures that reasonable protection is provided to members of the District community while they are at locations owned or controlled by the District by using methods that fit within and contribute to

the educational philosophy of the District. College Police provides a full range of public safety services including taking and responding to all crime reports, investigations, medical and fire emergency response, and traffic control. The College Police Department also enforces laws regulating underage drinking and the use of controlled substances.

The College Police Department has jurisdiction to operate on property owned by or adjacent to the District. The College Police Department further has a Memorandum of Understanding with SDPD detailing the manner and circumstances under which information will be shared between the agencies, and certain circumstances under which SDPD will provide assistance with the response to incidents that require specialized resources.

### **SDCCD Non-Discrimination Policy**

The District is committed to equal opportunity in educational programs, employment, and access to institutional programs and activities. The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, sex, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because a person is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. A complete copy of the District’s Nondiscrimination Policy can be found at: <http://www.sdccd.edu/docs/District/policies/District%20Governance/BP%203410.pdf>.

## PART 2: POLICIES AND PROCEDURES RELATED TO CRIME REPORTING AND EMERGENCY RESPONSE

It is the policy of the San Diego Community College District Board of Trustees to protect the District community and to protect the property of the District. The District encourages all of its community members to report potential criminal activity to College Police. Such reporting allows College Police to facilitate District safety, including by ensuring that crime reports are evaluated for whether they should result in the issuance of a Timely Warning Notice and are included in the Annual Security Report.

If you need assistance contacting College Police, the District recommends contacting a Student Services administrator, including the Dean of Student Affairs or Vice President for Student Services at each institution, Human Resources administrator, or the Title IX Coordinator. The District also encourages individuals to report crimes to these administrators for inclusion in the Annual Security Report. Contact information for each of these parties is provided below. While the District encourages members of the District Community to report criminal activity, individuals, including victims of crimes, are not required to do so.

For immediate reporting of a crime or any other incident to College Police please contact the 24-hour College Police Communications Center at 619-388-6405. Press 1 for emergencies. Additionally, criminal action and other incidents may be reported via email to the SDCCD Police Department at [police@sdccd.edu](mailto:police@sdccd.edu). This email is not monitored 24/7. For College Police Communications Center TTY dial: 619-388-6419.

Note: From campus building phones, DIAL 9 first to get an outside line. NO COINS NEEDED to dial 911 from pay phones in San Diego.

A member of the District community may always report a crime or other emergency situation to law enforcement by dialing 911.

### Important phone numbers:

City College Police	619-388-3461
Mesa College Police	619-388-2749
Miramar College Police	619-388-7353
San Diego Police Department	619-531-2000
City College Student Services	619-388-3475
Mesa College Student Services	619-388-2699
Miramar College Student Services	619-388-7810
Title IX Coordinator	619-388-6805

While a member of the District community can report a crime without identifying themselves via telephone or web, the District does not offer confidential reporting. Confidential reporting is when an identifiable reporting party asks to remain confidential. In those instances, the District will protect the identity of persons to the fullest extent that the law permits and will not release any information to any party that does not have a need and a right to know the information. Additionally, the College Police Department will mark the report as confidential and will, when able, redact any personal identifying information from the police report and other documents.

Crimes can also be reported anonymously via the San Diego County Crime Stoppers website at [sdcrimestoppers.org](http://sdcrimestoppers.org).

The District will, upon written request, disclose to the alleged victim of a crime of violence, or non-forcible sex offense, the report of the results of any disciplinary proceeding conducted against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Individuals designated as mental health

counselors and whose job responsibilities include providing psychological counseling to members of the District community may respect a reporting party's wish for confidentiality when the counselor receives the report while functioning within the scope of their job description and licensure. These individuals constitute professional counselors within the meaning of the Clery Act. District policy encourages such individuals through periodic trainings voluntarily to, when appropriate, report crimes without providing personally identifiable information so that they may be included in the annual disclosure of crime statistics. It is important to note that academic counselors and DSPS counselors are not designated mental health counselors that may respect a reporting party's wish for confidentiality.

The District does not have any pastoral counselors within the meaning of the Clery Act. Pastoral counselors are those individuals who are associated with a religious order or denomination, are recognized by that religious order or denomination as someone who provides confidential counseling, and who are functioning within the scope of that recognition as a pastoral counselor.

### **Emergency Notifications**

SDCCD is committed to a safe educational and work environment for all students and staff, as well as the community. Timely communication in the event of an emergency is a priority. In the event of a serious incident that poses an immediate threat to the SDCCD community, the District has various systems in place for communicating information quickly. An emergency is an immediate threat to the health and safety of students or employees.

The District's emergency communication response plan involves the following communication components, any or all of which may be used in response to a given emergency:

- Telephone calls to home and cellular telephones
- Text messaging to cellular telephones
- Email to all students and employees
- Telephone paging to employee work stations
- Messaging posting on District, Colleges and Continuing Education websites and other social media sites
- Posting on campus/site message boards
- Classroom announcements
- Press releases

To facilitate receipt of such emergency notifications, the District encourages incoming and returning students and employees to provide cell phone numbers to communicate with them in the event of a college or district-wide emergency.

In case of a college or District-wide emergency or College campus closure, students, faculty and staff, and the community can always check the District website for up-to-date information at [sdccd.edu](http://sdccd.edu).

The District has an Emergency Response Plan that outlines institutional response to serious incidents impacting the campus. Key administrators have been identified in the plan along with an outline for evacuation, performance expectations, and continuity of operations. College Police officers and supervisors have received training regarding their roles in the emergency response plan. On an annual basis, the District provides information about the institution's Emergency Response Plan.

In the event of a major incident on property owned or controlled by the District, in addition to dispatching College Police personnel, it is the responsibility of the College Police Communication Center to notify appropriate

emergency agencies and selected District personnel. In all cases, the Chief of Police will confirm whether the circumstance constitutes a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees and therefore requires the issuance of an emergency notification and, if so, shall notify the District Chancellor. If the Chief of Police deems that, for reasons of safety, immediate measures must be taken, including communications or other measures, the Chief of Police may initiate such measures unilaterally. In all other circumstances, the Chancellor will activate the District's emergency team to assess the situation and determine the scope of the emergency. In addition to the Chief of Police, the emergency team consists of the Vice Chancellors for Human Resources, Student Services, and Facilities, along with the Director of Communication and Public Relations and the Director of Information Technology. In the event of an emergency localized on a given campus, the emergency team will also include the relevant campus president and Public Information Officer.

Through the efforts of the emergency team, the Chancellor will initiate communication protocols throughout the organization. The emergency team will determine the content of the communication response, the timing of the response, and the appropriate communications pathways to be activated. The Director of Information Technology will be responsible for disseminating electronic communications to the entire District community. Responsibility for communications, including non-electronic communications, directed toward specific segments of the District community will be apportioned as follows:

- Vice Chancellor of Human Resources-communication involving employees
- Vice Chancellor of Student Services – communication involving students
- Director of Communication and Public Relations – communication to the media, as well as the content of information on the District website and social media sites
- Director of Information Technology – initiate the mechanics of the emergency communication system protocols in all scenarios

Following an emergency, the Chancellor and/or President will reconvene the emergency team and review the process and situational response for continuous improvement.

The College conducts numerous emergency response exercises on campus each year, such as table-top exercises and tests of its emergency notification system, the Blackboard Connect System (immediate notification). These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. These tests are announced and/or unannounced.

The District will conduct a test of its emergency communication components every academic year. The results of the annual test will be reviewed and monitored by the Chancellor's Cabinet and published in the District Annual Safety Report.

**Title** Emergency Alert Test Message (SDCCD Alert)  
**Send Time** 18 October, 2018 09:45AM PT

Total Number of Students, Faculty and Staff selected contacts	<b>68,685</b>	<b>1 Hour Post Success Rate</b>
Total Number of Students, Faculty and Staff contacted via Text and/or Email within 1 hour of initial send time	<b>67,510</b>	<b>98%</b>

Text Message	Sent	Not Delivered *	1 Hour Post Success Rate	Totals
Student	40977	7353	82%	33624
Staff	2771	478	83%	2293
<b>Totals</b>	<b>43,748</b>	<b>7831</b>	<b>82%</b>	<b>35917</b>
Text Message Send Start Time	18 October, 2018 11:45AM PT	1 hour post Status	Text Message Status End Time	18 October, 2018 11:45AM PT
* Opted Out, Invalid Cell#, Text Feature Disabled, No Confirmation from Carrier				

Email	Sent	Not Delivered *	1 Hour Post Success Rate	Totals
Student	60112	720	99%	59392
Staff	6275	37	99%	6238
<b>Totals</b>	<b>66,387</b>	<b>757</b>	<b>99%</b>	<b>65630</b>
Email Message Send Start Time	18 October, 2018 11:45AM PT	1 hour post Status	Email Message Status End Time	18 October, 2018 11:45AM PT
* Invalid Email, Delivery Error, Mailbox Full, Flagged as Spam, No Confirmation from destination host				

Specific Emergency Procedures

**Shelter in Place**



Under certain circumstances, College Police may advise members of the District community to shelter in place. Sheltering in place provides protection from external hazards, minimizes the chance of injury and/or provides the time necessary to allow for a safe evacuation. This should be done by selecting a small, interior room if possible, with no or as few windows as possible. When authorities issue directives to shelter-in-place, do not walk outdoors and take refuge indoors immediately.

A shelter-in-place order may be issued in response to:

- An active shooter
- Severe weather
- Hazardous materials
- Civil unrest
- A hostage situation
- Or any situation where it is best for you to stay where you are to avoid any outside threat

If this occurs:

- Remain CALM.
- Faculty should recommend to students and others not to leave and/or go outside
- Select a small interior room with no or few windows as possible and close and lock all windows, exterior doors, and any other openings that lead to the outside
- Stay away from all windows, doors.
- Facilities Management personnel should shut down all building ventilation fans and air conditioners, when and if appropriate
- If you are told there is danger of explosion, close the window shades, blinds, or curtains
- Select interior room(s) above the ground floor, with the fewest windows or air vents

- Room(s) should have adequate space for everyone to be able to sit down comfortably
- Avoid overcrowding by selecting several rooms when necessary

For severe weather and civil unrest:

- Stay inside and move away from windows
- Close and lock all exterior doors and offices
- For extreme weather, relocate to lower levels in the building
- For external chemical, biological or radiological incidents
  - Stay inside and move to an inner corridor or office
  - Facilities Management personnel may shut down all building ventilation fans and air conditioners, when necessary and appropriate
  - Since many chemical agents are heavier than air, and tend to hold close to the ground, move to higher levels of the building if possible to reduce the transfer of contaminated air from outside to inside
- Remain alert for instructions and updates as they become available from the emergency personnel and College administrators

### **Evacuation Procedures, Including in Case of Fire**

At the sound of a fire alarm or if you are instructed to evacuate, proceed to the nearest exit and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify College Police at 619-388-6405.

- Remain Calm
- Do NOT use elevators, use the stairs
- Assist the physically impaired and, if they are unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform College Police or the responding Fire Department of the individual's location
- Proceed to a clear area at least 150 feet from the building and keep all walkways clear for emergency vehicles
- Make sure all personnel are out of the building
- Do not re-enter the building until instructed to do so

### **Timely Warning Notices**

In addition to issuing emergency notifications in response to emergency situations, the District will issue Timely Warning Notices whenever a Clery Crime is committed on District property or on adjoining public property and the District believes that there may be a serious or continuing threat to students and employees. The intent of Timely Warning Notices is to aid in the prevention of similar crimes and to enable members of the District community to take steps to protect themselves.

The on duty dispatcher will, as soon as pertinent information is available and/or at the request of the incident supervisor, draft an email containing the proposed Timely Warning Notice and forward it to a group including the Chancellor; the Executive Vice Chancellor, Business and Technology Services; Vice Chancellor of Student Services; Vice-Chancellor of Human Resources; Vice Chancellor of Instructional Services, Vice Chancellor of Facilities; Director of Communications and Public Relations; Director of IT; the Title IX Coordinator; the respective Campus President and the respective Campus Public Information Officer.

The Director of Communications and Public Relations will review and revise the text as needed, and then transmit the email containing the Timely Warning Notice to the College Community if deemed warranted. The text of the message will not contain confidential information, such as a victim's name, but will contain the information appropriate to assisting members of the District community in preventing similar crimes. A Timely Warning will not be transmitted if it is deemed that the notification will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Timely Warning Notice will only be distributed to members of the District community associated with locations or institutions at which it is deemed there is a serious or continuing threat to students and employees. Updates to the District community about any particular case resulting in a crime alert will be distributed as deemed appropriate.

**PART 3: POLICIES AND PROCEDURES  
RELATED TO DATING VIOLENCE,  
DOMESTIC VIOLENCE, SEXUAL  
ASSAULT, AND STALKING**

**Prohibition**

The San Diego Community College District prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as they are defined under the Clery Act:

Domestic Violence: the term “domestic violence” means

- 1) Felony or misdemeanor crime of violence committed-
  - (i) By a current or former spouse or intimate partner of the victim;
  - (ii) By a person with whom the victim shares a child in common;
  - (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - (v) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 2) The term “crime of violence” means: an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another; or any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in

the course of committing the offense.  
(18 USC § 16)

Dating Violence: the term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and

- 1) The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type the relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition-
  - (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking: the term “stalking” means

- 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
  - (i) Fear for the person’s safety or the safety of others; or
  - (ii) Suffer substantial emotional distress.
- 2) For the purposes of this definition-
  - (i) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by an action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property .
  - (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

- (iii) Reasonable persons mean a reasonable person under similar circumstances and with similar identities to the victim.

**Sexual Assault:** is an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Rape:** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory rape:** is defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

The District also prohibits these crimes as defined in the California Penal Code. Please see the [Reference](#) section of this Annual Security Report for California Penal Code definitions.

### Consent

The District defines consent for the purpose of its administrative proceedings in conformity with California law, which requires California institutions to comply with the following definition:

"Affirmative consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- (a) The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused; or
- (b) The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

- (A) The complainant was asleep or unconscious;
- (B) The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the



sexual activity; or

- (C) The complainant was unable to communicate due to a mental or physical condition.” (Education Code Section 67386)

In criminal proceedings, consent is defined under California criminal law as “positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.” (CA Penal Code Section 261.6) Under state law, criminal liability may attach when:

- (A) A person is incapable of giving legal consent because of a mental disorder, or physical or developmental disability, and this is known or reasonably should be known to the person committing the act;
- (B) It is accomplished against a person’s will by means of force, violence, duress, menace or fear of immediate and unlawful bodily injury on the person or another;
- (C) A person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused;
- (D) A person is unconscious of the nature of the act and this was known to the accused;
- (E) A person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by the accused with intent to induce the belief;
- (F) It is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat; or

- (G) It is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. (CA Penal Code Sections 261, 286, 288a, 289)

### **Policies and Procedures for Reporting and Responding to Incidents**

#### **Reporting an Incident Generally**

Members of the District community can report an incident of dating violence, domestic violence, sexual assault, or stalking to law enforcement, to the District, to both, or to neither. A report does not need to be made by the victim of an incident, but may be made by a third party.

In the event of a sexual assault, if a victim wishes to make a report to law enforcement or to the District, the victim may wish to do so as soon as possible in order to aid in the preservation of physical evidence of the assault. If the offense occurred in the prior 96 hours, for the preservation of evidence that may assist in proving that the alleged criminal offense occurred, a victim of sexual assault may not wish to bathe, douche, smoke, change clothing, or clean the bed/linen/area where the offense. The victim may also aid in the collection of evidence by not disposing of any damaged clothing or other items. While a victim may ultimately choose not to make a report of a sexual assault, the individual may wish to consider nevertheless preserving evidence as described. In California, evidence may be collected even if a victim does not wish to make a report to law enforcement.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve documentary evidence by saving text messages, instant messages, social networking pages, or other communications, and keep pictures, logs or other copies of documents, if they have any, that might be useful to law enforcement or to the District during administrative

proceedings.

#### Reporting to Law Enforcement

An individual may make a report directly to College Police by calling 619-388-6405. College Police will immediately initiate a criminal investigation into on-campus sexual assaults, provided the victim wishes to pursue a criminal investigation.

As stipulated in the California Constitution, Article I, Sec 28(b), also known as the Victims' Bill of Rights ("Marsy's Law"), a victim of a sexual assault, and all crime victims in general, have safeguards that provide for the victim to be reasonably protected from the defendant and persons acting on behalf of the defendant, and to prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law. Crime victims may obtain additional information regarding Marsy's Law and local Victim Witness Assistance Center information by contacting the Attorney General's Victim Services Unit at 1-877-433-9069.

College Police will contact the San Diego Police Department if highly specialized resources are needed to complete a criminal investigation.

The San Diego Police Department may be reached:

#### **SDPD Headquarters**

1401 Broadway, San Diego, CA 92101  
Phone: (619) 531-2000

#### **Central Division**

2501 Imperial Avenue, San Diego, CA 92102  
Phone: (619) 744-9500  
TTY: (619) 234-2477

#### **Eastern Division**

9225 Aero Drive, San Diego, CA 92123  
Phone: (858) 495-7900  
TTY: (858) 495-7995

#### **Mid-city Division**

4310 Landis Street, San Diego, CA 92105  
Phone: (619) 516-3000

#### **Northern Division**

4275 Eastgate Mall, San Diego, CA 92037  
Phone: (858) 552-1700  
TTY: (858) 552-1799

#### **Northeastern Division**

13396 Salmon River Road, San Diego, CA 92129  
Phone: (858) 538-8000  
TTY: (858) 538-8093

#### **Northwestern Division**

12592 El Camino Real, San Diego, CA 92130  
Phone: (858) 523-7000

#### **Southern Division**

1120 27th Street, San Diego, CA 92154  
Phone: (619) 424-0400  
TTY: (619) 424-0492

#### **Southeastern Division**

7222 Skyline Drive, San Diego, CA 92114  
Phone: (619) 527-3500  
TTY: (619) 527-3592

#### **Western Division**

5215 Gaines Street, San Diego, CA 92110  
Phone: (619) 692-4800  
TTY: (619) 692-4978

#### Reporting to the District

An individual may also make a report to the District. It is recommended that an individual report an incident directly to the Title IX Coordinator or one of the Title IX Deputies, but all district faculty, managers and supervisors, police, and employees who have regular contact with students will notify the Title IX Coordinator of any reports they receive of dating violence, domestic violence, sexual assault, or stalking.

The Title IX Coordinator and Title IX Deputies can be reached:

**Acting Title IX Coordinator**

Leslee Morris 619-388-6660

**Title IX Deputies**

*City College*

Marciano Perez 619-388-3981

*Mesa College*

Vicki Miller 619-388-2699

*Miramar College*

Cheryl Barnard 619-388-7313

*Continuing Education*

Stephanie Crosby 619-388-4920

*District Office and Service Center*

Aimee Gallagher 619-388-6880

Lynn Ceresino Neault 619-388-6922

District personnel, including the Title IX Coordinator, counselors, and Health Services personnel can and will assist you to contact law enforcement if you desire to do so. Again, although the District strongly encourages all members of its community to report incidents of dating violence, domestic violence, sexual assault, and stalking to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police.

Resources Available to Victims of Dating Violence, Domestic Violence, Sexual Assault, and Stalking

In cases of dating violence, domestic violence, sexual assault, and stalking, College Police or District personnel receiving a report will provide the victim with written information regarding their rights and options, along with information regarding resources available to them and, as appropriate, will provide them with assistance in accessing those resources, either through the Title IX Coordinator or directly.

Some of those resources include:

- On-campus:
  - Victim Advocacy, provided under

contract with the Center for Community Solutions-San Diego by calling the advocate directly at by calling 619-541-5970

- Campus health services
- Campus mental health counseling
- College Police escort services, available 24 hours a day
- No Contact Orders
  - When appropriate as a precautionary measure, interim remedy, or non-disciplinary remedy, the District may issue a written directive instructing a student or employee to refrain from communicating with another student or employee or be subject to disciplinary action
  - A student or employee may request a No Contact Order from the Title IX Coordinator at any time, and the Title IX Coordinator shall discuss the availability with victims when circumstances indicate such an order may be appropriate; the Title IX Coordinator shall make the final determination on whether an order shall be issued
  - The Title IX Coordinator will discuss with the protected party employees whom it is appropriate to notify of the No Contact Order and who will be primarily responsible for assisting with enforcement of the order
  - In appropriate circumstances, the Title IX Coordinator will facilitate arrangements necessary to separate individuals subject to No Contact Orders
  - Other assistance arranged through the Title IX Coordinator
- Off-campus:
  - Medical attention through San Diego County Sexual Assault Response Team (SART) facilities, available through intake coordination with law enforcement officials; facilities include:

- Palomar Medical Center, 15615 Pomerado Road, Poway, CA 92064, (858) 613-4000
- Independent Forensic Services, 4529 College Avenue, San Diego, CA 92115, (619) 265-2812
- Rady Children’s Hospital Chadwick Center, 3665 Kearny Villa Road, Suite 500, San Diego, CA 92123, (858) 966-5803
- Palomar Pomerado Forensic Health Child Abuse Program, 121 N. Fig Street, Escondido, CA 92025, (760) 739-2156
- Advocacy or other Victims Assistance Organizations
  - Victims are provided with written materials referring them to a number of San Diego County organizations providing counseling or victim advocacy services. Two such organizations are listed immediately below, while more such organizations appear further below:
    - The Victim/Witness Assistance Center in San Diego, at 619-531-4041.
    - Center for Community Solutions, which provides comprehensive services to victims, at 1-888-385-4657.
- Orders of Protection
  - An order of protection is a legal order prohibiting a party, such as the aggressor in a dating violence, domestic violence, sexual assault, or stalking situation, from having contact with a victim; an order of protection may also prohibit the party from appearing at a given location, such as the victim’s residence, work, or school. Examples of orders of protection are Emergency Protective Orders (“EPOs”), Temporary Restraining Orders (“TROs”), and permanent Restraining Orders

(“ROs”).

- The District complies with California law in recognizing orders of protection, and will assist a protected party in enforcing an order of protection of which it is aware.
- College Police, under certain circumstances, may secure a temporary Emergency Protective Order when responding to a domestic violence, dating violence, sexual assault, or stalking situation, but neither College Police nor the District may issue a permanent Restraining Order.
- College Police or the Title IX Coordinator will provide a victim with information to enable them to obtain an order of protection through the Superior Court of California, County of San Diego.

#### Other Advocacy or Victims’ Assistance Organizations

- Women’s only Shelters Domestic Violence Hotline
  - (800) 799-SAFE
  - (800) 799-7233
- Salvation Army-Door of Hope
  - (858) 279-1100
- Rachel’s Women’s Center
  - (619) 696-0873
- Battered Women’s Hotline
  - (619) 234-3164
- Battered Women’s Services (Becky’s House)
  - (619) 239-0355
- Women’s Resource Center
  - (760) 757-3500
- Men and Women’s Shelters: Domestic Violence Hotline
  - (800) 799-SAFE



- (800) 799-7233
- St. Vincent de Paul
  - (619) 446-2100
- South Bay Community Services
  - (800) 640-2933
- Legal Services, District Attorney Domestic Violence Unit
  - (619) 531-4041
- YWCA Legal Advocacy Program
  - (619) 239-0355
- Legal Aid Society
  - (877) 534-2524
- San Diego Volunteer Lawyer Program
  - (619) 235-5656
- San Diego Family Justice Center
  - (619) 533-6000
- Family Health Centers of San Diego
  - (619) 515-2300
- Public Health Services
  - (858) 694-3900
- San Diego Access & Crisis Line
  - (888) 724-7240
- U.S. Citizenship and Immigration Services
  - 1-800-375-5283
- Rape, Abuse and Incest National Network
  - [rainn.org](http://rainn.org)
- U.S. Department of Justice
  - [justice.gov/ovw/sexual-assault](http://justice.gov/ovw/sexual-assault)
  - U.S. Department of Education, Office for Civil Rights
  - [www2.ed.gov/about/offices/list/ocr/index.html](http://www2.ed.gov/about/offices/list/ocr/index.html)

\* **Please note:** Neither the San Diego Community College District nor the San Diego Superior Court is affiliated with the above

programs, nor do they endorse, evaluate, supervise, or monitor the programs. Each program is independently responsible for compliance with applicable state or federal laws.

Options Available to Victims of Dating Violence, Domestic Violence, Sexual Assault, and Stalking and the District’s Response to Incidents of which it has Notice

As noted, the District absolutely prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined by the Clery Act and by the California Penal Code. The District strongly encourages victims to report all such incidents to the District and to law enforcement, but respects a victim’s decision to decline to do so. If the District has notice of any such incident, the District will fulfill its obligation to take action to end, prevent, and remedy incidents of sex- or gender-based discrimination. The District has notice of an incident when a responsible employee, meaning College Police personnel, District faculty, managers and supervisors, or personnel who regularly interact with students, is aware or should be aware of the incident. The Title IX Coordinator will coordinate the District’s response to all such incidents.

**Interim Remedies**

The District will always provide victims with written referrals to resources as described above. A victim always has the choice whether or not to make use of these resources. The Title IX Coordinator will also work with the victim and appropriate members of the administration to offer the victim reasonable and appropriate interim remedies and/or accommodations, examples of which might include, but are not limited to:

- Academic accommodations, such as extra time on assignments, exceptions to attendance policies, online submission of assignments, or tutoring;
- Late drops or withdrawals from courses;

- Transfer of courses;
  - Note that the District will not presume when arranging potential course transfers that it is appropriate to transfer a potential victim rather than the alleged aggressor;
- Special parking arrangements;
- Accommodations related to financial aid;
- Alternative work arrangements; or
- Escorts by College Police officers.

Factors the Title IX Coordinator will consider in determining what accommodations are appropriate include the need expressed by the victim, the severity or pervasiveness of the allegation, possible continuing effects on the complainant, and the burden on the District and/or the responding party associated with implementing the arrangements. The Title IX Coordinator will arrange these accommodations while preserving the victim's confidentiality to the utmost extent possible. The Title IX Coordinator will not disclose to individuals executing the arranged interim remedies/accommodations the nature of the incident leading to the accommodations unless it is necessary for that implementation. The Title IX Coordinator will disclose the identity of the individual requesting the accommodation to the minimum number of District personnel necessary to effect the accommodation, and such personnel must maintain strict confidentiality. The Title IX Coordinator will inform the victim that such a disclosure may be required to effect the accommodation prior to making the disclosure.

Record-keeping related to reports of dating violence, domestic violence, sexual assault, and stalking is maintained in the District's online Maxient system, with access restricted to members of the Title IX Compliance Office. When preparing required reporting documents, such as the Annual Security Report, the Title IX Coordinator shall cooperate with College Police and generate reports of incidents without

information likely to disclose the identity of any victim, such that College Police can correctly calculate the required information while avoiding duplication. The District does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log maintained by College Police or online.

### **Comprehensive Response**

In response to all notifications of possible sex- or gender-based misconduct, including dating violence, domestic violence, sexual assault, or stalking, the Title IX Coordinator will commence a prompt, thorough, fair, and impartial inquiry into the matter. It is anticipated this initial inquiry will take less than a week, and should not take more than two weeks. While the Title IX Coordinator will attempt to abide by the wishes of the victim to the extent possible, the Title IX Coordinator will take the responsive action necessary to end any potential discrimination, prevent its recurrence, and remedy its effects. Generally a violent incident, including most incidents of dating violence, domestic violence, and sexual assault will require the District to proceed with a prompt, thorough, and impartial investigation meeting the elements of due process required to take disciplinary action if the allegations are substantiated.

The Title IX Coordinator, along with any individual assisting the Title IX Coordinator in implementing the District's response to a notification of dating violence, domestic violence, sexual assault, or stalking, including the Title IX Investigator and Title IX Deputies, receives annual training relating to those topics and how to protect the safety of victims and promote accountability.

When the District receives notifications of possible dating violence, domestic violence, sexual assault, and stalking, the District's trained Title IX Investigator will generally commence an investigation into the matter to determine whether the accused individual has violated the Student Code of Conduct contained in District

Policy 3100, the District Nondiscrimination Policy 3410, the Harassment Policy 3430, or the District Policy 3540 Prohibiting Sexual Assault. Again, the Title IX Investigator will conduct this investigation and preserve the victim's confidentiality to the utmost extent possible, while also adhering to the District's legal mandate to end the discrimination.

Throughout the process, both parties may be accompanied to any meeting or proceeding by an advisor of their choice, and this advisor may be an attorney.

At a minimum, the investigation will involve interviewing and collecting information from the victim and respondent and any witnesses they identify, and interviewing and collecting information from any other witness the Title IX Investigator deems appropriate. Prior to interviewing the responding party, the Title IX Investigator will provide the responding party with notice that the party is under investigation, including specific information regarding the alleged conduct constituting the alleged violation and applicable District Policy alleged to have been violated. The Title IX Investigator will interview the responding party and collect information from any other witness identified by the responding party, though the District does not deem character witnesses relevant to Title IX proceedings. Any witness may decline to meet with the Title IX Investigator, though the responding party may be found responsible for the alleged violation even though they chose not to meet with the Title IX Investigator.

The Title IX Investigator will create a written summary containing the information collected during the investigation and provide both parties with an opportunity to review the written summary and offer responsive comment and information.

The Title IX Investigator creates an Investigation Report that includes a finding as to whether, by a preponderance of the evidence, the

respondent violated District Policy with respect to each allegation made by the victim. It is anticipated that the investigation undertaken by the Title IX Investigator will take up to five or six weeks, but may take less in more straightforward matters.

The Title IX Coordinator will then approve that determination and, if there has been a finding that the responding party violated District Policy, forward the Investigation Report on for appropriate disciplinary action. In the case of student respondents, such disciplinary action is determined and imposed by the Vice Chancellor, Student Services, and may include disciplinary probation, mandatory training, restriction from specific District activities, suspension of up to five years, or expulsion. In cases of recommended expulsion, California law requires that the respondent be provided with an opportunity to appear before the District Chancellor, who is the only party authorized to execute the expulsion. In such cases, the victim will also be provided with an opportunity to appear before the Chancellor.

Following the imposition of disciplinary action, or in the event of a finding of non-responsibility, both parties will be provided with written notification of the District's determination. Both parties then have an opportunity to initiate a written appeal to the Title IX Coordinator. Grounds for appeal include bias, improper procedure, and new evidence not reasonably available previously. Following the appeal, the Title IX Coordinator will issue written notification to both parties of the outcome of the appeal.

In the case of employee respondents, disciplinary action is determined and imposed by the applicable supervisor under the provisions of the collective bargaining agreement, and which may include a written counseling memorandum, written reprimand, required training, transfer, demotion, or termination. Appeal rights are limited to those provided under the collective bargaining agreement.

## **PART 4: SAFETY INITIATIVES, CRIME PREVENTION EFFORTS, AND TRAININGS**

### **Campus Facilities**

The San Diego Community College District is a public institution and therefore is open to the public. Many campus rooms and areas are protected by intrusion alarms. Before entering such areas, the College Police dispatch should be notified at 619- 388-6405.

It is the responsibility of those who use rooms, offices and other areas to lock access doors, turn off lights and close windows. Facilities Services staff and College Police staff will check many of the areas of the campus during off hours, but the primary responsibility for security lies with the user.

Keys are provided to individual staff members on a need-to- enter basis as determined by the appropriate supervisor. Lost keys must be reported immediately to one's supervisor and to the College Police. Keys must never be loaned to other staff members or students. College Police personnel will confiscate any keys which have not been specifically issued to a particular individual. Duplication and unlawful possession of District keys is a misdemeanor.

No District property may be removed from the campus without written permission from the department chairperson or area supervisor. Unauthorized removal of District property from the campus is a violation of the law and may be prosecuted by the District.

The Facilities Management Department is responsible for maintenance of campus safety features such as lighting and call boxes.

### **Education and Prevention Programs**

#### **General Education and Prevention**

It is the philosophy of the District that safety and security is everyone's responsibility. Students, faculty, staff and visitors are partners in creating an atmosphere that is safe and conducive for learning.

It is the goal of the District to inform students and staff in a timely manner of any criminal activity or security problem that may pose a reasonable threat to their safety. Such information will be distributed to students through this brochure, newsletters, posted notices, student publications and the District web site. District institutions provide periodic training to faculty leaders regarding primary incident response.

All District institutions participate in the See Something, Say Something campaign, using signage and events to promote primary prevention and ongoing awareness regarding indicators of possible safety concerns and the need for individuals to report such concerns to College Police or District Administration.

Faculty and staff are informed through in-house memos, bulletins, newsletters and email. Finally, all effective crime prevention programs include people watching out for one another. All staff and students are asked to be alert, security conscious and involved. Call College Police at 619-388-6405 whenever you see suspicious behavior.

The SDCCD Police Department posts crime prevention alerts, campus crime alerts, safety alerts and safety bulletins on its website at [sdccd.edu/about/departments-and-offices/police-department/alerts-and-news.aspx](http://sdccd.edu/about/departments-and-offices/police-department/alerts-and-news.aspx).

#### **Education and Prevention with Special Application to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

The District engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual



assault and stalking.

Educational programming consists of primary prevention and awareness programs for all incoming **students** and new **employees** and ongoing awareness and prevention campaigns for students and employees.

### **Haven Online Training – Primary and Ongoing Prevention**

The District makes Haven, its online dating violence, domestic violence, sexual assault, and stalking training available to all District **students** and **employees**. Haven is one of the leading online, evidence-based training program addressing these issues.

The District uses Haven as a *primary* prevention program by encouraging all incoming **students** to complete the Haven training, and further by requiring groups of students identified as critical to complete the training, including: student athletes; student-workers; student government leaders; and students engaged in travel on behalf of the District.

District **employees** are required to complete the employee version of Haven as part of employee on-boarding as a *primary* prevention effort.

The District also uses Haven as an *ongoing* prevention program by encouraging returning **students** to complete Haven, even if they have already done so previously. The District further requires the student-groups identified above to complete Haven, even if they have already done so.

### **Rape Aggression Defense (R.A.D.)**

The Rape Aggression Defense (R.A.D.) System is a comprehensive *primary* prevention course that begins with awareness, prevention, risk reduction and avoidance, progressing on to the basics of hands-on defense training. It is dedicated to teaching women defensive

concepts and techniques against various types of assault using easy, effective and proven self-defense/martial arts tactics. R.A.D. provides effective options by teaching women to take an active role in their own self-defense. In October 2000, San Diego Community College Police Department began offering the R.A.D. Program. All female **students, faculty, staff** and guests are encouraged to sign up for this training. College Police holds six R.A.D. classes per academic year, one class per semester, per institution. For additional information and classes please visit the San Diego Community College District Police Department website at [sdccd.edu/about/departments-and-offices/police-department/divisions/training/rad.aspx](http://sdccd.edu/about/departments-and-offices/police-department/divisions/training/rad.aspx).

### **Bystander Intervention Training/Campus Grant Program**

During 2018 the District began participation in the U.S. Department of Justice's Campus Grant program to combat issues of sexual assault, intimate partner violence, and stalking. The District has partnered with local non-profit, the Center for Community Solutions San Diego, to provide, under a single umbrella, not only advocacy services to its students and employees, but primary and ongoing prevention programming to students and employees.

Initially, the District has piloted a bystander intervention training program, coupled with direct instruction in the dynamics of sexual assault, intimate violence, and stalking, targeted at students enrolled in District Personal Growth courses. The intent of this training is to provide primary prevention, and to expand this program to a mandatory training program for incoming degree-seeking students in the future.

Ongoing prevention programs, such as films, health fairs, awareness events (e.g., the clothesline project) taking place at the various District Colleges have also been consolidated within the District's participation in the grant program.

Options to Safely be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. Bystanders are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some options for bystander interventions. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to have sexual contact with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction – Safety Strategies

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment (adapted from the Rape, Abuse, & Incest National Network)

- Be aware of your surroundings. Knowing where you are and who is

around you may help you to find a way to get out of a bad situation.

- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
- Avoid putting headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the event, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don’t leave your drink unattended. If you’ve left your drink alone, just get a new one.
- Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from punch bowls or other large,

common open containers.

- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately .
- If you suspect you or a friend has been drugged, contact local law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How

would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Alcohol and Illegal Drugs**

The District's Student Code of Conduct, part of District Policy 3100, prohibits the use, possession, or distribution of narcotics or other controlled substances, including alcohol, while on the college premises or at college- sponsored events. A student may be suspended or expelled for violation of this policy. In enforcing this prohibition the District and College Police will cooperate to also enforce all federal and state underage drinking and drug laws.

### **Drug Abuse and Alcohol Prevention Program (DAAPP)**

The District is committed to providing a drug free environment, and has adopted and implemented program and policies to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The District also prohibits the use of tobacco products and electronic delivery devices on campus or at college/district sponsored events.

As required under the Drug-Free Schools and Communities Act of 1989, the District has adopted and made available to students a drug and alcohol abuse education program. In significant part, the program entails the use of already existent campus resources, such as mental health counseling, veterans counseling, health fairs, or Health Services, in conjunction with an online drug and alcohol abuse training program and enforcement of the District enforcement of its prohibition of the use, possession, or prohibition of alcohol or drugs. To view the program content in its entirety,

please visit [sdccd.edu/daapp/](http://sdccd.edu/daapp/).

The institutions also prohibit the use of tobacco products and electronic delivery devices on campus or at college/district sponsored events. Any type of drug use, including alcohol, is dangerous and potentially life threatening. Drugs and alcohol adversely affect the body, mind and behavior. The effects vary from person to person and from usage to usage. Even low doses of drugs and alcohol can impair judgment and coordination. If you use drugs or alcohol, you risk overdose, accidents, dependence, ill health, as well as legal, financial and personal problems. The federal laws against drugs are divided into two categories: possession and distribution. The penalties are severe depending upon the type of drug, quantity of the drug, and any prior offenses. Possession will earn up to one year in prison and a \$5,000 fine. Distribution will earn up to life in prison and an \$8 million fine. State laws vary and may be more severe.

District Policy 3100 - *Student Code of Conduct* - states that use, possession, or distribution of narcotics or other controlled substances is prohibited while on the college premises or at college- sponsored events. A student may be suspended or expelled for violation of this policy.

### **Community Treatment, Rehabilitation, or Reentry Programs**

- Alcoholics' Anonymous Information
  - 24-Hour Phone line : 619-265-8762
  - [aasandiego.org](http://aasandiego.org)
- Narcotics Anonymous information
  - English: 619-584-1007
  - Toll Free: 800-479-0062
  - Espanol: 619-546-0774
  - [sandiegona.org](http://sandiegona.org)

The District provides also assistance to employees through the Benefits Office or

through the Employee Assistance Program (EAP).

- SDCCD employee benefits
  - 619-388-6587

To access help for EAP services call 888-625-4809 or visit [liveandworkwell.com](http://liveandworkwell.com).

### Tobacco/Smoking

Pursuant to District Policy 0505, smoking or the use of any tobacco product is prohibited on all properties owned or controlled by the District. Through enforcement of this provision the District ensures that it complies with relevant sections of the California Government Code and San Diego Municipal Code regulating smoking in a public place or place of employment. All students, employees and visitors on District property are subject to Policy 0505 regulations, which will be strictly enforced at all times.

Student Health Services at each college offers Cessation Program Referrals to educate the college community about the risks of tobacco and the availability of Smoking Control Programs. Visit or call the Student Health Services at the colleges for additional information:

### **Student Health Services**

City College:	619-388-3450
Mesa College:	619-388-2774
Miramar College:	619-388-7881

Additional information is available in the Campus Police Office. For complete information on SDCCD Policy 0505 and Procedure 0505 .2 visit [sdccd.edu/about/leadership/board-of-trustees/board-policies/index.aspx](http://sdccd.edu/about/leadership/board-of-trustees/board-policies/index.aspx).

**Sex Offender Registration**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vacation, volunteers services or is a student.

Faculty, staff and students of the San Diego Community College District may obtain information on registered sex offenders who are students, employees or volunteers at a specific college or facility within the District by calling College Police at 619-388-6411 to schedule an appointment.

In California, convicted sex offenders must register with the San Diego Police Department by calling (619) 531-1543.

You can search online for sex offenders in the city of San Diego by using the interactive map at [meganslaw.ca.gov](http://meganslaw.ca.gov) and in the county at [www.arjis.org](http://www.arjis.org). Or visit the San Diego Police Department, 1400 "E" Street, San Diego, CA 92101, between 8:00 am and 5:00 pm. Monday through Thursday. The National Sex Offender Public Registry is available through the U .S. Department of Justice at [www.nsopw.gov](http://www.nsopw.gov).



## PART 5: CRIME STATISTICS

Crime statistics tables are on the following pages. The tables distinguish crimes committed on campus from those on public property. Public property is defined as the reasonably contiguous geographic area around the Colleges or around a building the District controls and uses for educational purposes (e .g. thoroughfares, streets, parks, restaurants and public parking facilities). SDCCD does not have any residential facilities, non-campus student organizations or housing facilities. For Clery purposes only, crimes in the following categories, as defined by the uniform crime reporting handbook are included in the crime statistics. Complete UCR definitions are included in the resources section of this report.

- Murder and non-negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Dating Violence
- Domestic Violence
- Stalking
- Larceny-theft\*
- Simple assault\*
- Intimidation\*
- Destruction/damage/vandalism of property\*

*\*(These classifications are only included in Clery statistics if they are hate crimes).*

- Liquor Law Arrest
- Drug Law Arrest
- Weapons Law Arrest
- Liquor Law Violations – Referred for Disciplinary Action
- Drug Law Arrest – Referred for Disciplinary Action
- Weapons Law Arrest - Referred for Disciplinary Action

**2018 City College Campus Crime Statistics**

<b>Criminal Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non- Campus</b>	<b>Public Property</b>	<b>Unfounded</b>	<b>Total</b>
Criminal Homicide, Murder & Non-negligent Manslaughter	2018	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2018	0	0	0	0	0
Rape	2018	0	0	1	0	1
Fondling	2018	0	0	0	0	0
Incest	2018	0	0	0	0	0
Statutory	2018	0	0	0	0	0
Robbery	2018	2	1	0	0	3
Aggravated Assault	2018	1	0	0	0	1
Burglary	2018	1	0	0	0	1
Motor Vehicle Theft	2018	2	1	2	0	5
Arson	2018	0	0	0	0	0

Arrest and Disciplinary Referrals - Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2018	1	0	1	0	2
Drug Law Arrests	2018	35	0	12	0	47
Weapons Law Arrests	2018	6	0	1	0	7
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2018	3	0	2	0	5
Dating Violence	2018	0	0	0	0	0
Stalking	2018	0	0	0	0	0

NO HATE CRIMES WERE REPORTED IN 2018 FOR CITY COLLEGE.

SDCCD DOES NOT HAVE RESIDENTIAL FACILITIES

2018 Mesa College Campus Crime Statistics

Criminal Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-negligent Manslaughter	2018	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2018	0	0	0	0	0
Rape	2018	0	0	0	0	0
Fondling	2018	3	0	0	0	3
Incest	2018	0	0	0	0	0
Statutory Rape	2018	0	0	0	0	0
Robbery	2018	0	0	1	0	1
Aggravated Assault	2018	1	0	0	0	1
Burglary	2018	4	0	0	0	4
Motor Vehicle Theft	2018	1	0	0	0	1
Arson	2018	0	0	0	0	0

Arrest and Disciplinary Referrals - Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2018	0	1	1	0	2
Drug Law Arrests	2018	4	0	2	0	6
Weapons Law Arrests	2018	1	0	0	0	1
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	1	0	0	0	1
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2018	1	0	0	0	1
Dating Violence	2018	0	0	0	0	0
Stalking	2018	3	0	0	0	3

NO HATE CRIMES WERE REPORTED IN 2018 FOR MESA COLLEGE

SDCCD DOES NOT HAVE RESIDENTIAL FACILITIES



Miramar College Campus Crime Statistics -2018

Criminal Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-negligent Manslaughter	2018	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2018	0	0	0	0	0
Rape	2018	0	0	0	0	0
Fondling	2018	0	0	0	0	0
Incest	2018	0	0	0	0	0
Statutory Rape	2018	0	0	0	0	0
Robbery	2018	0	0	0	0	0
Aggravated Assault	2018	0	0	1	0	1
Burglary	2018	0	0	0	0	0
Motor Vehicle Theft	2018	2	0	0	0	2
Arson	2018	0	0	0	0	0

Arrest and Disciplinary Referrals - Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2018	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0
Weapons Law Arrests	2018	1	0	0	0	1
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2018	1	0	0	0	1
Dating Violence	2018	0	0	0	0	0
Stalking	2018	3	0	0	0	3

NO HATE CRIMES WERE REPORTED IN 2018 FOR MIRAMAR COLLEGE

SDCCD DOES NOT HAVE RESIDENTIAL FACILITIES

**2017 City College Campus Crime Statistics**

<b>Criminal Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non- Campus</b>	<b>Public Property</b>	<b>Unfounded</b>	<b>Total</b>
Criminal Homicide, Murder & Non-negligent Manslaughter	2017	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2017	0	0	0	0	0
Rape	2017	1	0	0	0	1
Fondling	2017	0	0	0	0	0
Incest	2017	0	0	0	0	0
Statutory	2017	0	0	0	0	0
Robbery	2017	2	0	2	0	4
Aggravated Assault	2017	2	0	2	0	4
Burglary	2017	0	0	0	0	0
Motor Vehicle Theft	2017	8	0	3	0	11
Arson	2017	1	0	1	0	2

Arrest and Disciplinary Referrals' Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2017	2	0	0	0	2
Drug Law Arrests	2017	33	0	8	0	41
Weapons Law Arrests	2017	2	0	0	0	2
Liquor Law Violations Referred for Disciplinary Action	2017	1	0	0	0	1
Drug Law Violations Referred for Disciplinary Action	2017	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2017	0	0	0	0	0

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2017	2	0	0	0	2
Dating Violence	2017	0	0	0	0	0
Stalking	2017	3	0	0	0	3

TWO HATE CRIMES WERE REPORTED IN 2017 FOR CITY COLLEGE, CLASSIFIED AS INTIMIDATION CHARACTERIZED BY RELIGION THAT OCCURRED ON CAMPUS

SDCCD DOES NOT HAVE RESIDENTIAL FACILITIES

2017 Mesa College Campus Crime Statistics

Criminal Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-negligent Manslaughter	2017	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2017	0	0	0	0	0
Rape	2017	2	0	0	0	2
Fondling	2017	3	0	0	0	3
Incest	2017	0	0	0	0	0
Statutory	2017	0	0	0	0	0
Robbery	2017	0	0	0	0	0
Aggravated Assault	2017	0	0	1	0	1
Burglary	2017	0	0	0	0	0
Motor Vehicle Theft	2017	6	0	0	0	6
Arson	2017	0	0	0	0	0



Arrest and Disciplinary Referrals' Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2017	0	0	0	0	0
Drug Law Arrests	2017	3	0	2	0	5
Weapons Law Arrests	2017	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2017	0	5	0	0	5
Drug Law Violations Referred for Disciplinary Action	2017	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2017	0	0	0	0	0

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2017	0	0	0	0	0
Dating Violence	2017	0	0	0	0	0
Stalking	2017	1	0	0	0	1

NO HATE CRIMES WERE REPORTED IN 2017 FOR MESA COLLEGE

SDCCD DOES NOT HAVE RESIDENTIAL FACILITIES

**2017 Miramar College Campus Crime Statistics**

<b>Criminal Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Non- Campus</b>	<b>Public Property</b>	<b>Unfounded</b>	<b>Total</b>
Criminal Homicide, Murder & Non-negligent Manslaughter	2017	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2017	0	0	0	0	0
Rape	2017	0	0	0	0	0
Fondling	2017	3	0	0	0	3
Incest	2017	0	0	0	0	0
Statutory	2017	0	0	0	0	0
Robbery	2017	0	0	0	0	0
Aggravated Assault	2017	0	0	0	0	0
Burglary	2017	0	0	0	0	0
Motor Vehicle Theft	2017	1	0	0	0	1
Arson	2017	1	0	0	0	1

Arrest and Disciplinary Referrals' Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2017	2	0	0	0	2
Drug Law Arrests	2017	1	0	0	0	1
Weapons Law Arrests	2017	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2017	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2017	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2017	0	0	0	0	0

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2017	1	0	0	0	1
Dating Violence	2017	0	0	0	0	0
Stalking	2017	1	0	0	0	1

NO HATE CRIMES WERE REPORTED IN 2017 FOR MIRAMAR COLLEGE

SDCCD DOES NOT HAVE RESIDENTIAL FACILITIES

2016 City College Campus Crime Statistics

Criminal Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-negligent Manslaughter	2016	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2016	0	0	0	0	0
Sex Offenses, Forcible	2016	-	-	-	-	-
Rape		2	0	0	0	2
Fondling		1	0	0	0	1
Sex Offenses, Non Forcible		-	-	-	-	-
Incest		0	0	0	0	0
Statutory Rape		0	0	0	0	0
Robbery	2016	0	0	0	0	0
Aggravated Assault	2016	2	0	3	0	5
Burglary	2016	5	1	0	0	6
Motor Vehicle Theft	2016	3	1	9	0	13
Arson	2016	1	0	0	0	1

Arrest and Disciplinary Referrals- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2016	4	0	1	0	5
Drug Law Arrests	2016	12	0	9	0	21
Weapons Law Arrests	2016	4	0	2	0	6
Liquor Law Violations Referred for Disciplinary Action	2016	1	0	0	0	1
Drug Law Violations Referred for Disciplinary Action	2016	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2016	1	0	0	0	1

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2016	5	0	2	0	7
Dating Violence	2016	0	0	0	0	0
Stalking	2016	2	0	0	0	2

NO HATE CRIMES WERE REPORTED IN 2016 FOR CITY COLLEGE



2016 Mesa College Campus Crime Statistics

Criminal Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-negligent Manslaughter	2016	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2016	0	0	0	0	0
Sex Offenses, Forcible	2016	-	-	-	-	-
Rape		1	0	0	0	1
Fondling		1	0	0	0	1
Sex Offenses, Non Forcible	2016	-	-	-	-	-
Incest		0	0	0	0	0
Statutory Rape		0	0	0	0	0
Robbery	2016	1	0	0	0	1
Aggravated Assault	2016	5	0	1	0	6
Burglary	2016	0	0	0	0	0
Motor Vehicle Theft	2016	7	0	2	0	9
Arson	2016	0	0	0	0	0

Arrest and Disciplinary Referrals- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2016	0	0	0	0	0
Drug Law Arrests	2016	4	0	5	0	9
Weapons Law Arrests	2016	1	0	0	0	1
Liquor Law Violations Referred for Disciplinary Action	2016	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2016	2	2	0	0	4
Weapons Law Violations Referred for Disciplinary Action	2016	0	0	0	0	0

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2016	1	0	2	0	3
Dating Violence	2016	0	0	0	0	0
Stalking	2016	2	0	0	0	2

NO HATE CRIMES WERE REPORTED IN 2016 FOR MESA COLLEGE

2016 Miramar College Campus Crime Statistics

Criminal Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-negligent Manslaughter	2016	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2016	0	0	0	0	0
Sex Offenses, Forcible	2016	-	-	-	-	-
Rape		0	0	0	0	0
Fondling		0	0	0	0	0
Sex Offenses, Non Forcible	2016	-	-	-	-	-
Incest		0	0	0	0	0
Statutory Rape		0	0	0	0	0
Robbery	2016	0	0	0	0	0
Aggravated Assault	2016	1	0	0	0	1
Burglary	2016	0	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0	0
Arson	2016	0	0	0	0	0

Arrest and Disciplinary Referrals- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2016	0	0	0	0	0
Drug Law Arrests	2016	1	0	0	0	1
Weapons Law Arrests	2016	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2016	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2016	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2016	1	0	0	0	1

Violence Against Women Act- Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2016	1	0	0	0	1
Dating Violence	2016	0	0	0	0	0
Stalking	2016	0	0	0	0	0

NO HATE CRIMES WERE REPORTED IN 2016 FOR MIRAMAR COLLEGE

*Please note: SDCCD Continuing Education is no longer participating in the Higher Education Act's HEA) Title IV student financial aid assistance program is no longer required to classify campus crime statistics and security information.*

## PART 6: REFERENCE

### **Additional Definitions**

There are numerous terms used by the San Diego Community College District in our policy and procedures.

Clery Crime Definitions, Per the Uniform Crime Reporting Handbook

#### **Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

#### **Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, person property, etc. .

#### **Burglary**

The unlawful entry of a structure to commit a felony or a theft.

#### **Criminal Homicide**

These offenses are separated into two categories: murder and non-negligent manslaughter, and negligent manslaughter.

a) Murder and non-negligent manslaughter: The willful (non-negligent) killing of one human being by another.

b) Manslaughter by negligence: The killing of another person through gross negligence .

#### **Motor Vehicle theft**

The theft or attempted theft of a motor vehicle.

#### **Robbery**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or causing the victim fear.

#### **Drug law Violations**

Violations of state and local laws relating to the unlawful possession, sale, use, growing,

manufacturing, and making of narcotic drugs . The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

#### **Liquor law Violations**

The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned . (Drunkenness and driving under the influence are not included in this definition.)

#### **Weapon law Violations**

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned .

#### **Hate crimes**

A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/ national origin.

- Race. A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguishes them as a distinct division of humankind (e.g., Asians, blacks or African Americans, whites).
- Gender. A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender (e.g., male or female).

- **Gender identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity (e.g., bias against transgender or gender non-conforming individuals). Gender non-conforming describes a person who does not conform to the gender-based expectations of society (e.g., a woman dressed in traditionally male clothing or a man wearing makeup.) A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
- **National origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or

because they are married to or associate with people of a certain national origin.

- **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### **Larceny/theft**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles, motor vehicle parts and accessories, shoplifting, pocketpicking, or the stealing of any property or article that is not taken by force and violence or by fraud.

### **Simple Assault**

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness .

### **Intimidation**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

### Terms Related to Clery Geography

#### **On campus**

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor) .



**Public property**

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Non-campus building or property**

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Definitions of Dating Violence, Domestic Violence, Sexual Assault, and Stalking Under the California Penal Code

**Dating Violence**

13700. As used in this title:

(a) "Abuse" means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.

(b) "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as spouses, (5) the continuity of the relationship, and (6) the length of the relationship.

**Rape/Statutory rape**

261. (a) Rape is an act of sexual intercourse

accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

- (1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman- Petris-Short Act (Part 1(commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.
- (2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
- (3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.
- (4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:
  - (A) Was unconscious or asleep.
  - (B) Was not aware, knowing, perceiving, or cognizant that the act occurred.
  - (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
  - (D) Was not aware, knowing,

perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

- (5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief .
- (6) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.
- (7) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official . As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(A) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of

the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(B) As used in this section, "menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.

261.5. (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.

(b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.

(c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

261.6. In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, "consent" shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will . The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under

Section 261, 262, 286, 288a, or 289. Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.

261.7. In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent .

262. (a) Rape of a person who is the spouse of the perpetrator is an act of sexual intercourse accomplished under any of the following circumstances:

- (1) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
- (2) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused.
- (3) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:
  - (A) Was unconscious or asleep.
  - (B) Was not aware, knowing, perceiving, or cognizant that the act occurred.
  - (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
- (4) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the

perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

- (5) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official . As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.
  - (A) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.
  - (B) As used in this section, "menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.

263. The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime .

### **Sexual Battery**

243.4. (a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose

of sexual arousal, sexual gratification or sexual abuse, is guilty of sexual battery . A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000) .

(b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery . A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000) .

(c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery . A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000) .

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two

thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(e)

- (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars (\$3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment.

Notwithstanding any other provision of law, any amount of a fine above two thousand dollars (\$2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Department of Fair Employment and Housing for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2 .8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment . However, in no event shall an amount over two thousand dollars (\$2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full .

- (2) As used in this subdivision, "touches" means physical contact with another

person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(f) As used in subdivisions (a), (b), (c), and (d), “touches” means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(g) As used in this section, the following terms have the following meanings:

- (1) “Intimate part” means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.
- (2) “Sexual battery” does not include the crimes defined in Section 261 or 289.
- (3) “Seriously disabled” means a person with severe physical or sensory disabilities.
- (4) “Medically incapacitated” means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.
- (5) “Institutionalized” means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.
- (6) “Minor” means a person under 18 years of age.

### Stalking

646.9. (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison .

[...]

(e) For the purposes of this section, “harasses”

means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose.

(f) For the purposes of this section, “course of conduct” means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.”

(g) For the purposes of this section, “credible threat” means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family . It is not necessary to prove that the defendant had the intent to actually carry out the threat. The present incarceration of a person making the threat shall not be a bar to prosecution under this section. Constitutionally protected activity is not included within the meaning of “credible threat.”

(h) For purposes of this section, the term “electronic communication device” includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers . “Electronic communication” has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.

285. Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison .



Victims' Bill of Rights 2009: Marsy's Law  
California Constitution, Article I, Section 28(b)

In order to preserve and protect a victim's rights to justice and due process, a victim shall be entitled to the following rights:

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| <p>(1) To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.</p> <p>(2) To be reasonably protected from the defendant and persons acting on behalf of the defendant.</p> <p>(3) To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.</p> <p>(4) To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law .</p> <p>(5) To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.</p> <p>(6) To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.</p> <p>(7) To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the</p> | <p>(8) To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.</p> <p>(9) To a speedy trial and a prompt and final conclusion of the case and any related post- judgment proceedings.</p> <p>(10) To provide information to probation department an officialr conducting a presentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.</p> <p>(11) To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.</p> <p>(12) To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.</p> <p>(13) To restitution.</p> <p>(A) It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.</p> <p>(B) Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.</p> |
|---|---|

- (C) All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
- (14) To the prompt return of property when no longer needed as evidence.
- (15) To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified upon request, of the parole or other release of the offender.
- (16) To have the safety of the victim, the victim’s family, and the general public considered before any parole or other post-judgment release decision is made.
- (17) To be informed of the rights enumerated in paragraphs (1) through (16).

- North City Center
- West City Center – Point Loma
- Disposition Definitions
- AR – Arrest Made
- AS – Assisted
- AV – Advised
- BT – Vehicle Boot
- CC – Call Cancelled
- CI – Cite Issued
- ES – Escort from/Ask to Leave Campus
- FA – False Alarm
- FI – Field Interview
- GA – Gone on Arrival
- IM – Impounded Vehicle
- IN – In House Report/153
- IO – Information Only
- OK – Checks Okay
- PC – Parking Cite
- PR – Pending Recall
- R – Report Taken
- UC – Unable to Locate
- UN – Unfounded
- V – Verbal Warning
- W – Warning Issued

**Daily Crime Log**

The College Police Department’s Daily Crime Log provides details about crimes that have been reported to the San Diego Community College District Police Department. It is updated on a daily basis and includes the nature/classification, date reported, date occurred, time, general location, provided the information is available.

Disposition Definitions are provided below. Hard copies of the Daily Crime Log (referred to as the Media Bulletin within SDCCD) are available in the following offices on each campus and Continuing Education during normal business hours:

- College police business offices
- City College . . . . . V-100
- Mesa College . . . . . Q-100
- Miramar College . . . . . T-100
- Continuing education business offices
- Centre City Cesar Chavez
- Education Cultural Center Mid-City

According to Federal Law, an institution may withhold any of the required fields of entry, i.e. the nature, date, time, location and/or disposition if any of the following conditions apply:

- The disclosure is prohibited by law
- If disclosure would jeopardize the confidentiality of the victim
- If disclosure would jeopardize an ongoing criminal investigation or the safety of an individual
- If disclosure would cause a suspect to flee or evade detection



- If disclosure would result in the destruction of evidence



**SAN DIEGO COMMUNITY COLLEGE DISTRICT**

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