



Policy

**3515 Reporting of Crimes**

The Chancellor shall assure that, as required by law, reports are prepared of all occurrences reported to Campus Safety and Security of, and arrests for, crimes committed on campus that involve violence, hate violence, stalking, theft or destruction of property, illegal drugs, or alcohol intoxication. The Chancellor shall further assure that required reports of non-criminal acts of hate violence are prepared. Such reports shall be made available as required by law.

**References:**

Education Code Section [67380](#)

**Adopted:** July 13, 2016

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## Administrative Procedure

### 3515 Reporting of Crimes

Members of the District who are witnesses or victims of a crime should immediately report the crime to Campus Safety, as long as there is no longer a threat to their safety. If a life-threatening emergency situation still exists the crime should be reported by calling 911 and then contacting Campus Safety as soon as practicable.

In the event an employee is assaulted, attacked, or menaced by a student, the employee shall notify his/her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted, or menaced shall assist the employee to promptly report the attack or assault in the same manner as listed above. The supervisor himself/herself shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

As per the Clery Act, the District shall publish warnings and emergency notifications to the campus community about the following crimes, and/or when there is an ongoing and continuing threat to the college community, or when such information will enhance the overall safety of the community:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;
- Domestic violence, dating violence and stalking;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to local law enforcement having jurisdiction over the District property near the location where the incident occurred and shared with the college in a timely manner;
- Those that are considered to represent a continuing threat and/or menace to other students and employees, such as in stalking.

If a situation arises, either on or off campus, that, in the judgment of the Campus Safety Supervisor, Director of District Security, or the Vice President of Administrative Services for each of the respective colleges, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. Timely warnings are provided to the entire campus community and are reserved for situations where a Clery crime occurring in Clery geography poses a serious or ongoing threat to the campus community. The warning may be issued through any or all of these methods: text messaging, on campus loud speakers,

1 automated phone calls, and the college e-mail system to students, faculty, and staff. The information  
2 shall be disseminated by Campus Safety in a manner that aids the prevention of similar crimes.

3  
4 Depending on the particular circumstances of the crime, especially in all situations that could pose an  
5 immediate threat to the community and individuals, the Campus Safety Supervisor may also post a notice  
6 on the District or College web sites at: [www.yosemite.edu](http://www.yosemite.edu), [www.mjc.edu](http://www.mjc.edu), or [www.gocolumbia.edu](http://www.gocolumbia.edu),  
7 providing the community with more immediate notification. The websites are immediately accessible via  
8 computer by all faculty, staff, and students. Anyone with information warranting a timely warning should  
9 report the circumstances to Campus Safety, by phone: Modesto Junior College – (209) 575-6351, Columbia  
10 College – (209) 588-5167, or in person at the respective college Campus Safety office.

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

14  
15 If there is an immediate threat to the health or safety of students or employees occurring on campus, the  
16 District shall follow its emergency notification procedures.

17  
18 The District shall annually collect and distribute statistics concerning crimes on campus. All college staff  
19 with significant responsibility for student and campus activities shall report crimes about which they  
20 receive information.

21  
22 The District shall publish an Annual Security Report every year by October 1 that contains statistics  
23 regarding crimes committed on campus and at affiliated locations for the previous three years. The  
24 Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use,  
25 crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline,  
26 campus resources, and other matters. The District shall make the report available to all current students  
27 and employees. The District will also provide prospective students and employees with a copy of the  
28 Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting  
29 Campus Safety at the numbers listed above or on each college's Campus Safety website - MJC:  
30 [www.yosemite.edu/safety](http://www.yosemite.edu/safety) or Columbia: [www.gocolumbia.edu/safety/default.php](http://www.gocolumbia.edu/safety/default.php).

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32 **To Report a Crime:**

33 Contact Campus Safety at the numbers listed above (*non-emergencies*) and/or dial 9-1-1 (emergencies  
34 only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside  
35 buildings should be reported to Campus Safety.

36  
37 If you are the victim of a crime and do not want to pursue action within the District's System or the criminal  
38 justice system, you may still want to consider making a confidential report. With your permission, the  
39 Campus Safety can file a report on the details of the incident without revealing your identity. The purpose  
40 of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to  
41 ensure the future safety of yourself and others. With such information, the District can keep an accurate  
42 record of the number of incidents involving students, determine where there is a pattern of crime  
43 regarding a particular location, method, or assailant, and alert the campus community to potential danger.  
44 Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

45  
46 Campus Safety encourages anyone who is the victim or witness to any crime to promptly report the  
47 incident to the local law enforcement agency. Because law enforcement reports are public records under  
48 state law, local law enforcement agencies may only keep specific crimes confidential. Additionally,

1 California Penal Code Section 6254 delineates what information is releasable. Confidential reports for  
2 purposes of inclusion in the annual disclosure of crime statistics can generally be made to Campus Safety  
3 authorities as identified below. Confidential reports of crime may also be made to Campus Safety –  
4 Modesto Junior College: (209) 575-6351; Columbia College: (209) 588-5167.

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

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

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

21  
22 **References:**

23 Education Code Sections [212](#), [67380](#), [67383](#), and [87014](#); Penal Code Sections [245](#) and [422.55](#); [Jeanne Clery](#)  
24 [Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998](#); 20 United States Code  
25 Section [1232g](#); 34 Code of Federal Regulations Parts [99.31 subdivisions \(a\)\(13\), \(14\)](#) and [668.46](#); [Campus](#)  
26 [Security Act of 1990](#)

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