

ADMINISTRATIVE REGULATION 3515

SOUTH ORANGE COUNTY
COMMUNITY COLLEGE DISTRICT

GENERAL INSTITUTION

REPORTING OF CRIMES AND/OR SAFETY CONCERNS AND NOTIFICATIONS PROTOCOLS

I. REPORTING A CRIME

Witnesses or victims of a crime should immediately report the crime to Campus Police. Any suspicious activity or person seen on District property, including loitering around vehicles or inside buildings, should be reported to the Campus Police at:

SADDLEBACK COLLEGE

Campus Police Department at (949) 582-4585 (non-emergencies) and dial (949) 582-4444 or 9-1-1 (emergencies only).

IRVINE VALLEY COLLEGE/ATEP

Campus Police Department at (949) 451-5200 (non-emergencies) and dial (949) 451-5234 or 9-1-1 (emergencies only).

In the event an employee is assaulted, attacked, or menaced, the employee shall notify their supervisor as soon as possible after the incident who will assist the employee to promptly report the incident to the Campus Police. The supervisor 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. The supervisor will fill out an incident report within 24-hours of the incident or knowledge thereof and refer the employee to medical and/or mental health services as soon as possible.

The District will instruct members of the Campus Police Departments to notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the District in addition to filing a criminal complaint, and, if complainant consents, to report incidents of sexual violence to the following offices:

SADDLEBACK COLLEGE

Title IX Officer, Vice President for Student Services – dial (949) 582-4566

IRVINE VALLEY COLLEGE/ATEP

Title IX Officer; Vice President for Student Services – dial (949) 451-5624

II. NOTIFICATIONS AND TIMELY WARNING

The District shall publish warnings to the campus community about the following crimes:

Adopted: 06-13-19
Revised: 09-07-23

- 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 the Campus Police; and
- Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the college Chief of Police or designee constitutes a serious, ongoing or continuing threat, a campus-wide “timely warning” will be issued. The warning will be issued through the college-wide communication systems to students, faculty, staff, and visitors. The information shall be disseminated by the college Chief of Police or designee in a manner that aids the prevention of similar crimes. The warning must include at least one prevention tip per the Jeanne Clery Act.

Depending on the particular circumstances of the incident, especially in all situations that could pose an immediate threat to the community and individuals, or as a public advisory, the college may also post a notice on the campus-wide communication systems and/or on the college website.

The District shall not be required to provide a timely warning with respect to crimes reported to a certified therapist or mental health professional.

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

III. ANNUAL SECURITY REPORT

Each college shall annually collect and distribute statistics concerning crimes on campus. College employees with significant responsibility for student and campus activities, designated as campus security authority, shall report crimes about which they receive information.

Each college shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources, and other matters. Each college shall make the report available to all current students and employees. Upon request, each college shall provide prospective students and employees with a copy of the Annual Security Report. A copy of the Annual Security Report can be obtained by contacting Campus Police at each campus at the non-emergency number provided above.

IV. CONFIDENTIALITY RELATED TO REPORTING

Victims of a crime who do not want to pursue action within the colleges' or District's systems or the criminal justice system may still want to consider making a confidential report. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, the colleges can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the college.

The Campus Police departments encourage anyone who is the victim of or witness to any crime to promptly report the incident to the police. Police reports are public records under state law; therefore, the Campus Police departments cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other Campus Security Authorities (CSAs). Confidential reports of crime may be made to CSAs listed in the Colleges' Annual Security Reports posted on the colleges' websites.

V. REQUIRED REPORTS TO LOCAL LAW ENFORCEMENT AGENCY

Any report of willful homicide, forcible rape, robbery, aggravated assault, sexual assault, or hate crime committed on or off campus that is received by a campus security authority and made by the victim for the purposes of notifying the college or law enforcement must be immediately, or as soon as practicably possible, disclosed to the local law enforcement agency and to the Office of Risk Management. The report shall not identify the victim, unless the victim consents to being identified after the victim has been informed of their right to have their personally identifying information withheld. If the victim does not consent to being identified, the alleged assailant shall not be identified in the information

disclosed to the local law enforcement agency unless the institution determines that both of the following apply, in which case the college shall disclose the identity of the alleged assailant to the local law enforcement agency and notify the victim of the disclosure:

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

VI. NOTIFICATION PROTOCOL FOR CONCERNING ACTS (DISRUPTIVE, DISTURBING ACTS OR COMMUNICATION RECEIVED, HEREAFTER REFERRED TO AS CONCERNING COMMUNICATIONS/ACTS)

Upon awareness of any non-criminal, but disruptive or disturbing act and/ or receipt of any concerning communication relating to an employee, the communication or information shall be forwarded to the Office of the President and District Human Resources. Once received, the following steps will be followed:

A. Step One

An initial risk assessment team is assembled to assess the issue that is cause for concern. The assessment team shall be composed of the following:

- 1. the college president or designee;
- 2. the Campus Police department; and
- 3. the Vice Chancellor of Human Resources or designee.

The initial risk assessment team will determine whether or not immediate action needs to be taken to prevent or control potential harm and whether or not a temporary restraining order should be sought to protect the employee(s).

B. Step Two

Human Resources shall initiate appropriate and necessary notification to the affected employee (Collective Bargaining Unit (CBU) member if a represented employee is involved) when deemed appropriate and as soon as possible. Due to the District's potential need to balance the legal rights of multiple individuals when incidents occur, the employee (CBU member) shall be required to maintain the information in confidence with the exception of discussions with the union president.

C. Step Three

A general and confidential notification by a District official such as the Vice Chancellor of Human Resources or designee is made when appropriate and as soon as possible to the CBU president or designee (if a represented employee is involved). Such notification will outline the issue causing concern, the assessment made by the initial risk assessment team, and the plan of action, if one has been determined.

Depending on the initial risk assessment team's determination of the degree of risk and the plan that is implemented to address the concern, the union president or designee may or may not continue to be involved in the process.

D. Step Four

A timely implementation of any additional safety measures and/or coordinating support services for the affected employee through the District's Employee Assistance Program.

VII. PROTOCOL CONSIDERATIONS

- A. The CBU's leadership will abide by the state/federal and/or local guidelines to protect an active law enforcement or District investigation. State, federal, or local laws or active law enforcement or District investigations may limit the District's ability to provide specific and/or detailed information related to a complaint/communication received by the District.
- B. The CBUs understand and agree that any information provided to the union president and/or designee shall remain confidential.
- C. If the cause for concern involves a specific complaint made against a represented CBU member, the CBUs understand and agree that it is the purview of the CBU member as to whether or not the CBU member will agree to involvement by the cognizant CBU. In such a case, immediate communication from the District to the CBU member will occur advising them that they have a right to representation by their cognizant CBU, and seek approval to update the Association.

References:

*Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998
Education Code Sections 67380, 67383, and 87014*