

Policy 2.45 **Crime Awareness and Campus Security**

It is the policy of the Peralta Community College District to comply with the letter and spirit of the Crime Awareness and Campus Security Act of 1990, (20 U.S.C. Section 1092 f) the "Act."

A. **Procedures and Facilities for Students and Employees to Report Criminal Acts and Other Emergencies at Each of the Four colleges and the Administrative Offices of the District and the District's Response to Those Reports**

1. Peralta Police Services of the District shall be primarily responsible for carrying out the mandates of the Act on three of the four colleges and the Administrative Offices of the District. A College Administrator shall be responsible for Berkeley City College.

(a) Peralta Police Services, in consultation with the Colleges, will develop rules and regulations to implement these policies and to carry out its duties and responsibilities.

(b) Peralta Police Services shall, from time to time, file reports with the Board of Trustees of the District to comply with the Act, and to report problems that have arisen in its enforcement, and the costs of carrying out its responsibility.

2. Peralta Police Services shall develop procedures and methods to respond to reports of crime and other emergencies throughout the District.

(a) Peralta Police Services shall investigate or make appropriate referral of the occurrence of on-campus murder, criminal sexual assault, criminal sexual abuse, robbery, aggravated assault, aggravated battery, burglary, motor theft, arson, liquor law violations, drug abuse violations, weapons' possessions, and other emergencies occurring on the campus which are considered to be a threat to the safety of students and employees.

(b) The reports of these occurrences shall be reviewed by Peralta Police Services to determine if the information gathered can assist the District in its security program.

(c) Timely warnings shall be made to students, employees and the colleges after such occurrences. The type and nature of the report shall be determined by the Peralta Police Services. Notice of occurrences shall be placed on bulletin boards, in campus newspapers, and other informational dissemination methods designed to inform students and employees of criminal occurrences on the campus. Peralta Police Services shall work with the General Counsel to develop a timely warning policy. The Policy shall include:

1. Circumstances triggering a warning (e.g., as determined by the College President or designee.)
2. Who is responsible for issuing timely warnings (e.g., police in coordination with the College President or designee via e-mails and bulletins.)

(d) The Peralta Community College District and appropriate college organizations shall provide reasonable support services and resources to crime victims and to the victims' families.

3. In the event that a student or employee who has committed a crime on campus is subject to discipline by the college or District, the victim of the crime shall, at the discretion of Peralta Police Services, be permitted to obtain the results of that disciplinary proceeding, within three (3) days of the results of such disciplinary action or appeal, in accordance with California Education Code Section 76234. The alleged victim shall keep the results of that disciplinary action or appeal confidential.

4. Definitions of students and employees.

(a) "Student" is defined as any person enrolled in one (1) or more courses of study for academic credit.

(b) "Employee" is defined as a part-time or full-time person with scheduled hours of employment on campus under the direction and control of the institution and its agents.

B. Security and Access to College and District Administrative Center Facilities and Security Considerations in Maintaining College and District Administrative Center Facilities

1. Peralta Police Services, in consultation with the colleges, will develop rules and regulations on access and security of college and District Administrative Center facilities, including parking, vehicle registration, and sign-in procedures.

2. Peralta Police Services shall inspect lighting, landscaping, and the college's physical plant (doors, locks, etc.) to determine what improvements, if any, need to be made for security on the campus, subject to available funds of the District.

3. Peralta Police Services will examine or cause to be examined all campus facilities to determine if any security concerns exist in those facilities.

4. Definition: Campus

(a) "Campus" is defined as any building or property owned or controlled by a college of the District within a reasonably contiguous geographic area, and used by a college of the District in direct support of or related to its educational purposes, or any building or property owned and controlled by student organizations recognized by the college.

(b) "Campus" shall also include any building or property utilized by a college of the District, such as satellite facilities, and including the District Administrative Center.

C. Enforcement Authority of Peralta Police Services and the Encouragement to Students and Employees to Report Crimes to Peralta Police Services and to Appropriate Police Agencies

1. Members of Peralta Police Services are conservators of the peace. They work with

local, state, and federal law enforcement agencies, and they seek to protect life and property, to prevent anti-social conduct, and to preserve a secure campus environment.

(a) Peralta Police Services’ officers, as sworn peace officers under state law, possess all powers possessed by police officers in cities and sheriffs in counties, including the power to make arrests on view or by warrants of violations of state statutes, city and county ordinances of the county in which the District is located when such is required for the protection of community college properties and interests, its students and personnel, and when specifically requested by appropriate state or local law enforcement officials.

(b) Peralta Police Services is located at the District Administrative Center, 333 East Eighth Street in Oakland, California. The telephone number is (510) 465-3514. The emergency numbers are (510) 465-7236 or extension 7236 from a campus phone. The officers are on duty eighteen (18) hours per day, seven (7) days a week. By way of agreement between the Sheriff’s Office and the Peralta Community College District, local police agencies respond to calls for service only at certain hours as delineated in the memorandum of understanding. The local police departments are:

- (1) Alameda Police Department (510) 522-2423
- (2) Berkeley Police Department (510) 981-5911
- (3) Oakland Police Department (510) 777-3211

2. Peralta Police Services together with the Dean or Vice President of Student Services of each college shall develop procedures and methods to encourage students and employees to report criminal actions and other emergencies occurring on campus.

3. Peralta Police Services shall report all crimes occurring on campus to appropriate police agencies, pursue cooperative relationships with municipal, state, and federal law enforcement agencies, and when requested, shall aid in any investigations or apprehensions on campus.

4. Student employees shall be encouraged to report crime on campus to Peralta Police Services and appropriate police agencies.

(a) Peralta Police Services shall periodically distribute appropriate written material to explain the importance of crime reporting and the procedure.

(b) Periodic public information displays shall be prepared by Peralta Police Services.

(c) Peralta Police Services shall make crime prevention presentations to student and employee groups at least once per term.

D. Informing Students and Employees About Campus Security Procedures and Practices to Encourage Students and Employees to be Responsible for Their Own Security and the Security of Others

1. Peralta Police Services shall inform students and employees about campus security

measures to encourage all persons to be concerned about a secure campus environment and to be aware of security concerns on the campus.

(a) Peralta Police Services shall develop programs and distribute materials about campus security procedures to students and employees. Security presentations will be conducted at appropriate times, including pre-enrollment and orientation visits.

(b) Peralta Police Services will develop appropriate publications about security topics, programs, procedures, and personnel.

2. Students and employees shall be educated as to their responsibility for personal security and for the security of others.

(a) Education shall be through appropriate programs and educational booklets.

(b) The campus community will also be informed about security matters via the campus media.

E. Programs to Inform Students and Employees About the Prevention of Crime

Peralta Police Services shall develop programs to inform students and employees about the prevention of crimes.

(a) Peralta Police Services shall work with the Dean of Student Services and appropriate employee organizations at each college in the development of these programs. The College Dean is responsible for this process.

(b) Peralta Police Services shall also work with local law enforcement officials in securing appropriate written material, presenting programs, and developing regulations to implement this plan.

F. Possession, Use and Sale of Alcoholic Beverages and Illegal Drugs and Drug Abuse Education Programs

1. Students and employees are prohibited from bringing or using, alcohol or illegal drugs on campus or during any college activity. An exception to the alcohol possession and use rule may be made at the discretion of the Board of Trustees or designee in specific circumstances, and in designated campus areas, where permitted by law.

2. The Dean or Vice President of Student Services and Peralta Police Services shall develop appropriate materials to be distributed to all students and employees explaining state and federal laws on the use, possession, and sale of alcohol and illegal drugs on and off campus at college activities, and prepare educational programs on alcohol or drug abuse.

3. Students who violate state or federal law or college policies relating to alcohol or drugs on campus or at college activities off-campus where appropriate, will be referred to counseling and are

subject to prosecution by local, state, and federal officials and are subject to discipline under the

California Education Code or other applicable California statute.

4. Employees who violate state or federal law or the college policies relating to alcohol or drugs while on campus or at college activities off-campus where appropriate, will be referred to counseling and are subject to prosecution by local, state, and federal officials and are subject to discipline under collective bargaining agreements, California statute and campus policies.

5. All employees directly engaged in performance of work pursuant to the provisions of a federal grant or federal contract in excess of \$25,000, and students who are Pell Grant recipients, must notify the college within five (5) days of any criminal drug statute conviction for a violation occurring on or off college premises while conducting college business or activities. The college shall within ten (10) days after receiving such notice, inform the federal agency providing the grant of such conviction, and within 30 days following the notification of the conviction if appropriate disciplinary action shall be taken against such employee or student. Employees or students may be required, at their own expense, to participate satisfactorily in a substance abuse or assistance or rehabilitation program.

G. Gathering Crime Statistics Concerning Crime on the Campus

1. Peralta Police Services shall be responsible for gathering of statistics concerning the occurrence of crime on campus which has been reported to campus security authorities or local police agencies.

2. Definitions

(a) "Reported" is defined as an official designation by a police officer, public safety officials, or persons possessing authority to determine if a crime has occurred.

(b) An "arrest" has occurred when a law enforcement officer has detained an individual with the intention of seeking charges against the person for a specific offense(s), and a record is made of the detention.

3. Statistics shall be compiled in accordance with the definitions used in the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, and the modification of such definitions made by the Hate Crimes Act.

4. The following on-campus crimes and occurrences will be collected and reported (These definitions conform to California law):

(a) Murder: The unlawful killing of a human being, with malice aforethought.

(b) Rape: An act of sexual intercourse by the use of force or the threat of force, violence, duress, menace, threat of retaliation or use of authority or where the victim was unable to understand the nature of the act or otherwise unable to give knowing consent or otherwise prevented

(c) Sexual Battery: The unlawful touching of an intimate part of a person by another while the victim is unlawfully restrained, or institutionalized for medical treatment and seriously disabled or medically incapacitated, by the accused or an accomplice, against the will of the person touched and for the purpose of sexual arousal, sexual gratification or sexual abuse.

(d) Aggravated Assault: An unlawful attempt to commit a violent injury on the person of another which involves any of the following: use of a deadly weapon, or force likely to produce great bodily injury; knowledge by the offender that the victim is a peace officer, fire fighter, emergency medical care personnel, transportation worker or custodial officer acting in execution of official duties; with caustic chemicals; use of a temporarily immobilizing weapon, or occurring on school property against a school district police officer.

(e) Burglary: The unlawful entry of a building, tent vessel, floating home, railroad car, cargo container, trailer coach, house care, inhabited camper, aircraft, mine or locked auto with the intent to commit a petty or grand theft, or any felony.

(f) Motor Vehicle Theft: The theft of a motor vehicle.

(g) Robbery: The taking of personal property from the person or immediate presence of, and against the will of, another, by means of force or fear.

(h) Arson: The act of intentionally and maliciously destroying or damaging property through the use of fire.

5. Statistics concerning the number of arrests for these crimes shall also be reported.

(a) Liquor Law Violation: Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages (with the exception of "driving under the influence.")

(b) Drug Abuse Violations: Violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation or use.

(c) Weapons Violations: Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

6. Statistics will be gathered by Peralta Police Services for the period beginning January 1, 1989, through December 31, 1991, and any two preceding years for which the data are available and shall be published annually by Peralta Police Services in a document entitled "Annual Report."

(a) The report shall contain summary descriptions of all polices on crime awareness and campus security, and statistics concerning the crimes reported to the campus security authorities and local police agencies.

(b) The report shall be disseminated to students, employees, and other interested persons.

(c) The report shall be published in the college newspaper and a notification of its availability shall be published in newspapers of general circulation in the territory served by the District.

(d) The annual report shall be available at Peralta Police Services Office for distribution to persons who inquire about that report in person or by mail or telephone. The annual report shall be submitted upon request to the United States Secretary of Education.

H. Monitoring and Recording Criminal Activity Occurring at Recognized Off-Campus Student Organizations Attended by College Students

1. Each college will monitor students' activities in off-campus student organizations attended by its students.

(a) Each college will maintain a system of student organization recognition and accreditation for any off-campus student organization.

(b) Each college, through Peralta Police Services, will cooperate with local police agencies in monitoring any criminal activity occurring, or reported, involving recognized off-campus student organization's activity attended by its students.

2. If any problems occur related to off-campus criminal activity in off-campus organizations, Peralta Police Services will prepare a report with suggestions for resolving those problems.

Source of Law:

The Jeanne Clery Act

Approved by Board of Trustees: January 26, 1993

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