



Southwestern Community College District

# Annual Security Report 2018

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(Clery Crime Statistics 2015-2017)



## Greetings from the Southwestern College Police Department



The 2018 Annual Security Report is compiled and presented in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act of 1998. The purpose of this report is to promote campus safety by providing important information on campus safety and security policies, emergency procedures, crime prevention efforts, victims' rights and services, and procedures to follow when reporting crimes. This report contains crime statistics for the calendar years of 2015, 2016, and 2017.

The Southwestern College Police Department is committed to providing a secure campus environment. The safety of our students, faculty, and staff is our primary concern. Southwestern

College is a safe institution, but crime does occur from time to time. It is imperative the College Police Department works in collaboration with other departments of the college, students, faculty, and staff members to identify potential vulnerabilities, risks and to report criminal and suspicious activity promptly.

The Police Department works closely with the campus communities to enhance its overall effectiveness and to respond to the communities' needs through shared values and community-oriented policing efforts. Only by working together through common purpose can the safety and security of our campuses be enhanced.

I hope you find this information useful.

Thank you,

*Davis Nighswonger*

Davis Nighswonger  
Chief of Police

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# Part I Campus Safety and the Clery Act

## Introduction

**Purpose:** The purpose of the Annual Security Report is to provide important information to students, faculty and staff, visitors, and the wider community at large to promote safety and crime prevention on and around campus locations by identifying crime statistics, crime reporting and emergency response procedures, victim assistance and education programs, and other vital resources.

This report is published to comply with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" that requires colleges and universities in the United States that participate in federal student financial aid programs to disclose information about crimes occurring on and around their campuses.

## Who was Jeanne Clery?

- Jeanne Ann Clery was a 19-year-old Lehigh University freshman who was raped and murdered in her dorm room on April 5, 1986. Her parents later learned of 38 violent crimes on the Lehigh campus in the three years before her murder. They joined with other victims of campus crime and persuaded the United States Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990."

## Summary of the Clery Act

- Colleges must publish an annual report disclosing campus security policies and three years' worth of specified crime and arrest statistics.
- Colleges must make this report available to students, faculty and staff, and applicants for employment.
- Colleges must make timely warnings to the campus community about crimes that pose an ongoing threat to students and employees.
- Each institution with a police or security department must have a public crime log.
- The U.S. Department of Education centrally collects and disseminates reported statistics ([ope.ed.gov/security](https://ope.ed.gov/security)).
- Campus sexual assault victims are assured of basic rights.
- Colleges that fail to comply can be penalized by the United States Department of Education.

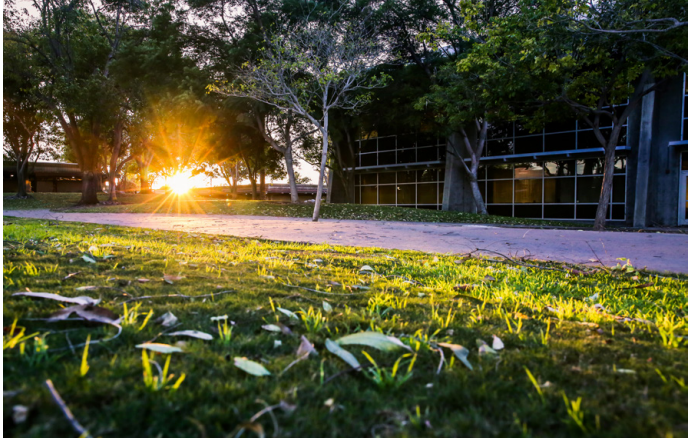
For more information on The Clery Act go to [clerycenter.org](https://clerycenter.org).

## Reporting Policy for Annual Crime Statistics

The Office of Student Services, the Title IX Office, and the College Police Department are involved in a coordinated effort to generate data, compile and report crime, arrest and student disciplinary statistics contained in this report. District employees who hold significant responsibilities for students and campus activities (aka "Campus Security Authorities" as identified by the Clery Act) also provide reportable crime incident information for this report. Those law enforcement agencies with jurisdiction in the Southwestern Community College District Clery Geography (On Campus, Non-campus, Public Property) are solicited for Clery crime statistics, which are also included in this report. The College Police Department closely reviews all data to ensure accuracy and to avoid any possible duplication.

All policy statements contained in this report apply to all campuses unless otherwise indicated.

# Southwestern College Police



It is the policy of the Southwestern Community College District Governing Board to protect the college community and to protect the property of the District. This responsibility is entrusted to the College Police Department, which ensures that reasonable protection is provided by using methods that fit within and contribute to the educational philosophy of the institution.

Governing Board Policy 7600 has established the College Police Department:

*The Governing Board of Southwestern Community College District has established a District Police Department under the supervision of the Chief of Police, a classified administrator.*

*The Police Department shall have jurisdiction to enforce the law on or near the Chula Vista campus, educational centers, and other facilities or properties owned, operated, controlled or administered by the District.*

*The mission statement of the District Police Department is as follows: "In partnership with our campus community, we provide the highest quality public safety services."*

*The Governing Board shall establish minimum qualifications of employment for the Chief of Police including, but not limited to, prior employment as a peace officer or completion of a peace officer training course approved by the Commission on Peace Officers' Standards and Training (POST).*

*District Police Officers shall be employed as members of the classified service but shall, when duly sworn, be peace officers as defined by law. Prior to employment, police officers shall satisfy the POST training requirements set forth in Penal Code Sections 830, et seq.*

The College Police Department is staffed with personnel to provide law enforcement and public safety services from the hours of 5am through 12:00 am, Monday through Saturday except for holidays and designated academic breaks. Dispatchers are available to answer your calls and inquiries. In response to a call for service, the College Police will take the required action, either dispatching an officer to a campus location or asking the informant or victim to report to the College Police office at Room 105D to receive services or file an incident report.

## When to Contact College Police

- You are a victim of a crime.
- You see a crime being committed.
- You see or become aware of an emergency or life-threatening situation that could include a natural or man-made disaster or medical emergency.
- You see or become aware of an act of violence or threat of violence.
- You see or become aware of suspicious persons or activities.
- You want to report unsafe conditions on college property.
- You want an escort to your vehicle.
- You feel unsafe for any reason.
- You need police assistance for any reason

College Police Officers are sworn peace officers in compliance with the California Education Code 72330 and the California Penal code 830.32(a). They receive the same core training as all peace officers in San Diego County and in the State of California. They have enforcement authority on or about the campus, which is to enforce federal and state laws as well as institutional policies. College Police Officers also have jurisdiction to operate on Southwestern Community College District owned or controlled property, adjacent properties and public streets, and ultimately throughout the State of California in cooperation with other government agencies and mutual aid situations. College Police Officers have the authority to make arrests on and around the campuses of the Southwestern Community College District and throughout the State of California. The College Police Department employs Campus Service Officers and Public Safety Assistants who are non-sworn members. Campus Service Officers and Public Safety Assistants perform security and parking functions and are tasked with reporting crimes, suspicious activity, and other public safety concerns.

All reported crimes will be investigated and may become a matter of public record. All student conduct-related incident reports are forwarded to the Dean of Student Services for review and potential action. If assistance is required from the local police agencies or the local fire department, the College Police will contact the appropriate department. If a sexual assault or rape should occur, College Police Officers will offer the victim a variety of services and assistance.

The College Police Department maintains a strong working relationship with state and local police agencies. The College Police Department regularly interacts and collaborates with the Chula Vista Police Department, the National City Police Department, the San Diego Police Department, and the California State Parks Department, whose jurisdiction is in and around the campuses of the Southwestern Community College District.

Southwestern Community College District has recognized student organizations and activities that occur on non-campus locations in the nearby communities served by their own law enforcement agencies. If these local enforcement agencies respond to incidents or reports of crime on public or private property, that agency will typically notify the College Police to respond with them or they will notify the College Police after having responded to provide information about the situation. However, local law enforcement agencies perform this function out of courtesy and are not required to notify or involve the College Police Department. The Southwestern Community College District does not have officially recognized student organizations that own or control housing facilities.



# College Police Contact Information

The College Police Department can be contacted via phone, MYPD phone application, via emergency blue pole, through email or in person during operating hours:

## Phone Contact

### Emergencies

College Police Emergency **(619) 216-6691** or Extension **6691** from a Campus Phone or Emergency Phones in classrooms dial directly to College Police when the receiver is picked up or Dial **\*91** from a Campus Pay Phone or Utilize Emergency Blue Pole intercoms with College Police from various campus locations and parking lots.

### Non-Emergencies

College Police Dispatch **(619) 482-6380** or College Police TTY **(619) 216-6628**  
Email at [CampusPolice@swccd.edu](mailto:CampusPolice@swccd.edu)

### MYPD Phone Application:

This downloaded phone application provides easy and quick communication with the Police Department. Users can submit questions and provide crime tips. However, emergency situations should be reported via phone.

## In Person Service

In person contact and service can be made by going to Room 105D of the Chula Vista Main Campus during business hours.

## Access to College Facilities

The Southwestern Community College District is a public institution and during normal business hours, college buildings are open to the public. After normal business hours, college facilities are usually locked and not open to the general public. Many college rooms and areas are protected by intrusion alarms. Before entering such areas, College Police dispatch should be notified by calling (619) 482-6380.

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, College Police staff, and contract security personnel will check many of the areas of the campus during off hours, but the primary responsibility for security lies with the user.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. College Police Officers and other staff members regularly patrol the campus grounds of the Southwestern Community College District and report malfunctioning lights or other unsafe conditions to the Facilities Department. Members of the campus communities are also helpful when they report equipment problems to the College Police or the Facilities Department.

## Staff and Facility Keys

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.

# Southwestern Community College District: Non-Discrimination Policy

Governing Board Policies 3410 and 3430 prohibit discrimination and harassment.

## **Governing Board Policy 3410**

*The District is committed to equal opportunity in educational programs, employment, and all 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, 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 he/she 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.*



*The Superintendent/President shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.*

*No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/she is perceived to have one or more of the foregoing characteristics, or because of his/her association with a person or group with one or more of these actual or perceived characteristics.*

## **Governing Board Policy 3430**

*All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. Southwestern Community College District (College District) is committed to providing an academic and work environment that respects the dignity of all individuals and groups. The College District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, or military and veteran status, or because they are perceived to have one or more of the foregoing characteristics.*

*The College District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the College District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the College District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.*

Any student, employee, unpaid intern, or volunteer who believes that they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention to the Vice President for Human Resources. The College District will, consistent with recommendations to the Statewide Association of Community Colleges (SWACC) Memorandum of Coverage (MOC), provide written notice to The Authority within thirty (30) days of incidents involving molestation, sexual assault, and abuse. The notice shall contain particulars including names and addresses of the injured, unless the injured person requested anonymity as provided by relevant state and federal statutes and regulations.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the Superintendent/President shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures that define harassment on campus. The Superintendent/President shall further establish procedures for employees, students, unpaid interns, volunteers, and other members of the campus community that provide for investigation and resolution of complaints regarding harassment and discrimination, and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the College District, its employees, students, and agents.

This policy and related written procedures (including the procedure for making complaints) shall be widely published and publicized to administrators, faculty, staff, students, unpaid interns, and volunteers, particularly when they are new to the institution. They shall be available for students, employees, unpaid interns, and volunteers in all administrative offices, and shall be posted on the College District's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Unpaid interns who violate this policy and related procedures may be subject to disciplinary measures up to and including termination from their internship or other unpaid work experience program.

Southwestern Community College District does not discriminate on the basis of sex in its educational programs. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. The Southwestern Community College District addresses sexual misconduct by sponsoring educational programs and providing prevention efforts. The District has procedures that address sexual assault, domestic violence, dating violence, and stalking, when it is reported to a college or District official.

## Part II Crime Reporting Procedures



The College Police Department prides itself on the collaborative relationship it has with the college community and nearby communities. It is important that all crimes, disturbances, and circumstances that involve violence, the threat of violence, medical or mental health distress or other emergencies be reported to the College Police promptly.

Governing Board Administrative Procedures 3515 details the process for reporting crimes, maintaining a Daily Crime Log, Timely Warning Notices, Pastoral Counselors, the Annual Security Report, and Confidential Reporting.<sup>1</sup>

Board Administrative Procedure 3515 can be accessed at <https://www.swccd.edu/modules/showdocument.aspx?documentid=14988>

*AP 3515(part) Students and Employees of Southwestern Community College District who are witnesses or victims of a crime should immediately report the crime to Campus Police.*

*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 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 College District of its obligation to investigate all complaints of harassment.*

*The Campus Police Department will notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the College District in addition to filing a criminal complaint, and to report incidents of sexual violence to the Title IX Administrator if the complainant consents.*

The College Police Department receives reports of all incidents occurring on campus and is responsible for the preliminary investigation of all campus crime. In addition, the College Police Department has a memorandum of understanding with the Chula Vista Police Department to provide expanded investigative services and other assistance for incidents that require special resources for the Chula Vista campus. The College Police Department has a memorandum of understanding with the National City Police Department to provide expanded investigative services and other assistance for incidents that require special resources for the National City HEC campus. The College Police Department has a memorandum of understanding with the San Diego Police Department to provide expanded investigative services and other assistance for incidents that require special resources for the San Ysidro HEC and Otay Mesa HEC campuses.

The College Police Department encourages the prompt reporting of all crimes by victims or others with knowledge of crimes or criminal behavior. Timely and accurate reporting is essential to ensure prompt enforcement action, investigative follow-up, effective response to emergencies, quick initiation of Timely Warning Notices, and ensure annual crime statistics are accurately reported.

For immediate reporting of a crime or any other concerning incident or emergency, please contact the College Police Dispatch Center at **619-482-6380**, or dial (\*91) from any phone for direct connection. Crimes can also be reported anonymously via the San Diego County Crime Stoppers website at [sdcrimestoppers.com](http://sdcrimestoppers.com).

Individuals may also make report crimes to a Southwestern College Campus Security Authority (CSA), identified as an individual employee or college organization that has a significant responsibility for student and campus activities.

<sup>1</sup> Campus Police and College Police are used interchangeably and refer to the Southwestern College Police.

## Southwestern College CSA Officials

- Kindred Murillo, Superintendent/President..... (619) 482-6301
- Rene Kilmer, Interim Vice President of Academic Affairs ..... (619) 482-6337
- Dan Borges, Chief Information & Systems Officer ..... (619) 482-6336
- Angelica Suarez, Vice President of Student Affairs ..... (619) 482-6315
- Tim Flood, Vice President of Business & Financial Affairs..... (619) 482-6310
- Rob Unger, Acting Director of Human Resources ..... (619) 482-6330
- Lillian Leopold, Chief Information & Governmental Relations Officer ..... (619) 482-6564
- Silvia Cornejo, Dean of the Higher Educations Centers at ..... (619) 216-6755  
Otay Mesa and San Ysidro
- Chris Perri, Dean of the Higher Education Center at National City ..... (619) 216-6668  
and the Crown Cove Aquatics Center
- Jim Spillers, Dean of the School of Wellness, Exercise ..... (619) 482-6551  
Science & Athletics
- Malia Flood, Dean of Student Services ..... (619) 482-6369
- David Caspi, Title IX Officer ..... (619) 216-6619
- Any faculty advisor to a student group
- Any athletic coach

## Southwestern College CSA Organizations

- College Police Department..... (619) 482-6380
- Office of Student Services..... (619) 482-6369
- School of Counseling & Student Support Services ..... (619) 482-6379

## Additional Contact Numbers

- Dial 911 for the Local Municipal Police
- Higher Education Center Otay Mesa ..... (619) 216-6750
- Higher Education Center National City..... (619) 216-6665
- Higher Education Center San Ysidro ..... (619) 216-6790
- Crown Cove Aquatic Cente..... (619) 575-6176

## Timely Warning Notice

In the event a crime is reported or an emergency situation arises within the Southwestern Community College District Clery Geography (On Campus, Public Property and Non-campus property), that, in the judgment of the President, Cabinet Member, Chief of Police or designee, and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide "Timely Warning" notice will be issued.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter.
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger Southwestern Community College District community).
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis).
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the President, Cabinet Member, Chief of Police or designee. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson.
- Other Clery crimes as determined necessary by the President, Cabinet Member, Chief of Police or designee.
- Timely Warning Notices may also be posted for other crime classifications and locations, even though that is not required by the law, at the sole discretion of Southwestern Community College District.

Timely Warning Notices are typically written and distributed by the Chief Public Information & Governmental Relations Officer, Chief of Police or designee.

Timely Warning Notices will be issued to the campus community via email blast to all Southwestern Community College District assigned email accounts. Timely warnings may also be issued using some or all of the following methods of communication: text messages, phone calls or emails sent through the college's Regroup Alert System, or public-address systems.

## Daily Crime Log

The Southwestern Community College District maintains a Daily Crime Log that records all crimes, not just Clery Act crimes, which have been reported to the College Police. Reportable crimes include all violations of law greater than a traffic infraction occurring on the District's campuses or within the regular patrol jurisdiction of the College Police Department.

The Daily Crime Log is updated within two business days of a crime being reported and includes the date reported, date and time of occurrence, nature of the crime, the campus and location, general information, and the disposition. Disposition definitions are provided below.

**Report Taken:** A crime report of the incident was taken.

**Unfounded:** The case is determined to be false or baseless. No offense occurred nor was attempted.

**Referred for Investigation:** The case is being investigated by a local police agency (typically Chula Vista Police, National City Police or the San Diego Police).

**Referred to Student Services:** The case has been forwarded to Southwestern College Student Services. That office is responsible for reviewing the case and for determining whether the student(s) involved will be charged with a violation(s) of the Student Code of Conduct.

**Referred to the Title IX Administrator/Office:** The case has been forwarded to the Title IX Administrator/Office. That coordinator/office is responsible for reviewing the case and for determining whether a Title IX Investigation is warranted and/or whether any other action will be taken to resolve the case.

**Subject Arrested:** Subject(s) has been arrested by either the Southwestern College Police Department or another law enforcement agency.

**Subject Cited and Released:** Subject(s) has been cited and released by the Southwestern College Police Department.

**Warning Issued:** Subject(s) were contacted and warned of violation.

**No Further Action:** No further investigative action is required.

The Daily Crime Log can be accessed online at <http://www.swccd.edu/index.aspx?page=2526>.

**Paper copies are available on demand at each of the Southwestern Community College District campuses:**

Chula Vista Main Campus: 900 Otay Lakes Road, Room 105D, Chula Vista CA, 91910

HEC Otay Mesa: 8100 Gigantic Street, San Diego, CA 92154

HEC San Ysidro: 460 W. San Ysidro Blvd. San Ysidro, CA 92173

HEC National City: 880 National City Blvd. National City, CA 91950

Crown Cove Aquatics Center: 5000 Highway 75, Coronado, CA 92118

## Clery Geography

Clery Act crimes are classified and reported based upon the type of crime and the location where the crime occurred. The Clery Act requires the Southwestern Community College District to report crimes that occur on:

- **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 indirect 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.

## Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a College Police Officer can file a report on the details of the incident without revealing your identity (except to the Title IX Administrator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the Southwestern Community College District can keep an accurate record of the number of incidents involving students, employees and visitors; 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 institution.

## Pastoral and Professional Counselors

A Pastoral Counselor is an employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. Southwestern College District does not utilize Pastoral Counselors.

Southwestern College utilizes Licensed Therapists, employees of the institution whose official responsibilities include providing counseling to students of the college community and functioning within the scope of his or her license or certification. Personal Wellness Counselors are also employed at Southwestern College.

Licensed Therapists, Personal Wellness Counselors, and their interns, when acting in their professional capacities, are not considered to be Campus Security Authorities for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, Licensed Therapists and Personal Wellness Counselors at Southwestern College are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis to College Police.

Reports of sexual violence and other violations that may be sex or gender-based to a Licensed Therapist or Personal Wellness Counselor will be held in confidence and will not be reported to the Title IX Administrator. However, victims will still be encouraged to file reports with the College Police and the Title IX Administrator.

## Part III Emergency Response

### Emergencies

Southwestern Community College District is committed to a safe educational and work environment for all students and staff, as well as community members. Emergencies can occur and it is the District's policy to provide timely notification of risks and dangers to students, faculty, and staff members.

An emergency is an immediate threat to the health and safety of students or employees. Efforts to confirm an emergency situation will be taken promptly by collecting information from various sources to include college staff members, students, the National Weather Service, the San Diego County Office of Emergency Services, other San Diego emergency notification systems, local law enforcement, fire, and other public safety agencies and first responders. In the event of an emergency, the Southwestern Community College District will immediately initiate appropriate emergency communications with the goal of enhancing the safety of students and employees by promptly notify them and affording them with the opportunity to take appropriate safety measures.

The District has systems in place for communicating information quickly. The District's emergency communication response plan is comprised of the following communication components in which any or all may be utilized:

- 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
- Emergency Blue Pole announcements and warning tones
- Press releases

Face to face communication may also be used as a method of communicating immediate/emergency notifications.

The District encourages students to provide their cell phone numbers to the District in order to communicate with them in the event of an emergency. To provide this important information students can log on to the District's student portal on WebAdvisor: <https://webadvisor.swccd.edu/WebAdvisor/WebAdvisor?TOKENIDX=8633675411&CONSTITUENCY=WBEM&TYPE=M&PID=CORE-WBMAIN>

Additionally, information about emergencies and college closures can be found at the District's website: <http://www.swccd.edu/index.aspx>

The District will determine the content of the emergency notification and initiate the appropriate notification system with the intent to promote safety and to mitigate the emergency.

System to use Regroup	Primary Message Creator	Backup Message Creator	Authority for Approving & Sending Messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
<b>PRIMARY</b>	PIGRO	MCA	President, Cabinet or Designee	PIGRO	MCA
<b>SECONDARY</b>	Chief of Police	Police Sergeant	VPF&BA, Cabinet or Designee	Chief of Police	Police Sergeant

**PIGRO:** Public Information & Government Relations Officer

**MCA:** Marketing Communications Associate

**VPF&BA:** Vice President of Business & Financial Affairs

Follow-up information will be disseminated using some or all of the identified communication systems identified above. The information provided in follow-up communications will identify any changing circumstances or the resolution of the event.

The local news media may also be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Southwestern Community College District's website: <https://www.swccd.edu/index.aspx>

## Emergency Response

Southwestern Community College District maintains an Emergency Response Plan that outlines responsibilities of campus personnel during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of particular units or positions. College units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.

The District Emergency Operations Plan can be accessed at: <https://www.swccd.edu/modules/showdocument.aspx?documentid=20447>

Southwestern College also has a FEMA-approved Hazard Mitigation Plan in the event of a natural disaster.

In the event of an emergency that affects any or all campus locations, the Superintendent/President, Cabinet member or designee will activate the Emergency Team to assess the situation and determine the scope of the emergency. The Superintendent/President, Cabinet member or designee will initiate the communication protocols throughout the organization. The Emergency Team will determine the content of the communication response, the urgency of the response or timely notice parameters, as well as the appropriate components to be activated.

### **The Emergency Team will consist of the President and Cabinet members:**

- Kindred Murillo, Superintendent/President
- Tim Flood, Vice President of Business and Financial Affairs
- Angelica Suarez, Vice President of Student Affairs
- Renee Kilmer, Interim Vice President of Academic Affairs
- Rob Unger, Interim Vice President of Human Resources
- Dan Borges, Chief Information & Systems Officer
- Davis Nighswonger, Chief of Police
- Lillian Leopold, Public Information & Governmental Relations Officer
- Designated Administrator

The Emergency Team will evaluate the type, extent, and scope of the emergency and initiate a response, which will include notification to first responders and communication to the campus community (students, faculty, staff, and visitors).

Notifications may be limited to certain segments of the campus community or specific geographical areas depending upon the circumstances as determined by the Emergency Team. Notification may include, but is not limited to; notices to evacuate, notices to shelter in place, criminal activity or other threats, and/or updates on evolving situations.

Following an emergency, the Superintendent/President will reconvene the Emergency Team and review the emergency response and notification process and systems for the purposes of initiating improvements or changes.

The District will conduct a test of its emergency communication every fall and spring semester (twice a year). The results of the annual test will be reviewed and monitored by the Superintendent/President and Cabinet. Tests were conducted in 2017:

## Emergency Notifications and Tests in 2017

The Southwestern Community College District utilized its mass notification system multiple times in 2017 to notify students, faculty, staff members and others of various alerts and tests.

Type of Notification	Date/Time	Emails Disseminated	Text Messages Disseminated	Phone Calls Disseminated
Missing Student Alert	1/30/17 11:42am	20,860 Delivered 29 Not Delivered	13,244 Delivered 964 Not Delivered	No Phone Calls Under-taken
Missing Student Update	1/30/17 12:56pm	20,859 Delivered 30 Not Delivered	12,803 Delivered 1,477 Not Delivered	No Phone Calls Under-taken
Traffic Safety Alert	2/1/17 5:10pm	21,111 Delivered 29 Not Delivered	12,450 Delivered 1,884 Not Delivered	14,803 Delivered 5,279 Not Delivered
Traffic Advisory	4/17/17 4:15pm	21,043 Delivered 33 Not Delivered	11,921 Delivered 2,141 Not Delivered	14,437 Delivered 5,467 Not Delivered
Safety Alert	4/23/17	20,800 Delivered	12,268 Delivered	17,953 Delivered
Lockdown/Shelter in Place/ National City	2:35pm	36 Not Delivered	1,625 Not Delivered	5,751 Not Delivered
Safety Alert	4/24/17	20,800 Delivered	12,259 Delivered	16,878 Delivered
Lockdown Lifted	3:13pm	34 Not Delivered	1,634 Not Delivered	6,826 Not Delivered
Crime Alert Campus Thefts	4/25/17	Email to Management and Website Posting		
Crime Alert Identity Theft	5/17/17	Email to Management and Website Posting		
Safety Alert	5/23/17	20,549 Delivered	12,100 Delivered	18,563 Delivered
Attempted Abduction		30 Not Delivered	1,607 Not Delivered	4,857 Not Delivered
Safety Alert	6/19/17	10,871 Delivered	6,713 Delivered	9,858 Delivered
Lockdown/Shelter in Place/ Chula Vista	1:23pm	44 Not Delivered	699 Not Delivered	3,022 Not Delivered
Safety Alert	6/19/17	10,864 Delivered	6,712 Delivered	9,641 Delivered
Lockdown Lifted	2:23pm	51 Not Delivered	700 Not Delivered	3,239 Not Delivered
Safety Alert	7/12/17	16,386 Delivered	13,619 Delivered	16,113 Delivered
SWC Community	9:51am	50 Not Delivered	4,455 Not Delivered	1,967 Not Delivered
Safety Alert	7/12/17	0 Delivered	8 Delivered	11 Delivered
SWC Contractors	9:51am		2 Not Delivered	
Safety Alert	7/12/17	399 Delivered	399 Delivered	506 Delivered
College for Kids	11:34am	1 Not Delivered	120 Not Delivered	14 Not Delivered
Crime Alert Robbery	8/23/17 3:00pm	22,380 Delivered 10 Not Delivered Website Posting		
Test	9/12/17	13 Delivered	12 Delivered	16 Delivered
SWC Police Group				1 Not Delivered
Traffic Alert	9/21/17	23,386 Delivered		
Border Crossing	11:33am	19 Not Delivered		

# General Evacuation Procedures

Evacuation of buildings will be undertaken in response fire incidents, natural disasters or active threat situations. When instructed to evacuate either by verbal warning, direction, incident or fire alarm, or mass notification system; leave your work or classroom area immediately and proceed to the nearest exit and leave the building. If you are the first to recognize a fire situation, activate the fire alarm, evacuate to a safe location using the nearest exit, and notify College Police Emergency 619-216-6691, \*91 from a college phone, 6691 from a college extension or dial 911.

## Instructions

- Remain calm.
- Do NOT use elevators; use the stairs.
- Assist the physically impaired. If the person is 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 move to a designated assembly area.
- Keep all walkways clear for emergency vehicles.
- Make sure all personnel are out of the building.
- Do not re-enter the building.

# Chula Vista Campus Emergency Evacuation Assembly Areas

## EMERGENCY EVACUATION ASSEMBLY AREAS

In the event of an emergency, please evacuate to corresponding Evacuation Area. If your assigned Evacuation area is unsafe, please proceed to an alternate Evacuation area closest to you.

- Lot H**  
Assembly Area
- Lot O**  
Assembly Area
- Lot A**  
Assembly Area
- Lot D**  
Assembly Area



# National City HEC Campus Emergency Evacuation Assembly Areas

EMERGENCY EVACUATION ASSEMBLY AREAS

9<sup>th</sup> St.
N  
➤

Roosevelt Ave.

Plaza Blvd.
8<sup>th</sup> St.

**Emergency  
Assembly Area  
(Parking lot)**

**PARKING GARAGE**  
 In the event of an emergency  
**DO NOT** evacuate to Parking Garage.  
 Proceed to designated Assembly Area.

**Building**  
 (Not part of SWC)

**Southwestern College  
Higher Education Center at National City**  
 Two story building

National City Blvd.

**Do you know what to do  
in an emergency?**

ARE YOU PREPARED?

**FIRE: GET OUT**  

- Evacuate to the appropriate safe area.

**EARTHQUAKE: SEEK COVER**  

- Seek safety under a desk or table.
- Stay clear of doorways and windows.
- Ensure all people are accounted for.
- Have an emergency supply pack on hand.
- Exit building to a safe area once the shaking stops and it is safe to do so.

**CRIME & VIOLENT BEHAVIOR: SHELTER IN PLACE**  

- Barricade and lock down

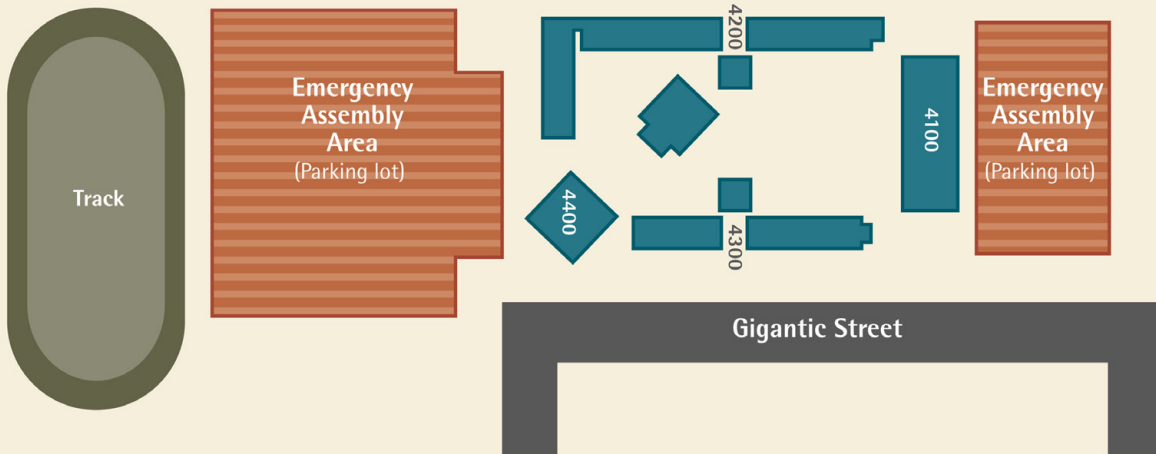
**LEGEND**

- Information/College Police
- Emergency Call Box
- Campus Nurse

# Otay Mesa HEC Campus Emergency Evacuation Assembly Areas

## EMERGENCY EVACUATION ASSEMBLY AREAS

Southwestern College  
Higher Education Center at Otay Mesa  
Two story building



Do you know what to do  
in an emergency?  
**ARE YOU PREPARED?**



### FIRE: **GET OUT**

- Evacuate to the appropriate safe area.



### EARTHQUAKE: **SEEK COVER**

- Seek safety under a desk or table.
- Stay clear of doorways and windows.
- Ensure all people are accounted for.
- Have an emergency supply pack on hand.
- Exit building to a safe area once the shaking stops and it is safe to do so.



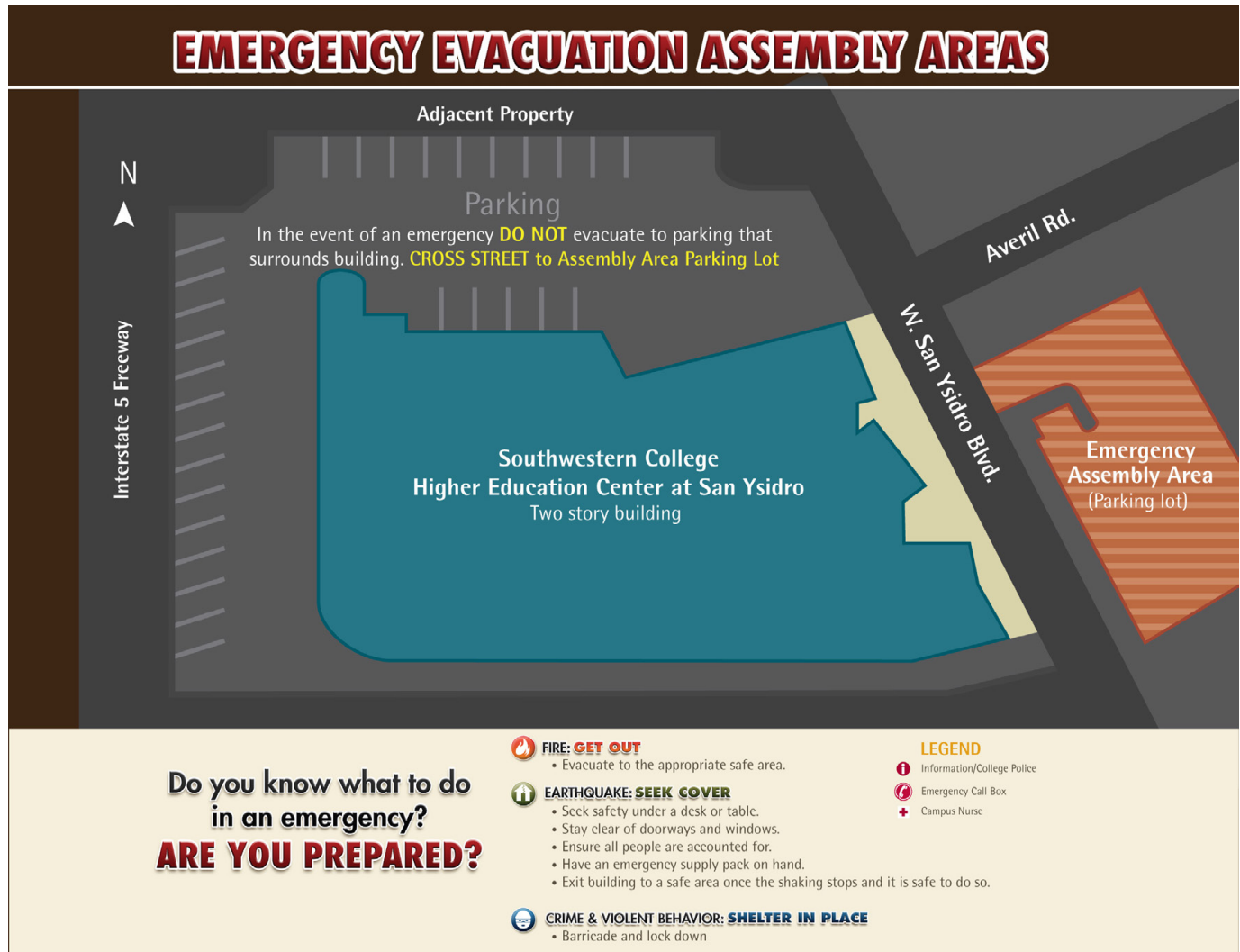
### CRIME & VIOLENT BEHAVIOR: **SHELTER IN PLACE**

- Barricade and lock down

### LEGEND

- Information/College Police
- Emergency Call Box
- Campus Nurse

# San Ysidro HEC Campus Emergency Evacuation Assembly Areas



# Emergency Drills and Tests

The Southwestern Community College District conducts emergency response drills, exercises and training sessions each year, such as table top exercises, field exercises, and tests of the emergency notification systems for all campuses. These are sometimes conducted in collaboration with other emergency service agencies. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date of the exercise, and whether it was announced or unannounced. The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

## Emergency Drills, Exercises, and Training in 2017

The Southwestern Community College District conducted multiple exercises, drills, and emergency preparedness training sessions in 2017.

Type of Exercise, Drill and Training	Date	Location	Announced or Unannounced
Earthquake and Evacuation Training and Drill	2/2/17	Library Complex	Announced
Active Shooter Exercise	2/16/17	L238 North	Announced
Earthquake and Evacuation Training and Drill	3/1/17	Otay Mesa Campus	Announced
Fire and Evacuation Training and Drill	3/1/17	Otay Mesa Campus	Announced
Active Shooter Training and Exercise	5/12/17	National City Campus	Announced
Active Shooter Training and Exercise	8/14/17	Library Complex	Announced
Active Shooter Training and Exercise	8/17/17	Cesar Chavez Building	Announced
Great Shake Out-Earthquake Drill and Evacuation	10/19/17	Cesar Chavez Building & Continuing Education	Announced
Great Shake Out-Earthquake Voluntary Training and Evacuation	10/19/17	District Wide	Announced
Emergency Preparedness Training	10/24/17	Continuing Education	Announced
EOC Training and Exercise	11/1/17	L238 North	Announced
Emergency Preparedness Training and Evacuation Drill	11/9/17	Continuing Education	Announced
Emergency Planning and Preparedness Training	11/15/17	Continuing Education	Announced
Mass Violence on Campus, Prevention and Response	8/17/2018	Room 801	Announced

Emergency evacuation procedures are tested at least twice each year. Drills and exercises are conducted and used as a way to educate and train occupants on safety issues specific to their building. Students and employees learn the locations of the emergency exits in the buildings and are provided with guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency.

The College Police has identified assembly areas for unification and accountability purposes. However, other factors that may arise during an emergency may necessitate modification. Evacuating personnel will be notified of developing situations by College Police or other responders as soon as possible.

Southwestern Community College District has no residence halls and therefore is not required to do annual fire drills.

## Shelter-in-Place Procedures

### What is Shelter in Place?

Shelter-in-Place is a response to a dangerous, unstable event or situation occurring outside of a building or location. Such events could include active threat incidents or contaminated air.

It is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "Shelter-in-Place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to evacuate the building.

A shelter-in-place notification may come from several sources to include College Police, staff or faculty members, local law enforcement or fire departments or other authorities utilizing the college's emergency communications tools.

#### Instructions

- Remain calm.
- Lock and secure doors.
- Close windows and blinds.
- Silence phones.
- Turn off lights.
- Turn off air conditioners and close vents.
- Remain quiet and concealed.
- Open doors when notified by College Police, emergency personnel or college authorities.
- Evacuate as directed.

## Response to an Active Threat, Violence or Mass Shooting Incident

Incidents of mass violence on school and college campuses have been reported across this nation. Faculty, staff members, and students must be prepared in the unlikely event such an incident were to occur at one of the Southwestern College campuses. Mental preparation is key. Understanding a contingency plan should such a scenario erupt will reduce the effects of panic and shock. Understanding where to shelter in place and how to evacuate buildings and escape can save critical time.

#### Instructions

- Remain Calm
- **DO NOT** attempt to reason or talk with the violent attacker
- Run if you are able to safely evacuate
- If individual is armed and evacuating from the area is unsafe, attempt to shelter-in-place
- Hide (Shelter-in-place) for most scenarios involving an active shooter
- Fight (last resort) if confronted or cornered by active shooter

Emergency responders are likely only minutes away. However, it is imperative that you take active steps to evade or combat the attacker during the time before police officers arrive. **Run/Escape, Hide or Fight.**

## Earthquakes

Earthquakes in California and along the west coast are not uncommon. Most are low magnitude quakes that pose little threat to safety or structures. However, California could experience a severe earthquake that jeopardizes safety, primarily from falling debris, and destabilizes buildings and other structures.

### Instructions

- Stay calm
- Seek refuge under a table or desk
- Stay clear of windows and doorways (**Doorways are not safe!**)
- If outside, stay outside. Move to an open area away from buildings, trees and power lines
- Have emergency supply pack on hand (food, water, prescription medicine)
- Select a predetermined evacuation zone
- Exit building to predetermined evacuation zone as soon as shaking stops
- Have an emergency contact predetermined
- Be prepared for multiple aftershocks
- Place heavy books on ground level shelves
- **DO NOT** use elevator

## Fire

Fires can erupt from various sources and it is imperative to escape associated carbon monoxide poisoning and the extreme heat generated by flames.

### Instructions

- Stay Calm
- Evacuate building immediately
- Sound/Shout alarm
- Call 911 for external POLICE/MEDICAL
- Call Southwestern College Campus Police at ext.6691
- Evacuate to predetermined "Safe Zone"
- **DO NOT** re-enter building

## Part IV Clery Act Crime Statistics

The Clery Act requires the college to report certain criminal offenses, hate crimes, offenses listed under the Violence Against Women Act (VAWA), and arrests and referrals for disciplinary action involving weapons, drug, and liquor violations that occur within the Clery geography of the Southwestern Community College District for the calendar year.

### Clery Act Criminal Offenses

- Criminal Homicide, including Murder and Non-Negligent Manslaughter, and Manslaughter by Negligence
- Sexual Assault, including Rape, Fondling, Incest, and Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson



### Hate Crimes

Any of the above Clery criminal offenses and any Larceny/Theft, Simple Assault, Intimidation or Destruction/Damage/Vandalism or Property that were motivated by bias against/toward a persons' race, gender, religion, disability, sexual orientation or ethnicity/ national origin.

### VAWA Offenses

- Domestic Violence
- Dating Violence
- Stalking

### Arrest and Referrals for Disciplinary Action

- Weapons-related law violations
- Drug Abuse law violations
- Liquor law violations

# Important Definitions

## AFFIRMATIVE CONSENT

Affirmative Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in sexual activity to ensure that he/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.

## MURDER AND NON-NEGLIGENT MANSLAUGHTER

The willful killing of one human being by another (California Penal Code 187).

## MANSLAUGHTER BY NEGLIGENCE

The killing of another person through gross negligence (California Penal Code 192).

## SEXUAL ASSAULT

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Governing Board Policy 3540 also identifies sexual assault to include rape, forced sodomy, forced oral copulation, rape by foreign object, sexual battery, or threat of sexual assault (California Penal Code sections 261, 262, 286, 288, 289, 243.4).

## RAPE

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. This offense includes rape of both males and females (California Penal Code Sections 261 and 262):

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

CPC 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.
- (b) 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.
  - (c) As used in this section, "menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.

## FONDLING

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 (California Penal Code sections 243.4, 243(e)(1), 243.4(b), and 288).

## INCEST

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law (California Penal Code section 285):

*CPC 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.*

## STATUTORY RAPE

Sexual intercourse with a person who is under the statutory age of consent (California Penal Code section 261.5):

*CPC 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.*

## 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 or violence and/or by putting the victim in fear (California Penal Code section 211).

## AGGRAVATED ASSAULT

An unlawful act by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by using a weapon or by means likely to produce death or great bodily injury (California Penal Code section 245).

## BURGLARY

The unlawful entry of a structure to commit a felony or a theft (California Penal Code section 459).

## MOTOR VEHICLE THEFT

The theft or attempted theft of a motor vehicle (California Vehicle Code section 10851).

## ARSON

Any willful or malicious burning or attempt to burn, with or without the intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property of another, etc. (California Penal Code section 451).

## HATE CRIME

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim (California Penal Code section 422.55(a)).

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, whites).
- **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 toward members of the same and/or opposite sex (e.g. gay, lesbian, heterosexual).
- **GENDER:** A preformed negative opinion or attitude toward a group of persons based upon their actual or perceived gender, are male or female.
- **GENDER IDENTIFICATION:** A preformed negative opinion or attitude toward a person or group of persons based upon their actual or perceived gender identity (e.g. transgender or non-conforming individuals).
- **ETHNICITY:** A preformed negative opinion or attitude toward a group of persons whose members identify with each other, through a common heritage; often consisting of a common language, common culture and/or ideology that stresses common ancestry.
- **NATIONAL ORIGIN:** A preformed negative opinion or attitude toward a group of persons based upon their actual or perceived country of birth.
- **DISABILITY:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Hate crimes include any offense in the following list that is motivated by bias as listed above.

- Murder and non-negligent manslaughter
- Sexual assault
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

## DATING VIOLENCE

Dating Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Dating Violence is addressed in the California Penal Code under section 243(e) (1).

*CPC 243(e)(1) When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment.*

## DOMESTIC VIOLENCE

A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- 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
- 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.

Domestic Violence is addressed in the California Penal Code under section 273.5.

*CPC 273.5 (a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.*

*(b) Subdivision (a) shall apply if the victim is or was one or more of the following:*

- (1) The offender's spouse or former spouse.*
- (2) The offender's cohabitant or former cohabitant.*
- (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.*
- (4) The mother or father of the offender's child.*

## STALKING

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

Stalking is addressed in the California Penal Code under section 646.9.

*CPC 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.*

## DRUG LAW VIOLATIONS

Violations of state and local laws or ordinances 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).

State Drug Laws	Description	Classification
H&S 11357b	Possession of Marijuana	Infraction
H&S 11358	Cultivation of Marijuana	Misdemeanor or Felony
H&S 11359	Intent to Sell Marijuana without a License	Misdemeanor or Felony
H&S 11350	Possession of Controlled Substance	Misdemeanor or Felony
H&S 11351	Possession of Controlled Substance for Sale	Felony
H&S 11352	Sales/Transport Controlled Substance	Felony
H&S 11377a	Possession of Dangerous Drugs	Misdemeanor
H&S 11378	Possession of Dangerous Drugs for Sale	Felony
H&S 11379	Sales/Transport Dangerous Drugs	Felony
H&S 11550a	Under the Influence of Drugs	Misdemeanor
B&P 4149	Possession of Drug Paraphernalia	Infraction
VC 23222(b)	Driver in Possession of Marijuana in a Vehicle	Infraction

## LIQUOR LAW VIOLATIONS

Violation of state and local 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 violations. Public drunkenness and driving under the influence are not included in this definition for Cery Act purposes but are listed among those violations enforced at Southwestern College.

State Alcoholic Beverage Laws	Description	Classification
B&P 25662a	Minor in Possession of an Alcohol Beverage	Misdemeanor
B&P 25620a	Open Container of Alcoholic in a Public Place	Misdemeanor
B&P 25608a	Possession of an Alcoholic Beverage on Campus	Misdemeanor
PC 647f	Public Intoxication	Misdemeanor
VC 23152a&b	Drunk Driving	Misdemeanor
VC 23220a	Drinking while Driving	Infraction
VC 23223a	Driver in Possession of an Open Container of Alcohol	Infraction
VC 23223b	Passenger in Possession of an Open Container of Alcohol	Infraction

## WEAPONS LAW VIOLATIONS

The violation of state and local laws or ordinances related to 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 violations.

State Weapons Laws	Description	Classification
PC 653k	Possession of a Switchblade Knife	Misdemeanor
PC 16590	Possession of Prohibited Weapons	Misdemeanor
PC 12025	Possession of a Concealed Firearm	Misdemeanor
PC 12031a	Possession of a Firearm in a Vehicle	Misdemeanor
PC 626.10	Possession of a Knife on a College Campus	Misdemeanor
PC 417	Brandishing a Weapon	Misdemeanor

## LARCENY/THEFT

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing (California Penal Code section 488 and 487).

## 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 (California Penal Code section 240 and 242).

## 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 (California Penal Code section 422).

## DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY

To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it (California Penal Code section 594).

# Crime Statistics

# Chula Vista Campus 2015

Criminal Offense Reported by Hierarchy	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-Negligent Manslaughter	2015	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2015	0	0	0	0	0
Sexual Offenses	2015					
Rape		1	0	0	0	1
Fondling		5	0	0	0	5
Incest		0	0	0	0	0
Statutory Rape		0	0	0	0	0
Robbery	2015	1	0	0	0	1
Aggravated Assault	2015	0	0	0	0	0
Burglary	2015	0	0	0	0	0
Motor Vehicle Theft	2015	2	0	0	0	2
Arson	2015	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2015	1	0	0	0	1
Dating Violence	2015	0	0	0	0	0
Stalking	2015	8	0	0	0	8

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2015	1	0	0	0	1
Drug Law Arrests	2015	3	0	0	0	3
Weapons Law Arrests	2015	1	0	1	0	2
Liquor Law Violations Referred for Disciplinary Action	2015	2	0	0	0	2
Drug Law Violations Referred for Disciplinary Action	2015	1	0	0	0	1
Weapons Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0

***No Hates Crime were reported for the Chula Vista Campus in 2015.***

# Chula Vista Campus 2016

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
Sexual Offenses	2016					
<i>Rape</i>		0	1	0	0	1
<i>Fondling</i>		1	0	0	0	1
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2016	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0
Burglary	2016	0	0	0	0	0
Motor Vehicle Theft	2016	2	0	0	1	3
Arson	2016	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2016	0	0	0	0	0
Dating Violence	2016	2	0	0	0	2
Stalking	2016	1	0	0	0	1

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2016	4	0	0	0	4
Drug Law Arrests	2016	2	0	2	0	4
Weapons Law Arrests	2016	2	0	0	0	2
Liquor Law Violations Referred for Disciplinary Action	2016	0	1	0	0	1
Drug Law Violations Referred for Disciplinary Action	2016	1	2	0	0	3
Weapons Law Violations Referred for Disciplinary Action	2016	1	0	0	0	1

**No Hates Crime were reported for the Chula Vista Campus in 2016.**

## Chula Vista Campus 2017

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
Sexual Offenses	2017					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		6	1	0	0	7
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2017	1	0	0	0	1
Aggravated Assault	2017	0	1	0	0	1
Burglary	2017	0	0	0	0	0
Motor Vehicle Theft	2017	3	0	0	0	3
Arson	2017	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2017	1	0	0	0	1
Dating Violence	2017	1	0	0	0	1
Stalking	2017	4	0	0	0	4

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2017	1	0	0	0	1
Drug Law Arrests	2017	0	1	0	0	1
Weapons Law Arrests	2017	2	0	0	0	2
Liquor Law Violations Referred for Disciplinary Action	2017	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2017	1	0	0	0	1
Weapons Law Violations Referred for Disciplinary Action	2017	1	0	0	0	1

***No Hates Crime were reported for the Chula Vista Campus in 2017.***

# Otay Mesa Campus 2015

Criminal Offense Reported by Hierarchy	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-Negligent Manslaughter	2015	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2015	0	0	0	0	0
Sexual Offenses	2015					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2015	0	0	0	0	0
Aggravated Assault	2015	0	0	0	0	0
Burglary	2015	0	0	0	0	0
Motor Vehicle Theft	2015	1	0	0	0	1
Arson	2015	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2015	0	0	0	0	0
Dating Violence	2015	0	0	0	0	0
Stalking	2015	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2015	0	0	0	0	0
Drug Law Arrests	2015	0	0	0	0	0
Weapons Law Arrests	2015	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0

***No Hates Crime were reported for the Otay Mesa Campus in 2015.***

# Otay Mesa Campus 2016

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
Sexual Offenses	2016					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2016	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0
Burglary	2016	0	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0	0
Arson	2016	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2016	0	0	0	0	0
Dating Violence	2016	0	0	0	0	0
Stalking	2016	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2016	0	0	0	0	0
Drug Law Arrests	2016	0	0	0	0	0
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	0	0	0	0	0

**No Hates Crime were reported for the Otay Mesa Campus in 2016.**

# Otay Mesa Campus 2017

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
Sexual Offenses	2017					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		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	0	0	0	0	0
Arson	2017	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	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	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2017	0	0	0	0	0
Drug Law Arrests	2017	0	0	0	0	0
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

***No Hates Crime were reported for the Otay Mesa Campus in 2017.***

## San Ysidro Campus 2015

Criminal Offense Reported by Hierarchy	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-Negligent Manslaughter	2015	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2015	0	0	0	0	0
Sexual Offenses	2015					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2015	0	0	0	0	0
Aggravated Assault	2015	0	0	0	0	0
Burglary	2015	0	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	0	0
Arson	2015	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2015	0	0	0	0	0
Dating Violence	2015	0	0	0	0	0
Stalking	2015	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2015	0	0	0	0	0
Drug Law Arrests	2015	0	0	0	0	0
Weapons Law Arrests	2015	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0

**No Hates Crime were reported for the San Ysidro Campus in 2015.**

## San Ysidro Campus 2016

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
Sexual Offenses	2016					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2016	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0
Burglary	2016	0	0	0	0	0
Motor Vehicle Theft	2016	1	0	0	0	1
Arson	2016	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2016	0	0	0	0	0
Dating Violence	2016	0	0	0	0	0
Stalking	2016	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2016	0	0	0	0	0
Drug Law Arrests	2016	0	0	0	0	0
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	0	0	0	0	0

***No Hates Crime were reported for the San Ysidro Campus in 2016.***

# San Ysidro Campus 2017

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
Sexual Offenses	2017					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2017	0	0	0	0	0
Aggravated Assault	2017	1	0	0	0	1
Burglary	2017	0	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	0	0
Arson	2017	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	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	2	0	0	0	2

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2017	0	0	0	0	0
Drug Law Arrests	2017	0	0	0	0	0
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

**No Hates Crime were reported for the San Ysidro Campus in 2017.**

# National City Campus 2015

Criminal Offense Reported by Hierarchy	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-Negligent Manslaughter	2015	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2015	0	0	0	0	0
Sexual Offenses	2015					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2015	0	0	0	0	0
Aggravated Assault	2015	0	0	0	0	0
Burglary	2015	0	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	0	0
Arson	2015	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2015	0	0	0	0	0
Dating Violence	2015	0	0	0	0	0
Stalking	2015	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2015	0	0	0	0	0
Drug Law Arrests	2015	0	0	0	0	0
Weapons Law Arrests	2015	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0

**No Hates Crime were reported for the National City Campus in 2015.**

# National City Campus 2016

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
Sexual Offenses	2016					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2016	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0
Burglary	2016	0	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0	0
Arson	2016	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2016	0	0	0	0	0
Dating Violence	2016	0	0	0	0	0
Stalking	2016	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2016	0	0	0	0	0
Drug Law Arrests	2016	2	0	0	0	2
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	0	0	0	0	0

**No Hates Crime were reported for the National City Campus in 2016.**

# National City Campus 2017

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
Sexual Offenses	2017					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		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	0	0	0	0	0
Arson	2017	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	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	0	0	0	0	0

Arrest and Disciplinary Referrals	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

**No Hates Crime were reported for the National City Campus in 2017.**

## Crown Cove Aquatics Center 2015

Criminal Offense Reported by Hierarchy	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Criminal Homicide, Murder & Non-Negligent Manslaughter	2015	0	0	0	0	0
Criminal Homicide, Negligent Manslaughter	2015	0	0	0	0	0
Sexual Offenses	2015					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2015	0	0	0	0	0
Aggravated Assault	2015	0	0	0	0	0
Burglary	2015	0	0	0	0	0
Motor Vehicle Theft	2015	0	0	0	0	0
Arson	2015	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2015	0	0	0	0	0
Dating Violence	2015	0	0	0	0	0
Stalking	2015	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2015	0	0	0	0	0
Drug Law Arrests	2015	0	0	0	0	0
Weapons Law Arrests	2015	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2015	0	0	0	0	0

**No Hates Crime were reported for the Crown Cove Aquatics Center in 2015.**

# Crown Cove Aquatics Center 2016

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
Sexual Offenses	2016					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2016	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0
Burglary	2016	0	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0	0
Arson	2016	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Domestic Violence	2016	0	0	0	0	0
Dating Violence	2016	0	0	0	0	0
Stalking	2016	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2016	0	0	0	0	0
Drug Law Arrests	2016	0	0	0	0	0
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	0	0	0	0	0

**No Hates Crime were reported for the Crown Cove Aquatics Center in 2016.**

## Crown Cove Aquatics Center 2017

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
Sexual Offenses	2017					
<i>Rape</i>		0	0	0	0	0
<i>Fondling</i>		0	0	0	0	0
<i>Incest</i>		0	0	0	0	0
<i>Statutory Rape</i>		0	0	0	0	0
Robbery	2017	0	0	0	0	0
Aggravated Assault	2017	0	0	0	0	0
Burglary	2017	1	0	0	0	1
Motor Vehicle Theft	2017	0	0	0	0	0
Arson	2017	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses	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	0	0	0	0	0

Arrest and Disciplinary Referrals	Year	On Campus	Non-Campus	Public Property	Unfounded	Total
Liquor Law Arrests	2017	0	0	0	0	0
Drug Law Arrests	2017	0	0	0	0	0
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

**No Hates Crime were reported for the Crown Cove Aquatics Center in 2017.**

## Part V Violence Against Women Act (VAWA)

On March 7, 2013, President Obama signed a bill that strengthened and reauthorized the Violence Against Women Act. Included in the bill was the Campus Sexual Violence Elimination Act (Campus SaVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking. For additional information regarding VAWA see References section or visit [govtrack.us/congress/bills](http://govtrack.us/congress/bills)

Every post-secondary institution participating in Title IV financial aid programs will be required to:

- Compile statistics of incidents of sexual assault, domestic violence, dating violence, and stalking that occur within Clery geography and are reported to campus security authorities.
- Include within its Annual Security Report a statement of policy regarding:
  1. Its programs to prevent domestic violence, dating violence, sexual assault, and stalking.
  2. The procedures that will be followed once an incident of these crimes has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from the report.
  3. Educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include primary prevention and awareness programs for incoming students and new employees, as well as ongoing prevention and awareness programs for students and faculty.
  4. Possible sanctions on protective measures the institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking.
  5. Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about it.
  6. Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault and stalking, which shall include statements that proceedings shall include:
    - Information about how the institution will protect the confidentiality of victims.
    - Written notification of students about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims on campus and in the community.
    - Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested by the victim and such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to College Police or local law enforcement.
    - A student or employee who reports to the institution that they have been a victim of one of the aforementioned crimes shall be provided with a written explanation of the student or employee's rights and options.

### Domestic Violence, Dating Violence, Sexual Assault and Stalking

Southwestern Community College District prohibits crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community. Toward that end, Southwestern Community College District issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a college official.

### ***Governing Board Policy 3540 Sexual Assault and Other Assaults on Campus***

*Any sexual assault or physical abuse, including, but not limited to rape as defined by California law, whether committed by an employee, student or member of the public, that occurs on College District property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the College District, whether those programs take place in the College District's facilities or at another location, or on an off-campus site or facility maintained by the College District, or on grounds or facilities maintained by a student organization, is a violation of College District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students and employees who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.*

*The Superintendent/President shall establish administrative procedures that ensure that students and employees who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.*

*The procedures shall meet the criteria contained in Education Code Sections 67385, 67385.7, and 67386, and 34 Code of Federal Regulations Section 668.46.*

Victims of domestic violence, dating violence, sexual assault, and stalking are encouraged to immediately report the incident to College Police at (619) 482-6380, District Administration or local law enforcement. College Police will immediately initiate a criminal investigation into on-campus sexual assaults and utilize investigation services and resources of partner agencies. Although strongly encouraged to report, victims have the right not to report crimes to law enforcement and decline any of all involvement with the police.

College Police will undertake immediate steps to ensure the safety of the victim and others on and off campus, begin the collection of evidence which could include obtaining physical evidence and statements from the victim, witnesses, and suspect(s), and meeting the legal requirement of criminal investigations and prosecutions. College Police will also notify Student Services for potential administrative action and victim accommodation.

Victims may also report crimes to District administrators who will assist any victim with notifying College Police and local law enforcement if they so desire. It is the victim's choice whether or not to make such a report. Local law enforcement can be contacted directly:

#### **Chula Vista Police Department**

315 4<sup>th</sup> Ave, Chula Vista, CA 91910 (619) 691-5151

#### **National City Police Department**

1200 National City Boulevard National City, CA 91950 (619) 336-4411

#### **Coronado Police Department**

700 Orange Ave Coronado, CA 92118 (619) 522-7350

#### **San Diego Police Department, Southern Division**

1120 27<sup>th</sup> Street, San Diego, CA 92154 (619) 424-0400

#### **San Diego County Sheriff's Department**

9621 Ridgehaven Ct. San Diego, CA 92123 (858) 565-5200

Victims should make every attempt to preserve any physical evidence of sexual assault. This may include not showering or bathing, not cleaning the scene of the incident, and not disposing of any damaged clothing or other items. Other indirect evidence items that should be preserved include text messages, instant messages, social networking pages, other communications, photographs, logs or other documents. Victims may opt that forensic evidence not be collected. Health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims will be given information on counseling and support groups. If a change of academic schedule is desired, appropriate steps will be taken to accommodate the victim to the full extent possible. San Diego County also offers counseling for victims of crimes.

The Center for Community Solutions for 24-hour Sexual Assaults and may be reached at (888) 272-1767. The Victim/Witness Assistance Center in San Diego also provides off-campus services and may be reached at (619) 531-4041.

34 CFR 668.46 (e) (3) Each institution participating in any program under this subchapter and part C of subchapter I of chapter 34 under title 42, other than a foreign institution of higher education, shall make timely reports to the campus community on crimes considered to be a threat to other students and employees described in paragraph (1) (F) that are reported to campus security or local law police agencies. Timely Warning Notices will be provided to students and employees in a manner that is timely, that withholds as confidential the names and other identifying information of victims, and that will aid in the prevention of similar occurrences.

## **Response to Domestic Violence, Dating Violence, Sexual Assault and Stalking**

Southwestern Community College District is sensitive to those who report domestic violence, dating violence, sexual assault, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health and other services on and/or off campus as well as additional remedies to prevent contact between a plaintiff and an accused party, such as academic, living, transportation and working accommodations and protective orders, if reasonably available. The District will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to College Police or local law enforcement.

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Southwestern Community College District will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

To request accommodations to academic schedules and other academic accommodations, contact the Dean of Student Services, Malia Flood, Room S109, Cesar Chavez Student Services Center, phone 619-482-6369, email [mflood@swccd.edu](mailto:mflood@swccd.edu).

To request accommodations to working situations, contact David Caspi, the Title IX Administrator at (619) 482-6328.

To request assistance with protective measures or transportation to include campus escorts, contact the Chief of Police, Davis Nighswonger, College Police Department, Room 105D, phone (619) 482-6585, email [dnighswonger@swccd.edu](mailto:dnighswonger@swccd.edu) or the College Police Dispatch Center at (619) 482-6380.

To request assistance with any of these accommodations or services, contact the Title IX Administrator at (619) 216-6619.

A list of available campus and off-campus resources, counseling referrals, victim support resources, health and emergency referrals, and relevant College District policies and procedures can be obtained from either the Dean of Student Services, the Title IX Administrator or on the District's website: <http://www.swccd.edu/index.aspx?page=5>

## Victim Confidentiality

Southwestern Community College District will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as otherwise mentioned in this report. Victims may request that directory information on file with the college be withheld by request by contacting Malia Flood, Dean of Student Services (619) 482-6369 [mflood@swccd.edu](mailto:mflood@swccd.edu)

Regardless of whether a victim has opted-out of allowing the college to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, such as, those who are investigating and/or adjudicating the reported offense or those involved in providing support services to the victim, including accommodations and protective orders or measures. For example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 139525(a)(20).

Further, the college will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the college to provide the accommodations or protective measures.

The District does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log, online or in the annual crime statistics disclosure. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## Title IX, United States Education Amendments of 1972

Southwestern Community College District is committed to support all regulations under Title IX, *"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance"*.

Title IX investigations are undertaken as immediate steps when the college is notified or any informal or formal complaint of sexual misconduct made by any person (student, employee, faculty member, contractor, etc.).

By calling, writing or otherwise notifying the College Police (if the victim so desires), the Title IX Administrator, Vice President of Human Resources, the Dean of Students or other college designees; resources will be provided, on and off campus, to include medical and health services, to persons who have been victims of sexual assault, domestic violence, dating violence, and/or stalking. The District will also apply appropriate disciplinary procedures to those who violate District policy and procedures.



The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic violence or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of District policy and procedures.

As time passes, evidence may dissipate or become lost or unavailable; thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protective orders more difficult to obtain. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with College Police or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the District, the following procedures will be undertaken:

**IMMEDIATE ACTION:** The District will provide victim(s) with access to medical care. The District will also assess the safety needs of the victim(s) and take steps to provide security-related services. Victims will be provided with contact information for the College Police and the Title IX Administrator; information about escort services, protection measures against retaliation, and restraining and protective orders along with details of other support services such as mental health care and adjusting or accommodating class schedules.

**INVESTIGATION:** A thorough investigation of the allegations will be undertaken that will include the collection and preservation of all evidence. The District will provide a copy of Sexual Misconduct Policy to the victim along with information regarding time frames for inquiry, investigation, and resolution.

The investigation will apply a preponderance of the evidence standard in determining if a violation of District policy occurred. The District will inform the victim of the outcome of the investigation and whether or not the accused will be administratively charged.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, in violation of District Policy 3430; you should report the incident promptly to the College Police and/or the Title IX Administrators:

**Chula Vista Campus**

Director, Employee Relations & Title IX .....(619) 216-6619

**HEC Otay Mesa Campus**

Silvia Cornejo, Dean Otay Mesa .....(619) 216-6755

[scornejo@swccd.edu](mailto:scornejo@swccd.edu)

**HEC National City Campus**

Christine Perri, Dean National City .....(619) 216-6668

[cperri@swccd.edu](mailto:cperri@swccd.edu)

Andre L. Harris, Education Center Coordinator National City .....(619) 216-6669

[aharris@swccd.edu](mailto:aharris@swccd.edu)

**HEC San Ysidro Campus**

Cynthia Nagura, Director HEC San Ysidro .....(619) 216-6795

[cnagura@swccd.edu](mailto:cnagura@swccd.edu)

**Crown Cove Aquatics Center**

Patrice Milkovich, Director CCAC .....(619) 575-6176

[pmilkovich@swccd.edu](mailto:pmilkovich@swccd.edu)

## California Education Code 67386.5 (AB 967)

The Education Code requires the Southwestern Community College District have fair and consistent procedures pertaining to reporting, investigation, and disciplinary handling of sexual assault, domestic violence, dating violence, and stalking reports. All such cases are investigated.

The code also requires statistics be published on these complaints, investigations, disciplinary findings, and disciplinary sanctions.

California Education Code 67386.5	Year	Total
<b>Investigations and Findings</b>		
Sexual Assault, Domestic Violence, Dating Violence, and Stalking reports that were Investigated	2017	18
Sexual Assault, Domestic Violence, Dating Violence, and Stalking reports that were Not Investigated	2017	5
Investigations where Respondents were found Responsible at Disciplinary Proceedings	2017	11
Investigations where Respondents were found Not Responsible at Disciplinary Proceedings	2017	2

California Education Code 67386.5	Year	Total
<b>Sanctions</b>		
Expulsion	2017	1
Suspension of at least two years.	2017	6
Suspension of fewer than two years.	2017	2
Probation	2017	2
Cases Closed for other Reasons	2017	5

## **Megan's Law: 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 Southwestern 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 619-482-6380 to schedule an appointment.

Registered sex offenders in California must register with the local law enforcement agency of their city or county of residence and with any educational institution they are enrolled in.

Online searches for sex offenders can be made by using the interactive map at <https://meganslaw.ca.gov/> and through the San Diego County Automated Regional Justice Information System (ARJIS) at <http://www.arjis.org/SitePages/Home.aspx>. Local law enforcement agencies can provide additional information during in-person visits. Further information is available through the National Sex Offender Public Registry at <https://www.nsopw.gov/?AspxAutoDetectCookieSupport=1>.

## Part VI Education and Prevention Programs

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

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

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

New students must complete the online New Student Orientation in order to receive enrollment priority. This orientation contains information on affirmative consent, sexual assault awareness and prevention measures, how to report any type of sexual misconduct, and available on-campus resources. In addition, information about primary prevention and awareness programs is provided at in-person New Student Orientation conducted by the Counseling Department and included in the curriculum of student learning communities. All new student athletes and new student Associated Student Organization (ASO) executive officers, ASO senators, and ASO club officers must complete the Agent of Change online awareness and prevention program.

### Dating Violence, Domestic Violence, Sexual Assault and Stalking Prevention and Awareness Programs

Southwestern College offered the following primary prevention and awareness programs for all incoming students.

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Agent of Change	Ongoing	Online	SA, DoV, DaV, S
New Student Orientation	Prior to Student Registration	Online	SA, DoV, DaV, S
Not Anymore	Ongoing	Online	SA, DoV, DaV

*\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking*

Southwestern College offered the following ongoing awareness and prevention programs for students in 2017 and 2018.

Name of Program	Dates Held	Location Held	Which Prohibited Behavior* Covered?
Agent of Change	Ongoing	Online	SA, DoV, DaV, S
Not Anymore	Ongoing	Online	SA, DoV, DaV
Reframing Relationships	5/8/18	Student Union East	SA, DoV, DaV
Equity, Feminism, Harassment and Change	5/8/18	Student Union East	SA, DoV, DaV, S
Men Against Rape	5/1/18	Student Union East	SA, DoV, DaV
Men Against Rape	4/9/18	Student Union East	SA, DoV, DaV
Stalking	11/28/17	Student Union East	SA, DoV, DaV, S
Relationship Violence	11/14/17	Student Union East	SA, DoV, DaV
Men Against Rape	11/7/17	Student Union East	SA, DoV, DaV
Feminism & Gender Roles	11/7/17	Student Union East	SA, DoV, DaV
Men Against Rape	10/3/17	Student Union East	SA, DoV, DaV
Men Against Rape	3/1/17	Student Union East	SA, DoV, DaV
Men Against Rape	3/2/17	Student Union East	SA, DoV, DaV
Masculinity	3/2/17	Student Union East	SA, DoV, DaV, S
Relationship Violence	5/2/17	Student Union East	SA, DoV, DaV
Stalking	5/2/17	Student Union East	S

**\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking**

New employees must complete Employee Orientation shortly after beginning employment at the Southwestern Community College District. This orientation contains information on work place safety, emergencies and response, mandatory reporting for sexual assaults, harassment and discrimination (BP 3430), workplace violence (BP 3510), crime and incident reporting, timely warning notices, sexual assault awareness and reporting, crime prevention, and substance abuse.

Southwestern College provided and is providing the following primary prevention and awareness programs as part of professional development for employees.

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Transgender Rights & Title IX: The Current Legal Landscape	Ongoing	Webinar	SA
Title IX Training Compliance: Who Needs It, What to Cover and How to Report	Ongoing	Webinar	DoV, DaV, SA, S
Title IX Investigations: Case Studies in Sexual Misconduct & Harassment	Ongoing	Webinar	SA, S
An Overview of Title IX and Its Impact on College and Staff	1/26/18	H302	SA
Title IX And Sexual Misconduct On Campus: Training Faculty & Staff On What, When & How To Report	Ongoing	Webinar	SA, DoV, DaV
The 12 Risk Factors of Sexual Violence: Implications for Education, Compliance & Sanctioning	Ongoing	Webinar	SA, S
Title IX Resources at Southwestern College for Faculty and Staff	4/13/18	Room 852	SA
Safe Zone Training	8/1/2017	Crown Cove Aquatics Center	SA

**\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking**

The District continues to develop educational campaigns consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation.

## Part VII Victim Assistance and Services

Numerous on-campus and off-campus services and resources are available to victims of domestic violence, dating violence, sexual assault, and stalking.

### Services and Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

ON CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling/Student Success	Academic success, accommodation	Counseling Department	(619) 421-6700 x 5240
Health Services	Health counseling, medical care, flu immunizations, blood testing, STD testing	Health Services	(619) 482-5350
Mental Health Services	Stress management, mental health intervention	Personal Wellness	(619) 421-6700 x5279
Victim Advocacy	Crime and misconduct reporting and intervention, escort services	College Police, Student Services, Title IX Office	(619) 482-6380, (619) 421-6700 x5810, (619) 216-6619
Legal Assistance	Legal and administrative intervention	College Police, Student Services, Title IX Office	(619) 482-6380, (619) 421-6700 x5810, (619) 216-6619
Visa and Immigration Assistance	Prevention of discrimination and harassment, DREAM Act	Student Services, Financial Aid	(619) 421-6700 x5810, (619) 482-6357
Student Financial Aid	Financial support, scholarships	Financial Aid	(619) 482-6357

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
Mental Health Counseling & Crisis Intervention	Crisis intervention	San Diego Access & Crisis Line	(888) 724-7240
Sexual Assault & Health Services	Forensic nursing	Pomerado Hospital SART and Child Abuse Program, medical care	(760) 739- 2150, (760) 739-2150
Domestic Violence & Sexual Assault	Hotline	San Diego Domestic Violence & Sexual Assault 24-Hour Hotline	(888) 385-4657
Lesbian, Gay, Bisexual, Transgender Support	Counseling	Questioning Community Center	(619) 692-2077
Victim Advocacy	Criminal prosecution, victim's rights	District Attorney Domestic Violence unit	(619) 531-4300
Legal Assistance	Legal information and resources	Legal Aid Society	(877) 534-2524
Visa and Immigration Assistance	Immigration resources	U.S. Citizenship and Immigration Services	(877) 247-4645
Student Financial Aid		California Student Aid Commission	<a href="http://www.csac.ca.gov/doc.asp?id=33">http://www.csac.ca.gov/doc.asp?id=33</a>

**Additional victim assistance, services, and programs are available through the following organizations:**

**Student Health Services Offices:** Victim of violence or sexual assault at encouraged to seek medical attention as soon as possible. On-campus nursing services can provide direct treatment, support and referral:

Southwestern College .....	(619) 482-6354
National City .....	(619) 388-3450
Otay Mesa .....	(619) 388-2774
San Ysidro .....	(619) 388-7881

**The following San Diego County Sexual Assault Response Team (SART) facilities are available through intake coordination with law enforcement officials:****Independent Forensic Services**

4529 College Avenue, San Diego, CA 92115 .....	(619) 265-2812
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**Chadwick Center**

3020 Children's Way, San Diego, CA 92123 .....	(858) 966-5980
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**Forensic Health Services****SART and Child Abuse Program**

121 N. Fig Street, Escondido, CA 92025 .....	(760) 739- 2150
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**Rady Children's Hospital**

3020 Children's Way, San Diego, CA 92123 .....	(858) 576-1700
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**Crisis and intervention services are available through these service providers:**

Domestic Violence Hotline .....	(800) 799-SAFE
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Domestic Violence / Sexual Assault Crisis Line & Referral .....	(888) 385-4657
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South Bay Community Services 24hr Hotline & Services (800) 640-2933

<http://southbaycommunityservices.org>

Salvation Army-Door of Hope .....	(858) 279-1100
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Rachel's Women's Center .....	(858) 279-1100
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Center for Community Solutions .....	(888) 385-4657
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Battered Women's Hotline .....	(619) 234-3164
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Battered Women's Services (Becky's House) .....	(619) 239-0355
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Women's Resource Center .....	(760) 757-3500
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Men and Women's Shelters: Domestic Violence Hotline .....	(800) 799-SAFE
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St. Vincent De Paul .....	(610) 233-8500
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South Bay Community Services .....	(800) 640-2933
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**Legal Services**

YWCA legal Advocacy Program .....	(619) 239-2341
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San Diego Volunteer Lawyer Program .....	(619) 235-5656
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San Diego Family Justice Center .....	(619) 533-6000
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Victim Witness Assistance .....	(619) 531-4041
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Legal Aid Society of San Diego .....	(877) 534-2524
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## Health Services

Family Health Centers of San Diego.....(619) 515-2300  
Health and Human Services Agency.....(858) 694-3900

## Mental Health Services

National Alliance on Mental Illness (NAMI)

<http://www.namisaniego.org>

San Diego Helpline .....(619) 543-1434

North Coastal Helpline .....(760) 722-3754

Tri-West Peer to Peer Assistance–Suicide Prevention Line .....(844) 357-7333

<http://www.betterpeersupport.com>

National Suicide Prevention Hotline..... (800) 273-TALK

[suicidepreventionlifeline.org](http://suicidepreventionlifeline.org)



# Victim's Bill of Rights, Marsy's Law

On November 4, 2008, the People of the State of California approved Proposition 9, the Victims' Bill of Rights Act of 2008: Marsy's Law.

This law amended the California Constitution to provide additional rights to victims of crimes. Law enforcement officers and prosecutors are required to afford victims a number of rights that include information on their case, reasonable protection from the perpetrator, and access to the criminal justice system. Officers provide a Marsy's Rights card to victims of crime.

The card contains specific sections of the Victims' Bill of Rights and a list of resources. 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.

## Protective Orders

The Southwestern Community College District complies with the California law in recognizing orders of protection including but not limited to; Emergency Protective Orders, Stay-Away Orders, Domestic Violence Restraining Orders, a Civil Harassment Restraining Orders, and Temporary Restraining Orders.

College Police will meet with the protected person and request a copy of the protective order. It will be entered into the law enforcement database. Police Officers will discuss the provisions of the order and provide resources and/or accommodations to the protected person with the intent of reducing the threat or potential harm to the person. These could include any of the following: law enforcement escorts, special parking arrangements, providing a temporary cellphone, changing classroom locations or allowing a student to complete assignments from home, etc. Any report of violations of the order will be promptly investigated and appropriate enforcement actions taken.

Victims or persons requesting a protective court order must apply directly to the Superior Court of California, County of San Diego. The Southwestern Community College District may issue an institutional, no contact order if deemed appropriate.

District staff members will work cooperatively with victims or protected persons to ensure their health and physical safety along with their work and academic status.

## A summary of common orders is noted below:

### Emergency Protective Order

An emergency protective order is obtained by a Police Officer he or she believes a victim of domestic violence or a family or household member is in immediate and present danger of domestic violence.

### Stay Away Order

A stay away order can be issued in a criminal case involving domestic violence where there is a likelihood of a threat or harassment of the victim by the defendant.

### Domestic Violence Restraining Order

A restraining order is a court order issued to prevent the recurrence of acts of abuse by a batterer. Under the Domestic Violence Prevention Act, abuse is defined as any of the following:

1. Intentionally or recklessly causing or attempting to cause bodily injury.
2. Sexual assault.
3. Placing a person in reasonable apprehension of imminent serious bodily injury to that person or to another.
4. Engaging in any behavior that has been or could be illegal such as molesting, attacking, striking, stalking, threatening, battering, harassing, destroying personal property, contacting the other by mail, telephone, or otherwise, disturbing the peace of the other party.

Information and how to apply for a Domestic Violence restraining order can be found at the San Diego County Superior Court website:

[http://www.sdcourt.ca.gov/portal/page?\\_pageid=55,1524115&\\_dad=portal](http://www.sdcourt.ca.gov/portal/page?_pageid=55,1524115&_dad=portal)

## Civil Harassment Restraining Order

Under California law (CCP §527.6), a person who has suffered harassment may seek a temporary restraining order and an injunction prohibiting harassment. Civil Harassment Restraining Orders differ from Family Law Domestic Violence Restraining Orders in that the person doing the harassing has no close family or domestic relationship with the victim.

You may seek protection if you are worried about your safety because you are being:

1. Stalked
2. Threatened
3. Harassed or
4. Sexually assaulted.

Information on obtaining a Civil Harassment restraining order can be accessed at: <http://www.sdcourt.ca.gov/pls/portal/docs/PAGE/SDCOURT/GENERALINFORMATION/FORMS/CIVILFORMS/PKT002A.PDF>

## Safe at Home Program

The Safe at Home Program is an address confidentiality program where victims of crime can use a free P.O. Box instead of their home address to help them maintain their privacy when receiving first-class mail, opening a bank account, completing a confidential name change, filling out government documents, registering to vote, getting a driver's license, enrolling a child in school, and more.

Information on the Safe at Home Program can be found at: <http://www.sos.ca.gov/registries/safe-home/>

## Part VIII Crime Prevention

### Crime Prevention

Campus safety and security is everyone's responsibility. Students, faculty, staff, visitors, and the College Police share a partnership to create a safe and conducive learning environment.

One essential ingredient of any successful crime prevention program is an informed public. Southwestern Community College District seeks to inform students, faculty, and staff members 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 report, newsletters, posted notices, District email, student publications, the District's website, and through emergency and timely warning notification. The College Police Department posts crime alerts and other safety information on its website: <https://www.swccd.edu/index.aspx?page=55>



All students, faculty, and staff members are encouraged to remain alert and security conscious. Notify College Police of any crime or suspicious activity by calling (619)482-6380.

As part of the community-oriented policing philosophy, the College Police Department offers crime prevention and safety tips to the District's faculty, staff, and students through presentations. Anyone interested in having an Officer speak to his or her classroom or group should contact the College Police at (619) 482-6380.

During the 2017 calendar year, Southwestern College offered over nineteen crime prevention, security awareness, emergency response, and disaster preparedness programs among the multiple campuses. Topics included active threat training, fire and earthquake training, evacuation training and exercises, emergency responder responsibilities, drunk and drugged driving, and shelter in place training.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and that of others. Participants in these programs are asked to be alert, security-conscious and involved. For additional questions regarding crime prevention, contact the College Police Department directly at (619) 482-6380.

### Prevention of Sexual Assault

(source: Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- Rape is a violent crime - a hostile attack-an attempt to hurt and humiliate. It is **NOT** the result of "uncontrolled passions."
- Rape can happen to anyone. Students, working women, wives, mothers, children, grandmothers, and even males are the victims of rape.
- Rape can occur anywhere and at any time, in public or in your own home, day or night.
- Rapists are not necessarily strangers. In fact, in over one-third of reported cases, the rapist is an acquaintance, neighbor, friend or relative of the victim.
- Rape is one of the most underreported crimes. Many rapists continue their crimes until caught. Report any kind of sexual assault.
- 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 cab money.

- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music 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 evening, 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 while talking, dancing, using the restroom, or making a phone call. 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 the 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 your 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:
  1. 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.
  2. 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.
  3. 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.
  4. 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.

## Precautions to Take at Home

- If you live alone, list only your last name and initials on your mailbox or in the phone directory.
- Install effective locks on all doors and windows.
- If you just moved into a new residence, change all locks. You never know who might have a key.
- Install a through-the-door peephole so you can see anyone outside your door before you open it.
- Don't rely on chain locks. They are great privacy locks, but they are not security locks. Install good security locks.
- Never dress in front of windows; always draw your shades.
- Never let anyone — repairmen, police officers, etc. — into your home without proper identification. Ask for identification.
- Never let strangers use your phone, no matter what they say. If necessary, call the police for them.
- Always leave outside lights on after dark.
- It is better to wait for an empty elevator than to get on one with a strange person.
- If you receive wrong number calls, don't give out your name or phone number.
- If you receive obscene phone calls, quietly hang up and call the police.
- In an apartment building, try never to be alone in the laundry room.

If you suspect someone is in your house, don't go in or call out. Call your local police from your neighbor's house.

## Precautions to Take at the College

- Lock your office whenever you leave, even if you will only be gone for a minute.
- Keep your purse, wallet and other valuables in a secure location, such as a locked desk or filing cabinet.
- Immediately report to the College Police any suspicious person loitering in your area.
- Report all crimes, no matter how minor they may seem, to the College Police.
- If you receive an annoying or obscene phone call, hang up. Write down the time of the call, what the caller said, and note any background noises you may have heard. Call the College Police.
- If you work at night, avoid working alone.
- Keep all outside doors locked.
- Walk with other employees to and from your car.
- Escort services are available from the College Police by calling (619)482-6380
- If you are entrusted with a key to a specific area, never loan it to anyone. Keys are easily lost, stolen or duplicated.

## Precautions to Take at the College

- Try not to go out at night alone. Walk with a friend.
- Don't walk on deserted streets or in alleys.
- Don't go into strange or poorly lit areas.
- Use caution in parking lots.
- Don't take shortcuts.
- Don't hitchhike or accept rides with strangers.
- Walk facing on-coming traffic.
- Walk near the curb.
- Don't walk near dark doorways or shrubbery.
- Carry your purse securely in your grasp.
- Look around when getting off a bus.
- Cross the street if someone suspicious is following you.
- Call the police if you feel that someone is following you or acting suspiciously.
- Walk into an open business if you become suspicious of someone while walking.
- When you are arriving home by private auto or taxi, ask the driver to wait until you are inside.
- Have your keys in your hand so you can open your door immediately.
- Be suspicious. Looking behind you may discourage an attacker.

## Precautions to Take while Driving

- Never pick up hitchhikers.
- Never allow another vehicle to follow you home. If you feel you are being followed, drive past your house to the nearest open business and call the police.
- Never leave your keys in the car.
- Always check in the back seat of your car before getting in.
- If you stop to aid others, don't get out of your car. Ask what you can do to help, then drive to the nearest phone and call the police.
- Never leave your purse in sight. Hide it under your seat or in your glove box.
- Always park in well-lit areas, never in the dark.
- Always lock your car.
- Always lock your doors while driving.
- Always keep your car in gear while stopped at traffic signals or stop signs.
- If threatened, simply drive away. Always write down license plate numbers of suspicious vehicles.
- When arriving home, always leave your headlights on until you have opened the garage door or unlocked the front door.

## What to do if you are Attacked

- Use common sense; avoid panic.
- Use your natural defenses and act fast.
- Yell loudly.
- Identify your attacker(s) vulnerable locations. Strike legs, feet, groin. Scratch the eyes and face.
- Avoid confronting force with force. Disengage and run when possible. Your goal is to escape.
- Run towards people and open businesses.
- Notify the police as soon as possible.

## How to be an Active Bystander and Good Witness

Bystanders play a critical role in the prevention of sexual, relationship violence and other crimes. They 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 otherwise dissuade further violence without causing additional harm or encouraging further violence.

If you or someone else is in immediate danger, dial 6691 on campus or 911. Conditions could be when a person is yelling at or being physically abusive towards another and it is not safe for you to intervene. Situations where violence is occurring or there is a threat of violence are considered an emergencies.

### Active Bystander Tips

1. 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.
2. Confront people who seclude, hit on, try to make out with or have sex with people who are incapacitated or unable to consent.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Report crimes and threats of violence immediately to College Police. Identify what is occurring, the exact location, how many persons are involved, if any weapons are present, any injuries and their extent, and descriptions of assailants and their vehicles.

## Security Considerations Used in the Maintenance of Campus Facilities

Southwestern Community College District maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. The College Police works closely with Facilities Management to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. Other members of the college community are helpful when they report equipment problems to College Police or to Facilities Management.



# Part IX Student Conduct

## Student Rights, Responsibilities, and Administrative Due Process

### Standards of Student Conduct (AP 5500)

Southwestern Community College District is committed to maintaining a safe and healthy learning environment for students, faculty, and staff. Each member of the campus community should choose behaviors that contribute to this end. Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon the college, to be civil to one another and to others in the campus community, and to contribute positively to student and college life.

Board Policy No. 5500: Standards of Student Conduct contains the College District's disciplinary procedures and sanctions for cases of sexual assault, domestic violence, dating violence, and stalking that occur on campus. Complainants will be informed of the outcome of these proceedings and also be afforded the opportunity to change an academic situation/schedule, if requested it and it is reasonably available to do so. The District will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a 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. Criminal prosecution may be initiated by the City and/ or District Attorney's office and civil action may be brought by the victim.

You may view a copy of the entire policy and procedure online by going to: [Standards of Student Conduct](#)

### Student Grievance Procedure (AP 5530)

The purpose of this procedure is to provide a prompt and equitable means for resolving student grievances. The procedures outlined in AP No. 5530: Student Rights and Grievances Procedure shall be available to any student who believes a District decision or action has adversely affected their rights as student. The grade dispute process is contained in this procedure.

A grievance may be initiated by a student when they believe they have been subject to an unjust action or denial of rights as stipulated in College District regulations and in state education and administrative codes. Such action may be initiated by a student against another student, faculty member, administrator, or staff member. A grievance must be initiated no later than the end of the term during which the incident occurred or within 30 days if the alleged action took place during the last two weeks of the semester. For more information on Procedure No. 5530 – Student Rights and Grievances, check the College District website or contact the Office of Student Services.

You may view a copy of the entire policy and procedure online by going to: [Student Rights and Grievances](#)

### Complaints of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Reports of domestic violence, dating violence, sexual assault, or stalking, in violation of District Policy No. 5500: Standards of Student Conduct and/or Policy No. 3540: Sexual and Other Assaults on Campus made to College Police will automatically be referred to the Title IX Administrator. The Title IX Administrator will conduct an investigation of the allegations, regardless of whether the Complainant chooses to pursue criminal charges or not. A Complainant may file a complaint alleging that a student or employee violated the District's policy, whether or not criminal charges are filed.

Allegations involving student misconduct will be processed under BP No. 5500: Standards of Student Conduct. Allegations involving employee misconduct will be processed under BP No. 7360 Discipline and Dismissal of Academic Employees and BP No. 7365 Discipline and Dismissal of Classified Employees, as well as pertinent due process provisions of relevant collective bargaining agreements.

Determinations of misconduct for institutional disciplinary action involving sexual assault, dating violence, domestic violence and stalking will be made using the preponderance of the evidence standard and both the accuser (Complainant) and accused (Respondent) will be notified simultaneously in writing of the results of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking.

The District's disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the Complainant and the Respondent. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of report; however, the proceeding's time frame allows for extensions for good cause with written notice to the Complainant and the Respondent of the delay along with the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the Complainant and promotes accountability. Furthermore, BP and AP 3540: Sexual and Other Assaults on Campus provides that:

- The Complainant and the Respondent will have timely notice for meetings at which the Complainant or Respondent, or both, may be present;
- The Complainant, the Respondent and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings;
- The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the Complainant or the Respondent;

The Complainant and the Respondent will have the same opportunities to have others present during any institutional disciplinary proceeding. The Complainant and the Respondent each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the Complainant or the Respondent in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to support only.

## **Mandatory Reporting Requirements**

All employees of the District, except the excluded employees noted below, are designated as Mandatory Reporters for the purpose of this administrative procedure.

Excluded employees include:

- Student workers
- Those employees whose primary assignment is to render medical or psychological care to students at the District's Student Health Services or Personal Wellness Services are excluded from being Mandatory Reporters. The exclusion of these employees is intended to provide students with a mechanism to confidentially report incidents of Sexual Misconduct. This section, though, is not intended to negate any other mandatory reporting responsibilities required under the law, such as in California Welfare and Institutions Code Sections 15630 et seq. and California Penal Code Sections 11164 et seq.

All Mandatory Reporters are required, under this Section, to report known or reasonably suspected incidents of Sexual Misconduct to the Title IX Administrator, the Dean of Student Services, or College Police.

## **Reporting or Filing a Complaint of Sexual Misconduct**

Students may report incidents of Sexual Misconduct directly to the Title IX Administrator, College Police, the Dean of Student Services, a Mandatory Reporter, or to local law enforcement where the incident occurred. Students may also report incidents of Sexual Misconduct to Student Health Services or Personal Wellness Services if they wish to remain confidential (see Confidentiality section below). Students may also file an Unlawful Discrimination Complaint directly to the California Community Colleges State Chancellor's Office using the link found on the District's website or with the Department of Education Office of Civil Rights complaint resolution process.

Employees may report incidents of Sexual Misconduct by email or in person to their supervisor, the Title IX Administrator, College Police, or local law enforcement where the incident occurred. Employees may also file an Unlawful Discrimination complaint directly to the California Community Colleges State Chancellor's Office using the link found on the District's website, the California Department of Fair Employment and Housing, or with the U.S. Department of Education's Office of Civil Rights complaint resolution process.

## **Anti-Retaliation/Anti-Intimidation**

Any form of Retaliation or intimidation against anyone who has complained of or formally reported discrimination, harassment, or Sexual Misconduct, or has participated in an investigation of such a complaint, will not be tolerated and is considered a violation of Board Policy, this procedure, and applicable law.

## Confidentiality of a Report of Sexual Misconduct

When the District becomes aware of Sexual Misconduct, the District may have an obligation to proceed with an investigation, regardless of a Complainant's wishes to the contrary, in order to ensure the safety of the District Community. Complainants are not required to participate; however, this may limit the District's ability to effectively respond to the incident. If a person requests that their name or other identifying information not be used in an investigation, the District will weigh requests for confidentiality against its duty to provide a safe and nondiscriminatory environment for all members of the District Community. In most cases, information including the person's name may be shared with the Respondent, witnesses, District officials who have a legitimate need to know, or law enforcement, as applicable. Beyond that, the District will take steps to reasonably protect the complainant's identity and the identity of all individuals involved.

The District may publicly disclose results of disciplinary proceedings if a Student is found Responsible for a having committed an act of Sexual Misconduct that places any member of the District community in imminent danger.

Student Health Services and Personal Wellness Services provides confidential counseling and health services on campus for all registered Students attending Southwestern College. Students and/or Employees may be referred to a third-party health services provider for supportive services.

## Timeframe for Reporting a Complaint of Sexual Misconduct

The District does not limit the time for filing a complaint of Sexual Misconduct. However, incidents that are not reported while evidence is still available may reduce the District's ability to effectively investigate and respond to such complaints.

## Information for Complainants

The Office of Student Services, Title IX Administrator, or Chief of Police shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- A copy of the District's Sexual Misconduct Handbook, which contains the College District's policy and procedure regarding domestic violence, dating violence, sexual assault, or stalking.
- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents.
  - Superintendent/President
  - Vice President for Student Affairs
  - Vice President for Human Resources
  - Dean of Student Services
  - Chief Public Information & Government Relations Officer
  - Chief of Police
- Information about the importance of preserving evidence and the identification and location of witnesses.
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for providing or arranging them include:
  - Transportation to a hospital, if necessary (College Police Department);
  - Counseling by referral to a counseling center (Office of Student Services or Title IX Administrator);
  - A list of other available campus resources or appropriate off-campus resources (College Police Department, Office of Student Services, or Title IX Administrator)
- The victim's option to:
  - Notify proper law enforcement authorities, including on-campus and local police;
  - Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
  - Decline to notify such authorities

- The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court.
- Information about how the district will protect the confidentiality of victims.
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to College Police or local law enforcement.
- A description of each of the following procedures:
  - Criminal prosecution;
  - Civil prosecution (i.e., lawsuit);
  - District disciplinary procedures, both student and employee;
  - Modification of class schedules;
  - Tutoring, if necessary.

The District will investigate all complaints alleging sexual assault, regardless of whether a complaint is filed with local law enforcement, under the procedures outlined in the College District's Sexual Misconduct Handbook, which is available from the College Police Department, the Title IX Administrator, the Office of Student Services, and the College District website.

# Steps in the Administrative Process

## Step One—Support Resources

The District shall provide involved parties with available District and community resource information. A list of available campus and community resources are listed on the District's website and will be provided for all involved parties.

## Step Two—Notice

All reports of Sexual Misconduct will be immediately forwarded to the Title IX Administrator. Once a complaint of Sexual Misconduct has been received, the Title IX Administrator, or designee, will provide a notice in writing to the Complainant and Respondent with the following information:

- A description of the alleged violation(s).
- A description of the applicable policies.
- A required date, time and location for a review or interview.

If any Party does not appear at the scheduled review, or investigation, the meeting will be held in his/her absence. For compelling reasons, the Title IX Administrator, or designee, may reschedule the meeting.

## Step Three—Interim Accommodations/Actions

Once the Title IX Administrator or designee has received a complaint of Sexual Misconduct, they will make an interim assessment to determine if any immediate remedies or protective measures are warranted, pending investigation. The Title IX Administrator, or designee, in conjunction with the Dean of Student Services and/or the Vice President for Human Resources, or designee, will work with Students and Employees affected by the Sexual Misconduct report to ensure their safety and promote their well-being. Sometimes this assistance will take the form of immediate interim actions or accommodations to support and protect the involved students or Employees in the immediate aftermath of an incident and while an investigation or disciplinary action is pending.

The Title IX Administrator, or designee, may assign a victim's advisor to the person who reported the complaint or the Complainant may choose his/her own. Likewise, the Title IX Administrator, working in conjunction with the Dean of Student Services or the Vice President for Human Resource, or designee, may determine other remedies, such as, but not limited to, accommodations relating to changing academic or work schedules, no contact orders, a leave of absence, or reassignment to a different supervisor or position, College Police escort services, referral to Southwestern College Personal Wellness Services, referral to community support agencies, restrictions on the alleged perpetrator pending investigation, and other remedies to promote the well-being, safety, and restoration of alleged victim. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Administrator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by College Administration.

As set forth in the District's Standards of Student Conduct (BP/AP 5500), a student may be subject to interim actions pending investigation of a complaint. The Dean of Student Services may impose interim sanctions deemed reasonably necessary to protect the Complainant, or the campus community. The student shall be notified of any interim action in accordance with the Standards of Student Conduct.

Upon notice by the Dean of Student Services to a student of an Interim Suspension, a student has three calendar days (from the date of the notice) to submit reason(s) for an appeal of the Interim Suspension, in writing, to the Vice President for Student Affairs or their designee. The Vice President for Student Affairs, or their designee, will render a decision on revoking the Interim Suspension, with or without modifications, to the student. The Vice President for Student Affairs, or their designee, will provide the student with a decision within 1 business Day of the received appeal.

The Interim Suspension remains in effect until a decision from the Vice President for Student Affairs, or designee, is rendered.

## Step Four—Investigation

The District, through a trained investigator, will investigate all reports of alleged Sexual Misconduct. The investigator will interview the Complainant, Respondent, and any witnesses as deemed relevant by the investigator or Title IX Administrator. The investigator will also gather information, documents, and materials (if any) that are relevant to the case.

Once sufficient evidence has been collected, the Title IX Administrator, makes a determination of Responsible or Not Responsible based on the preponderance of the evidence that there has been a violation of College District BP/AP No. 3430: Prohibition of Harassment (see Step 5—Determination of Findings).

### Informal Resolution Options

If appropriate, the District's Title IX Administrator may seek to resolve certain Sexual Misconduct cases through an informal process involving both the Complainant and Respondent, subject to the Parties' mutual agreement.

### Declining/Reluctance to Participate in an Investigation

For employees, a refusal to participate in a Sexual Misconduct investigation may result in disciplinary action. The investigation and adjudication process will continue and a determination of Responsible or Not Responsible will be made without the benefit of the Employee's input.

For students, a Complainant and/or Respondent may decline to participate in the investigation. In these cases, the investigation and adjudication process will continue and a determination of Responsible or Not Responsible will be made without the benefit of the Complainant and/or Respondent's input.

As a Complainant of an incident of Sexual Misconduct, a students may inform the College District that they are unwilling to participate further in any investigation and/or disciplinary action against the student(s) who has been accused (Respondent). The District has an obligation to investigate to the extent that information is available and known. If during the investigation, the investigator finds corroborating information, it may be determined that it is necessary to move forward with the Student Conduct process without the involvement of the Complainant or to implement other appropriate remedies. If a Complainant does not wish to participate in the Student Conduct process, the District is obligated to record the incident for Clery Act reporting compliance. When a report is being recorded into a document, there will be no personally identifying information about the Complainant within the document. The Complainant will be notified of any actions by the District, coupled with a letter stating the choice to participate in the investigation and/or Student Conduct process.

### Time Frames

Time frames for reviews, investigations, and hearings may vary depending on the details of a case and at certain times of the academic year for possible violations that occur near, during, or after District holidays, breaks, or the end of an academic terms, in which meetings will be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by this policy and procedures.

The District will investigate and communicate its findings within 60 Days of the date in which the complaint was filed, unless there are extenuating circumstances that prohibit the timeliness of the completion of the investigation. If an extenuating circumstance exists that prohibits the completion of an investigation within 60 Days, the District will inform the Complainant and the Respondent in writing of such delay.

If the extenuating circumstance is a parallel criminal investigation being conducted by College Police or local law enforcement, so long as the District Community is not in foreseeable danger, and at the Complainant's discretion, the District shall hold an administrative investigation in temporary abeyance. The Vice President of Human Resources, or designee, or the Dean of Student Services will work with the Complainant to determine any interim measures or accommodations that are needed to ensure a safe environment. In such instances, the Complainant will be kept apprised of the status of the investigation in writing. However, in order to preserve the integrity of the parallel criminal investigation, the Respondent will not be notified that a complaint was filed.

## Advisors

Sexual Misconduct proceedings are not formal court hearings, but instead are administrative actions imposed by the District. Although District-related sanctions may be imposed, the process is intended to provide an opportunity of learning. Both the Complainant and the Respondent may elect to be accompanied by an Advisor, including a collective bargaining representative, as permitted by existing bargaining agreements, to any meeting(s) or interview(s). The advisor's role is limited to observing and consulting with and providing support to the Complainant or Respondent. An Advisor may not participate (speak) in the investigation and/or appeal processes on the Complainant/Respondent's behalf. An Advisor may not in any way disrupt or interfere with the process, and any violation of this section shall result in the immediate removal of the advisor. The advisor also must maintain confidentiality.

## Step Five –Determination of Findings

Once an investigation has concluded, the Title IX Administrator will make a determination based on the preponderance of the evidence that the Respondent is Responsible or Not Responsible for the alleged violation of Sexual Misconduct.

**RESPONSIBLE:** If after the conclusion of an investigation, the preponderance of evidence indicates that it is more likely than not that the Respondent violated District BP/AP 3540, the Respondent will be found Responsible for the violation. Both the Complainant and the Respondent will be informed of the outcome and the investigatory report will be forwarded to the Dean of Student Services or the Vice President for Human Resources, or designee, for applicable Sanctions. The Title IX Administrator may make a recommendation to the Dean of Student Services or the Vice President for Human Resources, or designee, as to the Sanctions that should be imposed based on the severity of the violations.

**NOT RESPONSIBLE:** If after the conclusion of an investigation, the preponderance of evidence indicates that the Respondent did not violate District BP/AP No. 3430: Prohibition of Harassment, the Respondent will be found Not Responsible. Both the Complainant and the Respondent will be informed of the outcome, and advised of any applicable rights.

## Step Six—Sanctions

In all cases, investigations that result in a finding of more likely than not that a violation of policy occurred will lead to the initiation of disciplinary procedures against the Respondent. The District will impose appropriate sanctions up to and including expulsion for students and termination for employees. The District may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking. For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

**EMPLOYEES:** If the Vice President for Human Resources receives an investigation report finding that a Respondent is Responsible for violating BP/AP No. 3430, the Vice President for Human Resources, or designee, shall impose sanctions according to Human Resources policies, procedures, and/or collective bargaining agreements.

**STUDENTS:** If the Dean of Student Services receives an investigation report finding that a Respondent is Responsible for violating BP/AP No. 3430, the Dean of Student Services will follow the District's BP/AP No. 5500: Standards of Student Conduct, or other applicable board policy, to impose Sanctions and to notify the Respondent of the imposed sanctions and their right to appeal. Once the Sanctions have been imposed, the Title IX Administrator will notify the Complainant of the imposed Sanctions and their right to appeal.

Sanctions issued shall be:

- Fair and appropriate given the facts of the case;
- Consistent with the District's handling of similar cases;
- Adequate to protect the safety of the District Community; and
- Reflective of the seriousness of the Sexual Misconduct.

The relevant factors that are considered, as applicable to the specifics of each type of Sexual Misconduct, when imposing Sanctions are:

1. The specific Sexual Misconduct at issue (such as penetration, touching, unauthorized recording, etc.);
2. The circumstances accompanying the lack of Consent (such as force, threat, coercion, incapacitation, etc.);
3. The Respondent's state of mind (intentional, knowing, bias-motivated, reckless, etc.);
4. The impact of the offense on the Complainant;
5. The Respondent's disciplinary history;
6. The safety of the District Community; and
7. The Respondent's conduct during the disciplinary process.

## Impact Statements

The purpose of impact statements is to allow the Complainant and Respondent, during the sanctioning process, to describe to the Dean of Student Services how this violation has had an impact on them. The Dean of Student Services may use information from these statements to help determine an appropriate sanction(s).

Impact statements may provide information about damage to Complainant/Respondent that would otherwise have been unavailable to the Dean of Student Services. A Complainant is not required to appear in person before the Dean, but is empowered to convey her/his experience(s) in the case in written form to the Dean.

## Step Seven—Appeals of the Investigation Process or Imposed Sanctions

Where an appeal is permitted under the applicable policy, the Complainant and the Respondent will be notified simultaneously in writing, of the procedures for the Respondent and the Complainant to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the Complainant and the Respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Students are able to appeal disciplinary sanction by providing written notification of an appeal request to the Dean of Student Services within 3 days of the imposition of sanctions. The appeal process for students can be found in AP No. 5500: Standards of Student Conduct [Standards of Student Conduct](#)

## Step Eight—Ongoing Accommodations for Complainants

Whatever the outcome of the investigation or findings, a Complainant may request ongoing or additional accommodations. In consultation with other campus departments, a determination will be made on whether such measures are appropriate. The District may also determine that additional measures are appropriate to respond to the effects of the incident. Additional responses for the benefit of the District Community may include:

- Revision of the District's policies and procedures regarding Sexual Misconduct.
- Additional training and education materials for students, faculty, and staff.
- Increased monitoring, supervision, or security at locations or events where the Sexual Misconduct occurred.
- Ensuring relevant climate surveys that focus on safety, security, inclusion is gathered to improve on developing a culture that is intolerant of Sexual Misconduct.

## Part X Substance Abuse

### Southwestern College Drug and Alcohol Abuse Program (DAAPP)

The District is committed to providing its employees and students with a drug free workplace and campus environment. It emphasizes prevention and intervention through education. The goal is to empower students and employees to make informed decisions about substance use and abuse to allow each member to be healthy and productive and maximize each person's potential.

#### **Governing Board Police 3550 Drug-Free Environment & Drug Prevention Program**

*The College District shall be free from all drugs and from the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.*

*The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in all facilities under the control and use of the College District.*

*Any student or employee who violates this policy will be subject to disciplinary action (consistent with local, state or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion or dismissal.*

*The Superintendent/President shall assure that the College District distributes annually to each student the information required by the Drug-Free School and Communities Act Amendments of 1989 and complies with other requirements of the Act.*

The District prohibits the unlawful possession, use, sale, or distribution of illicit drugs by students and employees on the District's property or as part of any of the District's activities, including but not limited to field trips, activities or workshops. The unlawful manufacture, distribution, sale, dispensing, possession or use of alcohol or any controlled substance is prohibited on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the District.

The unlawful possession, use and sale of alcoholic beverages by anyone on District-controlled property is a misdemeanor per California Business and Professions Code 25608 and a violation of Board Policy 3550. Underage drinking is a misdemeanor per California Business and Professions Code 25662a. Any person found in violation may be subject to arrest administrative discipline that may be imposed by the District. The College Police Department has primary enforcement responsibility and will enforce illegal possession, use, and sale of alcoholic beverage and California underage drinking laws on campus.

The possession, use, and sale of illegal drugs is a violation of District policy and a violation of state and Federal law. Any person found in violation may be subject to arrest and administrative discipline that may be imposed by the District. The College Police Department has primary enforcement responsibility and will enforce possession, use, and sale of illegal drugs under California and Federal law.

Any student or employee in violation of Board Policy 3550 is subject to disciplinary action up to and including expulsion from the District or termination from employment. The decision to take disciplinary action in any instance rests with the Governing Board after consideration of the recommendation of a site administrator and an administrative panel. A complete list of legal sanctions is available in the office of the Vice President of Student Affairs.

Southwestern Community College District is committed to providing a drug-free environment to protect the health and welfare of its employees and students. Any type of drug use, including alcohol, is dangerous and potentially life threatening. Drugs and alcohol adversely affect the body, mind and behavior. Effects vary from person to person and from usage to usage. Even low doses of drugs and alcohol can impair judgment and coordination. Any ingestion of drugs or alcohol brings risks of overdose, accidents, dependence, ill health, as well as legal, financial and personal problems.

### Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, Southwestern College publishes information regarding the college's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and college policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for District students and employees. A complete description of these topics, as provided in the college's annual notification to students and employees, is available online at: <http://www.swccd.edu/index.aspx?page=3393>

## Health Risks of Substance Abuse

The health risks associated with the use of illicit drugs and the abuse of alcohol are severe and include:

- Death including by alcohol poisoning or drug overdose;
- Risk of addiction and withdrawal symptoms including pain, convulsions and depression;
- Liver, heart, kidney, pancreas, and brain damage and/or loss of brain cells;
- Impaired judgment and resulting safety and health risks including accidents,
- Unwanted pregnancies or sexually transmitted diseases, and aggressive or violent behavior;
- Impaired performance including drowsiness, impaired memory, and impaired concentration;
- Sexual dysfunctions;
- Harm to a fetus, including spontaneous abortions, premature labor, and detached placentas;
- Psychological problems including depression, anxiety, paranoia, panic reactions, psychosis and hallucinations;
- Seizures;
- Strokes, cardiac arrest or cardiovascular problems;
- Lung damage or illnesses, bronchitis, or respiratory arrest, and
- Needle-related illnesses and complications such as hepatitis, HIV, muscle and nervous tissue death necessitating limb amputation, and infections.

**ALCOHOLIC BEVERAGE ABUSE:** Drinking too much on a single occasion or over time can take a serious toll on your health. Here's how alcohol can affect your body:

- **Brain:** Alcohol interferes with the brain's communication pathways, and can affect the way the brain looks and works. These disruptions can change mood and behavior, and make it harder to think clearly and move with coordination.
- **Heart:** Drinking a lot over a long time or too much on a single occasion can damage the heart, causing problems including: Cardiomyopathy – stretching and drooping of heart muscle, arrhythmias – irregular heartbeat, stroke, and high blood pressure. Research also shows that drinking moderate amounts of alcohol may protect healthy adults from developing coronary heart disease.
- **Liver:** Heavy drinking takes a toll on the liver, and can lead to a variety of problems and liver inflammations including: steatosis, or fatty liver, alcoholic hepatitis, fibrosis, cirrhosis
- **Pancreas:** Alcohol causes the pancreas to produce toxic substances that can eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood vessels in the pancreas that prevents proper digestion.
- **Cancer:** Drinking too much alcohol can increase your risk of developing certain cancers, including cancers of the: mouth, esophagus, throat, liver, or breast.
- **Immune System:** Drinking too much can weaken your immune system, making your body a much easier target for disease. Chronic drinkers are more liable to contract diseases like pneumonia and tuberculosis than people who do not drink too much. Drinking a lot on a single occasion slows your body's ability to ward off infections – even up to 24 hours after getting drunk.

**TOBACCO:** Possible short-term health effects: Increased blood pressure, breathing, and heart rate.

Possible long-term health effects: Greatly increased risk of cancer, especially lung cancer when smoked and oral cancers when chewed; chronic bronchitis; emphysema; heart disease; leukemia; cataracts; pneumonia.

**MARIJUANA:** Possible short-term health effects: Enhanced sensory perception and euphoria followed by drowsiness/relaxation; slowed reaction time; problems with balance and coordination; increased heart rate and appetite; problems with learning and memory; hallucinations; anxiety; panic attacks; psychosis.

Possible long-term health effects: Mental health problems, chronic cough, frequent respiratory infections.

**HEROIN:** Possible short-term health effects: Euphoria; warm flushing of skin; dry mouth; heavy feeling in the hands and feet; clouded thinking; alternate wakeful and drowsy states; itching; nausea; vomiting; slowed breathing and heart rate. Possible long-term health effects: Collapsed veins; abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia.

**METHAMPHETAMINE:** Possible short-term health effects: Increased wakefulness and physical activity; decreased appetite; increased breathing, heart rate, blood pressure, temperature; irregular heartbeat.  
Possible long-term health effects: Anxiety, confusion, insomnia, mood problems, violent behavior, paranoia, hallucinations, delusions, weight loss, severe dental problems ("meth mouth"), intense itching leading to skin sores from scratching.

More information about the health risks of using alcohol and other drugs can be found at the National Institute on Drug Abuse website: <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>

## Employee Notification of Workplace Criminal Drug Statute Violation

As a condition of employment, employees must notify the District within five days of any conviction for violating a criminal drug statute occurring in the workplace. The District is required to inform any agencies that also require this drug-free policy within ten days after receiving notice of a workplace drug conviction. An employee who is convicted will be subject to disciplinary action and/or will be required to participate in a drug abuse assistance or rehabilitation program.

## Smoking

Board Policy 3570 prohibits the smoking and/or use of any tobacco product on all properties owned or controlled by the District. The District is committed to creating a clean, healthy working and learning environment for students, faculty, staff and visitors. All students, employees and visitors on District property are subject to enforcement under the regulations of BP 3570.

Student Health Services 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 for additional information:

### Student Health Services

Chula Vista Main Campus .....	(619) 482-6354
HEC National City .....	(619) 388-3450
HEC Otay Mesa .....	(619) 388-2774
HEC San Ysidro .....	(619) 388-7881

## Consequences for Violations of Substance Use

Violation of this prohibition will result in the District taking appropriate action and imposing applicable legal sanctions under local, state, or federal law for unlawful possession or distribution of illicit drugs and alcohol, up to and including termination of employment for employees, suspension and/or other disciplinary action for students, referral to federal, state, local and/or campus law enforcement for criminal law citation, arrest and/or prosecution of both employees and students, and/or as permitted by law, may require satisfactory participation in programs, including but not limited to an alcohol or drug abuse assistance or rehabilitation program.

Students who violate the Student Code of Conduct, specifically unlawful possession, use, sale, offer to sell, furnishing, or being under the influence of any controlled substance; alcoholic beverage, or intoxicant of any kind; unlawful possession of offering, arranging or negotiating the sale of any drug paraphernalia are subject to a range of sanctions that may include:

- Verbal Warning: Oral notice to the student that continuation or repetition of misconduct may be cause for further disciplinary action.
- Written Reprimand: Students are notified that continuation of conduct may result in further disciplinary action and may be considered in the event of future violations.
- Disciplinary Probation: Any misconduct during the probation period will be cause for suspension or other disciplinary action.
- Disciplinary Suspension: Exclusion from class, privileges or activities for a specified period of time as set forth in the notice of suspension.
- Expulsion: Termination of student status. Expulsion requires formal action by the Governing Board.

## Federal Drug Laws and Penalties

Federal law prohibits the possession, use, manufacture, and/or distribution of illegal drugs, to include possession and cultivation of marijuana. Penalties for violation of Federal law include imprisonment and fines. Punishments for subsequent offenses increase in severity.

## Substance Abuse Prevention and Awareness Programs

Southwestern College provided the following substance abuse prevention and awareness programs.

Name of Program	Date Held	Location Held	Behavior Covered?
Sexual Assault Awareness Week (Resource Table)	4/13/18	Jaguar Walk	Sexual assault awareness and alcohol and other drug prevention and awareness
Integrative Health & Wellness	3/21/18	Cesar Chavez Building, Room S209	Healthy lifestyle choices
Spring Break Tips and Drinking and Driving Prevention	3/20/18	Mayan Hall	Alcohol, smoking and other drugs prevention and awareness
Kick Butt's Day	3/14/18	Jaguar Walk	Smoking prevention and awareness
Current Trends: Use, Abuse and Addiction	2/21/18	Cesar Chavez Building, Room S209	Drug and alcohol abuse
Great American Shake Out	11/15/17	Jaguar Walk	Smoking prevention and awareness
Current Trends: Use, Abuse and Addiction	11/1/17	Cesar Chavez Building, Room S209	Drug and alcohol abuse
Integrative Health & Wellness	10/18/17	Cesar Chavez Building, Room S209	Healthy lifestyle choices
Drunk Busters	10/17/17	Mayan Hall	Drunk driving prevention
Dangerous Additions: Why You Don't Want To Go There	5/3/17	Cesar Chavez Building, Room S209	Drug and alcohol abuse
Drunk Busters	3/21/17	Mayan Hall	Drunk driving prevention
Kick Butt's Day	3/15/17	Jaguar Walk	Smoking prevention and awareness
Integrative Health & Wellness	3/15/17	Cesar Chavez Building, Room S209	Healthy lifestyle choices
Dangerous Additions: Why You Don't Want To Go There	10/26/17	Cesar Chavez Building, Room S209	Drug and alcohol abuse

# Assistance, Resources and Referrals

Drug or alcohol counseling, treatment, or rehabilitation or re-entry programs or referrals are available to employees or students.

The District provides confidential referrals through Employee Assistance Program (EAP) for employees and their families needing assistance with drug or alcohol abuse. Please contact Human Resources at (619) 482-6395 or visit the website at: (<http://www.swccd.edu/index.aspx?page=50>).

Health Services and/or Personal Wellness Services provide counseling, alcohol and drug abuse education information, and resources for students.

Health Services in the Student Center at (619) 482-6550 or visit <http://www.swccd.edu/index.aspx?page=349> .

Personnel Wellness offers counseling services, to include urgent or crisis intervention. Contact Personal Wellness Services at (619) 421-6700 ext. 5279 or visit <http://www.swccd.edu/index.aspx?page=3257>.

## Online Resources:

### Alcohol Screening.Org

<http://www.alcoholscreening.org/Home.aspx>

### Alcoholics Anonymous

24-HourPhoneline.....(619) 265-8762

<http://www.aa.org/>

ALANON.....(619) 296-2666

### National Institute of Drug Abuse (NIDA)

<http://www.drugabuse.gov/>

### Narcotics Anonymous Information

24-Hour Phone lines

English.....(619) 584-1007

Toll Free.....(800) 479-0062

Spanish.....(619) 546-0774

[sandiegona.org](http://sandiegona.org)

South Bay Recovery (McAllister Institute).....(619)-691-8164

Practical / Smart Recovery (Alternative to AA).....(858) 546-1100

<http://www.smartrecoverysd.org>

### "The Science of Addiction" Handout

<http://www.drugabuse.gov/publications/science-addiction/preface>

### National Institute on Alcohol Abuse and Alcoholism (NIAAA)

<http://www.niaaa.nih.gov/>

### College Drinking: Changing the Culture

<http://www.collegedrinkingprevention.gov/>

### Drinking Habits Assessment & Management Tools

<http://rethinkingdrinking.niaaa.nih.gov/>

**Medline Plus webpage on Substance Abuse Problems**

<http://www.nlm.nih.gov/medlineplus/substanceabuseproblems.html>

**References:**

**Governing Board Administrative Procedure 3550: Drug Free Environment and Drug Prevention Program:**

<http://swccd.edu/index.aspx?page=955>

**Governing Board Administrative Procedure 5500: Standards of Student Conduct:** <http://www.swccd.edu/index.aspx?page=958>



