Clery Act

2015 Annual Campus Security and Fire Safety Report

"Education, Safety and Service"

Porterville College
Office of Public Safety
559-310-2143
Presented by: Ron Childress
Public Safety & Community Service Coordinator

September 29, 2015

2015 ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT

The Porterville College (PC) Annual Campus Security and Fire Safety Report is published each year to provide crime and fire statistics and information on safety and security related services offered by the college, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report has been modified to include the new requirements imposed by the Violence Against Women Reauthorization Act - Campus Sexual Violence Act ("SaVE Act") provision, Section 304.

This report is prepared with data and information provided by the PC Office of Public Safety, campus security authorities and various law enforcement agencies that provide services to PC properties within their jurisdictions. The report summarizes college and campus safety and security programs and contains policies and procedures designed to enhance personal safety at Porterville College.

The 2015 Annual Campus Security and Fire Safety Report is posted on the PC Safety and Security website in PDF format. Crime and disciplinary referral statistics are located at the end of the report.

For more information regarding campus safety or to request a paper copy of the report, contact Porterville College Office of Public Safety (PCOPS) at 559-791-2440, email the Clery Coordinator at rchildre@portervillecollege.edu, or write to the department at 100 E. College Avenue, Porterville, CA 93257.
# Table of Contents

2015 ANNUAL CAMPUS SECURITY AND FIRE SAFETY REPORT ................................................................. 1

INTRODUCTION AND PURPOSE ........................................................................................................... 4

CLERY ACT COMPLIANCE .................................................................................................................... 5

THE MAKING OF THE ANNUAL REPORT ............................................................................................ 5
  Notification Process ........................................................................................................................... 6

CRIME STATISTICS REPORTING POLICIES AND PROCEDURES .................................................. 6

A SAFE CAMPUS IS A TEAM EFFORT .................................................................................................. 7

SECURITY AWARENESS PROGRAMS ..................................................................................................... 7
  Training Programs ............................................................................................................................... 7

CRIME PREVENTION TIPS .................................................................................................................... 8
  Office Security ................................................................................................................................... 8
  Key Control ....................................................................................................................................... 8
  Property Protection ............................................................................................................................ 8
  Bicycle Theft .................................................................................................................................... 8
  Personal Safety .................................................................................................................................. 8
  Parking Lot Safety ............................................................................................................................. 9
  In a Threatening Situation .................................................................................................................. 9
  Incident Reporting .............................................................................................................................. 9
  Important Phone Numbers ................................................................................................................. 9
  Campus Safety .................................................................................................................................. 10
  Safety Tips ....................................................................................................................................... 10

SAFE CAMPUS RESOURCES EMERGENCY NUMBERS ........................................................................ 10
  PC Office Of Public Safety Contact Information ............................................................................... 10
  Porterville Police Non-Emergency ..................................................................................................... 10
  Other College Resources ................................................................................................................... 10

CRIME REPORTING METHODS .......................................................................................................... 10
  Dial 9 - 1 - 1 for emergencies ............................................................................................................ 10
    • Suspicious Activity ..................................................................................................................... 11
    • Criminal Activity ....................................................................................................................... 11
    • Crime Awareness ....................................................................................................................... 11
    • Campus Security Authorities ..................................................................................................... 11

PROCEDURES FOR ACCURATE AND PROMPT CRIME REPORTING ................................................. 12
  Porterville College Main Campus ...................................................................................................... 12

CONFIDENTIAL REPORTING PROCEDURES ...................................................................................... 12
  Pastoral Counselor ........................................................................................................................... 12
  Professional Counselor .................................................................................................................... 12

VOLUNTARY CONFIDENTIAL REPORTING ....................................................................................... 12

TIMELY WARNINGS ............................................................................................................................. 13
EMERGENCY RESPONSE AND EVACUATION POLICY ................................................................. 15
  Emergency Response ........................................................................................................... 15
  Emergency Communication Systems .................................................................................. 15
  Communication with the Larger Community ........................................................................ 15
  Emergency and Evacuation Procedures ............................................................................. 15
  Emergency Notification System Test .................................................................................. 15
GENERAL EVACUATION MAP ............................................................................................... 16
SEXUAL ASSAULT PREVENTION AND RESPONSE ................................................................. 16
  For students who are sexually assaulted ............................................................................. 16
  Administrative Complaint Procedures .............................................................................. 17
  Sexual Assault Resources .................................................................................................... 17
SEXOFFENDER REGISTRATION INFORMATION ...................................................................... 22
MEGAN’S LAW .......................................................................................................................... 22
SECURITY OF, AND ACCESS TO FACILITIES ......................................................................... 23
  Porterville College Campus .................................................................................................. 23
OFFICE OF PUBLIC SAFETY AUTHORITY AND JURISDICTION .................................................. 24
OFF CAMPUS CRIMINAL ACTIVITY .......................................................................................... 24
ALCOHOL AND ILLEGAL DRUGS ............................................................................................. 24
  PC Drug and Alcohol Policy for Employees ........................................................................... 24
  Drug and Alcohol Policy; Board of Trustee’s Manual .......................................................... 24
  Drug and Alcohol Policy for All Students ............................................................................ 26
  Student Code of Conduct Drug and Alcohol Policy ............................................................ 26
CLERYDEFINITIONS ................................................................................................................. 27
  Clery Geographic Categories .............................................................................................. 27
  Clery Crime Categories ....................................................................................................... 27
  Clery Arrests and Referrals ............................................................................................... 28
CLERY CRIME STATISTICS ..................................................................................................... 29
  Crime Statistics .................................................................................................................. 30
  informational Resources For Crime Statistics ................................................................... 31
INTRODUCTION AND PURPOSE

In 1998, the federal government passed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or commonly referred to as the Clery Act. This law requires colleges and universities receiving federal funding to publish an annual report disclosing campus security policies and three years of selected crime and fire statistics, to make timely warnings to the campus community about crimes that pose an ongoing threat to students and employees, and to post a public crime log.

Porterville College is located at 100 East College Avenue, Porterville, California, at the base of the scenic High Sierra Mountain Range in southeastern Tulare County. The population of the Porterville urban area is approximately 54,000 persons and that of the surrounding service area is 90,000 persons.

The 2015 Annual Campus Security and Fire Safety Report details important efforts to prepare for, provide, and enhance the safety needs of the community. The following report meets federal requirements for annual reporting of incidents on campus, including the Higher Education Opportunity Act of 2008 related to the Jeanne Clery Act, emergency notification and fire safety reporting.

The purpose of the Clery Act is to provide students, families and employees with accurate, complete and timely information about campus safety so that they can make informed decisions. The Porterville College Office of Public Safety (PCOPS) publishes the Annual Campus Security and Fire Safety Report in compliance with the Clery Act, and also offers it as a resource guide, directing readers to campus safety and security services and providing crime prevention and personal safety guidance and strategies.

This report also includes information and policy statements regarding campus security and safety, for example, crime prevention, security awareness, fire safety drills, alcohol and substance abuse policies, sexual assault, procedures for reporting a crime, emergency and evacuation procedures, as well as other matters of importance to the campus community.
CLERY ACT COMPLIANCE

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security and fire safety policies. All public and private institutions of postsecondary education participating in federal student-aid programs are subject to it. The act includes:

Publishing an annual report disclosing campus security policies and three years of selected crime and fire statistics.

- Making timely warnings to the campus community about crimes that pose an ongoing threat.
- Keeping a public crime log.
- Upholding basic rights to victims of sexual assault.
- Making accurate crime statistics available to the U.S. Department of Education which centrally collects and disseminates campus crime statistics at the national level.
- Facing possible fines from the U.S. Department of Education when schools fail to comply with Clery.

THE MAKING OF THE ANNUAL REPORT

The Annual Campus Security and Fire Safety Report is published on the Porterville College website home page, the PCOPS Safety & Security website, the Admissions website and the Human Resources website annually. This year’s report reflects crime statistics that were reported in 2012, 2013 and 2014. There is no reporting of Fire statistics or Missing Person’s as the college does not provide on or off-campus living facilities to students.

Statistics for the current calendar year will appear in the report for the following academic year. The Annual Campus Security and Fire Safety Report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report reflects the campus’ ongoing efforts to refine and clarify student discipline procedures. Additionally, this report reflects the current review of institutional policies to adopt practices that address and prevent campus sexual violence through training and awareness campaigns for students and employees.

Crime statistics include certain categories of crimes and judicial referrals required for disclosure under the act which occurred on campus, properties owned or controlled by Porterville College (PC) and on public properties immediately adjacent to and accessible from the PC campus. In compliance with the Violence Against Women Reauthorization Act, the crime categories have been expanded to report domestic violence, dating violence, sexual assault, and stalking.

Campus crime, arrest and judicial referral statistics include those reported to PCOPS, campus security authorities (as defined by federal law), and law enforcement authorities in whose jurisdiction PC properties reside. PCOPS discloses all incidents reported to the department that fall into any of the required reporting classifications as a statistic in the annual report. Porterville College does not offer student residential facilities so the Fire statistics and Missing Person’s statistics is not applicable for PC.

The PCOPS Clery Coordinator is responsible for collecting and compiling crime statistics and for publishing the report. In addition to crime statistics, program and policy statements are collected from the Office of the Vice President of which are included in this report.

The Annual Campus Security and Fire Safety Report is released by October 1st of each year, in compliance with state and federal crime awareness and campus security legislation, including the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report may be viewed on the PCOPS website. To request a paper copy of the report, contact PCOPS at 559.791.2200, or write to the department at 100 E. College Avenue, Porterville CA. 93257.
Notification Process

By October 1st of each year, all enrolled students and employees receive an email notification regarding the content and availability of the Annual Campus Security and Fire Safety Report. The email provides information regarding how to access the report.

The electronic postcard (see below) is distributed via email to:

- All faculty and staff
- All students (currently enrolled and those who have applied by October 1st)

Prospective students who do not fall into the above category receive the notification as part of an information packet.

Notification is also posted in the following locations:

- Porterville College Website Safety & Security home page
- Human Resources website (for prospective employees)
- Admissions website (for prospective students)

October 1, 2015

Dear Porterville College Faculty Member, Staff Member, Student, or Prospective Student:

In compliance with federal law, Porterville College prepares an annual report on campus security and fire safety programs and services. The 2015 Annual Campus Security and Fire Safety Report is available online at https://www.portervillecollege.edu/about-occ/safety-security.

The report includes crime statistics for the previous three calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Porterville College; and on public property within or immediately adjacent to and accessible from the campus. Fire or Missing Person’s statistics are not included as Porterville College does not offer student housing facilities.

The report also includes information and policy statements regarding campus security and safety, for example, crime prevention, security awareness, fire safety drills, alcohol and substance abuse, sexual assault, procedures for reporting a crime and emergency and evacuation procedures, as well as other matters of importance to the campus community. This report has been modified to include the new requirements imposed by the Violence Against Women Reauthorization Act - Campus Sexual Violence Act (“SaVE Act”) provision, Section 304. Compliance with provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

You may request a paper copy of the report from Porterville College Office of Public Safety at 559.791.2200, or write to the department at 100 E. College Avenue, Porterville, CA 93257.

CRIME STATISTICS REPORTING POLICIES AND PROCEDURES

PCOPS is responsible for gathering statistics for criminal activity on and near campus, identifying reportable crimes and delivering reports of this data annually. The Clery Act requires these reports be disseminated to the U.S. Department of Education and delivered to members of the campus community.

Statistics that have been compiled are reported in different formats and categories depending upon legal requirements of each report. The Jeanne Clery Act requires its statistics to be reported from a wide geographic area such as incidents on adjacent public property are Clery-reportable.
The Clery Act also requires reports of student disciplinary referrals in addition to arrests for drug, alcohol and weapons offenses. Porterville College provides the option of confidential and anonymous reporting and while these statistics are not reportable per local, state, or federal law enforcement guidelines, they are Clery-reportable and will be included in our report.

PCOPS begins in January of each year to collect crime statistics from the previous calendar year by submitting written requests to various reporting entities. When criminal activity occurs outside of the jurisdiction of PCOPS, a local law enforcement agency follows its own procedures to create a police report for each incident. This agency will then, upon the request of PCOPS, submit its statistics. When this data is received, it is reviewed, particularly to ensure that there are no duplications in reporting efforts between PCOPS and outside reporting agencies. Although every effort is made to avoid duplication of reports received from non-Public Safety, campus security authorities and other police agencies, an individual incident may be reported to us, and thus counted as a statistic, more than once.

When a crime is reported, individual reports may be forwarded to other units and/or agencies for follow up. In some cases involving lesser offenses, the report will be forwarded to the Office of the Vice President of Student Affairs, for adjudication through the campus’s disciplinary referral process. These types of incidents that are Clery reportable are listed as Disciplinary Referrals in the Crime Statistics section of this report.

For further inquiries or comments please contact the Clery Coordinator.

A SAFE CAMPUS IS A TEAM EFFORT

The Porterville College Office of Public Safety (PCOPS) is a community-oriented, trust-based Public Safety Office. Our community-oriented approach fully engages our campus community in identifying and addressing problems through a collaborative process.

PCOPS is committed to adopting a problem-solving model, where criminal behavior is addressed at the root causes. PCOPS officers are encouraged to try innovative methods in working closely with the college community.

It is the responsibility of each person to contribute to the safety of the entire community by taking action when necessary to prevent crime, particularly crimes of violence by notifying PCOPS when you see something happen. Campus safety and security is a shared responsibility, which takes a team effort to be effective.

Members of the campus community are invited to report concerns to PCOPS. Students may also report concerns to the Office of the Vice President of Academic Affairs.

SECURITY AWARENESS PROGRAMS

Training Programs

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

A basic guideline is: “If you see something, say something.” Porterville College offers many awareness and prevention programs designed to inform the campus community about safety and security policies and procedures. Information is also disseminated to students and employees through displays, videos, press releases, as well as articles and via social media. As a part of the awareness program, Porterville College partners with the Clery Center for Security On Campus to participate in the National Campus Safety Awareness Campaign. Additionally, the college is currently modifying the campus training program for new students and new employees to promote prevention and awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. Students and faculty now have the opportunity to receive free Rape, Aggression, Defense (RAD) training on campus. The Rape,
Aggression, Defense (RAD) system is a program of realistic self-defense tactics and techniques for women. The RAD System is a comprehensive, women-only course that begins with awareness, prevention, risk reduction and risk avoidance, while progressing on to the basics of hands-on defense training; it is not a martial arts program.

CRIME PREVENTION TIPS

Office Security
Protection of property begins with the willingness to take a few simple steps:

- Never leave purses, wallets, or other valuables unattended.
- Never leave keys lying around.
- Cash left in plain sight on a desk or in an unlocked drawer is a great temptation to thieves.
- Request authorization from persons asking for confidential information or from delivery or repair people who want to enter an area restricted to employees.

Key Control

- Those responsible for office keys should not leave them unattended, in plain sight on a desk, or in an unlocked top drawer where they could be taken or copied easily.
- Give keys only to those who are authorized and have a legitimate need and make sure they are returned.
- If keys are lost or stolen notify PCOPS and the Maintenance and Operations Department immediately.

Property Protection

Theft is always a concern on campus, to reduce the risk of being victimized:

- Engrave personal property, such as electronic or sporting equipment, with your initials or other identifying marks.
- Keep a written record of all personal valuables, including descriptions and serial numbers. It is evidence that the property belongs to the rightful owner.

Bicycle Theft

- Never leave a bicycle unlocked. It only takes a moment to steal an unlocked bicycle.
- U-lock style locks are best. Cables and padlocks can be cut easily.
- Lock the bicycle frame to a bike rack. Front wheels can be easily removed.

Personal Safety

The most effective deterrence against crime is common sense, alertness and a few basic precautions.

- If working late, arrange to leave with a co-worker or call PCOPS for Safety Escort assistance. Lock doors and windows if working alone late.
- Refrain from getting in elevators with people who look out of place or behave in a strange or threatening way. Remember, always immediately report suspicious people or conditions to PCOPS.
- If being followed, go to an office where there are other people.
• When walking to a vehicle or home from work vary the route.
• Be alert to any suspicious persons or vehicles.
• Carry a fully charged cell phone with emergency numbers pre-programmed into the device.

Parking Lot Safety
• Lock vehicles at all times. You should always roll your windows completely up so your vehicle is secure.
• When returning to a vehicle, have the keys out while approaching. Check the interior.
• If suspicious persons are lurking in the parking lot, notify PCOPS immediately.
• Remove all valuables from vehicles. Leave them at home or lock them in the trunk.
• If working late, ask a co-worker for an escort to the parking lot or call PCOPS.

In a Threatening Situation
• The best defense is avoidance and following instincts.
• Decide what to do in various situations before they occur. Try role-playing with a friend.
• If confronted by someone who only wants property, give it to them.
• Try to get an accurate description of the assailant. If a vehicle is involved, get the license number and call PCOPS.

Incident Reporting
• Report all crimes, no matter how minor they may seem. Notify PCOPS of all suspicious persons or activity.
• If suspicious people or activity is observed, notify PCOPS immediately.
• Post 9-1-1 (the city police, fire, ambulance emergency number) and PCOPS phone numbers near the phone.
• Report any broken or flickering lights, dimly lit corridors, doors that don't lock properly, etc. to PCOPS and the Maintenance and Operations Department. Don't think that someone already has because they may not have.

Important Phone Numbers
PCOPS Emergency Assistance: ................................. 559-310-2143
PCOPS Non-Emergency: ........................................ 559-791-2440
Porterville Police Department Non-Emergency: .......... 559-782-7400
Porterville Police Emergency Number:
  from a campus phone ........................................... 9-911
  or from your cell phone ............................................. 911

Campus Safety
When crimes occur on campus, PCOPS wants the campus community to be well informed. The goal is to keep students, faculty, staff and the campus community aware so that precautions can be taken to avoid becoming a victim of a crime.
Safety Tips:

- Stay alert and plan ahead for “What if…”
- Always be aware of surroundings and avoid any situations that are uncomfortable.
- Use the “buddy system” while out and about. There really is “strength in numbers.”
- If possible, do not walk or jog alone after dark.
- If going out alone, let someone know where and a return time.
- If suspicious activity is witnessed, call PCOPS at 559-310-2143 or 9-1-1.
- If walking at night, remember the following:
  1. Always carry a fully charged cell phone, with emergency numbers pre-programmed.
  2. Do not wear head phones while walking or jogging.
  3. Avoid isolated or dark areas.
  4. Walk near curbs, away from alleys and doorways.
  5. Walk at a brisk pace; be aware of anyone walking behind or nearby.
- If threatened, attract attention by making loud noises or by screaming. Use of an LED flashlight or a whistle can also attract attention.
- If in a threatening situation, seek out a safe place or a place where there are groups of people like a business. Call 9-1-1 immediately.
- Take appropriate steps to secure personal property.
- Never leave valuables unattended for any amount of time.
- Never leave valuables in plain view inside a vehicle.
- Always lock all doors and windows to your vehicle.
- If using a bicycle, use only a U-Bolt type lock. Steel cable locks can be easily cut in less than three seconds.

SAFE CAMPUS RESOURCES EMERGENCY NUMBERS

Porterville Police and Fire or Medical Emergency ..................... Dial 9-1-1
PC Office of Public Safety Emergency Line .............................. 559-310-2143

PC OFFICE OF PUBLIC SAFETY CONTACT INFORMATION

PC Office of Public Safety general information ............................ 559-791-2440
Disabled Students Programs and Services ............................... 559-791-2215
Parking Information ............................................................ 559-791-2440
PCOPS Website: [www.portervillecollege.edu/about-pc/safety-security](http://www.portervillecollege.edu/about-pc/safety-security)

PORTERVILLE POLICE NON-EMERGENCY ....................... 559-782-7400

OTHER COLLEGE RESOURCES

Office of the Vice President of Student Services .......................... 559-791-2218
Counseling Center .............................................................. 559-791-2329
Student Health and Wellness Center ...................................... 559-791-2212
CRIME REPORTING METHODS

Dial 9-1-1 or 559-782-7400 for emergencies:

Dialing 9-1-1 from any public phone reaches the Porterville Police Department Emergency Line.

- Contact PCOPS at 559-791-2440 for non-emergencies, to report a crime not in progress, or to report security related issues.
- Make a report in person at PCOPS in the AC building.
- Sex Offense Reporting

When a sex offense is committed, it is imperative that a report is filed as soon as possible with PCOPS and or the Porterville Police Department. Victims and witnesses may call 9-1-1, or to report the incident to PCOPS call 559-310-2143. If assistance is needed in notifying authorities, college personnel will assist with the process.

For support services, PCOPS coordinates with the Office of the Vice President of Student Services, the Office of Human Resources, and other campus and community resources.

After an assault, PCOPS can arrange appropriate academic changes, counseling services, employee assistance programs and support from the victims’ assistance program at the district attorney's office.

To help ensure compliance with Porterville College obligations under Title IX, as clarified by the Department of Education, Campus Security Authorities are required to notify any College student or staff member who is a victim of sexual assault by another College student or employee of their right to file a Title IX sex discrimination complaint with the College. Sexual assault constitutes an extreme form of sexual harassment which is prohibited by and actionable under Porterville College policy. Victims of sexual assault should be referred to the Title IX Coordinator, Vice President Val M. Garcia at 559-791-2459.

Suspicious Activity

Any suspicious persons or activity observed in the parking lots or around vehicles or buildings should be reported to PCOPS by calling 559-310-2143, unless a life-threatening situation, then dial 9-1-1 or 559-782-7400.

Criminal Activity

Any crime, no matter how small, is important to PCOPS. Public Safety encourages all campus community members to promptly report crimes, which assist in the investigation and the apprehension of the suspect(s), aids in providing timely warning notices to the community when appropriate, may aid in the prevention of similar crimes, and ensures inclusion in annual crime statistics.

Crime Awareness

PCOPS maintains a campus crime log, which is available in the PCOPS office for public viewing during normal business hours. In the event of an ongoing threat to the safety of the Porterville College community, a PC Alert will be sent out notifying the community via email, voicemail, and text.

Campus Security Authorities

While the College recommends that all crimes and incidents be reported to PCOPS, it is recognized that reports may go to other individuals instead. The Clery Act defines individuals at colleges and universities that may typically receive such reports as Campus Security Authorities (CSAs). CSAs are individuals and organizations in functions related to: campus law enforcement or security, responsibility for monitoring access to facilities or serving as event security, or
significant responsibility for student and campus activities. CSAs may be full-time, part-time or volunteer, and may be employees or students in these roles. CSAs are trained to forward to PCOPS, in a timely manner, any reports of crimes or incidents they receive.

It is not the CSA’s responsibility to determine whether a crime took place. Also, a CSA is not responsible to convince a victim to contact law enforcement. For additional information regarding Campus Security (CSA) please visit the PCOPS website.

Vice President of Student Affairs .............. 559-791-2218
Director of Athletics ....................................... 559-791-2260
Student Club Advisor ...................................... 559-791-2260
College Nurse ................................................. 559-791-2212
Student Academic Counselors ...................... 559-791-2327
Athletics Trainer ............................................. 559-791-2460

PROCEDURES FOR ACCURATE AND PROMPT CRIME REPORTING

Community members, students, faculty, staff and guests should report all crimes and public safety related incidents to the Porterville College Office of Public Safety (PCOPS) in a timely manner. Prompt reporting assists in the investigation and the apprehension of the suspect(s), aids in providing timely warning notices to the community when appropriate, may aid in the prevention of similar crimes, and ensures inclusion in annual crime statistics.

PCOPS will investigate a report when it is deemed appropriate, and may forward reports to the Porterville Police Department and or the Office of the Vice President of Student Affairs for review and potential action.

Porterville College Main Campus

To report a life-threatening emergency on or off campus, call 9-1-1 or 559-310-2143.

To report an urgent, non-life threatening emergency on campus or crime in progress dial from any campus phone or from a cell or home phone to reach the PCOPS emergency line.

To report security related issues or a crime, call the PCOPS non-emergency number at 559-791-2440.

Crimes that occur at the District Office, PC facilities, to PC property or to PC faculty, staff and students should always be reported to PCOPS in a timely manner to allow for follow up.

CONFIDENTIAL REPORTING PROCEDURES

As a result of the negotiated rulemaking process, which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors,” when acting as such are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

Pastoral Counselor

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.
Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Other persons who have significant responsibility for campus and student activities and counsel or advise students and employees are not exempt from reporting, even if the counseling is confidential.

VOLUNTARY CONFIDENTIAL REPORTING

A victim of a crime, who does not want to pursue action within the criminal justice system or through Porterville College, may still consider making a confidential report. The purpose of a confidential report is to comply with a victim’s wish to keep the matter confidential, while taking steps to ensure the future safety of those involved and others. With such information, the College can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

You can call PCOPS anonymously and confidentially report security and safety related concerns and to provide PCOPS with "tips" about criminal incidents or suspicious behavior on campus.

TIMELY WARNINGS

According to the Department of Education, in order to keep the campus community informed about safety and security issues on an ongoing basis, an institution must alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes.

In the event a situation arises, either on or near the Porterville College campus, that, in the judgment of the Office of Public Safety (PCOPS), PC Public Information Officer or a designee, constitutes a serious or continuing threat to students and employees, a campus wide timely warning will be issued as soon as pertinent information is available.

The PCOPS, PC Public Information Officer or a designee will develop timely warning notices to notify members of the PC community about serious crimes that occur on or near campus, when it is determined that the incident may pose an ongoing threat to members of the College community. Timely warning notices are usually distributed for Clery reportable crimes: Criminal Homicide, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Hate Crimes, Domestic Violence, Dating Violence, and Stalking. Timely warning notices may be distributed for any emergent situation that may cause a threat to the health and safety of the campus community, such as a bomb threat, an active shooter on campus, or a riot. The list above is not inclusive and warnings may be issued for any serious or continuing threat to person, property or campus safety. Each incident is considered on a case-by-case basis, depending on the facts of the case and the information known by PCOPS. For example, if an assault occurs between two known students who have a disagreement, there may be no ongoing threat to other campus community members and in this case a timely warning notice would not be distributed.

The PCOPS, PC Public Information Officer or a designee reviews and evaluates reports of incidents on a case-by-case basis as they occur on or near the Porterville College campus to determine if the incident poses a serious or continuing threat to students and employees. Based on this information, timely warning notices are developed to notify the campus community about incidents. The office of Public Safety Coordinator, in collaboration with the PC Public Information Officer will be jointly responsible for determining when a timely warning needs to be disseminated to the campus community.
Once a threat is confirmed, PCOPS and the Public Information Officer will without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of first responders (e.g. PCOPS, Porterville Police Department and/or Porterville Fire Department), compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the situation.

Timely warnings are typically written by the PC Public Information Officer and reviewed by the of PCOPS. A PC ALERT will be activated to phone, text and email to PC College students and employees informing them of the situation.

As additional facts become available, timely warning follow-up information may be disseminated via PC ALERT, the PC website, Twitter, Facebook and via the local media.

If you have pertinent information regarding the event, please call PCOPS and provide the information. If you do not have important information to provide PCOPS about the event, do not call the PCOPS Office to ask questions about the ongoing event due to they will be busy working to resolve the situation.

**EMERGENCY RESPONSE AND EVACUATION POLICY**

Porterville College uses the Blackboard Emergency Notification System that allows for the use of text messaging, emails and phone calls to notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff.

**Emergency Response**

An emergency is an event, expected or unexpected, that poses an immediate threat to the health and safety of students, faculty and staff.

Confirmation of an emergency is determined when an Incident Commander (per the College’s Emergency Operations Plan), Public Safety Officer, fire official or local law enforcement agencies have assessed the situation to confirm that there is an emergency. That confirmation will be communicated to at least one of the following: PCOPS or Porterville College Management.

The Porterville College Emergency Operations Plan (EOP) is designed to provide Porterville College with a management tool to facilitate a timely, effective, efficient, and coordinated emergency response.

**Emergency Communication Systems**

The College uses the Blackboard Alert System to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

**Communication with the Larger Community**

One or both of the following methods will be used to disseminate emergency information to the larger community:

- PC homepage (www.portervillecollege.edu)
- Local Media, Facebook, Twitter.

**Emergency and Evacuation Procedures**

The college publicizes general emergency response and evacuation procedures to the broad campus community through emergency procedures. Additionally, evacuation maps are posted in every campus building and classroom. Fire evacuation drills occur for all college buildings during the fall and spring semesters.
Emergency Notification System Test

The college’s emergency notification system (PC ALERT) is tested at the beginning of the fall and spring semesters.

GENERAL EVACUATION MAP

SEXUAL ASSAULT PREVENTION AND RESPONSE

Porterville College is committed to maintaining an environment free from harassment and discrimination for everyone and does not discriminate on the basis of race, sex, national origin, religion, sexual orientation, gender identity or expression, or any other protected status. This includes having an environment free from sexual and gender-based harassment, sexual assault, intimate partner violence, stalking, sexual exploitation, complicity and retaliation (“Prohibited Conduct”). The College will take prompt and equitable action to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. Sexual Assault is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
For students who are sexually assaulted:

- Victims are advised to get to a place of safety. Contact someone trusted for support.
- Victims are advised to preserve any physical evidence. Do not shower, bath, wash or use the toilet. Do not smoke or brush teeth. Do not eat or drink. Do not wash clothes, sheets, blankets or other items. Place anything of evidentiary value in a paper bag.
- Victims are advised to get medical attention as soon as possible. Medication to prevent pregnancy and sexually transmitted infections is available. A medical sexual assault forensic exam may be completed within 84 hours to collect evidence in case the victim decides to report the assault at a later date. Partial evidence may also be collected within one week.
- Students and employees are encouraged to report an incident of unwanted sexual behavior or harassment to the College Office of Public Safety. PCOPS strongly advocates that victims do this as soon as possible. Call 9-1-1, or call to report it to PCOPS. If the incident occurred off campus call 9-1-1, or call the Porterville Police Department at 559-782-7400.
- Institutional personnel are available to assist with the process of notifying authorities. When a sexual assault is committed, the first concern is the safety and wellbeing of the survivor. The college recognizes the sensitive nature of these crimes and respects the privacy and choice of the individual.
- After an assault, Porterville College is obligated to comply with a student's request for an academic situation change following an alleged sex offense. College staff members can work with campus and community partners to arrange appropriate academic changes, counseling services, employee assistance programs and support from the victims’ assistance program at the district attorney’s office.
- The survivor of a sexual assault has the option to, or not to, notify and seek assistance from law enforcement and campus authorities. The institution will assist the survivor regarding judicial no-contact restraining orders, and protective orders.

When the offense was committed by another student, he or she may choose to report the offense to the Vice President of Student Affairs. The office will attempt to resolve the complaint under the Colleges Student Conduct Code. If the alleged student suspect is found responsible, possible sanctions include expulsion; suspension; negative notation on the transcript; disciplinary probation; restitution; community service; loss of privileges; conduct reprimand; and suspended sanction. For more information about this process, contact the Office of Title IX Coordinator at 559-791-2218. Any person may file a complaint about a student’s behaviors by filling a report with PCOPS.

Administrative Complaint Procedures

Any person can report a violation of the PC sexual misconduct policy, including that of alleged dating violence, domestic violence and stalking to the Office of the Vice President of Student Affairs. PCOPS, Title IX Coordinator and the Porterville Police Department (or any combination of the aforementioned). If the incident is reported to the office of the Vice President of Student Affairs, the V.P. will process the complaint under the Porterville College Student Code of Conduct. There will be an investigation and, if applicable, an administrative conference or panel hearing for the accused student(s). The college uses the preponderance of evidence standard in disciplinary proceedings. In the event of an administrative conference, possible sanctions include disciplinary probation, community service, loss of privileges, conduct reprimand, and educational activities. In the event of a panel hearing, possible sanctions include the aforementioned and expulsion, suspension, and negative notation on the transcript.
As part of the Student Code of Conduct adjudication process, the victim and the accused student are entitled to have others present during a campus disciplinary proceeding. Additional information concerning the student conduct process can be obtained from the Office of the Vice President of Student Affairs.

Both the victim and the accused student will be informed of the outcome of the hearing. A student found responsible of violating the Student Code of Conduct may be suspended or expelled from the College. The student conduct process does not preclude the case from being criminally prosecuted in the state courts.

The institution will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged suspect of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the institution will provide the results of the disciplinary hearing to the victim’s next of kin.

Sexual Assault Resources

On Campus
Office of the Vice President of Student Services 559-791-2208
Title IX Coordinator 559-791-2218

Off Campus
Sexual Assault Hotline 1-800-273-7713
Sierra View Hospital 559-784-1110

DEFINITIONS

The terms used by Porterville College are defined below.

Rape: is generally defined as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend. The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime.

Definition of Rape According to California Penal Code Section 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 Lanerman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

(2) Where it is accomplished against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

(3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets any one of the following
conditions:

(A) Was unconscious or asleep.

(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics
of the act due to the perpetrator’s fraud in fact.

(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics
of the act due to the perpetrator’s fraudulent representation that the sexual
penetration served a professional purpose when it served no professional
purpose.

(5) Where a person submits under the belief that the person committing the act is
someone known to the victim other than the accused, and this belief is induced by any
artifice, pretense, or concealment practiced by the accused, with intent to induce the
belief.

(6) Where the act is accomplished against the victim’s will by threatening to retaliate in
the future against the victim or any other person, and there is a reasonable possibility
that the perpetrator will execute the threat. As used in this paragraph, “threatening to
retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain,
serious bodily injury, or death.

(7) Where the act is accomplished against the victim’s will by threatening to use the
authority of a public official to incarcerate, arrest, or deport the victim or another, and
the victim has a reasonable belief that the perpetrator is a public official. As used in
this paragraph, “public official” means a person employed by a governmental
agency who has the authority, as part of that position, to incarcerate, arrest, or deport
another. The perpetrator does not actually have to be a public official.

(A) As used in this section, “duress” means a direct or implied threat of force,
vioence, danger, or retribution sufficient to coerce a reasonable person of
ordinary susceptibilities to perform an act which otherwise would not have been
performed, or acquiesce in an act to which one otherwise would not have
submitted. The total circumstances, including the age of the victim, and his or her
relationship to the defendant, are factors to consider in appraising the existence
of duress.

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

Consent: Positive cooperation in act or attitude pursuant to an exercise of free will. The person
must act freely and voluntarily and have knowledge of the nature of the act or transaction
involved. A current or previous dating or marital relationship shall not be sufficient to constitute
consent where consent is at issue in a prosecution. In prosecutions in which consent is at issue,
evidence that the victim suggested, requested, or otherwise communicated to the defendant that
the defendant use a condom or other birth control device, without additional evidence of consent,
is not sufficient to constitute consent. In California, Penal Code section 261.6 defines consent
as:

In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue,
"consent" shall be defined to mean positive cooperation in act or attitude pursuant to an exercise
of free will. The person must act freely and voluntarily and have knowledge of the nature of the
act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute consent
where consent is at issue in a prosecution under Section 261, 262, 286, 288a, or 289.

Duress: 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.

**Menace:** Any threat, declaration, or act which shows an intention to inflict an injury upon another.

**Other Sexual Offenses:** Besides rape, other sexual offenses include the following:

- Sodomy (forced anal intercourse)
- Oral copulation (forced oral-genital contact)
- Rape by a foreign object (forced penetration by a foreign object, including a finger)
- Sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

**Domestic/Dating Violence:** California Penal Code section 273.5 defines Domestic Violence as:

(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.

(c) Holding oneself out to be the husband or wife of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.

(d) As used in this section, “traumatic condition” means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, “strangulation” and “suffocation” include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.

For offenses including sexual misconduct or other gender based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct and stalking, sanctions range from warnings through expulsion. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion or termination of employment.

**RISK REDUCTION**

Experiencing Prohibited Conduct is never the victim’s fault. Only abusers are responsible for the abuse they perpetrate. However, the following are some strategies to reduce risk of victimization. The Rape, Abuse, & Incest National Network (RAINN) encourages individuals to:

1. 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.
2. Avoid isolated areas. It is more difficult to get help if no one is around.
3. 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.

5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.

6. Make sure your cell phone is with you and charged and that you have money.

7. Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.

8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

9. 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.

10. 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.).

11. 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.

12. 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.

13. Watch out for your friends, and vice versa. If a friend seems out of it, is 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.

14. If you suspect you or a friend has been drugged, contact 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).

15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
   a. 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.
   b. 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.
   c. 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.
   d. 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.

16. 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?

17. 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.

**PREVENTION & EDUCATION**

The College engages in comprehensive, intentional, and integrated programming, initiatives,
strategies, and campaigns intended to reduce and eliminate Prohibited Conduct which:

- 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 students and new employees and ongoing awareness and prevention campaigns for students and employees that: a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct; b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking; c. Defines what behavior and actions constitute consent to sexual activity in California and/or using the definition of consent found in this policy;

Provides a description of safe and positive options for bystander intervention.

- Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.

- Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene; Delivers information on risk reduction.

- Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence; and provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

**FACULTY, STAFF AND STUDENT TRAINING**

In addition to the Title IX Coordinator’s core responsibilities, additional services to the College community will include, working with campus resources to provide ongoing training to new/current students, faculty, and staff on Title IX issues and procedures.

**AWAWARENESS AND PREVENTION CAMPAIGNS FOR STAFF AND STUDENTS IN 2014**

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Harassment Prevention Human Resources</td>
<td>November 12</td>
</tr>
<tr>
<td>Next Steps: Implementation of the Violence Against Women Act Amendments to the Clery Act</td>
<td>November 10</td>
</tr>
<tr>
<td>Clery Center for Security On Campus</td>
<td></td>
</tr>
<tr>
<td>Title IX and Clery Act Symposium Bakersfield College</td>
<td>October 17</td>
</tr>
<tr>
<td>National Campus Safety Awareness Month</td>
<td>September</td>
</tr>
<tr>
<td>VAWA Amendments to Clery (SaVE Act) Clarified by Clery Center: What Your Campus Needs to Know</td>
<td>August 25</td>
</tr>
</tbody>
</table>
BEING AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. Bystanders are “individuals who observe violence or witness the conditions that perpetuate violence. These individuals are not directly involved but have the choice to intervene, speak up, or do something about it.” The College promotes a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Individuals may not always know what to do even if they want to help. Below is a list \(^2\) of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911, if a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like he or she could be in trouble or need help, ask if he or she is ok.
2. Confront people who seclude, hit on, attempt to make out with, or have sex with people who are incapacitated.
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. Refer people to on or off campus resources listed in this policy for support in health, counseling, or with legal assistance.

SEX OFFENDER REGISTRATION INFORMATION

The Campus Sex Crimes Prevention Act (Section 1601 of Public Law 106-386), a federal law enacted on October 28, 2000, provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education or working or volunteering on campus. The act amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act to require 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 vocation, or is a student. It requires that state procedures ensure this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions are located and that it is entered into appropriate state records or data systems.

---

1 Burn, S.M. A situational model of sexual assault prevention through bystander intervention. Sex Roles, 60, 779-792.
2 Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse.2013
These changes took effect October 28, 2002. The act also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that act, to advise the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders. These changes took effect October 28, 2002 and this notice has been a requirement beginning with the annual security report due October 1, 2003.

MEGAN’S LAW

In 1994, seven year-old Megan Kanka was tricked into Jesse Timmendequas' house in Hamilton Township, New Jersey. Jesse Timmendequas, the neighbor, was a convicted sex offender with two prior convictions for sexual abuse of a child, but no one in the neighborhood knew that. Once Megan was inside, Timmendequas raped and murdered her. Eventually, Timmendequas was convicted for the murder of Megan Kanka.

Following the death of Megan a grass roots movement led to the removal of the prohibition of law enforcement notifying the public of the presence of serious and high-risk sex offenders living in their community. On May 17, 1996, President Clinton signed the Federal "Megan's Law". This law permitted law enforcement to release relevant information to protect the public from sexually violent offenders.

For the past fifty plus years California has maintained a record of those individuals convicted of sexually related crimes. In 1995 California instituted the Child Molester Identification Line, which was expanded in 1996 with the passage of California's Megan's Law. This law allows for the first time public access to information on serious and high-risk sex offenders.

In California sexual offenders are classified by the Department of Justice into one of three sexual offender categories, **High Risk, Serious, or Other**. The criteria for each of the categories are defined in the California Penal Code.

In summation, a High-Risk registrant is a serious sex offender who has been convicted of a combination of offenses including a violent sex offense and other crimes. High-Risk status must be determined and verified by the Department of Justice. Generally, these "High-Risk" sex registrants pose a greater threat of re-offending based on their prior criminal acts.

A Serious Sex Offender is required to register with law enforcement if they have been convicted of:

- Assault with intent to commit specified sex offenses
- Rape
- Sodomy
- Lewd and lascivious conduct with a child or dependent adult
- Oral copulation
- Continuous sexual abuse of a child
- Foreign object penetration
- Child molestation
- Kidnapping with intent to commit specified sex offenses
- Felony sexual battery
- Felony enticement of a child for purposes of prostitution
- Abduction of a child for purposes of prostitution

The **Other** sexual offender categories consist of persons convicted of possession of pornography, spousal rape, indecent exposure, or misdemeanor sexual battery - OR - juveniles adjudicated in juvenile court. Persons falling within the Other category are NOT subject to public disclosure.

For a complete list of all crimes which require registration go to the California Department Justice
The law is not intended to punish the offender and specifically prohibits using the information to harass or commit any crime against the offender. It recognizes that public safety is best served when registered sex offenders are not concealing their location.

It is imperative that pro-active efforts are taken by each citizen to educate and protect themselves and loved ones against crime. The Attorney General now provides the public with Internet access to detailed information on registered sex offenders.

This expanded access allows the public for the first time to use their personal computers to view information on sex offenders required to register with local law enforcement under California’s Megan’s Law.

The Office of Public Safety encourages all Staff and Students to educate themselves on registered sex offenders in their area. Please visit the California Department of Justice listing at http://www.meganslaw.ca.gov/

SECURITY OF, AND ACCESS TO FACILITIES

Porterville College Campus

During business hours, Porterville College and most buildings will be open to students, parents, employees, contractors, guests and invitees. During non-business hours, authorized persons may access college facilities by key or electronic card, if issued. In periods of extended closure, only persons with authorization will be admitted to college buildings and facilities. In all cases during non-business hours, anyone wanting access to any building should notify PCOPS before they arrive and when they leave.

Some college buildings have hours that vary based on specific academic use and other seasonal events.

PCOPS regularly patrols the campus and officers regularly check for malfunctioning lighting, locks and other unsafe conditions in buildings, bike racks and on walkways. When officers or staff locates a problem it is reported to campus Maintenance and Operations Department for correction. All members of the community can report equipment problems to Maintenance and Operations at 559-791-2405.

OFFICE OF PUBLIC SAFETY AUTHORITY AND JURISDICTION

Porterville College Public Safety Officers are security officers who have been granted administrative authority by the Board of Trustees and College President to investigate, apprehend, and arrest anyone involved in illegal acts on campus. California Penal Code Section provides Officers may affect arrests by authority of Section 830.7(b) including Section 67381 of the Education Code: http://www.leginfo.ca.gov/calaw.html.

If a student commits minor offense involving District/College rules and regulations, the Office of Public Safety may refer the student to the Vice President of Student Affairs for disciplinary action.

Other more serious offenses of Local, State, Federal, District or College rules and regulations may also be investigated and handled by the Office of Public Safety in cooperation with the Porterville Police Department or other local law enforcement agencies.

All criminal offenses such as murder, rape, assault, robbery and auto theft are reported to the Porterville Police Department and joint investigative efforts with investigators from the Office of Public Safety and the Porterville Police Department may be deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at the Superior Court of Kern County. All crimes which are required for Clery Act Reporting are investigated and the appropriate referrals are made.
The Office of Public Safety’s jurisdiction extends to the boundaries of college owned and operated property. Any crime that occurs outside the boundaries of the college should be reported immediately to the appropriate law enforcement authorities.

**OFF CAMPUS CRIMINAL ACTIVITY**

The Porterville Police Department has primary jurisdiction in all areas off campus within city limits. The Office of the Vice President of Student Affairs and PCOPS members enjoy a close working relationship utilizing a cooperative team approach with the Porterville Police Department when violations of local, state or federal laws occur.

**ALCOHOL AND ILLEGAL DRUGS**

Porterville College (PC) is concerned about the intellectual, physical and psychological well-being of all students and employees. PC is fundamentally opposed to the use of illegal drugs and the abuse of alcohol and other harmful substances. It is the policy of Porterville College to proactively prevent students and employees from injuring themselves through the use and abuse of drugs and alcohol and the college seeks to engage the members of its academic community in the fight to prevent drug and alcohol abuse.

**PC Drug and Alcohol Policy for Employees**

For faculty and staff at the College, Human Resources publishes a drug and alcohol policy statement establishing PC as a drug-free workplace. A portion of the policy clarifies this as a condition of employment. In addition, PC employees receive a written copy of this policy statement. Faculty and staff at PC must abide by the PC drug and alcohol policy and state and federal drug and alcohol laws.

**Drug and Alcohol Policy; Board of Trustee’s Manual**

**11H Drug-Free Workplace**

**11H1** The Kern Community College District is committed to the development and maintenance of a drug-free environment in accordance with the Drug-Free Workplace Act. Accordingly, the District will not tolerate any unlawful activity such as the possession, use, manufacture, distribution and/or dispensation of a controlled substance on District owned or controlled property.

**11H1A** Substances as referred to in this policy statement include any and/or all of the following:

- Illegal Drugs.
- Legal drugs (either by prescription or over-the-counter) if illegally possessed or misused or overused to such an extent as to cause the impairment of job performance.
- Other mind altering chemicals, materials or substances.
- Intoxicating beverages.

A description of the health risks associated with the use of these controlled substances shall be posted on all bulletin boards at the three (3) Colleges and the District Office.

**11H2** Violation of this prohibition by employees may result in disciplinary action, up to and including dismissal. In addition, violation may constitute an infraction of the California Education Code and other State laws and may result in immediate suspension without pay in the event criminal charges are filed. As a condition of being employed to work under any federal grant received this District, employees are required to abide by the terms of this statement. These employees are further required to notify the Campus or District Personnel officer of any conviction for a criminal drug statute violation occurring in the workplace within five (5) days after such
conviction.

11H3 In accordance with the District's focus on wellness, the District expects employees to cooperate with supervisors in remedying performance problems associated with drug and alcohol use and to encourage other employees and students to seek help with drug and alcohol problems.

11H4 Employees with a substance abuse problem may receive assistance through the District Employee Assistance Program. This service is part of the health care program provided by the Kern Community College District.

11H5 In order to encourage a drug-free work force, the Kern Community College District requires that, as a condition of employment, all individuals to fill positions in the following areas take a drug screen test as part of their pre-employment physical examination.

- Child Care
- Custodial
- Maintenance
- Grounds
- Security
- Mechanical Skilled Workers
- Bus Drivers
- Allied Health Instructors

The drug screen will be provided at District expense. Any employee candidate testing positive for drugs will not be hired by the Kern Community College District. See Procedure 11H5 of this Manual for the listing of Position Classifications for Mandatory Drug Screening. (Revised November 19, 1992)

11H6 If the Kern Community College District has a contractual arrangement with an outside organization and the outside organization requires drug screening of the Kern Community College District employees in that contractual program, these employees must submit to and pass a drug screen. (Added November 19, 1992)

Procedure 11, of this Manual, to help prevent accidents and injuries resulting from misuse of alcohol or use of controlled substances by District employees who drive commercial motor vehicles. The District requires the following alcohol and controlled substance testing for drivers and applicants. 11H7 Pursuant to Federal Code of regulations Part 382, Department of Transportation, the Kern Community College District has established H7(a-c)

- Pre-employment
- Random
- Reasonable suspicion

No driver found to have an alcohol concentration of .02 or higher or who tests positive for controlled substances shall be allowed to perform safety sensitive functions and may not be allowed to continue employment with the Kern Community College District. (Added January 18, 1996) 25 –

Drug and Alcohol Policy for All Students

Students attending PC must abide by the Student Code of Conduct, published by the Office of the Vice President of Student Affairs. Porterville College distinguishes its student disciplinary policies from the laws and functions of the larger society. Students, however, are by no means insulated from the law or relieved of the responsibilities of citizenship. Students must also abide by the PC drug and alcohol policy and state and federal drug and alcohol laws.
When a student violates the Student Code of Conduct, the college may initiate disciplinary action, referral for civil prosecution, or both in response to violations of the Code. College sanctions are imposed against any student or student organization found in violation. Disciplinary sanctions may include probation, loss of privileges and suspension or expulsion.

**Student Code of Conduct Drug and Alcohol Policy:**

**Prohibited Conduct**
By enrolling in Porterville College, students agree to be responsible members of the College community, obey the law, comply with the published rules and regulations of the college, respect the rights, privileges and property of the other members of the College community, and not interfere with legitimate College affairs. Students should be aware that the rules on student misconduct do not only apply when on campus or in class. Rather, students can be found to have engaged in misconduct:

- When on campus
- When in a college operated facility
- When off campus, when acting as a student employee or represented of the College
- When participating in College related field trips, club activities, conferences or other College sponsored events. This includes all hours of the day or night while the student is under the supervision of the College

A student may be disciplined for good cause and in accordance with the disciplinary procedures set forth in this handbook. Good cause includes, but is not limited to the offenses outlined in board policy 4F8. Discipline can include receiving a warning, censure, probation, restitution, temporary removal, suspension or expulsion. The following misconduct is strictly prohibited by KCCD Board Policy 4F8, Porterville College, and California Education Code Section 76037:

**Student Code of Conduct Violation #15.** The use, sale, possession, or being under the influence of alcohol or any other controlled substance prohibited by law, on campus or at any function sponsored or supervised by the College.

**CLERY DEFINITIONS**

**Clery Geographic Categories**
An institution must report statistics for offenses according to their occurrence in the following locations, or geographic categories:

- **On-campus** (1) 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 (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of the definition, that is owned by an institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

- **Residential Facilities** This definition is a subset of the locations that are defined under "on campus." The crime statistics that are reported in this column are also included in the column under "on campus;" they are not additional incidents.

- **Non-campus** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.
• 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.

Clergy Crime Categories

Under the Clery Act and Violence Against Women Reauthorization Act, PCOPS must annually distribute statistics on the reported occurrences of the following offenses:

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. This includes death or injuries received in a fight, argument, quarrel, assault or commission of a crime.

Negligent Manslaughter: The killing of another person through gross negligence.

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.

Sex Offense: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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.

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

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

Statutory Rape: Non forcible sexual intercourse with a person who is under the statutory age of consent.

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

Burglary: The unlawful entry of a structure to commit a felony or a theft. This includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; and safecracking.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Arson: Any willful or malicious burnings or attempts to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crimes: Defined as any crime that manifests evidence that the victim was selected because of their actual or perceived race; religion; gender; sexual orientation; ethnicity; national origin, or physical/mental disabilities. A hate or bias related crime is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, gender, religion, sexual orientation, ethnicity, national origin, or disability, the offense is then classified as a hate/bias crime.

Domestic Violence: Asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Dating Violence: Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
**Stalking:** Course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

**Unfounded Criminal Incidents:** "Unfounded" means that law enforcement have fully investigated and, based on the results of this full investigation and evidence, a formal determination has been made that a crime report is false or baseless. An offense or incident cannot be "unfounded" just because stolen property was recovered, refusal of a victim to prosecute, or an arrest was not made.

**Clergy Arrests and Referrals**

The Clery Act also requires disclosure of statistics for liquor law violations, drug law violations and weapons offenses. Reports of these violations are made differently, and reflect the total number of individuals arrested or referred for campus disciplinary action, rather than total number of incidents.

**Liquor Law Violation:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. This includes: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

**Drug Law Violation:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium, or cocaine and the derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Illegal Weapons Possession:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. This also includes the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

**Arrest:** Persons processed by arrest, citation or summons. An arrest has occurred when an Officer detains an adult with the intention or seeking charges against the individual for the specific offense(s) and a record is made of the detention. A juvenile should be counted as "arrested" when the circumstances are such that if the individual were an adult, an arrest would have been counted.

**Referred for Disciplinary Action:** The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**CLERY CRIME STATISTICS**

The crime statistics shown in the following tables are for the last three calendar years, 2010, 2012 and 2013. Crime statistics shown are for the year in which they are reported and not necessarily in the year they occurred. Reported crimes may involve individuals not associated with Porterville College. Under the very limited circumstances, Porterville College is required to clarify and identify any reports the college has withheld from the crime statistics section when they were deemed to be “Unfounded” by the Bakersfield Police Department. No reports were deemed
“Unfounded” during this reporting period.

The below listed statistics may differ from previous publications of this data from year to year. These differences may be due to revised reporting requirements and updates to the Higher Education Opportunity Act and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. These differences may be noted below each table.

CRIME STATISTICS:

<table>
<thead>
<tr>
<th>Criminal Offenses</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sex offenses - Forcible</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Rape</td>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Fondling</td>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Sex offenses - Non-forcible</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory rape</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Motor vehicle theft</td>
<td>8</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Hate Crimes</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-negligent manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Fondling</td>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Crime</td>
<td>2012</td>
<td>2013</td>
<td>2014</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Simple assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Larceny-theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Intimidation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Destruction/damage/vandalism of property</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>VAWA Offenses</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic violence</td>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dating violence</td>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Arrests</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illegal weapons possessions</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug law violations</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Liquor Law violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Disciplinary Actions</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illegal weapons possessions</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug violations</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Liquor Law violations</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Unfounded Crimes</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Unfounded crimes</td>
<td></td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

**INFORMATIONAL RESOURCES FOR CRIME STATISTICS**

- Offense Definitions - Uniform Crime Reporting Definitions
- FBI Uniform Crime Reporting - Frequently Asked Questions
- US Department of Justice - National Statistics
- Security On Campus, Inc. - Non-profit organization (established by Parents of Jeanne Clery)
- California Sex Offender Registration List – Megan’s law
- US Department of Education - Campus Security Statistics