

**Gavilan Community College**  
**Annual Security Report**  
**October 2014**

**Introduction:**

The Gavilan College Security Department exists to protect the members of the college community and to protect the property of Gavilan College. Under the general direction of the V.P. of Administrative Services, the Gavilan College Security Department, directed by the Director of Security & Support Services, insures that reasonable protection is provided by using methods that fit within and contribute to the educational philosophy of the institution.

**Gavilan College Security Department:**

Gavilan College Security Officers are non-sworn and unarmed. They may affect arrests by authority of California Penal Code section 834. A Security Officer is available on a daily basis from 7 a.m. – 11 p.m. on the main campus in Gilroy. An officer is available from 7 p.m.-10 p.m. Monday – Thursday while classes are in session at the Hollister and Morgan Hill sites.

**Access to Campus Facilities:**

Most facilities are open Monday- Thursday from 7:00 a.m. – 10:00 p.m. and on Fridays from 7:00 a.m. – 5:00 p.m. (excluding Holidays and Instructional Breaks).

Security Officers are authorized to stop and question a person on District property if the officer:

- (1) Has a reasonable suspicion that the subject may have committed, may be involved in committing, or may be about to commit a crime;
- (2) Believes that the subject may be a hazard to himself, others or property; or
- (3) Believes that the interview may have a proactive effect in the prevention of a crime or incident.

The Use of Facilities outside of the regular class schedule may be scheduled by contacting the Facilities Scheduling Office at 408-846-4957.

**Security Patrol and Escorts:**

Campus security patrols the main campus (Gilroy) daily, including holidays, from 7:00 a.m. - 11:00 p.m. The Morgan Hill site is patrolled Monday- Thursday from 6:00 p.m.-10:00 p.m. when classes are in session. The Hollister site is patrolled Monday – Friday from 7:00 p.m. – 10:00 p.m. when classes are in session. Security coverage at the Hollister and Morgan Hill sites may vary depending on the class schedule for the semester. The Site Director will have the most current security schedule for the site.

Escorts are available upon request on all campuses during the above hours of staffing.

**Authority of Security and Working Relationship with State and Local Police:**

The authority of uniformed Gavilan Security Officers is defined in the California Penal Code, section 834.

Gavilan College maintains a close working relationship with the Santa Clara Sheriff's Dept., the Morgan Hill Police Department, and the Hollister Police Department.

**Gilroy:** Crimes on the Gilroy Campus are reported to the Santa Clara Sheriff's Department. Gavilan Security assists the Sheriff Department and the victim in the investigation of crimes occurring on Gilroy campus.

**Morgan Hill:** Crimes occurring on the Morgan Hill campus are reported to the Morgan Hill Police Department. Gavilan Security Department assists the police department and the victim in the investigation of crimes occurring on the Morgan Hill campus.

**Hollister:** Crimes occurring on the Hollister campus are reported to the Hollister Police Department. Gavilan Security assists the Hollister Police Department and the victim in the investigation of crimes occurring on the Hollister campus.

**Local Law Enforcement:**

The Santa Clara County Sheriff's Department and the California Highway Patrol share jurisdiction on the main campus at the main campus in Gilroy. The Santa Clara County Sheriff's Department and the California Highway Patrol patrol the Gilroy campus and enforce Federal, State, and local laws, including criminal laws and Vehicle Code violations as well as handling the investigation of all criminal and traffic cases that occur on the Gilroy campus.

The Morgan Hill Police Department has jurisdiction at the Morgan Hill site and the Hollister Police Department has jurisdiction at the Hollister site.

**Reporting a Crime:**

Victims of crime and persons involved in emergency situations on campus are advised and strongly encouraged to promptly report incidents to campus security and local law enforcement. Most crimes can be reported anonymously if the caller chooses.

Professional counselors are encouraged to report crimes to Security for the purpose of annual statistical compilation. The Identities of the victim and witnesses need not be disclosed in most circumstances. The Victim is encouraged to report the crime to security; however, he/she is not required to do so. Victims and witnesses may report crimes on a voluntary and confidential basis.

Confidential campus resources include the Counseling Center for students. Counselors will listen, provide you with support, offer options, and guide you through campus procedures. Staff will help the complainant or respondent to look at all available options; decide which plan of

action he or she feels most comfortable with; craft a statement that contains all of the relevant information regarding the complaint; and make decisions about how to proceed.

**To report a crime:**

- **Gilroy campus** - Dial "10" from any campus ext. , or call 408-710-7490.
- **Hollister or Morgan Hill Campus**- Call local law enforcement by dialing 911.  
Report the incident to Campus security afterwards by calling 408-710-7490.

**Policies to Encourage Reporting to Security and Police Agencies:**

It is the policy of Gavilan College to encourage the reporting of crimes and emergencies to Security and local law enforcement. Security takes reports from all members of the campus community, visitors, and guests regarding incidents, criminal or otherwise, occurring on or near campus. Victims are also advised to report all crimes to local law enforcement, and campus security is available to assist in that reporting if the victim so chooses. If requested, Security will call the police to the crime scene and assist the victim in filing the report.

**Institutional Response to Crime Reports and Timely Warnings:**

Crimes are investigated by Security and may entail the distribution of the information regarding a crime within Gavilan on a need-to-know basis, for review, discussion and follow up action as deemed necessary.

Timely warnings are made to the Gavilan College community through security bulletins and in the case of emergencies, as set forth in the next section.

Security bulletins are promptly distributed to the entire Gavilan Community when crime patterns emerge and /or when the nature of an incident is such that the community needs to be informed of its occurrence to provide for a safer environment. The bulletins include the circumstances surrounding the incident as well as information on how to minimize the chances of becoming a victim of a crime. Bulletins are distributed via email, flyers, postings on the Gavilan Website, and/or the use of Social Media.

A daily crime log is kept in compliance with the Jeanne Clery Act and posted outside the Campus Security Office on the main campus. Information regarding the log may be requested by calling 408-848-4703.

Campus Security maintains a web site at [www.gavilan.edu/safety](http://www.gavilan.edu/safety) and publishes security incident information. Campus crime statistics and crime prevention information is available at the site; including personal safety tips, how to contact security, security escorts, and links to other public safety information. Information regarding criminal activity is always provided to the campus community in a manner that protects the privacy of victims and witnesses.

**Emergency Response and Evacuation Procedures:**

Gavilan College is dedicated to providing a safe and secure environment for its students, staff, faculty, visitors, and guests. The District has an established emergency preparedness and response plan and all participating staff is trained in compliance with SEMS/NIMS (Standardized Emergency Management System/National Incident Management System).

It is the policy of Gavilan College to immediately respond to emergencies, notify the campus of the emergency, and evacuate campus when appropriate.

Emergency notifications to the campus are made to the campus population through the use of an electronic notification system (GavALERT) which includes email, text messaging, office and cell phone. In the event that the telephone or cell phone is not answered, a voice message is left.

Notification messages advise of the campus emergency and provides instructions to the recipient. The Emergency notification system is tested annually. The District encourages Staff, Faculty, and students to maintain current emergency contact information, and list a primary cell phone number in order to ensure that they are immediately notified of emergency information. Staff, faculty and students may update their information by visiting the Gavilan College Homepage at [www.gavilan.edu](http://www.gavilan.edu) and logging into MyGav.

In the event that Security receives a report that there is a significant emergency or immediate threat on campus, Security will immediately respond and investigate the report.

The on-duty Security Officer shall immediately notify the Director of Security and Support Services or the Administrator on duty. The Director of Security and Support Services or Administrator on duty will direct the on-duty Officer to request emergency services as required to the campus, such as police, fire, or paramedics, if such a request has not already been made. The on-duty Security Officer has the authority to make the request prior to notifying the Director of Security and Support Services or Administrator on Duty.

Upon confirming that significant emergency or dangerous situation involving an immediate threat to the community exists, an emergency notification will be initiated to the campus as soon as possible, without delay, taking into account the safety of the community, unless the notification will, in the professional judgment of the responsible authorities, compromise efforts to assist victim or to contain, respond to, or otherwise mitigate the emergency.

The content of the notification shall be determined based on the nature of the emergency. The content will include the nature of the emergency, such as a gas leak, chemical spill, dangerous threat, and instructions to the campus population such as to remain indoors, evacuate a building, to remain out of the affected area, or to remain away from the campus.

The Director of Security and Support Services or the Administrator on duty will immediately attempt to contact and brief the Incident Commander for the District and brief him/her on the situation.

The District has established procedures for disseminating emergency information to the larger community. In addition to GavALERT information concerning a significant emergency situation will be posted on the District website at [www.gavilan.edu](http://www.gavilan.edu) with information and hotlines added if necessary.

The District conducts annual training exercises to test the response and capabilities of the Emergency Operations Center (EOC) and associated campus critical operations. All individuals given a role in the command center or expected to assist in an emergency are included in the annual training.

The Emergency Operations Plan is available online at: <https://mail1.gavilan.edu/eop/index.html>

**Daily Crime Log:**

The Security Office maintains a daily log of all crimes, emergency responses, and reported incidents. The daily log entries that are required by law are available for review upon request to the Security Office located at 5055 Santa Teresa Blvd., Gilroy, CA 9520.

Requests for information regarding the crime log may be made by calling 408-848-4703 or requests in writing may be sent to:

Gavilan Security Department  
5055 Santa Teresa Blvd.  
Gilroy, CA 95020

The disclosure of the information for the purpose of timely warnings to the community and statistical compilation does not contain information concerning victims or witnesses to the crime.

Statistical Information for the years 2010, 2011, 2012 and 2013 is located in Appendix A of this report.

**Preparation of the Annual Disclosure of Crime Statistics:**

The Director of Security & Support Services produces the annual disclosure of crime statistics from the crimes reported to Security and crime statistics it receives through consultation with the Santa Clara County Sheriff's Office, Morgan Hill Police Department, and the Hollister Police Department. Statistical information is also gathered from reports made to the Vice President of Student Services.

The Information received is statistical only, and does not include confidential information about the victim or witnesses. Statistics are provided to the Department of Education annually and that data is available to the general public by visiting <http://ope.ed.gov/security>

### **The Jeanne Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (most commonly referred to as the “Clery Act”), is named for a 19-year-old student who was raped and murdered in 1986 while a freshman at Lehigh University. Her death led to national awareness of the way campus law enforcement handles the investigation of crime on campus as well how it disseminates security information and crime statistics to the campus population with the Jeanne Clery Act.

To be in compliance with the Jeanne Clery Act Colleges and Universities must comply with the following:

- Annual Security Report
- Statements of policy
- Campus crime statistics
- Campus Sexual Assault Victim Bill of Rights
- SaVE Act Statistics
- Ongoing Disclosures
- Emergency notifications
- Timely Warnings
- Public Crime Log

The U.S. Department of Education enforces the Clery Act.

### **Sexual Violence on Campus**

The District has developed a comprehensive Sexual Assault policy for working with students, staff, and faculty who are victims of sexual violence.

Sexual Assault is a crime regardless of when or where it occurs, or what the relationship is between the attacker and the victim. Gavilan College is committed to providing a safe environment for students and staff. Reports of sexual misconduct will be thoroughly investigated and the victim informed of the outcome.

If you, or someone you know, have been the victim of sexual assault:

- Notify Campus Security at 408-710-7190
- Confidential counseling is available on campus through the Counseling Department at 408-848-4723 or Student Health Services at 408-848-4791
- Off campus confidential counseling is available at Community Solutions: 408-684-4118; 24-hr Crisis Line: 1-877-363-7238.

The District Policy BP 3540 is included in this report at Appendix D and Administrative Policy AP 3540 is included at Appendix E

### **Registered Sex Offenders**

Information concerning registered sex offenders as required under the California Penal Code Sections 290 can be obtained from the Gilroy Police Department, Santa Clara County Sheriff's Department, Hollister Police Department, and the Morgan Hill Police Department. The information may also be obtained by visiting <http://meganslaw.ca.gov/>. Sex offenders are required to register with the Campus Security Department. Contact the Director of Security & Support Services at 408-848-4720.

### **Crime Prevention Programs**

Crime Prevention and personal safety tips are distributed via the campus safety website ([www.gavilan.edu](http://www.gavilan.edu)) and periodically throughout the year to the entire Gavilan College community via email and social media. The Director of Security & Support Services attends staff and faculty meetings and Staff Development trainings to help educate campus staff and faculty about how to prevent being a crime victim and how to educate their students regarding crime prevention.

### **Drug-Free Schools & Campuses Act**

BP 3550 states: "The District shall be free from all drugs and the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees." The full text is included as Appendix B. AP 3550 (Appendix C) prohibits "the use, distribution, sale or possession of alcohol, narcotics, dangerous or illegal drugs or other controlled substances, as defined in California statutes, on district property or at any function sponsored by the district." Gavilan College complies with the Drug-Free Schools and Campuses Act of 1989 and the Drug-Free Workplace Act of 1988.

The College recognizes the legal drinking age of 21 years and enforces all state laws regulating the use of alcoholic beverages. All members of the campus community are subject to disciplinary action and/or criminal prosecution for the on-campus possession, use, sale or distribution (by either sale or gift) of any quantity of inappropriate prescription drugs, or controlled substances as defined by the State of California Health and Safety Code. Students found to be in violation of this policy may be subject to the Standards or Student Conduct and Discipline Procedures. Any district employee who violates these laws is subject to prosecution by civil authorizes and disciplinary action by the District.

### **Drug and Alcohol Abuse Programs**

Gavilan recognizes that substance abuse is a serious problem. Drugs and alcohol are toxic to the human body and if abused can have catastrophic consequences. Health consequences include impaired learning, impaired judgment, accidents, cardiac fibrillation, heart attack, seizures, respiratory arrest and even death.

Help is available by contacting the Student Health Nurse at 408-848-4791 or you may find listed resources by visiting the Student Health Services webpage at [www.gavilan.edu/health](http://www.gavilan.edu/health)



## Appendix A

CRIME STATISTICS FOR GAVILAN COLLEGE								
(Total for Gilroy, Morgan Hill, and Hollister Campuses)								
Type of Offense					2010	2011	2012	2013
<b>Homicide</b>					0	0	0	0
<b>Sex Offenses:</b>								
	Forcible sex offenses				0	0	0	
	Non-forcible sex offenses				0	0	0	0
<b>Robbery</b>					0	0		0
<b>Aggravated Assault</b>					0	0	2	0
<b>Burglary</b>					0	5	3	6
<b>Motor Vehicle Theft</b>					0		0	0
<b>Arson</b>					0	0	0	0
<b>Hate Crimes</b>					0	0	0	0
<b>Arrests:</b>								
	Drug Use Violation				4	0	0	0
	Liquor Law Violation				0	0	0	0
	Weapons Possession				0	0	1	0
<b>Disciplinary Referrals:</b>								
	Drug Use Violation				3	2	0	2
	Liquor Law Violation				0	0	0	1
	Weapons Possession				0	0	0	1

## Appendix B

### BP 3550 Drug Free Environment and Drug Prevention Program

**Reference:**

**Drug Free Schools and Communities Act, 20 U.S.C. Section 1145g and 34 C.F.R. Section 86.1 et seq.;**  
**Drug Free Workplace Act of 1988, 41 U.S.C. Section 702**

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

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

Any student or employee who violates this policy will be subject to disciplinary action, which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion or dismissal.

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

Approved by the Board of Trustees: December 11, 2011

## Appendix C

### AP 3550 Drug Free Environment and Drug Prevention

**Reference:**

**Drug Free Schools and Communities Act Amendment, 1989 20 U.S. Code Section 1145g and 34 C.F.R. 86.1 et seq.; Federal Drug-Free Workplace Act, 1988, 41 U.S. Code Section 702**

The Gavilan Joint Community College District is committed to providing its employees and students with a drug-free workplace and campus environment. It emphasizes prevention and intervention through education.

#### **Prohibition of Drugs**

The unlawful manufacture, distribution, dispensing, possession or use of alcohol or any controlled substance is prohibited on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the district.

Violation of this prohibition will result in appropriate action up to and including termination of employment, expulsion, and referral for prosecution, or, as permitted by law, may require satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.

As a condition of employment, employees must notify the District within five days of any conviction for violating a criminal drug statute while in the workplace. The District is required to inform any agencies that require this drug-free policy within ten days after receiving notice of a workplace drug conviction.

Amended by the Board of Trustees: March 9, 2010

Approved by the Board of Trustees: December 11, 2001

## Appendix D

### BP 3540 Sexual and other Assaults on Campus

**Reference:**

**Education Code Section 67382, 67385; 20 U.S.C. § 1092(f); 34 C.F.R. § 668.46(b) (11)**

Any sexual assault or physical abuse, including rape as defined by California law, whether committed by an employee, student, or member of the public, that occurs on District property, is a violation of the following District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

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

The procedures shall meet the criteria contained in EC 67385, 67385.7 and 34 C.F.R. § 668.46 and shall include assurances that:

- All victims of sexual assault on District property shall be provided with information regarding options and assistance available to them.
- All alleged victims of sexual assault shall be provided with the following, upon request:
  1. A copy of this Board Policy containing the District's policy regarding sexual assault;
  2. A list of personnel on campus who should be notified of the assault, and procedures for such notification, if the alleged victim consents;
  3. A description of available services, and the persons on campus available to provide those services, including but not limited to transportation to a hospital, counseling by District staff or referral to a counseling center, notice to the police, if desired, and a list of other available campus resources or appropriate off campus resources;
  4. A description of available procedures, including criminal prosecution, civil prosecution (i.e., lawsuit), District disciplinary procedures, and modification of class schedules and tutoring, if necessary; and
  5. Information regarding any ongoing investigation, including the status of any student or employee disciplinary proceedings or appeal.

The District shall maintain the identity of any alleged victim of sexual assault on District property in confidence unless the alleged victim specifically waives that right to confidentiality. The District shall maintain the identity of any alleged assailant who is a student or an employee in confidence unless the alleged assailant waives that right to confidentiality.

Approved by the Board of Trustees: December 11, 2001

# Appendix E

## AP 3540 Sexual Assaults on Campus

### References:

**Education Code Section 67385;**

**20 U.S. Code Section 1092(f);**

**34 Code of Federal Regulations Section 668.46(b)(11)**

Any sexual assault or physical abuse, including, but not limited to, rape, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (See also AP 5500 titled Standards of Student Conduct.)

"Sexual assault" includes but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

These written procedures and protocols are designed to ensure victims of sexual assault receive treatment and information. (For physical assaults/violence, see also AP 3500, 3510, and 3515.)

All students, faculty members or staff members who allege they are the victims of a sexual assault on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Director, Security and Support Services, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Director, Security and Support Services is authorized to release such information.

The Director, Security and Support Services or designee shall provide all alleged victims of sexual assault with the following, upon request:

- A copy of the District's policy and procedure regarding sexual assault;
- A list of personnel on campus who should be notified of the assault, and procedures for such notification, if the alleged victim consents;
  - o Security Department; dial "10" on Gilroy campus telephone or 408-710-7490
  - o Vice President of Student Services at 408-848-4732
  - o Vice President of Administrative Services at 408-848-4715

- County Sheriff's Department at 911
- A description of available services, which include 911 services, and the persons on campus available to provide those services if requested. Services include:
  - o transportation to a hospital, if necessary;
  - o counseling by [designate], or referral to a counseling center;
  - o notice to the police, if desired;
  - o a list of other available campus resources or appropriate off-campus resources including "What is Sexual Assault" brochure.
- A description of each of the following procedures:
  - o criminal prosecution;
  - o civil prosecution (i.e., lawsuit);
  - o District disciplinary procedures, both student and employee;
  - o modification of class schedules;
  - o tutoring, if necessary.

The Vice President of Administrative Services should be available to provide assistance to District law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

Approved by the Board of Trustees : December 11, 2001

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, regardless of whether a complaint is filed with local law enforcement. All alleged victims of sexual assault on District property shall be kept informed, through the Director, Security and Support Services, or the Vice President of Administrative Services when the alleged victim is an employee and the Vice President of Student Services when the alleged victim is a student of any ongoing investigation. Information shall include the status of any student of employee disciplinary proceedings or appeal; alleged victims of sexual assault are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The District shall maintain the identity of any alleged victim or witness of sexual assault on District property, as defined above, in confidence unless the alleged victim or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged sexual assaults on District property shall be referred to the District's Public Information Officer which shall work with the Director, Security and Support Services to assure that all confidentiality rights are maintained.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement must include the following:

- A description of educational programs to promote the awareness of rape,

acquaintance rape, and other forcible and non-forcible sex offenses;

- Procedures to follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests;
- Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;
- Notice to students that the campus will change a victim's academic situation after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available;
- Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:
  - o The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
  - o Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses.

#### **Education and Prevention Information**

The Vice President of Administrative Services (employees) and the Vice President of Student Services (students) shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about sexual assault. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations.
- Post sexual violence prevention and education information on the campus website.

Approved by the Board of Trustees: December 11, 2001