

Jeanne Clery Act

2014

Annual Safety and Security Report

2011 - 2013 Crime Statistics

**West Valley-Mission Community College
District**

"Building Silicon Valley's future -One student at a time."



West Valley - Mission
Community College District



West Valley-Mission Community College District-14000 Fruitvale Ave.-Saratoga, CA 95070

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Welcome,

On behalf of the men and women of the West Valley-Mission Community College District Police Department we hope your time on our campuses is safe and secure. This annual security report is in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. It is our goal to ensure that everyone who visits, works or studies at our WVM District campuses has a safe and secure environment to work and learn.

This report provides both mandatory crime statistics along with information for our college community members to educate themselves to help keep our campuses safe.

We are all stakeholders as members of the West Valley Mission District community and share in the responsibility to keep our community safe and secure. For more information on District safety, emergency preparedness and prevention please visit our website:

<http://www.wvm.edu/police/>

Please feel free to approach any of our officers and civilian personnel with questions or concerns.

Ken Tanaka
Chief of Police
West Valley-Mission
Community College District



Administrators

Chancellor **Patrick Schmitt**
Vice Chancellor Administrative Services **Ed Maduli**
Mission College President **Daniel Peck**
West Valley College President **Brad Davis**

West Valley-Mission District Board of Trustees

Adrienne Grey, Buck Polk, Chad Walsh, Jack Lucas, Karl Watanabe, Nick Heimlich, Robert Owens

West Valley-Mission Community College District-14000 Fruitvale Ave.-Saratoga, CA 95070

COLLEGE DISTRICT

West Valley-Mission Community College District has a devoted Board of Trustees and a dedicated staff that serves its two colleges. West Valley College in Saratoga and Mission College in Santa Clara are on the cutting edge among higher education institutions in the Silicon Valley.

West Valley College is located at 14000 Fruitvale Ave in Saratoga. The campus is accessible from Saratoga-Los Gatos Road, Saratoga Avenue and Highway 85. The campus serves an average student population of 8,000.

Mission College is located at 3000 Mission College Blvd., just off Highway 101 at Great America Parkway in Santa Clara. The Mission College campus serves an average student population of 7,000.

College Statistics

West Valley College
Founding Date: 1963
Campus Size: 143 acres

Mission College
Founding Date: 1977
Campus Size: 164 acres

All students live off campus

Both West Valley and Mission Colleges are commuter campuses, with no on-campus housing.

DISTRICT POLICE

West Valley-Mission CCD Police Department

The West Valley-Mission Community College District Police Department is a full-service law enforcement agency, employing police officers whose law enforcement authority is granted under Section 830.32 of the California Penal Code and Education Code, Section 72330. The authority of these officers extends anywhere within the State of California. West Valley-Mission Community College District Police Officers are vested with full law enforcement powers and responsibilities, identical to local police or sheriff departments in the community. The District Police Department is a P.O.S.T certified law enforcement agency. The officers are trained at a local police academy and receive additional training in first aid, firearms, defensive tactics, legal updates, evidence gathering, traffic investigation, and campus specific policing. The officers maintain their state certification through annual state mandated training.

The West Valley-Mission (WVM) CCD Police Department (District Police) provides law enforcement services from 6:30 AM to 2 AM, seven days a week, 365 days a year at both the West Valley and Mission campuses. During our non-hours of operation from 2 AM through 6:30 AM, the Santa Clara County Sheriff's Department handles calls for service at West Valley College and the City of Santa Clara Police Department handles calls for service at Mission College.

Officers are responsible for a full range of public safety services, including all crime reports, investigations, medical emergencies, fire emergencies, traffic accidents, traffic enforcement, vehicle code violations, enforcement of laws regulating underage drinking, possession of alcohol on a campus, the use of controlled substances, weapons, gambling, and all other incidents requiring police assistance.

In addition to sworn police officers, WVM District employs Parking Service Officers who patrol the campus on foot and by vehicle. While not police officers, Parking Service Officers have radio contact with District Police and can summon assistance when necessary. These officers assist in non-emergency situations, aid motorists, provide campus information, issue parking citations and direct traffic.

Our mission is to provide outstanding service and safety through education and campus partnerships. This is achieved through community engagement and partnerships with both college campuses.

Jurisdiction

The District Police jurisdiction includes other grounds or properties owned, operated, controlled, or administered on behalf of the West Valley-Mission College District as outlined in the Education Code, Section 72330. WVM PD is committed to the safety and security of all students, staff, and faculty, as well as others visiting our campuses.

District police officers have complete police authority to apprehend and arrest anyone involved in illegal acts, pursuant to California Penal Code Section 830.32 and Education Code Section 72330. Having met all state standards for selection and training, the officers have authority equal to a municipal police officer or county deputy sheriff.

WVM CCD maintains formal agreements with the Santa Clara County Sheriff's Department for the West Valley College campus and the Santa Clara Police Department for the Mission College campus. These agreements also clarify operational responsibilities for investigations of Part I violent crimes and delineates the specific geographical boundaries of each agency's operational responsibility.

Reporting a Crime

West Valley-Mission community members should file a report in a timely manner whenever they observe anything suspicious, believe they have discovered a crime, or come across a hazard which could cause a safety hazard.

- Telephone

FOR ALL EMERGENCIES OR TO REPORT A CRIME IN PROCESS DIAL 9-1-1. If you have an emergency and are using a **cellular phone dial 1-408-299-3233** - Santa Clara County Communications Dispatch Center (24 hours a day) and ask for a West Valley-Mission District police officer.

To report a **non-emergency or a prior criminal incident** that would require the assistance of a police officer contact the Santa Clara County Communications Dispatch Center by dialing 1-408-299-2311 (24 hours a day). Request a West Valley-Mission Community College District Police Officer.

When you call 9-1-1 or the non-emergency Santa Clara County Communications dispatch center telephone number at 1-(408) 299-2311, dispatchers or call takers who answer the phone are not college

employees and have no affiliation with the West Valley-Mission Community College District Police Department. The County Communications dispatch center is located in a remote location away from the college campuses. When calling, request a West Valley-Mission Community College District Police Officer.

Non-Emergencies:

Business, Records Office Phone: **1-408-741-2092** (West Valley campus)

Business, Parking & Traffic Office: **1-408-855-5435** (Mission campus)

Dispatch (24 hours) Santa Clara County Communications Non-Emergency **1-408-299-2311**

- In Person

West Valley College, 14000 Fruitvale Avenue, Saratoga, CA 95070

Campus Center Walk at East College Circle next to the PE Building/Aquatics Center

1-(408) 741-2092

The Business and Records Office is located at the West Valley College office.

Regular Hours:

Monday - Friday

9:00 A.M. - 5:00 P.M.

Live Scan Hours:

Monday through Friday 9:30 A.M. - 12:30 P.M.

by appointment only.

Tuesday, Wednesday & Thursday 2:30 P.M. - 7:00 P.M.

1-(408) 741-2685 / livescan@wvm.edu

Call for current hours of operation

Mission College, 3000 Mission College Boulevard, Santa Clara, CA 95054

Campus Center Building (1st Floor)

1-(408) 855-5435

The Parking Services Office is located at the Mission College office.

Regular Hours:

Monday - Friday

8:30 A.M. - 4:30 P.M.

Evening Hours: Mon - Thurs. Until 9:30 P.M

The police business and parking offices are closed on Saturdays, Sundays, and all college district observed holidays. Our office staff can assist you with non-emergency general police business, lost property, campus safety escorts, and parking information.

Anonymous Tips - TipNow

TipNow allows anyone to send anonymous tips about criminal activity, suspicious circumstances or safety issues to the campus police via a secure text based system. This is accomplished by using one of the TipNow links or phone numbers assigned to each campus (See below). More information about the service can be seen at: www.resiligence.com.

West Valley College

Tip address (Email or Text):

westvalley@tipnow.com

Anonymous voice mail: 1-408-414-7908

Mission College

Tip address (Email or Text):

mission@tipnow.com

Anonymous voice mail: 1-408-550-7982

Local Law Enforcement

Reference: California Education Code Section 67381

Each college or center of the District shall enter into a written agreement with local law enforcement agencies. The agreement shall clarify operational responsibilities for investigations of Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault, occurring at each location.

The written agreement shall designate which law enforcement agency shall have operational responsibility for violent crimes and delineate the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.

The West Valley-Mission Community College District maintains written agreements with the Santa Clara County Sheriff's Office and the City of Santa Clara in compliance with the Education Code and the Kristen Smart Campus Safety Act.

Kristin Smart Campus Safety Act of 1998

This Interagency Operations and Protocol Agreement, between the West Valley-Mission Community College District Police Department and neighboring agencies is to clarify agency jurisdiction and response responsibility as required by the Kristin Smart Campus Safety Act of 1998.

The California Legislature under this Act also reaffirms that campus law enforcement agencies have primary authority for providing law enforcement service on their campus.

This Act also requires law enforcement agencies to designate operational responsibility and define specific geographical boundaries of response for the investigation of Part I violent crimes of homicide, forcible rape, robbery and aggravated assaults on campus property and property controlled by the college.

The West Valley-Mission Community College District Police Department has primary responsibility for law enforcement response and investigations of criminal activity on District property.

The West Valley-Mission Community College District Police Department and the Santa Clara County Sheriff and Santa Clara Police have Memorandums of Understanding (MOU) that the West Valley-Mission Community College District Police Department may request assistance at any time. Further, the College may request these agencies to assume control over investigations for serious violent Part I crimes that may be beyond the resources of the West Valley-Mission Community College District Police Department in accordance with existing Mutual Aid procedures.

Education and Prevention

The District Police encourages members of the community to assist in preventing crime by minimizing opportunities to become a victim by using good judgment and safety practices. On the District web page there are links found under District Services for both crime prevention and emergency preparedness.

The District Emergency Services program maintains a web site on the WVM District page <http://www.wvm.edu/emergency/> and on the WVM web portal for students and staff. On this page you will find a series of educational links for classes and information regarding current emergency preparedness and procedures along with free training classes offered to the campus communities.

Emergency Response and Evacuation Procedures

The District maintains an Emergency Operations Plan (EOP) that identifies roles and responsibilities and outlines emergency responses to all hazards that could affect the campuses. This plan provides that if there is an immediate or potential threat to the health and safety of students or employees, occurring on campus, the college presidents or District administrators may implement the EOP operational protocols. This plan is reviewed and revised annually to remain current to the evolving environment of the individual college campus. For more information visit: <http://www.wvm.edu/emergency/>

Emergency Notifications

As an effort to provide notice to the West Valley-Mission community, in the event of a serious incident, which may pose an ongoing threat to members of the WVM community, an emergency notification would be distributed to the campus community. As circumstances allow, the decision to distribute an emergency notice will be based on the judgment of the Chief of Police, Chancellor, each College President or designee.

An emergency notification is triggered by an event that is currently occurring on or imminently threatening the campus. Such as any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus

Any of the following may be used to issue immediate warnings about serious emergencies on campus:

- Emergency telephone and text message alerts (WVM Alert)
- Classroom Emergency Telephones
- Broadcast email and voicemail.
- Fire Alarm
- Building Safety Team members

Timely Warning Notices

Any of the following may be used to issue timely warnings. Timely warnings are triggered by crimes that have already occurred but may represent an ongoing threat. Timely warnings are for any Clery crime committed or reported to your campus security authorities or a local law enforcement agency and is considered by the institution to represent a serious or continuing threat to students and employees.

Any of the following may be used to issue timely warning notices.

- Postings on the District, West Valley or Mission College websites,
- Student and staff web portals,
- Fliers and other informational materials may also be posted on campus buildings to inform students, faculty, and staff of ongoing safety concerns.

Safety of Buildings and Grounds

The District buildings and property are patrolled by officers of the WVM District Police Department. The District Police regularly patrols each campus and reports malfunctioning lights and other unsafe physical conditions to District Facilities for service or correction.

Possession and use of all weapons are prohibited on both West Valley and Mission campuses (5.19 *Student Conduct Policy*)

Campus Security for Satellite Location and Occasional Instruction Sites Non-Campus Locations

The District Police does not patrol at off-campus locations but does work cooperatively with the local law enforcement agency on any report of an incident or crime. The District maintains a facility in the City of Campbell, Campbell Educational Development Center, 1 West Campbell Av. Suite J-66, which is served by the Campbell Police Department.

Access to Campus Facilities

During business hours, both Colleges will be open to students, parents, employees, contractors and guests. During non-business hours access to all College facilities is restricted or by pre-authorization from college staff or by admittance via the District Police Department with prior written approval to facilities by college administrators. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Physical Education Facilities. In these cases, the facilities will be secured according to schedules developed by the individual department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules.

DISTRICT SERVICES

As part of its commitment to provide a safe and secure campus, each Office of Student Services encourages students to report any sexual assaults, domestic violence, or stalking, both on and off campus. Reports can be made to the following entities on each campus:

- District Police Department
- Campus Health Services
- Office of Student Services
- Campus Counseling Services

Access is free and confidential.

CAMPUS SAVE ACT

The **Campus Sexual Violence Elimination Act** or **Campus SAVE Act (H.R. 6461)** This measure amends the federal **Jeanne Clery Act** to update 18-year-old sexual assault policy requirements for institutions of higher education to also address a broader scope of intimate partner violence including

stalking, dating violence, sexual violence and domestic violence offenses. The Campus SAVE Act also enhances existing prevention education and victims' rights provisions. Compliance will be enforced by the U.S. Dept. of Education.

Intimate Partner Violence Policy

The **Campus SAVE Act** requires institutions of postsecondary education eligible to participate in federal student aid programs to adopt, and disclose in their annual security report a summary of, a policy regarding sexual assault (an existing requirement of the Clery Act) and other intimate partner violence. The term "intimate partner violence" is defined to mean "any physical, sexual, or psychological harm against an individual by a current or former partner or spouse of the individual". It would include stalking, dating violence, sexual violence, or domestic violence.

VIOLENCE AGAINST WOMEN ACT (VAWA)

On March 7, 2013, President Obama signed a bill that strengthened and reauthorized the Violence Against Women Act. Included in the bill was the Campus Sexual Violence Elimination Act (Campus SAVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking.

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

- compile statistics of incidents of sexual assault, domestic violence, dating violence, and stalking that occur within Clery geography and are reported to campus security authorities
- include within its Annual Security Report a statement of policy regarding:
 - its programs to prevent domestic violence, dating violence, sexual assault, and stalking
 - the procedures that will be followed once an incident of these crimes has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from the report
 - educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include primary prevention and awareness programs for incoming students and new employees, as well as ongoing prevention and awareness programs for students and faculty.

DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

The West Valley-Mission CCD does not discriminate on the basis of sex in its educational programs and sexual harassment nor tolerate sexual violence, which is a type of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether gender based or not and include dating violence, domestic violence, and stalking.

The West Valley-Mission District informs the community of our plan addressing sexual misconduct; educational programs and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus, and how these events are reported to a college official. The West Valley-Mission District prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the college community. Administrative Procedure 3540 specifically prohibits these acts.

Defining Sexual Assault/ Rape, Domestic Violence, Dating Violence, and Stalking

Sexual Assault: Sexual assault occurs when a person engages in sexual intercourse or deviate sexual intercourse with a complainant without the victim's consent.

Consent

Consent must be informed, freely given and mutual. If coercion, intimidation, threats or physical force are used there is no consent. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent: this includes impairment or incapacitation due to alcohol or drug consumption, or being asleep or unconscious. Inducement of incapacitation of another with the intent to affect the ability of an individual to consent or refuse to consent to sexual contact almost always, if not always, negates consent. Silence does not necessarily constitute consent. Whether a person has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

Rape: Is 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. Rape also occurs when a person engages in sexual intercourse with a person by forcible compulsion or the threat of forcible compulsion that would prevent resistance by a person of reasonable resolution, or when a person is unconscious or where the person knows that the victim is unaware that the act is occurring.

Is an act of sexual intercourse accomplished with a person, whether or not they are the spouse of the perpetrator, under any of the following circumstances:

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.

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.

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.

Where a person is at the time unconscious of the nature of the act, and this is known to the accused. "Unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:

- Was unconscious or asleep.
- Was not aware, knowing, perceiving, or cognizant that the act occurred or of the essential characteristics of the act due to the perpetrator's fraud in fact.

Where a person submits under the belief that the person committing the act is the victim's spouse, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

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. "Threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

Domestic Violence Resources:

Victims of domestic violence have a right to go to Superior Court and File a petition requesting orders for relief. Victims have the right to file a civil suit for losses suffered as a result of the abuse, including medical expenses, loss of earnings, and other expenses for injuries sustained and damage to property, and any other related expenses. The victim has the right to ask the landlord to change the locks with 24 hours. The victims should report incidents to their local law enforcement agency. The agency will file a report with the District Attorney's Office so a charging decision can be made of criminal charges. The victim is entitled to a free copy of the police report from the agency taking the report.

For further information and assistance for victims of domestic violence call the **Victim Witness Assistance Center in Santa Clara County at 1 408 295-2656** or the **California Victims of Crime Program at 1 800 777-9229**.

Definition Domestic Violence: (42USC / 13925) includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

California Criminal Laws Relevant to Domestic Violence

13700 PC Domestic Violence - Defined

Abuse committed against an adult or fully emancipated minor who is the spouse, former spouse, cohabitant, former cohabitant, who has a dating relationship, former dating relationship, engagement relationship, former engagement relationship, or parties having a child in common.

273.5 PC Spousal Abuse or Cohabitant Abuse

- Willfully inflicts corporal injury upon
- Spouse or Cohabitant or Parties with a Child in Common
- Results in a Traumatic condition
- Verifiable Injury (Officer's observation or Medical exam)

243(e) (1) PC Battery

- Willfully and unlawfully use force or violence against,
- Spouse, cohabitant, parties with a child in common, non-cohabiting former spouse or fiancé/fiancée or a person with whom the defendant currently has or has previously had a dating relationship regardless of sexual orientation
- Visible injury not necessary

422 PC Terrorist Threats

- Threat to commit a crime which will result in Death or Great Bodily Injury
- Must be unequivocal, unconditional, immediate and specific
- Causes sustained fear for safety
- To a person or their immediate family

646.9 PC Stalking

- Willfully, maliciously and repeatedly follows or harasses
- Makes a credible threat (Pattern of conduct by suspect, taken in totality, so that a reasonable person would fear for their safety or that of their immediate family)

591 PC Malicious Destruction of Phone Lines

- Unlawfully and maliciously
- Takes down, removes, injures or obstructs
- Any telephone, telegraph or cable TV line, or any other line used to conduct electricity.

273.6 PC Violation of Domestic Violence Protective Order

- Intentionally and knowingly violate a Domestic Violence Protective Order (including Emergency Protective Order, Temporary Restraining Order and Restraining Order)

Dating Violence: Means violence committed by a person-(a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors:

- The length of the relationship.
- The type of relationship.
- The frequency of interaction between the persons involved in the relationship.

Stalking: (42USC/13925) Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress. A person commits the crime of stalking when the person either:

- (1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
- (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

California Penal Code 646.9 (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

Sexual Assault Awareness and Prevention

These programs consist of guest speakers, films, and printed materials. To obtain further information please contact the District Police, Health Services, or Student Services. Counseling assistance is available through Health Services and Counseling Department. The West Valley-Mission Community College District will vigorously prosecute and discipline persons identified as responsible for sexual assaults. In addition to criminal prosecution, the College District will impose discipline against students, student organizations, college faculty or staff identified as committing or participating in sexual assaults. College discipline includes: expulsion from the college; suspension for a specific time period; or probation for a specific time period.

Discipline proceedings involving students will be processed through the Office of the Vice President of Student Services. Discipline proceedings involving faculty or staff members will be processed through the District Human Resources Office. Both the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding. Both the accuser and the accused shall be informed of the outcome of any campus proceeding alleging a sexual assault.

Reporting Sexual Assault

As soon as possible, the victim should report incidents of sexual assault, including date or acquaintance rape to the District Police Department, the local police (if the victim is unable to make contact with the District Police), or a College faculty or staff member who can aid in contacting the proper authorities. The Counseling Department and Health Services can also help in contacting the proper authorities. The victim should make every attempt to preserve any physical evidence of the assault. This may include not showering or bathing, not cleaning the scene of the incident, and not disposing of any damaged clothing, or other items. The District Police will immediately initiate a criminal investigation into on-campus sexual assaults.

The victim will be given information on counseling and support groups. If the victim wishes to change an academic schedule, the appropriate steps will be taken to accommodate the victim to the full extent possible. The Colleges also encourage persons reporting to seek the support and assistance of friends or family when needed, in presenting their concerns. Santa Clara County offers 24 hour counseling for victims of crimes. The *Santa Clara County Valley Rape Crisis Center* may be reached at 1-(408) 287-3000.

Confidential reporting may also be made to Campus Security Authorities (CSA)

What is a CSA?

A CSA is a person referred to as a campus security authority by the Clery Act. CSA's are a vital part of data collection for the annual safety and security report.

The Clery Act requires each college to provide an annual safety and security report. In addition to input from law enforcement, certain staff positions are designated as Campus Security Authorities (CSA) for the purpose of providing information for this report. CSAs are usually found in departments responsible for, but not limited to, student and campus activities, safety/security, discipline, housing, athletics, health services, human resources or judicial proceedings. This designation also includes any individual who has been specified by the colleges to receive and report offenses.

CSA's are responsible for reporting the number of crimes and incidents as described in the Clery Act that occur in their department to the District Police Department. These numbers are then included in the federally mandated Clery Report, which is distributed every year in the beginning of October.

THE FEDERAL CAMPUS SEX CRIMES PREVENTION ACT

(Megan's Law)

The Federal Campus Sex Crimes Prevention Act requires the WVM District to inform the campus community where to find information on registered sex offenders. California law requires sex offenders to register with their local police or sheriff, which places their names in a state-wide database.

The State of California Registered Sex Offenders database can be accessed at

<http://www.meganslaw.ca.gov>

Sex Offender Registration

California Penal Code Section 290.01 requires every person who was convicted of a sex offense to register with the Campus Police Department of a College or University within Five (5) days where he/she is:

1. Enrolled as a Full-time student.
2. Enrolled as a Part-time Student.
3. Employed as a Full-time Staff, Faculty, or Instructor.
4. Employed as a Part-time Staff, Faculty, or Instructor.
5. Employed as a Full-time or Part-time Classified employee.
6. Employed as a volunteer.
7. A contractor who is contracted by the College or University to work on campus.
8. A carrier driver who delivers to that College or University more than 14 consecutive days or 30 days in a calendar year (i.e. Water delivery, Mail, VTA drivers, Outreach drivers, Armored car drivers, Telephone, Gas, and Electricity technicians, Computer technicians, Office supply drivers, and others).

This section does not relieve the person to register as a Sex Offender with the jurisdiction where he/she is residing. The registrations as a Sex Offender with a College or University Police Departments are in addition to the registration with the local police and sheriff's departments.

Anyone needing to register per Section 290 of the California Penal Code must call the Records Office to make an appointment at 1-(408) 741-2092.

Assistance and Safety Escorts

The District Police will provide you with assistance in unlocking your vehicle, providing jumper cables, or summoning a tow truck or locksmith to assist you. We cannot attempt to open vehicles which have electric locks or windows. We will also assist family members in contacting students who are in class if there is a serious family emergency.

There is an escort service at both colleges from Monday through Thursday evenings. Escorts can be reached by dialing 2092 on the **West Valley College** campus or 1- 408-741-2092 from a non-campus line. Escorts can be reached by dialing 5435 on the **Mission College** campus or 1-408-855-5435 from a non-campus line. After 6 PM call County Communications, 1-408-299-2311 and ask for a West Valley-Mission police officer and request an escort on campus. Times can be arranged in advance so the escorts can meet students at their classes. We do not provide escorts to off campus locations.

Marsy's Law – Victim's Bill of Rights

On November 4, 2008, the voters of the State of California approved Proposition 9, the Victims' Bill of Rights Act of 2008: Marsy's Law, a measure to provide all victims with rights and due process. Additional information can be found at: http://oag.ca.gov/victimservices/marsys_law

ALCOHOL AND DRUG POLICIES

Alcoholic Beverages

The possession, sale, or furnishing of alcohol on West Valley-Mission district property is governed by District Policy and California state laws. Violators are subject to disciplinary action and criminal prosecution. West Valley-Mission prohibits the possession of open containers of alcoholic beverages on any district property, with the exception for fund-raising events sponsored by the Foundation.

Drug Free Campus

Both the abuse and moderate use of alcohol and illegal drugs can result in injury and death. While chronic problems are associated with long-term abuse, damage can occur from moderate or even a single experimental use of a substance. Alcohol and drug use seriously impair learning and motivation; disrupts the classroom; jeopardizes our physical and mental health; subjects us to criminal penalties; injures our families; erodes our relationships; and inhibits our ability to benefit from an education. West Valley-Mission Community College District therefore asks you to support, maintain, and promote actively a drug-free learning environment by being aware and informing others of college policies, referral sources for help, and the substantial legal, personal, and health consequences associated with use. If you or someone you know is having problems with alcohol or drugs, seek out confidential assistance on-campus, or from one of the community agencies listed on this sheet.

District Policy

http://www.westvalley.edu/services/policy/district_policy_5.19.html

Item 5.19 *Student Conduct Policy* prohibits the use, distribution, sale or possession of controlled substances on college property or at events sponsored by the college. All state and federal laws pertaining to unlawful use and possession of drugs and alcohol are enforced on the campuses.

Health Consequences

Even experimental use of a substance may result in:

- Impaired learning due to poor concentration, fatigue, drowsiness, anxiety, altered perception, confusion, indifference, depersonalization, memory loss, panic attacks, and drug-induced psychiatric problems.
- Impaired judgment leading to driving under the influence of alcohol/drugs,
- The intravenous use of drugs can result in hepatitis, tetanus, abscesses, and AIDS.
- The use of stimulants can lead to cardiac fibrillation, heart attack, seizures, respiratory cardiac arrest and death.

The most common negative health consequences from occasional drinking are:

- Trauma-related (i.e., auto accidents, violent and abusive acts) and involve both the drinker and non-drinking victims.
- Long-term alcohol abuse can cause brain damage, cirrhosis of the liver, hepatitis, permanent in coordination, ulcer disease, gastritis, pancreatitis, heart disease, stroke, anemia, sexual dysfunction, cancers, and many other health problems.
- The Health Services Office provides drug and alcohol abuse education programs and confidential assistance.

Legal Sanctions

As a College student or employee you are subject to both college rules and regulations and the laws and penalties of the State of California for alcohol/drug offenses. As a student, if you are under the influence of alcohol and/or drugs, or if you are discovered selling, or dispensing drugs on campus or at any college function, you can be suspended, expelled and criminally prosecuted. If you are an employee or volunteer at WVM District you may be placed on probation, terminated, and criminally prosecuted for the use, sale or possession of illegal drugs and/or alcohol on campus, or at college-sponsored events.

DISTRICT / COLLEGE SERVICE OFFICES

The following listing provides telephone numbers of campus units that deal with issues of personal health, safety, and empowerment; substance abuse prevention, assessment, and treatment; and student legal assistance.

FOR FREE CONFIDENTIAL ASSISTANCE

Contact the following services on campus:

- Mission College Student Health Services 1-(408) 855-5140
- West Valley College Student Health Services 1-(408) 741-2027
- Mission College Counseling Services 1-(408) 855-5030
- West Valley College Counseling Services 1-(408) 741-2009

For assistance off-campus, call:

- Alcoholics Anonymous 1-(408) 374-8511
- Narcotics Anonymous 1-(408) 998-4200
- National Council on Alcoholism, Bay Area 1-(415) 296-9900

For a more comprehensive list of off-campus referrals contact the Campus Health Services.

CRIME STATISTICS - INFORMATION

The crime statistics were compiled by WVM District, campus officials having responsibility for oversight of student activities, and relevant local agencies. Crime definitions are from the Uniform Crime Reporting (UCR) Handbook and sex offense definitions are from the National Incident Based Reporting System (NIBRS) edition of the Uniform Crime Reporting Program. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to surrounding jurisdictions that surround the two college campuses.

All of the statistics are gathered, compiled, and reported to the WVM District community via this report. This information is available at the WVM Police Department website at:

<http://wvm.edu/police/>. WVM campus authorities submit the annual crime statistics published in this report to the United States Department of Education (DOE). The statistical information gathered by the United States Department of Education is available to the public through the DOE website.

DEFINITIONS OF CLERY ACT CRIMES

(Crime Definitions from the Uniform Crime Reporting Handbook and Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program)

Murder and Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

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

Sex Offenses–Forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Such as forcible rape (date/acquaintance), forcible sodomy, sexual assault with an object, forcible fondling.

Sex Offenses–Non-forcible: Unlawful, non-forcible sexual intercourse. Such as incest, or statutory rape.

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. May include a weapon, simulated weapon or by force or fear or intimidation.

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. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned and recovered – including joy riding).

Arson: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

HATE CRIMES - DEFINITIONS

Hate Crimes: Crimes that manifest evidence that the victim was intentionally selected because of the victim's race, gender, religion, sexual orientation, ethnicity/national origin or disability. West Valley-Mission College District is required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug violations and/or illegal weapons possession and larceny, vandalism, intimidation, and simple assault, and any crimes involving bodily injury to any person.

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

Non-Campus crime is defined as crime that occurred on property owned or operated by the college. Public Property Crime is defined as crime occurring on property immediately adjacent to the college.

Hate Crimes

There were no reported hate crimes for the years, 2011, 2012 and 2013 on either campus.

WVM campus authorities submit the annual crime statistics published in this report to the United States Department of Education (DOE).

The statistical information gathered by the United States Department of Education is available to the public through the DOE website: <http://www.ed.gov/>.

2013 CRIME STATISTICS: CLERY DATA

The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f).

WEST VALLEY COLLEGE				2011			2012			2013		
OFFENSES	On-Campus Property Public	Public Property	Non-Campus	On-Campus Property Public	Public Property	Non-Campus	On-Campus Property Public	Public Property	Non-Campus			
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0			
Negligent Manslaughter	0	0	0	0	0	0	0	0	0			
Sex Offenses - Forcible	0	0	0	1	0	0	0	0	0			
Sex Offenses - Non-forcible	0	0	0	0	0	0	0	0	0			
Robbery	0	0	0	1	0	0	0	0	0			
Aggravated Assault	2	0	0	1	1	0	1	0	0			
Burglary	8	0	0	2	0	1	4	0	1			
Motor Vehicle Theft	1	0	0	2	0	1	1	1	0			
Arson	0	0	0	0	0	0	0	0	0			
VAWA OFFENSES												
Domestic Violence	-	-	-	-	-	-	0	0	0			
Dating Violence	-	-	-	-	-	-	2	0	0			
Stalking	-	-	-	-	-	-	0	0	0			
ARREST												
Weapons	0	0	0	0	0	1	1	0	2			
Drugs	1	0	1	1	1	3	3	0	7			
Alcohol	1	0	1	0	3	0	0	1	1			
REFERRALS												
Weapons	0	0	0	0	0	0	0	0	0			
Drugs	0	0	0	0	0	1	5	0	0			
Alcohol	0	0	0	0	0	0	0	0	1			
HATE CRIMES												
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0			
Negligent Manslaughter	0	0	0	0	0	0	0	0	0			
Sex Offenses - Forcible	0	0	0	0	0	0	0	0	0			
Sex Offenses - Non-forcible	0	0	0	0	0	0	0	0	0			
Robbery	0	0	0	0	0	0	0	0	0			
Aggravated Assault	0	0	0	0	0	0	0	0	0			
Burglary	0	0	0	0	0	0	0	0	0			
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0			
Arson	0	0	0	0	0	0	0	0	0			
Larceny	0	0	0	0	0	0	0	0	0			
Simple Assault	0	0	0	0	0	0	0	0	0			
Intimidation	0	0	0	0	0	0	0	0	0			
Vandalism	0	0	0	0	0	0	0	0	0			

2013 CRIME STATISTICS: CLERY DATA

MISSION COLLEGE		2011			2012			2013		
OFFENSES	On-Campus Property Public	Public Property	Non-Campus	On-Campus Property Public	Public Property	Non-Campus	On-Campus Property Public	Public Property	Non-Campus	
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	
Sex Offenses - Forcible	0	0	0	0	0	0	1	0	0	
Sex Offenses - Non-forcible	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	
Aggravated Assault	2	0	0	1	0	0	0	0	0	
Burglary	7	0	0	4	0	0	3	0	0	
Motor Vehicle Theft	6	0	0	6	0	0	1	0	0	
Arson	0	0	0	0	0	0	0	0	0	
VAWA OFFENSES										
Domestic Violence	-	-	-	-	-	-	0	0	0	
Dating Violence	-	-	-	-	-	-	0	0	0	
Stalking	-	-	-	-	-	-	1	0	0	
ARREST										
Weapons	0	0	0	0	1	0	0	0	0	
Drugs	0	0	0	0	5	0	0	0	0	
Alcohol	0	0	0	0	1	0	1	1	0	
REFERRALS										
Weapons	0	0	0	0	0	0	0	0	0	
Drugs	0	0	0	0	0	0	0	0	0	
Alcohol	0	0	0	1	0	0	0	0	0	
HATE CRIMES										
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	
Sex Offenses - Forcible	0	0	0	0	0	0	0	0	0	
Sex Offenses - Non-forcible	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	
Larceny	0	0	0	0	0	0	0	0	0	
Simple Assault	0	0	0	0	0	0	0	0	0	
Intimidation	0	0	0	0	0	0	0	0	0	
Vandalism	0	0	0	0	0	0	0	0	0	

WVM Campus Authorities submit the annual crime statistics published in this report to the United States Department of Education (DOE).

VICTIM WITNESS ASSISTANCE FOR SANTA CLARA COUNTY

Domestic Violence (24 Hour Lines)

Support Network for Battered Women	1-800-572-2782
Next Door, Solutions to Domestic Violence	1-(408) 279-2962
Family Court Clinic Information Center	1 (408) 534-5709
Community Solutions (South County)	1-(408) 683-4118
Community Solutions	1-877-363-7238
Asian Women's Home	1-(408) 975-2739
YWCA Silicon Valley Domestic Violence Support Network	1 800 572-2782
Asian Americans for Community Involvement	1(408)975-2730
Santa Clara County Office of Women's Policy – Restraining Orders http://www.sccgov.org/sites/owp/dvc/Documents/CommonQuestionsCPO-RO.pdf	

Sexual Assault (24 Hour Lines)

Mid Peninsula YWCA Rape Crisis Center (North County)	1-(650) 493-7273
YWCA Rape Crisis (Central)	1-(408) 287-3000

Victim/Witness Assistance

Victim Witness Center	1-(408) 295-2656
Advocate in the Office of the DA	1-(408) 299-7400

County of Santa Clara, Office of the District Attorney

Main Office (San Jose)	1-(408) 299-7400
North County (Palo Alto)	(650) 324-6400
South County Office (Morgan Hill)	1-(408) 201-0530
Office of Pretrial Services	1-(408) 792 –2477
Adult Probation	1-(408) 435-2000

Jail-Booking	1-(408) 299-2306
Superior Court Family Division	1-(408) 534-5600
Victim Notification System (VNS)	1-800 464-3568
Santa Clara County Office of Human Relations Network for a Hate-Free Community and South County Speak Out http://www.sccgov.org/sites/ohr/Network%20for%20a%20Hate-Free%20Community/Pages/Network-for-a-Hate-Free-Community-and-South-County-Speak-Out.aspx	

RELEVANT STATE AND FEDERAL WEBSITES

U.S. Department of Education – Campus Security

<http://www2.ed.gov/admins/lead/safety/campus.html>

U.S. Department of Education – Higher Education Center

<http://www2.ed.gov/admins/lead/safety/campus.html>

Safety and Security Data Analysis Cutting Tool

<http://ope.ed.gov/security/>

U.S. Department of Justice – Office on Violence Against Woman

<http://www.ovw.usdoj.gov/>

U.S. Department of Education – Family Educational Rights and Privacy Act (FERPA)

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

California Codes Education Code – Sections 67380-67385.7

<http://www.leginfo.ca.gov/calaw.html>

State of California Department of Justice – Megan’s Law Home

<http://www.meganslaw.ca.gov/>

California Community Colleges Chancellor’s Office

<http://www.cccco.edu/>

Disaster Resistant California Community Colleges

<http://emergency.cccco.edu/>

Security on Campus – Information regarding the Clery Act

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

IMPORTANT DISTRICT TELEPHONE NUMBERS

(Recommend programing into cell phones)

EMERGENCY: **9-1-1**

CELL PHONES FOR EMERGENCIES: **1-408-299-3233**

(County Communications)

District Police Department Business / Records: 1-(408) 741-2092

District Police Department Live Scan (Fingerprinting): 1-(408) 741-2685

District Police Department Parking Services: 1-(408) 855-5435

COUNTY COMMUNICATIONS 24 HOUR NON-EMERGENCY: 1-(408) 299-2311

(Request a West Valley-Mission Community College District Police Officer)

REPORTING CRIMES AND EMERGENCIES

Potential criminal actions and other emergencies on or near campus can be reported to the District Police by any student, faculty, staff or visitor by dialing 9-1-1. Cell phones for emergencies: 1-**408-299-3233**. When reporting an emergency let the dispatcher know where you are and the nature of the emergency. These numbers are usable 24 hours a day.



SANTA CLARA COUNTY LAW ENFORCEMENT AGENCIES

Non-Emergency Numbers

WEST VALLEY-MISSION CCD POLICE	1-408-741-2092 1-408-855-5435 1-408-299-2311	Business Office West Valley Business Office Mission Dispatch Non-Emergency
CALIFORNIA HIGHWAY PATROL	707-551-4100	Dispatch
CHP-San Jose Office	1-408-467-5400	Business Office
CAMPBELL POLICE	1-408-866-2101	Dispatch
FOOTHILL-DE ANZA CCD POLICE	650-949-7313 1-408-924-2222	Business Office Dispatch
GILROY POLICE	1-408-846-0350 1-408-846-0300	Dispatch Business Office
LOS ALTOS POLICE	650-947-2770	Dispatch
LOS GATOS-MONTE SERENO POLICE	1-408-354-8600	Dispatch
MILPITAS POLICE	1-408-586-2400	Dispatch
MORGAN HILL POLICE	1-408-779-2101	Dispatch
MOUNTAIN VIEW POLICE	650-903-6395	Dispatch

SANTA CLARA COUNTY LAW ENFORCEMENT AGENCIES

SANTA CLARA POLICE	1-408-615-5580	Dispatch
SANTA CLARA COUNTY SHERIFF Headquarters	1-408-808-4900	Business Office
West Valley Cupertino Station	1-408-868-6600	Business Office
SANTA CLARA DISTRICT ATTORNEY'S OFFICE – INVESTIGATIONS	1-408-792-2888	Business Office
STANFORD UNIVERSITY POLICE	650-723-9633	Dispatch
PALO ALTO POLICE	650-329-2413	Dispatch
SAN JOSE-EVERGREEN CCD POLICE	1-408-270-6468	Dispatch
SAN JOSE POLICE	1-408-277-8900	Dispatch
SAN JOSE STATE UNIV POLICE	1-408-924-2222	Dispatch
SUNNYVALE, DEPT. OF PUBLIC SAFETY	1-408-730-7100	Dispatch



West Valley-Mission Community College District-14000 Fruitvale Ave.-Saratoga, CA 95070