



Pima Community College Clery Act Review

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Overview

Overall, Pima Community College (Pima CC) has done a commendable job of prioritizing compliance with the Clery Act. It is obvious that Jaime Cole, the Records Management and Evidence Technician [RMET] and the College's Clery Compliance Officer, spends a considerable amount of time compiling the information that needs to be published in the Annual Security Report. The College has some areas of noncompliance, as identified within this report. Some are more significant issues than others, but the Department of Education focuses on the details of compliance when they conduct Clery Act audits, so the areas of noncompliance that may appear to be minor issues are treated the same as the more serious issues. All of the issues of noncompliance can result in a fine of \$35,000 per violation and as such, all of them need to be rectified.

In comparison to other institutions that we have audited, the College made a good faith effort to comply with the requirements of the Clery Act. There were some errors and omissions, as described within this report and the report previously submitted to the College regarding the Annual Security Report, but none of them appeared to be intentional and most of them were caused by a lack of understanding of some of the nuances of this complex law.

We made 165 recommendations in this report to improve your process and methodology for complying with the Clery Act/Higher Education Opportunity Act (HEOA) security and safety requirements. All recommendations contained in this report are underlined.

Section I: Geography/Campus Map

The Pima Community College Police (PCC Police) did not have an official Clery Map of its 12 campuses (based on the Clery Act definition of a campus), but it appears that the department was generally capturing statistics for the Pima CC geography in a sufficient manner for reporting crimes for Clery Act purposes. We made a few minor adjustments to the Campus Map and clarified the boundaries to ensure that the newly developed Clery Map accurately reflects the core campus and can be used as the official Clery Map for purposes of classifying crime statistics from a geographical perspective. The PCC Police should develop a Clery Geography list that is consistent with the final Clery Map.

The College has not previously identified any properties that are owned, leased or controlled by the College, used for educational purposes and that are frequently used by students for any purposes that are outside of the core campus. These locations, if identified, would be considered "Noncampus" locations for Clery Act reporting purposes.

There is no Noncampus column on any of the crime statistics charts for any of the campuses, as Pima has not previously identified any Noncampus properties. Instead, Pima treated each location as a "campus" by reporting crime statistics in a separate chart.

During our review, we identified the following locations as buildings or properties that qualify as Noncampus locations and should be reported as Noncampus buildings or

properties on the crime statistics chart for the campus identified with that location, as listed below:

- District Office (29th Street Coalition Center Campus)
- *Arizona State Prison Trailers at 10000 S. Wilmont Road (Community Campus)
- Clement Center (East Campus): The arrangement needs further assessment. Based on the proximity of the building to the campus, does Pima lease the space? Is there a written agreement to use the space? Ultimately, the institution must assess whether the building is an integral part of the core campus and if it is covered by the same security policies as the campus. If so, Pima must treat it as a part of the core campus.
- Davis Montham AFB (Community Campus): This location should be assessed further. The staff indicated that classes are held there, but unsure of whether there is an administrator on site.
- Northwest Family YMCA (Northwest Campus): The arrangement needs further assessment. Based on the proximity of the building to the campus, does Pima lease the space? Is there a written agreement to use the space? Ultimately, the institution must assess whether the building is an integral part of the core campus and if it is covered by the same security policies as the campus. If so, Pima must treat it as a part of the core campus.
- Southeast Education Center (East Campus)
- Silver Bell Golf Course, Tucson Racquet Club, Kino North Grandstand, and Sahaurita High School are used by Pima Athletics Department. The Athletics Department is primarily located at the West Campus, so these facilities should be considered as Noncampus for that location. Additionally, all of the short stay away trips conducted by Pima Athletics programs should be associated with the West Campus.
- From August through December 2014, Pima CC controlled approximately 13 apartments in an apartment complex near the West Campus, called University Villa, to house students. These locations should be considered as Noncampus facilities for the West Campus during this timeframe in 2014.

*Pima has not previously been reporting crime statistics for this location.

The PCC Police staff needs to meet with the appropriate people in the Office of the Registrar to determine where classes are being held each semester outside of the College owned or controlled locations within the core campus. The College should develop a formal procedure for the Registrar's Office to notify PCC Police of all locations where classes are being held each semester, as the PCC Police must keep track of those locations and request crime statistics for the time period that PCC is using those locations (the statistics request should be for the time period that PCC is permitted to use each location as established in the written agreement).

There were also locations identified through Athletics where the institution has agreements to use space located outside the core campus for athletic events, such as team practices and/or home games/matches. For example the following teams are known to

use space outside of PCC: Soccer, Football, Tennis, Golf, etc. The PCC Police needs to meet with the appropriate people in Athletics to develop a system to be notified of any locations outside of the buildings/property owned and controlled by PCC that are being used for practice and/or home matches or games. The College should develop a formal procedure for Athletics to notify PCC Police of all locations where athletic events are being held each semester, as the PCC Police must keep track of those properties and request crime statistics for the time period that PCC is using those locations (the statistics request should be for the time period that PCC is permitted to use each location as established in the written agreement).

The College has public streets running through and immediately adjacent to the campus boundaries (crimes occurring on these streets/sidewalks must be counted in the public property crime statistics) at both the West and Downtown campuses and they have been identified on the new Clery Map. They include:

West Campus

- Greasewood Rd from Anklam Road to Speedway Blvd
- Alklam Road from La Cholla Blvd to Greasewood Road
- Speedway Blvd from Greasewood Road to North Camino Santiago
- North Camino Santiago from Speedway Blvd to 751 North Camino Santiago

Downtown Campus

- Eleventh Avenue from Helen Street to Mabel Street
- Alley immediately adjacent to the West side of Parking Lot West Section 4
- Tenth Avenue from Mabel Street to the NE Corner of 225 W. Drachman property.
- Alley on East side of Tuscon Inn from Mabel Street to Drachman Street
- Queen Avenue from Helen Street to property line adjacent 1133 North Queen
- Perry Avenue from Speedway Blvd to Dead End
- Stone Avenue from Speedway Blvd to Drachman Street
- Drachman Street from the NE Corner of the Tucson Inn to Stone Avenue
- Mabel Street from Eleventh Avenue to the Alley on East side of Tucson Inn
- Helen Street from Eleventh Avenue to SE Corner of Queen Avenue
- Speedway Blvd from Perry Avenue to Stone Avenue

The campus representatives indicated the following for the Downtown and West campuses:

- The College does not have any public parking facilities within the core campus boundaries or immediately adjacent to campus.
- The College does not have any public parks within the core campus boundaries or immediately adjacent to campus.
- The College does not have any public transit stations within the core campus boundaries or immediately adjacent to campus.

- The College has public transit stops within the core campus boundaries or immediately adjacent to campus. The stops are on or adjacent to the public streets/sidewalks which are already being reported as public property.
- The College does not have any public waterways within the core campus boundaries or immediately adjacent to campus.

Pima CC does not have any residential facilities within the core campus boundaries of any of the campuses.

The Vice Chancellor for Facilities Management is responsible for purchasing, selling and leasing property on behalf of PCC. There is no formal procedure currently in place to automatically notify the PCC Police any time the College purchases, sells, leases or changes the use of a property, which is a critical practice, as the PCC Police must keep track of all PCC property for purposes of Clery Act reporting.

The College is required to request and report crime statistics for any locations where the institution (faculty and staff) leases, rents or controls non-College property in conjunction with a College event or activity. This is applicable if the College uses the same space repeatedly (e.g., the College rents a location to hold the Commencement Ceremony each year). This is also applicable if the College rents a space for multiple days (e.g., a staff member rents hotel rooms for students participating in a week-long service learning initiative in another state). The guidance gleaned from questions and answers with the Department of Education lead us to recommend that if the space is leased/rented for three or more days, it should be counted. The College needs to develop a system to gather information from faculty and staff about non-College owned space that is being leased, rented or used for PCC events and activities. This information needs to be provided to PCC Police for a case-by-case assessment and determination of whether crime statistics need to be gathered and reported for each event.

The College is also required to request and report crime statistics for any locations where a student organization leases, rents or controls non-College property in conjunction with a College or organization sponsored event. This is applicable if the organization uses the same space repeatedly (ex. an organization that holds a formal in the same hotel each year). This is also applicable if the organization rents a space for multiple days (the guidance gleaned from questions and answers with the Department of Education lead us to recommend that if the space is leased/rented for three or more days it should be counted). The College needs to develop a system to gather information from student groups about non-College owned space that is being leased, rented or used by recognized student organizations and a policy/procedure to support the system that is developed. This information needs to be provided to PCC Police for a case-by-case assessment and determination of whether crime statistics need to be gathered and reported for each event.

Recommendation 1.1: The Pima Community College Police needs to develop a Clery Map for each campus (we assisted with this process for the West and Downtown Campuses while we were on site) for internal use that identifies and clarifies the boundaries of the campus (i.e., the “core campus”) for Clery Act purposes. The Map

should identify the public streets that are immediately adjacent to or running through the campus, that are required to be captured under the Public Property category.

Recommendation 1.2: Develop a spreadsheet or list to go with each campus Clery Map that itemizes the College's reportable Clery Geography:

- (1) Identify all of the College owned or controlled buildings within the core campus, including the building name, address and use. The list should match the map of the core campus to clearly identify all of the buildings owned, leased or controlled within the core campus boundaries. For any locations that add student housing facilities within their core campus, a column to indicate whether each building is being captured as On Campus only or On Campus and Residential (if students live in the facility) should be added to the list.
- (2) Identify all buildings or properties outside the core campus that are owned, leased or controlled by Pima Community College. Identify those facilities as Noncampus buildings on the spreadsheet, including the building name, address and use.
- (3) Identify all buildings and property within the core campus that the College owns but does not use for educational or institutional purposes, such as a real estate investment (e.g., Pima CC leases property within the core campus to another entity and the property is neither used for educational or institutional purposes nor is it frequently used by students). These buildings and properties should not be included in the annual statistical disclosure.
- (4) Identify all privately-owned buildings or property within the core campus, to clarify what is not owned and controlled by the College and not included in the annual statistical disclosure.
- (5) On a separate sheet of the spreadsheet, list the public streets that are immediately adjacent to or running through the campus, as well as another other public parks, public parking facilities, public transition stations/stops, and public waterways that are within the core campus boundaries or immediately adjacent to campus.

Recommendation 1.3: Count the District Office as Noncampus property associated with the 29th Street Coalition Center Campus. (This location has historically been treated by Pima CC as a separate campus by reporting crime statistics in a separate crime statistics table for the District Office. This practice should be discontinued in light of the District Office's status as Noncampus property rather than a separate campus).

Recommendation 1.4: Count the Arizona State Prison Trailers at 10000 S. Wilmont Road as Noncampus property associated with the Community Campus.

Recommendation 1.5: PCC Police should research whether there is a lease or other written agreement that gives Pima CC use of the Clement Center. If there is a lease or other written agreement, the College should assess whether this building is an integral part of the core campus and whether it is covered by the same security policies as East Campus. If it is, the College should consider this building "On Campus" and should report crimes occurring at this location in the On Campus category of the East Campus. If

there is a lease or other written agreement to use the Clement Center, but the College does not consider this location to be an integral part of the East Campus and/or this location is not covered by the same security policies as East Campus, then the College should report crimes occurring at this location in the Noncampus category of the East Campus.

Recommendation 1.6: PCC Police should thoroughly assess all extension sites used by Pima Community College, including but not limited to the Davis Montham AFB, to determine if those locations qualify as a separate campus. If the location is geographically disconnected from the main campus, offers courses leading to a degree or other credential and there is an administrative person (even on a part-time basis) overseeing that location and/or programs, it is a separate campus for Clery Act purposes.

Recommendation 1.7: PCC Police should research whether there is a lease or other written agreement that gives Pima CC use of the Northwest Family YMCA. If there is a lease or other written agreement, the College should assess whether this facility is an integral part of the core campus and whether it is covered by the same security policies as Northwest Campus. If it is, the College should consider this building “On Campus” and should report crimes occurring at this location in the On Campus category of the Northwest Campus. If there is a lease or other written agreement to use the Northwest Family YMCA, but the College does not consider this location to be an integral part of the Northwest Campus and/or this location is not covered by the same security policies as Northwest Campus, then the College should report crimes occurring at this location in the Noncampus category of the Northwest Campus.

Recommendation 1.8: Count the Southeast Education Center as Noncampus property associated with the East Campus.

Recommendation 1.9: Determine which portions of Silver Bell Golf Course, Tucson Racquet Club, Kino North Grandstand and Sahaurita High School Pima CC Athletics has a written agreement to use for Athletic-related events. Pima CC must collect and disclose crime statistics reported at these locations in the Noncampus category of the West Campus during the timeframes in which Pima CC is in control of these spaces vis-à-vis any written agreements that give the College control of these spaces. (If no written agreement exists for these spaces, the College is not required to include these locations in its Noncampus statistics).

Recommendation 1.10: Count the 13 apartment units within University Villa as Noncampus facilities during the timeframe in which Pima CC is in control of these units (August 2014 through December 2014, as reported by Pima CC officials to DSA auditors).

Recommendation 1.11: The PCC Police needs to regularly assess the properties that are owned or controlled (used, rented or leased) by the College to ensure that all properties being used for educational and institutional purposes are being assessed for purposes of potential Clery Act reporting (see list of Noncampus buildings and properties identified during the review in this section of the report).

Recommendation 1.12: Meet with the appropriate people in the Office of the Registrar to determine where classes are being held each semester outside of the College owned or controlled locations within the core campus. Develop a formal procedure for the Registrar's Office to notify PCC Police of all locations where classes are being held each semester, as the PCC Police must keep track of these properties and request crime statistics for the time period that Pima CC is using those locations (the statistics request should be for the time period that Pima CC is permitted to use each location as established in the written agreement).

Recommendation 1.13: Develop a system to gather information from Athletics regarding any locations where they lease, rent or control (i.e., there is a written agreement to use) non-College space to hold athletic events, such as team practices or home games/matches. This is applicable if the College uses the same space repeatedly (e.g., the College rents a location to hold a golf tournament each year). This is also applicable if the College rents a space for three or more days. Develop a policy/procedure to support the system that is implemented.

Recommendation 1.14: PCC Police should review the final draft of each Clery Map with the General Counsel's Office and the Vice Chancellor for Facilities Management to ensure that all three units are in agreement about the accuracy of the maps. In a Department of Education Audit, the auditors have been known to interview people in those offices about the accuracy of the maps.

Recommendation 1.15: As property is bought, sold, leased or the use changes, PCC Police should be automatically notified to allow that office to update their Clery Map and building list. Develop a procedure to formalize this process and put all notices in writing to allow those documents to be maintained in a permanent Clery Act administrative file.

Recommendation 1.16: Develop a system to gather information from faculty and staff regarding any locations where they lease, rent or control (i.e., have a written agreement to use) non-College space on behalf of the institution in conjunction with a College event or activity. This is applicable if the College uses the same space repeatedly (e.g., the College rents a location to hold the Commencement Ceremony each year). This is also applicable if the College rents a space for three or more days (e.g., a staff member rents hotel rooms for students participating in a week-long service learning initiative in another state). Develop a policy/procedure to support the system that is implemented.

Recommendation 1.17: Develop a system to gather information from recognized or registered student organizations regarding any locations where they lease, rent or control (i.e. have a written agreement to use) non-College space on behalf of the organization in conjunction with an organizational event or activity. This is applicable if the organization uses the same space repeatedly (e.g., rents a location to hold a formal dance each year). This is also applicable if the organization rents a space for three or more days (e.g., a student organization rents a conference room at a hotel off-campus to conduct a

leadership retreat). Develop a policy/procedure to support the system that is implemented. Ask questions like:

- Does your organization own, lease or control any property?
- Do you rent, lease or use any property not owned by Pima CC for any events or activities (i.e., hotel rooms, conference facilities, ballrooms, etc.)

Recommendation 1.18: Provide the Clery Map and completed building list to each campus Vice President for Student Development when it is finalized.

Recommendation 1.19: Provide the Clery Map to the patrol staff to assist the Officers and Supervisors in properly classifying incidents by the correct locations.

Appendix #1—Sample Building List Chart

Section II: Local/State Police Department Statistics

The Pima Community College sends an annual email request for crime statistics for the West and Downtown Campuses to Tucson Police Department, Arizona Department of Public Safety and the University of Arizona.

The request included all of the required information regarding the specific crime categories that need to be requested, but did not request all of the required geographic areas for which the crime statistics must be requested, such as the specific public property within and adjacent to each campus.

The PCC Police does not have a formal procedure in place with the local police department(s) to ensure that they are notified about crimes reported to the local police that occur on or near the PCC campuses so that PCC can issue a Timely Warning Notice to the campus community and PCC Police has not historically notified the local police agency about this requirement.

The PCC Police includes information about the Timely Warning Notice requirements in the letter that is sent to the local police department(s) to request that PCC Police be notified about any crimes reported to each local police agency that occurs on or near the campus that may pose a serious or continuing threat to the campus community.

Recommendation 2.1: Modify the current email that is sent to the Tucson Police Department, Arizona Department of Public Safety and the University of Arizona and include all of the required geographic areas for which the College must gather crime statistics. The core campus should be identified (send the Clery Map as an attachment to the letter), including any public streets and sidewalks within or immediately adjacent to the core campus. The Noncampus properties should be listed by address.

Recommendation 2.2: Send a written request for crime statistics to each law enforcement agency with jurisdiction at each separate campus. Each written request should include all

of the specific crime categories for which the institution is requesting statistics and list the specific addresses of the locations that College owns, leases or controls; any public property running through or immediately adjacent to the campus facilities (list the specific hundred blocks); and any Noncampus properties associated with each separate/branch campus. Attach the Clery Map to each written request to clarify the campus boundaries.

Recommendation 2.3: Send a written request for crime statistics to each police department with jurisdiction at all of the Noncampus locations where the local police could be called to respond to a crime report within the agency's jurisdiction. The request should identify the specific Noncampus properties owned, leased or controlled (used) by Pima CC and should request only those statistics pertaining to the Noncampus locations identified in the request.

Recommendation 2.4: Develop a procedure or Memorandum of Understanding (if possible) with the local law enforcement agency(s) from which PCC Police requests statistics. The procedure or Memorandum of Understanding should outline the Timely Warning Notice requirement of the Clery Act and encourage each agency to notify the PCC Police immediately if a crime is reported to or observed by them that could pose a serious or continuing threat to the campus community.

Recommendation 2.5: Send a letter annually and/or any time there is a change in the leadership at any of the local law enforcement agency(s) from which the institution requests statistics to inform the leadership about the Timely Warning Notice requirement and make a formal request that they notify PCC Police immediately if a crime is reported to or observed by their agency that could pose a serious or continuing threat to the campus community.

Recommendation 2.6: Letters/emails sent to local law enforcement agencies and their written responses should be maintained on file for seven years (the standard records retention period for all Clery Act compliance documentation). If the agency calls to respond verbally to the request, obtain a written response via letter or email for the file.

Recommendation 2.7: Review (thoroughly) all of the responses from the local law enforcement agencies to ensure that the report received in response to the request for statistics is accurate and was generated for the correct geographic locations. Compare each case that fits in the reportable geographic area with the incident reports in the PCC Police records management system to determine which cases the PCC Police did not know about previously (thus, should be counted for Clery Act purposes). NOTE: in some cases, the PCC Police will write a report and the local law enforcement agency will also write a report about the same crime, thus this comparison is important to ensure that the PCC Police is not over-reporting crime statistics received from the local police for the same crime PCC Police reported from its records.

Appendix #2—Sample Local Law Enforcement Letter

Section III: Timely Warning Notice

The College has not developed a protocol or standard operating procedure (SOP) that governs the Timely Warning Notice process (previously called Campus Watch) and should develop one that explains the process thoroughly. It is critical that the College's Timely Warning Notice statements in the Annual Security Report are consistent with any operating procedures developed by the College and that the individuals responsible for implementing those procedures follow the process that is outlined in them. The Department of Education looks for inconsistencies in what a College says they will do in their procedures and what actually occurs when a Timely Warning Notice is distributed. Who assesses the situation and who writes, approves and sends the warning needs to be consistent in the operating procedures and the policy statements published in the Annual Security Report.

The Timely Warning Notice statement that was published in the Annual Security Report was insufficient. The statement was missing three required components, including:

- ❑ The circumstances under which a warning will be issued.
- ❑ The individual or office responsible for writing or developing the content of the warning.
- ❑ The individual or office responsible for issuing (initiating) the warning.

The College should develop a system to send out information regarding a security or safety situation or a crime that does not meet the threshold for distributing a Timely Warning Notice. These communications could be called Public Safety Advisories, for example. The key is to make sure the subject line of any communication sent to the community consistently reads Timely Warning Notice or Public Safety Advisory, depending on what you intend the communication to be. There are standards that need to be met for sending a Timely Warning Notice that would not be required for a Public Safety Advisory that was informational in nature.

The Timely Warning Notices issued in 2012 and 2013 were reviewed and were generally well written and all of the Timely Warning Notices included information that would assist in the prevention of similar crimes, which is a required element of the Timely Warning Notice requirements.

The subject line of the Timely Warning Notices that we reviewed were inconsistent. The notices typically list the subject of the email as “Campus Watch” and “Campus Watch Bulletin” which are not consistent. The College should identify a consistent subject line used each time a Timely Warning Notification is distributed. An alternative to consider is “Crime Alert.”

Currently, the College has not had any acquaintance sexual assaults reported in the recent past, but should an incident be reported, it is important to understand that the Federal Bureau of Investigation’s Uniform Crime Reporting Program does not define Sex Offenses in a manner that differentiates between cases where the perpetrator is a stranger and cases where he or she is known to or acquainted with the victim. If a crime report is made that: meets the definition of a sex offense; occurred in/on a Clery-reportable geographic location; if the campus has not sufficiently mitigated the threat; and if it was reported in a timely manner, then we would suggest that the Chief ask himself the following question: “Am I certain that there is no further threat to anyone else in the PCC campus community?” If the Chief cannot answer this question with a “yes”—a Timely Warning Notice should be distributed to the PCC community. We would suggest that the warning include a brief statement about what was reported to the police and include a few myths and facts about acquaintance rape (to meet the requirement of including prevention information in the Timely Warning Notice).

Recommendation 3.1: Develop a Timely Warning Notice Standard Operating Procedure (SOP). The procedure needs to start at the point of a serious incident being reported to the PCC Police and needs to include a process for proper administrative notification for an initial assessment. The protocol needs to address the circumstances that will trigger a warning, who is responsible for developing the warning, who is responsible for approving the warning, who is responsible for disseminating the warning, and the method of disseminating warnings.

Recommendation 3.2: Ensure that all of the required policy statements in the Annual Security Report are contained in the Timely Warning Notice SOP to ensure that the two documents are consistent with each other and have no substantive differences in policy, procedure or practice.

Recommendation 3.3: Add the three missing policy statements to the Annual Security Report:

- ❑ The circumstances under which a warning will be issued.
- ❑ The individual or office responsible for writing or developing the content of the warning.
- ❑ The individual or office responsible for issuing (initiating) the warning.

Recommendation 3.4: Develop a system to send out information regarding a crime that does not necessarily meet the threshold for distributing a Timely Warning Notice—e.g., a Public Safety Advisory. Make sure the header of any email sent to the community consistently reads Timely Warning Notice or Public Safety Advisory, depending on what you intend the communication to be. There are standards that need to be met for the Timely Warning Notices that would not be required for a Public Safety Advisory that was informational in nature.

Recommendation 3.5: Ensure that each Timely Warning Notification/Crime Alert contains information that would aid in the prevention of similar crimes by providing at least one crime prevention tip or information that advises the community what they should or should not do to prevent become a victim of a similar crime.

Recommendation 3.6: Use the header “Crime Alert” or some other phrase in all of the messages that the College sends under the auspices of the Timely Warning Notice and consistently use that header in the SOP that is written to govern this topic.

Recommendation 3.7: Distribute a Timely Warning Notice for any Clery-reportable Sex Offense that occurred within the College’s Clery geography and that was reported in a timely manner if there is a potential ongoing threat to the Pima CC community (regardless of whether the perpetrator and victim were acquainted) if the threat has not been sufficiently mitigated by College or Police action.

Recommendation 3.8: File a copy of each Timely Warning Notification with each incident report that prompts the alert. This will be beneficial if the College is audited by the Department of Education.

Recommendation 3.9: Maintain Timely Warning Notifications on file for seven years (the standard records retention period for all Clery Act related documents).

Appendix #3—Sample Myths and Facts about Acquaintance Sexual Assault

Section IV: Distribution of Compliance Document to Current Students/Employees

All faculty, staff and students are required to have a Pima Community College email address. The campus sends an email blast each year to all students and employees to notify the campus community of the availability of the Annual Security Report.

The notice included a statement of the report's availability, a brief description of the contents, a statement that a paper copy will be provided upon request, and the exact electronic address of the report, as required.

Recommendation 4.1: Print the email blast when it is sent to the community to file it in the administrative file as proof of distribution to the community.

Section V: Distribution of Compliance Document to Prospective Students/Employees

The required notice of availability is currently available on the Apply webpage under the New Students Tab. It does not appear all students would see it on this page. Therefore, we recommend that the notice be moved to the Admissions Login Page on the On Line Application. Every applicant, except international students, must go through this page to apply to Pima College.

Pima College has a paper copy of the admission application and the notice of availability is not currently on the hard copy application.

The application for International Students is a separate application and is available in hard copy only¹ and notice of availability is not on this application.

The applications for Adult Education Programs are separate applications and one of them is a State Application that is available in hard copy only and the notice of availability is not on this application. We recommend that the College add a supplemental page to all of the applications that are part of the Adult Education Program to provide the notice availability.

The required notice of availability is currently available on the Human Resources webpage under the Information for Job Applicants link. In discussions with Lee Nichols, it was determined that the proper location for the notice of availability is on the Pima Jobs landing webpage. A prospective employee does not have to click on the Information for Job Applicants page to apply for a job, therefore, not all prospective employees are being provided with the required notice of availability. The notice of availability has all four required statements.

The required notice of availability must include:

- Notice of the report's availability
- Description of the contents of the report
- Opportunity to request a hard copy and how/where they can do that (provide an address of the office where someone could obtain a hard copy and/or a phone number and/or email address someone could use to request a hard copy)
- Exact URL where report is posted

Recommendation 5.1: Add the notice of availability to the Admissions Login Page on the On Line Application to ensure the notice of availability is provided to all prospective (domestic) undergraduate students.

Recommendation 5.2: The notice of availability should be added to the paper copy of the admissions application.

¹ The application can be downloaded from <https://www.pima.edu/new-students/apply/international-student-instructions/docs/international-application-form.pdf>.

Recommendation 5.3: The notice of availability should be added to International Student Admission application.

Recommendation 5.4: The notice of availability should be added as a supplemental page to each Adult Education Program application.

Recommendation 5.5: (Alternate Option) Send each person who applies for admission to any program a separate notice of availability following their submission of the application (this recommendation is an option to be considered in lieu of the aforementioned recommendations to place the notice of availability on the admissions websites and/or hard copy applications). For example, the College could put the notice of availability on the acknowledgement email that each prospective student receives following the completion of their application.

Recommendation 5.6: Relocate the notice of availability from the Human Resources webpage under the Information for Job Applicants Link to the Pima Jobs landing page to ensure that all prospective employees are provided with the required notice of availability.

Recommendation 5.7: Conduct an annual audit of the admissions and employment applications. Request all admissions materials in January of each year or print them from the websites and review them thoroughly to verify that the notice contains all required components and is included in each application package or prospectus. The same course of action is recommended regarding the employment application. Flag the notice contained in each application and maintain all of those documents in the annual administrative file in the event of a Department of Education audit.

Section VI: Gathering Statistics from Campus Security Authorities

Pima Community College has not been gathering crime statistics from Campus Security Authorities (CSAs).

The College needs to come into compliance with this requirement as soon as possible. The College should immediately develop a list of all CSAs, which includes the name, department, title and email address of each CSA. The College is required to request crime statistics from each CSA at least once a year. The Department of Education has made strong recommendations in the 2011 Handbook that each CSA receive training and the recent case at Penn State College is a glaring example of three CSAs (two coaches and an athletic director) who were aware of a Clery crime but failed to report the crime to the reporting structure of the institution. The Freeh Report confirmed that none of the CSAs involved in that incident had been trained in their responsibilities as a CSA.

PCC uses contract and event security to provide security services at the various events on campus and during an emergency where additional security staff is needed. The current contract does not address the issue of the supervisors and officers for these companies

working at PCC being identified and trained as Campus Security Authorities. At a minimum, we recommend that the College add language to the contract to notify the staff that they are CSAs and the requirements (see sample language below).

Suggested Language for Contract Security

When XXX Contract Security Company personnel are working at the Pima Community College, they are considered Campus Security Authorities by a Federal Law, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. As such, any employee of the company who works at any location that is owned, leased or controlled by Pima Community College is required to immediately report any crime reported to him/her to the reporting structure of the institution, which is the Pima Community College Police Department. The XXX Contract Security Company must add this requirement to the Standard Operating Procedures that are read by the officers and supervisors who work on site on Pima Community College owned, leased or controlled properties.

The PCC Police has not previously requested crime statistics from Campus Security Authorities. The request should be sent at least once a year in January to be in compliance with this requirement, but the best practice is to send a request twice a year: once in May (for the Spring semester) and again in January (for the previous calendar year) to ensure that everyone who was a CSA during the previous year receives the request in a timely manner and they will have a better chance of remembering what was reported to them in the previous calendar year.

When determining the list of Campus Security Authorities, the College must include all individuals who have responsibility for student and campus activities. Include the people in the following positions and any other individuals (including students for the College) who have as one of their functions the responsibility of building relationships with students under the auspices of student and campus activities (NOTE: we recognize that PCC may not have all of these positions, but we included a complete list for the purposes of being thorough):

- All police and security staff
- Resident Assistants, Resident Directors, and Community Directors
- Dean of Students Office (Leaders in Student Affairs and Housing)
- Athletic Directors and Coaches (including Assistant ADs and Assistant Coaches)
- Faculty or Staff Advisors to Student Organizations on Campus
- Access Monitors (any professional or student staff members who monitor access into campus buildings, including residential facilities, academic/administrative facilities or parking facilities)
- Contract Security Officers
- Event Security Officers
- Staff who provide safety escorts on campus (professional and student staff)
- Staff in the Student Center or Student Union Building
- Staff in the Student Activities Office (handling co-curricular activities)
- Coordinator of Greek Affairs (or related positions)

- Administrators at Branch/Satellite/Separate Campuses
- Study Abroad Coordinators
- Title IX Coordinator(s)
- Director of the Student Health Center
- A physician in a campus health center, a counselor in a campus counseling center, or a victim advocate in a campus rape crisis center *if* they are identified by your school as someone to whom crimes should be reported or if they have significant responsibility for student and campus activities.

Recommendation 6.1: Immediately develop a list of all Campus Security Authorities for the College. Include all individuals who have responsibility for student and campus activities. Include the people in the positions identified above or those with functions of building relationships with students under the auspices of student and campus activities.

Recommendation 6.2: Send a letter/email to all CSAs at the end of each semester (and in January to request information about crime statistics for the previous calendar year). If CSAs are not contacted until later in the subsequent calendar year, additional months will have passed since the end of the previous calendar year and they may not remember to report all crimes brought to their attention. The letter/email should include information about the obligations of CSAs to immediately report a crime so it can be assessed to determine if a Timely Warning Notice should be distributed to the community and include a statistics chart for them to fill out (see Appendix #5—) with the letter/email that includes the Clery Act crime definitions (see Appendix #4—Sample Campus Security Authorities Letter).

Recommendation 6.3: Send a letter/email annually (in December) to all campus leaders (Deans, Directors, and Department Heads) to notify them of the definition of Campus Security Authority and to request their assistance in identifying staff members within their areas of responsibility who may fit the definition.

Recommendation 6.4: Train all Campus Security Authorities in their responsibilities as a CSA. NOTE: There is an on line training system available for purchase on the D. Stafford & Associates website. The campus can buy a training center and manage the training and records through this system. For more information go to www.dstaffordandassociates.com

Recommendation 6.5: Add language to the agreements governing the Contract Security Companies used by the College for event security (when they come up for renewal). In the interim, add language in the renewal letter to educate the company about the fact that their employees, when working at Pima Community College, are Campus Security Authorities and require them to put language into their Standard Operating Procedures that are read by the contract officers or event security officers working at the campus.

Appendix #4—Sample Campus Security Authorities Letter

Appendix #5— Crime Statistic Form-for 2013-14 Statistics

Section VII: Separate Campuses

The College has been complying with the requirement to publish a separate crime statistics chart for each of the 12 identified separate campuses.

We conducted an assessment of the off campus sites to determine if each of them fits the definition of a separate campus. The below listed sites were assessed and it was determined that all of these sites should be treated as separate campuses.

- West Campus
- Downtown Campus
- East Campus
- Desert Vista Campus
- Northwest Campus
- Community Campus
- 29th Street Coalition Center Campus
- El Pueblo Center Campus
- El Rio Center Campus
- Aviation Center Campus
- Green Valley Learning Center
- Maintenance and Security

The College has not been complying with all of the requirements for separate campuses because they have not been reporting policy statements that are different for the various campuses in the Annual Security Report.

PCC Police has been treating the District Office as a separate campuses, i.e., reporting crime statistics in a separate chart in the Annual Security Report. This location has historically been treated by Pima CC as a separate campus by reporting crime statistics in a separate crime statistics table for the District Office. This practice should be discontinued in light of the District Office's status as Noncampus property rather than a separate campus (see Recommendation 1.3).

According to The Department of Education Handbook, for purposes of these requirements, consider an additional location a separate campus if it meets all of the following: *(1) Your institution owns or controls the site; (2) It is not reasonably contiguous with the main campus; (3) It has an organized program of study (classes or research activities are held at the site that lead to a degree or other educational credential); and (4) There is at least one administrative person on site acting in an administrative capacity. NOTE: Administrative Personnel encompass a variety of individuals who have some responsibility for the activities that take place at the location. Administrative personnel, for example, includes a director, a building coordinator, a registrar or a secretary. The Handbook specifically states: other institution-owned or controlled locations may include satellite, extension or similar types of noncontiguous sites that have an organized program of study and administrative personnel on-site.*

The Clery definition of **Noncampus buildings or property** is:

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in 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.

The College should review all sites that are not contiguous to the main campus to determine if they meet the definition of a separate campus for Clery Act purposes. If they do, the College should treat them as separate campuses for the purposes of Clery Act reporting (i.e., the College must report separate crime statistics for the location and separately address any of the 95+ policy statements that are different for the separate campus locations). If the noncontiguous locations do not meet the separate campus definition, the College should count those locations as Noncampus properties.

Recommendation 7.1: Review all policy statements in the Annual Security Report to determine if any of the policy statements are different for the separate campuses. Address the policy statement for each campus where there is a difference in the policy, procedure, practice.

Recommendation 7.2: Include a statement in the Annual Security Report that notifies the consumer that all policy statements included in the report pertain to all campus locations unless otherwise stated.

The policies that are most likely different (however, they all should be reviewed) for the branch/separate campuses includes:

- ❑ Should students and others at the separate campus report criminal actions or other emergencies to the police/security department on the main campus? If not, who should they report crimes to at that location? How do they contact them?
- ❑ Will the students and staff at the separate campus get the Timely Warning Notices via the same system as the people on the main campus? If not, explain how they will receive the Timely Warning Notices at that location and who is responsible for assessing, developing and approving the content and initiating the warning.
- ❑ Are the policies for access to the separate campus facilities the same as those for the main campus?
- ❑ Are the policies for security of the separate campus facilities the same as those for the main campus? Are there security/police officers on site? Do they have the same authority as the police/security on the main campus?
- ❑ Are the security considerations used in the maintenance of campus facilities the same as those on the main campus?

- ❑ Are the definitions of consent, domestic violence, dating violence, sexual assault and stalking defined the same as in the jurisdiction of the main campus?
- ❑ Are the programs to prevent dating violence, domestic violence, sexual assault, and stalking available to students and employees the same as those programs available to students and employees on the main campus?
- ❑ Are the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking the same as those procedures on the main campus?

FOR SEPARATE CAMPUSES THAT HAVE RESIDENTIAL FACILITIES

- ❑ Does the separate campus have residential facilities?
 - If so, add those residential facilities to the fire safety chart or list describing the fire safety system.
 - If so, add those residential facilities to the fire statistics chart
 - If so, add any fires to the fire log
- ❑ Are the same number of fire drills coordinated for the residential facilities at the separate campus as those on the main campus? If not, clarify.
- ❑ Should students and others at the separate campus report a fire to the same department as on the main campus? If not, who should they report fires to at that location?

Recommendation 7.3: Conduct an annual assessment of the College’s identified Noncampus locations to ensure that none of them fit the definition of a “Separate Campus” as defined in the Department of Education Handbook. This includes locations offering a “organized program of study” and having a minimum of one “administrator on site” working at that location. (The Handbook states: “Administrative personnel encompass a variety of individuals who may have some responsibility for the activities that take place at the location, for example, a director, a building coordinator, a registrar, or a secretary”).

Recommendation 7.4: Conduct an annual assessment of all sites that are not contiguous to the main campus to determine if they meet the definition of a separate campus for Clery Act purposes. If they do, the College should treat them as separate campuses for the purposes of Clery Act reporting (i.e., the College must report separate crime statistics for the location and separately address any of the 95+ policy statements that are different for the separate campus locations).

Recommendation 7.5: The Clery Compliance Officer should send a request to the administrator at each campus/site and request that they inform everyone at their location who fits the definition of Campus Security Authority about their responsibility to notify

Pima Community College Police if they are notified about any crimes that occur at the site. Also notify the administrator about his/her responsibility to notify PCC Police in the event that they are notified of a serious crime so PCC Police can assess the crime for a Timely Warning Notice.

Section VIII: Daily Crime Log

The PCC Police Department maintains a Daily Crime Log with all of the required categories. There are instructions in the Daily Crime Log notebook, but we would suggest that the PCC Police add definitions of the dispositions to the log. The specific information reported to PCC Police by Student Development, by individual Campus Security Authorities and the local police agencies has not previously been added to the Daily Crime Log. Once the incidents are reported to PCC Police, the personnel there have two business days to add that information into the Daily Crime Log.

The PCC Police Department maintains a Daily Crime Log notebook at the PCC Headquarters and at every campus where there is a PCC security presence, as required. The College is meeting the requirement of maintaining a hard copy of the crime log for at least sixty days. The expectation is that someone can immediately hand the log to the consumer, upon request.

I responded to the Dispatch Office at the PCC Police headquarters and requested the Daily Crime Log. The Dispatch Supervisor went to the Commander and informed her that someone was making a request to see the crime log and, in essence was asking permission to provide the log to me. The Dispatchers and Officers working Officers working at the various campuses should be trained to immediately provide the Daily Crime Log to a consumer upon request, with no questions asked.

The Daily Crime Log for August and September 2014 were reviewed and it was obvious that the dispositions were not being updated as required by law. If the disposition of a case changes within 60 days of the original entry into the log, the disposition must be updated within two business days of the change in disposition. There were several cases that were listed with a disposition of “active” and we reviewed those cases in the Spillman System. In one case (C14-02546) the initial report had not yet been entered into the system. This causes concern, as it is unknown whether there is a supplemental report for this case on file from the Investigator that would have changed the disposition, but the crime log showed the case as still being active. In another case (C14-02366), the report was written on August 8 and the Investigator wrote a supplemental report on August 18 closing the case. The Daily Crime Log was never updated. There were two additional cases that were listed in the system (C14-03010 and C14-02987) but there was no supplemental report. We subsequently reviewed the cases with the Investigator and found that neither case was under active investigation.

The disposition of the crime log must be changed on the original entry. The Department of Education has indicated that it is not acceptable to create a new entry on the log to

update a previous entry, i.e., the consumer should not have to tie together multiple entries or pieces of documentation for the same incident to understand the status of the case.

The PCC Police Officers have concurrent jurisdiction in the State of Arizona, thus, the Department should ensure that there is appropriate language in the Administrative Directive Manual that requires officers to write report for any incident that they respond to, whether they are the lead officer or they stop to assist another law enforcement officer.

Recommendation 8.1: Develop a standard list of dispositions for the Daily Crime Log, define them for the consumer and publish those on the website and place a copy in the front of each hard copy book as part of the instructions for the crime log.

Recommendation 8.2: Develop a process to include the incidents reported directly to Student Development in the Daily Crime Log within two business days of being received by PCC Police.

Recommendation 8.3: Develop a process to include the incidents reported directly to a Campus Security Authority in the Daily Crime Log within two days of being received by PCC Police.

Recommendation 8.4: Develop a process to include the incidents reported directly to local law enforcement agencies in the Daily Crime Log within two days of the information being received by PCC Police.

Recommendation 8.5: Confirm there is a Daily Crime Log available at each separate campus where Pima CC maintains a security or police presence. Ensure each crime log is immediately available to the consumer and contains all required categories.

Recommendation 8.6: Train staff to provide the log upon request without requesting permission from another staff member and without asking any questions of the requestor.

Recommendation 8.7: Update the disposition of cases if the disposition changes within 60 days of the original entry in the crime log.

Recommendation 8.8: Implement a Case Disposition Form to be used by the Investigator to facilitate timely updates to the Clery Compliance Officer (who manages the crime log) about changes to the dispositions of cases.

Recommendation 8.9: Train at least one staff member who is knowledgeable about the Clery Act as a back-up for days/weeks when the Clery Compliance Officer is on vacation.

Recommendation 8.10: Require Officers responding to any call for a crime that occurs in the official concurrent jurisdiction to write an incident report to ensure that sufficient

information is available to include the incident in the Daily Crime Log and for documentation purposes in the event of an audit.

Recommendation 8.11: Limit the patrol jurisdiction of the police Officers working on campus to the boundaries that you want them to patrol on a consistent basis. The Administrative Directive Manual can include language about a temporary extension of the boundaries for purposes of mutual aid if approved by a supervisor. The boundaries and limitations should be described in the Administrative Directive Manual and visually depicted on a map that clearly shows the limits of the Officers' patrol jurisdiction.

Recommendation 8.12: Ensure that all crimes that occur during a single incident are listed in the Daily Crime Log (i.e., do not list just the most serious crime using the Hierarchy Rule since the Hierarchy Rule does not apply to the Daily Crime Log).

Appendix #7—Sample Crime Log Instructions/Definitions

Appendix #8—Sample Case Disposition Form

Section IX: Education Programs: Security Awareness/Crime Prevention

The Annual Security Report included a solid description of the crime prevention and security awareness education programs that are presented to the campus community, but most are upon request. The ASR did not include the frequency of the programs.

Recommendation 9.1: Include the frequency of the security awareness and crime prevention educational programs in your ASFSR. This can include a total number for the year, an average number per week, month, quarter or some other manner of addressing the issue of frequency.

Recommendation 9.2: As a best practice, develop and implement crime prevention and security awareness programs that are offered to students and employees by PCC Police consistently, not just by request.

Recommendation 9.3: As a best practice, gather statistics for security awareness and crime prevention programs from all appropriate departments, i.e. police, housing, student health, counseling center, center for alcohol and drug education, etc. (programs such as alcohol education, sexual assault awareness and other programs that these departments typically participate in on college campuses) and report those statistics in the Annual Security Report. This will address the frequency of educational programs conducted by the College regarding security and personal safety.

Appendix #9—Sample Educational Programs Request Letter

Section X: Emergency Response/Communication

The College has not developed a policy or procedure that governs the Emergency/Immediate Notification process and should develop one that explains the process thoroughly. It is critical that the College's immediate/emergency notification statements in the Annual Security Report are consistent with the operating procedures developed by the College and that the individuals responsible for implementing those procedures follow the process that is outlined in them. The Department of Education looks for inconsistencies between what a College says they will do in their procedures and what actually occurs when an immediate/emergency notification is distributed. Who assesses the situation, writes, approves and sends the notification needs to be consistent with the operating procedures and the policy statements published in the Annual Security Report.

The College did not address the following required policy statements regarding this topic, which include:

- ❑ A statement of current campus policies regarding evacuation procedures.
- ❑ A statement of current campus policies regarding the use of electronic and cellular communication, i.e. list all systems that the campus will use to communicate and emergency/immediate notification to the campus community.
- ❑ Include a list of the titles of the person(s) or organization(s) responsible for providing a description of the process the institution will use to determine the appropriate segment or segments of the campus community to receive a notification.
- ❑ If there is an immediate threat to the health or safety of students or employees occurring on campus, describe how the institution will provide follow-up information to the university community.

Recommendation 10.1: Develop an Immediate Notification Protocol/Standard Operating Procedure (SOP). The procedure needs to start at the point of an immediate threat being reported to Pima Community College Police and needs to include the circumstances that will trigger a message being sent to the community, who is responsible for developing the message, who is responsible for approving the message and who is responsible for sending the message. The protocol should also include a process for follow-up messages and how follow-up information will be distributed to the community.

Recommendation 10.2: Add all of the required policy statements to the Immediate Notification Standard Operating Procedure that were added to the Annual Security and Fire Safety Report to get the College into compliance with the requirements of the law. The SOP needs to start at the point of an immediate threat being reported to the Pima Community College Police and must include the circumstances that will trigger a message being sent to the community, who is responsible for developing the message, who is responsible for approving the message and who is responsible for sending the

message. The protocol should also include a process about follow-up messages and how follow-up information will be distributed to the community.

Recommendation 10.3: Address the missing policy statements in the Annual Security and Fire Safety Report:

- A statement of current campus policies regarding evacuation procedures.
- A statement of current campus policies regarding the use of electronic and cellular communication, i.e. list all systems that the campus will use to communicate and emergency/immediate notification to the campus community.
- Include a list of the titles of the person(s) or organization(s) responsible for providing a description of the process the institution will use to determine the appropriate segment or segments of the campus community to receive a notification.
- If there is an immediate threat to the health or safety of students or employees occurring on campus, describe how the institution will provide follow-up information to the university community.

Recommendation 10.4: Add the newly developed chart that describes each communication system used by the College for Immediate Notification to the Annual Security Report and the Immediate Notification Protocol/Standard Operating Procedure. The chart describes clearly who is primarily responsible (and the back-up) for developing the content of the message that will be sent to the campus community; who authorizes that the message be sent, and who is primarily responsible (and the back-up) for initiating each communication system.

Section XI: Emergency Test (Exercise and Drill)

Pima Community College is in compliance with the requirement to conduct at least one test of the emergency response and evacuation procedures each year. In 2014, the College conducted a functional exercise in the Spring regarding an off campus person threatening to come to campus to harm someone at the Desert Vista Campus and the departments that participated included PCC Police, Environmental Health & Safety (EHS), Campus Action Teams, Campus Leadership Team, and occupants of various buildings on campus. In conjunction with the exercise, the College conducted what is defined as a "drill" in the HEOA guidelines by testing the VOIP System. Thus, the College is generally in compliance with the requirement of conducting a "test" for at least the past two years. There is no documentation of exercises prior to 2013, because the process was not centralized through EHS. There are several detailed tasks listed below that the College needs complete each year to be in complete compliance with all of the requirements. The Department of Education (ED) has indicated that institutions must invite their local first responders to participate in the annual HEOA exercise. Therefore, an exercise must

include the leaders of the College and the Directors of the key departments that would be required to respond to an emergency on campus (such as Police/Public Safety, EHS, Facilities Management, Radiation Safety Office, Student Development, Information Technology, Public Relations, Academic Affairs, Human Resources, Risk Management/Lab Safety, etc.). In addition, the local first responder agencies (minimally, local Police, Fire and EMS) must be invited to send a representative. If any of the invited representatives (from the College or the local agencies) do not participate in the exercise, ED has indicated that the College should document who was invited and who participated.

The Senior Leadership Team of PCC should actively participate in the exercise from a perspective of testing their roles in responding to an emergency on campus and implementing a continuity of operations plan. The Department of Education has indicated in the Handbook that all units that would be expected to respond to a major incident or emergency on each campus is expected to participate in the HEOA exercise each year.

PCC did not include a mandatory required objective in the exercises that were completed. HEOA mandates that one of the required objectives of the annual exercise portion of the test must include addressing emergency response and evacuation on a campus-wide scale. This means the College leaders must discuss how they would evacuate the campus if that course of action was deemed necessary (you are not required to actually evacuate the campus). Environmental Health & Safety should document all exercise objectives, including this required objective, in an After Action Report following the exercise portion of the test.

NOTE: A Test is defined by the HEOA as regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

- A “drill” is defined as an activity that tests a single procedural operation (e.g., a test of initiating a cell phone alert system or a test of campus security personnel conducting a campus lockdown).
- An “exercise” is defined as a test involving coordination of efforts (e.g., a test of the coordination of campus administrators who oversee key units and first responders including police, firefighters, and emergency medical technicians). Exercises are defined as tabletop, functional or full scale (live) exercises designed to evaluate the emergency response plans of the institution.

The College must complete a drill and exercise on an annual basis to meet the requirements of completing a "test" per HEOA.

PCC has not met the requirement of publicizing a summary of both components of the test and a summary of the emergency response and evacuation procedures in conjunction with at least one test per year (a test is defined as an exercise and a drill-which must be conducted in close proximity to each other at least once a year to meet this requirement). This publication must be widely distributed (using email or some other communication

system) to the PCC community at least once each calendar year immediately following the completion of all components of the test.

The EHS should provide a list of completed exercises and drills with the date, time, location, whether it was announced or unannounced, and a brief description of the drill or exercise. The After Action Report (AAR) for the HEOA Test each year should also be provided to the Clery Compliance Officer. The list and AAR should be maintained by the Clery Compliance Officer and should be filed in the annual compliance file.

Recommendation 11.1: Invite the local police department, fire department and emergency medical services department to participate in the annual HEOA exercise (required). If any of these departments do not attend the exercise, document your efforts to invite them to participate in the after action report.

Recommendation 11.2: Ensure that all of the required constituent groups are invited to and participate in the annual exercise, including the leaders of the College and the Directors of the key departments that would be required to respond to an emergency on campus (such as Police/Public Safety, EH&S, Facilities Management, Radiation Safety Office, Student Development, Information Technology, Public Relations, Academic Affairs, Human Resources, Risk Management/Lab Safety, etc.).

Recommendation 11.3: Involve the Senior Leadership to actively participate in the exercise from a perspective of testing their roles in responding to an emergency on campus and implementing a continuity of operations plan.

Recommendation 11.4: Address emergency response and evacuation on a campus-wide scale during the annual HEOA exercise. “Campus-wide” scale means that exercise participants must discuss the plan for evacuating all of the campus buildings.

Recommendation 11.5: Document all exercise objectives, including the required objective of discussing evacuation on a campus-wide scale, in an After Action Report following the exercise portion of the test and file the After Action Report in the annual compliance file.

Recommendation 11.6: Develop a plan to publicize a summary both components of the test and of the emergency response and evacuation procedures in conjunction with at least one test per calendar year. The College is required to publicize the date, time, whether the test was announced or unannounced and a summary of the Pima CC emergency response and evacuation procedures. This information must be widely publicized throughout the College community.

Recommendation 11.7: Maintain a list of all “tests” conducted by the College starting in 2009. This should include all drills and exercises. Minimally, the list should include, date, time, location, whether it was announced or unannounced, and a brief description of the drill or exercise. The list should be maintained by the Clery Compliance Officer and should be filed in the annual compliance file.

Section XII: Records Retention

The College does not have a Records Retention Policy/Procedure. All records and documents relating to the Clery Act/HEOA security/safety provisions must be maintained for seven years. The College is currently working on creating an Institutional Records Retention Policy and schedule related to the Clery Act.

The Policy/Procedure should also include a provision for systematic destruction or disposal of unnecessary or obsolete records and the policy should clarify that it applies to records stored electronically, as well as to paper records.

Recommendation 12.1: Maintain all records pertaining to the Clery Act/HEOA security/safety provisions for a minimum of seven years.

Recommendation 12.2: Develop an institutional records retention policy regarding all of the documents that should be maintained on file for all offices managing/maintaining Clery Act records. The policy/procedure should also govern records destruction.

Recommendation 12.3: Develop a Pima Community College Police records retention policy, including a policy governing records destruction, that meets all state requirements and maintain all records relating to the Clery Act for a minimum of seven years.

Section XIII: Reported Statistics (Charts)

The crime statistics have not previously been reported in a manner that is fully consistent with the requirements of the Clery Act. This includes being reported using the correct geographic areas and the correct crime categories (per UCR/NIBRS).

The hate crime statistics were also not being reported in a manner that is fully consistent with the requirements of the Clery Act. The hate crime statistics were not in compliance because they were not reported by crime, category of bias and geographic location, as required. It was missing the crime category and type of bias.

The crime statistics charts are not in compliance and should be modified as follows:

- Remove the “Reported to Other Agency” column. Those statistics should be placed in the appropriate geographic category based on where the crime occurred.
- Change Criminal Homicide category to Murder/Non Negligent Manslaughter
- Change Manslaughter to Negligent Manslaughter
- Change Forcible Sex Offenses to Sex Offenses (the FBI UCR program removed Forcible from this category)

- Report Hate Crimes in narrative format

There is no Noncampus column on any of the crime statistics charts for any of the campuses, as Pima had not previously identified any Noncampus properties. Instead, Pima treated each location as a “campus” by reporting crime statistics in a separate chart.

The statistics charts for the following campuses need to be modified to include a Noncampus Column based on the information below:

- 29th Street Coalition Center Campus: report the District Office in this crime statistics chart.
- Community Campus: report the Arizona State Prison Trailers at 10000 S. Wilmont Road and Davis Montham AFB* in this crime statistics chart.
- East Campus: report the Clement Center* and Southeast Education Center in this crime statistics chart.
- Northwest Campus: report the Northwest Family YMCA* in this crime statistics chart.
- West Campus: report Silver Bell Golf Course, Tucson Racquet Club, Kino North Grandstand, Sahaurita High School and the 13 apartments controlled by the College (in 2014) at the University Villa apartments.

*See Geography section of this report for more information about this location.

The crime statistics charts that do not require a Noncampus column should have a footnote under the chart that says: There are no Noncampus buildings or properties associated with this location.

All charts should have a footnote that says: There are no Residential Facilities at this location.

Recommendation 13.1: Revise the manner in which hate crimes are reported. Report hate crime statistics in narrative format using all required components: crime, category of bias and geographic location.

Recommendation 13.2: Revise the crime categories as follows: change Criminal Homicide category to Murder/Non Negligent Manslaughter; change Manslaughter to Negligent Manslaughter; and change Forcible Sex Offenses to Sex Offenses (the FBI UCR program removed Forcible from this category).

Recommendation 13.3: Remove the “Reported to Other Agency” column and relocate those statistics into the appropriate geographic category based upon where the crime occurred.

Recommendation 13.4: Add a “Noncampus” geographic location column on each of the following campus crime statistics charts to accommodate the identified Noncampus properties associated with each location (as noted below):

- 29th Street Coalition Center Campus: report the District Office in this crime statistics chart.
- Community Campus: report the Arizona State Prison Trailers at 10000 S. Wilmont Road and Davis Montham AFB* in this crime statistics chart.
- East Campus: report the Clement Center* and Southeast Education Center in this crime statistics chart.
- Northwest Campus: report the Northwest Family YMCA* in this crime statistics chart.
- West Campus: report Silver Bell Golf Course, Tucson Racquet Club, Kino North Grandstand, Sahaurita High School and the 13 apartments controlled by the College (in 2014) at the University Villa apartments.

Recommendation 13.5: Add a caveat under each crime statistics chart for which there are no Noncampus buildings or properties associated with that campus. The caveat should read as follows: “There are no Noncampus buildings or properties associated with this location.”

Recommendation 13.6: Add a caveat under each crime statistics chart that indicates that “There are no Residential Facilities at this campus location” for all of Pima CC’s campuses.

Appendix #11—Sample Crime Statistics Chart for 2013 Statistics (and 2014 if you did not change the sexual assault reporting yet)

Appendix #12—Sample Crime Statistics Chart for 2015 Statistics (and 2014 if you changed the sexual assault reporting for 2014)

Section XIV: Audit of PCC Police Criminal Incident Reports

We reviewed approximately 154 of the 2012 Pima CC Police (PCC Police) incident reports from the Spillman Records Management System for all of the reported crime categories that need to be published in the Pima CC Annual Security Report (ASR) for the Downtown and West Campuses. We also reviewed all Larceny and Simple Assault reports from these campuses.

The review involved reading the entire case file to verify all of the facts surrounding the incident to allow us to determine the proper classification and count for each incident. We assessed this based on the Uniform Crime Reporting (UCR) definitions (NIBRS definitions for the Sex Offense classifications) and guidelines. We also spot checked several other categories from Spillman, where crime reports might be located that could technically fit the Clery-reportable crime definitions. These categories included: Trespassing, Suspicious Activity, Assist Other Agency and Miscellaneous Officer to cite a few examples.

This information about the crime statistics assumes that all of the required reports were pulled prior to our arrival to allow us to complete a thorough review.

The statistics for the **West Campus** for calendar year 2012 were originally reported in the annual crime statistics as:

	On Campus	Public Property
Murder/Non-Negligent Manslaughter	0	0
Negligent Manslaughter	0	0
Forcible Sex Offenses	0	0
Non-Forcible Sex Offenses	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	2	0
Motor Vehicle Theft	3	0
Arson	0	0
Liquor Law Arrests	2	2
Drug Law Arrests	4	4
Weapons Law Arrests	0	0
Liquor Law Referrals	0	0
Drug Law Referrals	0	0
Weapons Law Referrals	0	0

* The statistics table published in the Annual Security Report erroneously omitted the Noncampus geography category from the crime statistics table. However, there are facilities under the control of the Athletics Department that should be included in this category.

The statistics for the **West Campus** for calendar year 2012 should have been reported in the Annual Security Report and to the Department of Education as:

	On Campus	Noncampus	Public Property
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offenses	0	0	0
Non-Forcible Sex Offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	4 (+2)	0	0
Motor Vehicle Theft	4 (+1)	0	0
Arson	0	0	0
Larceny*	31	0	0
Simple Assault*	2	0	0
Liquor Law Arrests	0 (-2)	0	1 (-1)
Drug Law Arrests	3 (-1)	0	1 (-3)
Weapons Law Arrests	0	0	0

** We reviewed Larceny & Simple Assaults as part of the review to make sure that those cases were properly classified, so we added the statistics here for your information. They are not required to be reported in your Clery Act statistics.*

NOTE: Numbers with a plus (+) or minus (-) sign identify the difference between the statistics that were originally reported and the statistics as they should have been reported based on what was found during the audit.

The statistics for the **Downtown Campus** for calendar year 2012 were originally reported in the Annual Security Report* as:

	On Campus	Public Property
Murder/Non-Negligent Manslaughter	0	0
Negligent Manslaughter	0	0
Forcible Sex Offenses	0	0
Non-Forcible Sex Offenses	0	0
Robbery	0	1
Aggravated Assault	0	0
Burglary	2	0
Motor Vehicle Theft	5	0
Arson	0	0
Liquor Law Arrests	25	20
Drug Law Arrests	13	18
Weapons Law Arrests	0	0
Liquor Law Referrals	0	0
Drug Law Referrals	0	0
Weapons Law Referrals	0	0

* Statistics reported in the Annual Security Report for the Downtown Campus did not match the statistics submitted online to the Department of Education (DOE). Specifically, in the Annual Security Report there was 1 Robbery reported in the Public Property category. However in the online DOE statistics reported by the institution, 0 Robberies were submitted. Additionally, in the Annual Security Report there were 18 Drug Law Arrests reported in the Public Property category. However in the online DOE statistics reported by the institution, 6 Drug Law Arrests were submitted. The Annual Security Report indicated there were 20 Liquor Law Arrests in the Public Property category. However in the online DOE statistics reported by the institution, 18 Liquor Law Arrests were submitted.

**The Downtown Campus in 2012, had no Noncampus or Residential Facilities categories for Clery reporting purposes.

The statistics for the **Downtown Campus** for calendar year 2012 should have been reported in the Annual Security Report and to the Department of Education as:

	On Campus	Public Property
Murder/Non-Negligent Manslaughter	0	0
Negligent Manslaughter	0	0
Forcible Sex Offenses	0	0
Non-Forcible Sex Offenses	0	0
Robbery	0	1
Aggravated Assault	0	0
Burglary	1 (-1)	0
Motor Vehicle Theft	5	0
Arson	0	0
Larceny*	20	0
Simple Assault*	3	0
Liquor Law Arrests	5 (-20)	23 (+3)
Drug Law Arrests	8 (-5)	7 (-11)
Weapons Law Arrests	0	0

** We reviewed Larceny & Simple Assaults as part of the review to make sure that those cases were properly classified, so we added the statistics here for your information. They are not required to be reported in your Clery Act statistics.*

NOTE: Numbers with a plus (+) or minus (-) sign identify the difference between the statistics that were originally reported and the statistics as they should have been reported based on what was found during the audit.

Currently, the Pima Community College Police (PCC Police) does not have an electronic records management system that is used by Officers to generate incident reports. Instead, Officers use a report template created with Omni Form Filler, a commercially-available forms management software used by PCC Police to standardize incident reports. Omni is not, however, an electronic records management system.

Once submitted, the reports are reviewed by the on-duty supervisor to address any corrections that need to occur. Once the reports are corrected and signed by the supervisor, they are placed in the Records Department inbox. Since PCC Police does not have an electronic records management system, there is no automated way to search the records generated by PCC Police Officers. Therefore, Ms. Jaime Cole (Records Management and Evidence Technician [RMET] and the College's Clery Compliance Officer), reviews the narrative of every report generated.

Ms. Cole logs each report as received on the incident review log, which is generated daily and contains all case numbers issued for that day. The reports are then processed by separating out all paperwork which needs to be forwarded to other areas and making copies for distribution to Investigations as needed. At this time, all reports which are criminal in nature are entered onto the Daily Crime Log, which is then distributed via email to all campus locations. A copy of the Daily Crime Log is then printed and placed into the binder located in the dispatch center of the police department headquarters. The reports are then reviewed a second time for errors. Those reports which need corrections are either sent back to the originating Officer or taken to a Sergeant who can make the necessary corrections. At this time, the report is retyped by the RMET into the Spillman Records Management System, which is the records management database used by the Pima County Sheriff's Office. The Sheriff's Office allows several other local and campus law enforcement agencies to use this system. If errors are found by the RMET during the data entry process, the reports are again either returned to the originating Officer or taken to a Sergeant for corrections. Once the case report has been correctly entered and all mistakes are corrected, it is filed.

The leadership of the PCC should research and implement a Records Management System and should then conduct an assessment of the current process for managing records. The fact that Officers type reports into one system and the reports then have to be re-typed into another system by administrative or support personnel is a significant drain on department resources. This process should be streamlined by having officers enter the report into a primary records management system, thus allowing the administrative/ support staff to make any necessary corrections to reports and file them as quickly as possible, to allow more time to manage other tasks, including Clery compliance work. When we were on site there were stacks of reports for several months that had not been entered into RMET yet. The volume of reports being filed does not allow staff to manage records in a timely manner and perform the other tasks in their job description effectively.

Ms. Cole was involved with compiling the annual crime statistics for 2012, though she was not responsible for submitting the data to the Department of Education's online data

submission website. Ms. Cole maintained a three ring binder, organized by campus and crime category, of all incident reports and any supplemental documentation provided to her pertaining to each of the offenses she counted in the annual crime statistics. Additionally, Ms. Cole maintained a spreadsheet (prepared for a previous Title IV Audit) that served as the audit trail of offenses reported in 2012.

The audit trail did not meet all of the requirements outlined by the Department of Education Auditors (as currently being requested when the Department of Education notifies institutions of a scheduled audit) for maintaining detailed information about the crime statistics being counted for Clery Act purposes. The audit trail documents that we were provided with lacked some of the necessary information, including the Clery geographic categories for which the incident was counted in the crime statistics.

We have several recommendations based on the report-writing and Clery classification processes described by PCC Police personnel:

Recommendation 14.1: Use the Excel spreadsheet discussed during and used for the on-site audit for purposes of achieving compliance and capturing all required information in the event of a Department of Education audit.

Recommendation 14.2: If Pima CC acquires any student housing facilities on any of its campuses, place a count in both the On Campus and Residential Facilities columns on the audit trail when an incident occurs in a residence hall, as the Residential Facility category is a subset of the On Campus geographic category.

Recommendation 14.3: Capture all required information on the audit trail, i.e. criminal offense, date and time of the incident, incident report number, address, Clery geography (On Campus, Noncampus, Public Property, Residential Facilities) and name of subject.

Recommendation 14.4: Separate the crime statistics on the audit trail for each campus so their respective statistics are accurately calculated.

Recommendation 14.5: The PCC Police should acquire an automated records management system which should be used to document all offenses reported to the PCC Police as well as to Campus Security Authorities (CSAs).

Recommendation 14.6: Conduct an assessment of the current process for managing records using two different systems and streamline to the process to maximize efficiency.

Recommendation 14.7: Until PCC Police acquire an automated records management system, PCC Police should explore having Officers enter their reports directly into the Spillman system. PCC Police should confirm that Officers and Supervisors could edit the reports in Spillman whenever corrections are identified, and a system should be established for the Clery Compliance Officer is notified about reports entered into Spillman to ensure timely review of reports for inclusion on the Daily Crime Log and in the annual crime statistics.

We found various errors in the statistics originally reported in the 2012 which were caused by the issues raised in the two sections listed below.

Misclassified reports (wrong crime category) or correctly classified but not properly counted:

Downtown Campus

Case C12-00612 was originally reported as a Burglary in the On Campus category. The victim reported that the desk drawer was damaged and that somebody had attempted to pry open the top desk drawer, which was locked. The victim's office door was open during the timeframe this attempted larceny occurred and the office was located in an area that is open and accessible to the public. This offense should not have been reported as a Burglary since a desk drawer is not considered to be a structure and the office was located in an area that was open and accessible to the public (the element of unlawful entry is missing). As a result of the audit review, this incident should be counted as a Larceny and should not be reported in the annual crime statistics.

West Campus

Case C12-03089 was originally reported as a Larceny in the On Campus category. The reporting party indicated that a computer had been stolen from the facility over the weekend. On Friday at 1:45 p.m., the Lab Technician locked the room prior to leaving campus. The next day around 3:00 p.m., an Adjunct Instructor made entry into the classroom and observed the computer was missing. After confirming with IT the computer had not been removed from the room for maintenance, the reporting party contacted PCC Police to report the theft. As a result of the audit review, this incident should be counted as a Burglary in the annual crime statistics.

Recommendation 14.8: Classify as Larceny any offenses in which items are taken from:

- a location that is open and accessible;
- an unlocked office or unlocked residence hall room;
- a residence hall room where the victim is unsure whether the door was locked at the time of the theft; and
- a location where there is no evidence of unlawful entry.

Recommendation 14.9: Use the three conditions provided by the FBI (through the Department of Education) to classify Burglary statistics:

1. There must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry-no force are counted. (Note: if the victim reports that the door to their room, office or structure was locked, that information should be treated as a fact in the assessment).
2. The unlawful entry must occur within a structure, which is defined as having four walls, a roof and a door.
3. The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a

felony or theft, or if the intent cannot be determined, the proper classification is Larceny.

Recommendation 14.10: Provide additional training and education for Officers and Supervisors in the Department:

- The Officers need to gather more information for incident reports classified under the Larceny and Burglary categories. They need to ask questions such as:
 - Were there signs of forcible entry?
 - Was the victim's space (room/office) locked (ask the victim)?
 - Was the building in a locked or secured mode when the theft occurred?
 - Does it appear that someone defeated the locking mechanism or unlawfully used a master key to enter the space?
 - In a suite in a residential facility, how many rooms were entered?
 - When is the last time the victim saw the property?
 - When did victim notice the property was missing?
 - Was anyone known to have lawful access between the period of time in which the victim last saw the property and the time in which the victim noticed the property was missing?

Case C12-04014 was not originally reported in the annual crime statistics. The victim reported a vehicle break-in in Lot 3. The Officer observed that there was damage to the vehicle consistent with an attempted vehicle theft. Specifically, the report noted "the passenger door showed forced entry through the door handles attachment with the sheet metal. The vehicle interior showed a ripped steering console with hanging exposed wiring and vise grip tool markings on the surrounding area of the ignition switch. Nothing else in the vehicle was reported missing or stolen. The ignition damage rendered the vehicle unable to start and a town truck was in route for removal from the property." The Clery Compliance Officer advised on site that she did not count attempted motor vehicle thefts in the annual crime statistics. (The original UCR Code - Classification listed in the report is "0706 - Motor Vehicle Theft - Attempt Vehicle Theft"). As a result of the audit review, this incident should be counted as a Motor Vehicle Theft in the annual crime statistics.

Recommendation 14.11: Review cases thoroughly and count incidents as a Motor Vehicle Theft involving the theft or attempted theft of a motor vehicle. *The UCR guidelines state the following:*

- Count one offense for each stolen vehicle.
- All incidents where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned. Include joyriding in this category. If a vehicle is stolen in conjunction with another offense, classify the crime using the procedures for classifying multiple offenses (i.e., the Hierarchy Rule).

Recommendation 14.12: Count as Motor Vehicle Thefts any offenses which manifest evidence that a perpetrator attempted to take a motor vehicle. If evidence exists, such as

tampering with the ignition switch or steering column, that appears to be an attempt to steal the vehicle, it should be counted in the annual crime statistics as a Motor Vehicle Theft.

Downtown Campus

Case C12-02487 was originally reported as a Robbery in the Public Property category. This offense was originally reported in the statistics in the Annual Security Report; however it was not reported in the statistics reported to the Department of Education. As a result of the audit review, this incident should be counted as a Robbery in both the statistics in the Annual Security Report as well as the statistics submitted to the Department of Education.

Recommendation 14.13: Double check the final statistics compiled and published in the Annual Security Report and compare them to the statistics submitted to the Department of Education to verify they match and there are no typographical errors.

Additional Recommendations Regarding Classification of and Counting Crimes:

Recommendation 14.14: Correct inaccurate crime classifications as part of the initial review of the incident report (prior to the Crime Log being downloaded and posted each day).

Recommendation 14.15: Count as Larcenies incidents involving purse-snatching or pick-pocket.

- Pick-pocket: The theft of articles from a person by stealth where the victim usually does not become immediately aware of the theft. (Pocket-picking includes the removal of such items as wallets from women's purses and men's pockets. It usually occurs in a crowd, public conveyance, or other similar situation to disguise the activity. Reporting agencies must also include theft from a person in an unconscious state, including drunks, in this category. However, if the victim is manhandled or if force beyond simple jostling is used to overcome the resistance of the victim, the offense becomes a strong-arm robbery and must be so classified.
- Purse-snatch: The grabbing or snatching of a purse, handbag, etc., from the custody of an individual. (The purse must be in the physical possession of the victim in order for the theft to be classified as purse-snatching. If more force is used than is actually necessary to snatch the purse from the grasp of the owner, or if the victim resists the theft in any way, then the offense is classified as a strong-arm Robbery).

Recommendation 14.16: Count as Burglaries any offenses which manifest evidence that a perpetrator attempted to forcibly enter a locked structure for the purpose of committing a felony or theft. According to the Department of Education Handbook, Attempted Forcible Entry is a type of unlawful entry which is described as "A situation where a

forcible entry into a locked structure is attempted but not completed.” For the purposes of counting offenses, do not differentiate between attempted and completed Burglary.

Recommendation 14.17: Count a Burglary of one or more rooms within the same academic building as a single Burglary, if there is no separation of time/timeframe or location, since these facilities are typically under the control of a single firm (the college or university) and are considered to be part of the same structure regardless of the number of interior rooms entered or items stolen.

Recommendation 14.18: Add reports from the Local Law Enforcement agencies (LLE) and CSAs to the audit trail so they are tracked and identified as part of the official count. Additionally, if the PCC Police Officers on scene are able to obtain and include the LLE’s incident report number in the PCC Police report, it assists with reconciling LLE statistics provided for inclusion in the annual crime statistics.

Recommendation 14.19: Count individuals as weapon, drug or liquor arrests only if the subject was physically arrested or was issued a criminal citation or summons for a Clery-reportable weapon, drug or liquor law violation. Note that an arrest (for Clery Act purposes) includes instances in which a Law Enforcement Officer detains an adult with the intention of seeking charges against the individual for a specific offense(s) and a record is made of the detention. It is not necessary that the Officer actually obtains charges for specific offenses if they detain an adult with the intent of seeking charges and a record is maintained of this action.

Recommendation 14.20: If a case involves multiple crimes occurring review the details thoroughly to ensure that any Clery-reportable offenses are counted. Apply the Hierarchy Rule for counting crime statistics to cases involving multiple Clery crimes, as per the hierarchy outlined in the Department of Education Handbook.

Recommendation 14.21: Review Robbery cases thoroughly and only count incidents that meet the following criteria:

- Committed in the presence of a victim (usually the owner or person having custody of the property)
- Victim is directly confronted by the perpetrator
- Victim is threatened with force
- Victim is put in fear that force will be used
- Victim offers resistance
- Involves a theft or Larceny

We are providing a description of some cases that provide examples of the types of errors found in the reported locations of the incidents and the cause/effect of those errors. Not all cases in this section involve Clery-reportable offenses, but nonetheless offer examples of errors that could result in improper counts based on geography:

Downtown Campus

Case C12-02620 was originally reported as a Drug Law Violation Arrest in the On Campus category. This drug law arrest occurred at the city bus stop on campus near parking lot #5. This is a municipal bus stop and public transit stops that are within the core campus should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.

Additional cases with similar reasoning:

- Case C12-02980 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This offense involved one Drug Law Violation Arrest and three Liquor Law Violation Arrests that were originally counted in the On Campus category. The subjects were arrested at the public bus stop. This is a municipal bus stop and public transit stops that are within the core campus should be counted as Public Property. As a result of the audit review, these arrests should be reported in the annual crime statistics in the Public Property category.
- Case C12-02406 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involved an individual who was consuming alcohol at the public bus stop. This is a municipal bus stop and public transit stops that are within the core campus should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-02334 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involved an individual who was consuming alcohol at the public bus stop. This is a municipal bus stop and public transit stops that are within the core campus should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-02146 was originally reported as a Liquor Law Violation Arrest in the Public Property category. This incident involved an individual who was consuming alcohol at the public bus stop. This is a municipal bus stop and public transit stops that are within the core campus should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-01773 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involved an individual who was consuming alcohol at the public bus stop. This is a municipal bus stop and public transit stops that are within the core campus should be counted as Public Property. As a result

- of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-01267 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involved an individual who was consuming alcohol on a sidewalk near Stone Avenue. This is a public thoroughfare that is within or immediately adjacent to the core campus should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
 - Case C12-02435 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involved two individuals who were consuming alcohol on a sidewalk near Drachman Street and Stone Avenue. This is a public thoroughfare that is within or immediately adjacent the core campus should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
 - Case C12-04261 was originally reported as a Liquor Law Violation Arrest in the Public Property category. This incident involved two individuals who were consuming alcohol at the public bus stop. This is a public transit stop that is within the core campus and should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
 - Case C12-01402 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involved an individual who was consuming alcohol at the public bus stop. This is a public transit stop that is within the core campus and should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.

Case C12-00656 - This report appears to have been originally counted correctly as Motor Vehicle Theft occurring On Campus in the annual crime statistics. However, the “Location of Incident” field on the report is listed as 1255 N. Stone Rd. which is the general address of the Downtown Campus. According to the narrative, the incident occurred from Parking Lot #4. Officers need to be trained use the specific location of the offense in the “Location of Incident” field. This seems to be the general practice of PCC Police Officers as a majority of the cases reviewed listed the general campus location as the “Location of Incident.”

Case C12-01427 – This report involves a Drug Law Violation Arrest. However, the report does not indicate the specific location where the offenders were observed initially. Instead, the narrative only describes where the Officer was located. This level of detail is critical in determining where the offense should be reported for Clery compliance purposes.

Case C12-01338 – This case involved a report of a sex offense that involved fondling of the victim’s private body parts. The victim and her father reported the offense at the PCC Desert Vista campus. However, the narrative fails to indicate specifically where the alleged offense occurred. It is critical for Officers to include the location of the offense

when preparing incident reports so the CCO can accurately capture offenses under the Clery-reportable geographic area.

Recommendation 14.22: The new Pima Community College Campus Clery Maps should be used to identify the border streets of each campus which are countable Public Property for Clery Act purposes.

Recommendation 14.23: Create a consistent list of all campus buildings and public property for each campus to be used by all staff when entering location information into PCC Police incident reports. This will create consistent entries in Spillman and/or within an automated records management system the institution may purchase in the future.

Recommendation 14.24: Teach the Officers to use the location where the incident occurred as the "location" in the incident report rather than the location where they respond to speak with the victim/complainant.

Recommendation 14.25: Teach Officers to identify the specific hundred block or landmark when reporting incidents that occur on public streets or sidewalks that run through or border the campus or on exterior campus grounds.

Downtown Campus

Case C12-02995 was originally reported as a Drug Law Violation Arrest in the On Campus category. This offense involved a drug law violation that originated from the Officer observing the subject's vehicle at the corner of Drachman Street and Stone Avenue not obeying the flow of traffic, which prompted the Officer to conduct a traffic stop. The PCC Police need to consistently count Clery-reportable offenses that move, therefore the CCO has developed the practice of counting the offense based on where the subject was first observed. In this case, the location where the subject was first observed was within the College's reportable Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.

Additional cases with similar reasoning:

- Case C12-03397 was originally reported as a Drug Law Violation Arrest in the On Campus category. This offense involved a drug law violation that originated from the Officer observing the subject's vehicle at the Shell gas station which is private property. As a result of the audit review, this incident occurred on private property on campus, which is not part of the reportable Clery geography, and should not be reported in the annual crime statistics.
- Case C12-04139 was originally reported as a Drug Law Violation Arrest in the On Campus category. This offense involved a drug law violation that originated from the Officer observing the subject dancing in the middle of Drachman Street. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.

- Case C12-01776 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved a drug law violation that was initially observed on Interstate 10 which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-01313 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved a drug law violation that was initially observed on in the parking lot of the Meat Rack which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-00481 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved a drug law violation that was initially observed on in the parking lot of the Tucson Inn which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-01776 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved two drug law violations and one liquor law violations that were initially observed on Interstate 10 which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-01871 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved a drug law violation that was initially observed near the intersection of Speedway and Park Streets which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02078 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved a drug law violation that was initially observed near the intersection of 11th and University Avenues which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02252 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved a drug law violation that was initially observed near the intersection of University and Stone Avenue which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02174 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved a drug law violation that was initially observed near the intersection of University Boulevard and Stone Avenue which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02276 was originally reported as a Drug Law Violation Arrest in the Public Property category. This offense involved a drug law violation that was

initially observed near the intersection of Oracle and Drachman Streets which is outside the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.

- Case C12-02546 was originally reported as a Drug Law Violation Arrest in the On Campus category. The incident was initially observed at the intersection of Drachman Street and Stone Avenue, which is Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-02238 was originally reported as a Drug Law Violation Arrest in the On Campus category. The incident was initially observed at the intersection of Drachman Street and Stone Avenue, which is Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-02187 was originally reported as a Drug Law Violation Arrest in the Public Property category. This incident was initially observed at the intersection of Stone and 5th Avenues which is outside of the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02248 was originally reported as a Drug Law Violation Arrest in the Public Property category. This incident was initially observed near the Estevan Park at 1000 N. Main Avenue which is outside of the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02695 was originally reported as a Drug Law Violation Arrest in the Public Property category. This incident was initially observed near the intersection of University Boulevard and 11th Avenue which is outside of the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02987 was originally reported as a Drug Law Violation Arrest in the Public Property category. This incident was initially observed near the intersection of 6th Avenue and Speedway Boulevard which is outside of the Clery-reportable geography. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02572 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involved three subjects who were consuming alcohol at the public bus stop. This is a municipal bus stop and public transit stops that are within the core campus should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-02508 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involved two subjects who were consuming alcohol at the public bus stop. This is a municipal bus stop and public transit stops that are within the core campus should be counted as Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.

- Case C12-02430 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This incident involves a subject who was initially observed on Stone Avenue which is Public Property. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-02330 was originally reported as a Liquor Law Violation Arrest in the On Campus category. This offense involved a liquor law violation that originated from the Officer observing the subject's vehicle at the corner of Drachman Street and Stone Avenue not obeying the flow of traffic, which prompted the Officer to conduct a traffic stop. The PCC Police need to consistently count Clery-reportable offenses that move, therefore the CCO has developed the practice of counting the offense based on where the subject was first observed. In this case that location was Public Property. Additionally, this case was counted originally as two liquor law violations; however one of the individuals was cited for DUI, which is not a Clery-reportable offense. As a result of the audit review, this incident should be reported in the annual crime statistics in the Public Property category.
- Case C12-00242 was originally reported as a Liquor Law Violation Arrest in the Public Property category. This incident was initially observed near the intersection of Helen and Main Streets which is outside of the Clery-reportable geography. Originally this was counted as two liquor law arrests. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-00513 was originally reported as a Liquor Law Violation Arrest in the Public Property category. This incident was initially observed near the intersection of Helen and Park Streets which is outside of the Clery-reportable geography. Originally this was counted as two liquor law arrests. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-01780 was originally reported as a Liquor Law Violation Arrest in the Public Property category. This incident was initially observed near the intersection of Campbell and Drachman Streets which is outside of the Clery-reportable geography. Originally this was counted as two liquor law arrests. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-01786 was originally reported as a Liquor Law Violation Arrest in the Public Property category. This incident was initially observed near the intersection of Speedway and Second Streets which is outside of the Clery-reportable geography. Originally this was counted as two liquor law arrests. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02199 was originally reported as a Liquor Law Violation Arrest in the Public Property category. This incident was initially observed near the intersection of 7th and Helen Streets which is outside of the Clery-reportable geography. Originally this was counted as two liquor law arrests. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.

West Campus

- Case C12-04257 was originally reported as a Drug Law Violation Arrest in the On Campus category. The Officer observed the suspect's vehicle travelling at a high rate of speed southbound on Greasewood Road from Ironwood Hills, which are public streets located outside the core campus. The traffic stop resulted in a Drug Law Arrest on Greasewood Road just south of Speedway. The place where the Officer initially observed the crime (speeding) was located outside of the core campus. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-00657 was originally reported as a Drug Law Violation Arrest in the Public Property category. The Officer observed the suspect's vehicle travelling westbound on St. Mary's Road with no headlights illuminated. A traffic stop was initiated at the intersection of Anklam and St. Mary's. The traffic stop resulted in a Drug Law Arrest. The place where the Officer initially observed the crime (no headlights) was located outside of the core campus. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02381 was originally reported as a Drug Law Violation Arrest in the Public Property category. The Officer observed the suspect's vehicle engage in moving violations as it was traveling northbound on Silverbell approaching Grant. A traffic stop was initiated and the suspect's vehicle stopped on Britcha Drive. The traffic stop resulted in a Drug Law Arrest. The place where the Officer initially observed the crimes (moving violations) was located outside of the core campus. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-02422 was originally reported as one Drug Law Violation Arrest and one Liquor Law Violation Arrest in the Public Property category. The Officer observed the suspect's vehicle make an illegal left turn as it was traveling from southbound Silverbell Road to eastbound St. Mary's Road. A traffic stop was initiated and the suspect's vehicle stopped at St. Mary's Road and Cuesta Avenue. The traffic stop resulted in a Drug Law Arrest of the driver and a Liquor Law Violation Arrest of the passenger. The place where the Officer initially observed the crimes (illegal left turn) was located outside of the core campus. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-04257 was originally reported as a Liquor Law Violation Arrest in the On Campus category. The Officer observed a vehicle travelling at a high rate of speed southbound on Greasewood Road from Ironwood Hills, which are public streets located outside the core campus. The traffic stop resulted in a Liquor Law Arrest of the passenger on Greasewood Road just south of Speedway. The place where the Officer initially observed the crime (speeding) was located outside of the core campus. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.
- Case C12-04070 was originally reported as a Liquor Law Violation Arrest in the Public Property category. The Officer observed a vehicle having difficulty staying

in its lane. The vehicle nearly struck a curb and was following another vehicle too closely. The Officer initially observed the erratic driving as it approached the intersection at Speedway and Grande. The Officer initiated a traffic stop on Speedway east of Silverbell. The place where the Officer initially observed the crime (Fail to Drive in Lane) was located outside of the core campus. As a result of the audit review, this incident occurred off campus and should not be reported in the annual crime statistics.

The PCC Police needs to be consistent regarding how the On Campus crimes are counted for the core campus, i.e., where the incident occurred and/or was observed by the Officer. For example, if the Officer observes a Liquor Law Violation within the core campus (i.e., “On Campus” property) and follows the person outside the core campus (i.e., off campus), the incident should be counted where it was initially observed. In the converse, if the Officer observes the crime outside the core campus (i.e., “off campus”) and follows the person to an on campus location (i.e., within the core campus), the incident should be counted as having occurred at the off campus location where it was first observed by the Officer. For the purposes of the onsite audit, the offenses were counted based on where they were observed.

Recommendation 14.26: The PCC Police should develop a consistent practice for counting offenses that move (i.e., the location where the Officer first observes a crime is different from the location where the subject is stopped) and document that practice in the Clery Compliance Standard Operating Procedure (SOP) regarding generally how Clery crimes are counted.

Recommendation 14.27 (for SOP language): Clery crimes are typically counted where the crime or violation occurred or was witnessed by the Officer.

Recommendation 14.28 (for SOP language): If the Officer observes a crime in a campus parking lot within the core campus (i.e. “on campus” property) and follows the person outside the core campus (i.e. off campus), the incident should be counted where it was observed by the Officer. In the converse, if the Officer observes the crime outside the core campus (i.e., off campus) and follows the person to an on campus location (i.e., within the core campus), the incident should be counted as having occurred at the off campus location where it was first observed by the Officer.

General Recommendations Regarding Geography:

Recommendation 14.29: Train the Campus Security Authorities to provide (when possible) the information necessary to properly classify and count the crime statistics, including the type of crime, the specific location of occurrence and the date and time the incident occurred, if these details are known.

Recommendation 14.30: Review all crimes reported to the PCC Police by the Local Law Enforcement agencies to ensure that the cases involving a Clery crime that occurred in a Clery-reportable geographic area are counted.

Recommendation 14.31: Officers should ensure that the location listed in the “incident location” section of incident report matches the location of the incident as described in the narrative of the report.

Recommendation 14.32: List the location of off campus incidents as “off campus” in the location section of the incident report. Do not include off campus incidents in the annual crime statistics.

Miscellaneous

The PCC Police Department has an investigator who is assigned to follow up on cases as assigned. The investigator may be producing original supplemental reports that are possibly not being processed through the Department’s records management procedure. Therefore, these supplemental are not being reviewed by the CCO for Clery compliance purposes.

Each Pima Community College campus should assess the municipal ordinances that exist and assess them for the purposes of updating the liquor, drug and weapon law assessment as those municipal ordinances may vary from campus location and impact countable/ not countable liquor, drug and weapon law violations.

Case C12-02106 involved several magazines and books that were property of the Pima library and were vandalized with racial slurs and pictures. The PCC Police did not conduct an investigation to determine if this incident should be classified as a hate crime.

According to FBI guidelines, agencies must conduct an investigation for bias-related incidents in order to positively conclude that a Hate Crime occurred. The incident listed above was not investigated, and in the future, PCC Police must conduct an investigation in order to determine if a Hate Crime did, in fact, occur. Additionally, it does not appear that the elements involved in the above listed offenses merit a Hate Crime classification. There does not appear to be sufficient objective facts present to determine that the offender(s) were motivated, in whole or in part, by a preformed bias.

Currently, PCC Police does not have an agency exclusive records management system to generate and manage the department’s incident reports. This presents challenges to the Clery Compliance Officer who is tasked assessing the report narratives, supplemental and investigative reports for content to determine the content of the annual crime statistics.

Recommendation 14.33: All documents that relate to an incident report should be filed together with the corresponding incident report. It is critical that all information that impacts the Clery classification is retained. PCC Police should maintain records that include a copy of the complete PCC Police incident report, the Daily Log and any other documentation that supports whether or not the incident was included in the statistics in the Annual Security Report.

Recommendation 14.34: Review all documentation regarding each report before finalizing the Clery-reportable crime category and the statistics count. This includes reviewing all documentation regarding each case, including but not limited to: the initial incident report, supplemental reports, investigative reports, statements, offender files, etc.

Recommendation 14.35: Review the each campus' local municipal codes related to liquor, drug and weapon laws for each campus location, in order to verify the countable/not countable offenses.

Recommendation 14.36: Investigate all potential Hate Crimes to determine if there are sufficient objective facts present in those offenses to determine that the offender was motivated by a preformed bias.

C12-02222 & C12-02492 – These cases serve as examples of offenses that PCC Police would need to examine for purposes of reporting Domestic Violence statistics if the offenses were reported in 2013 or later. Note that, for Clery Act reporting purposes, the Clery Act definition of Domestic Violence includes violence committed against victims who are protected from an offender's acts when that offender is similarly situated as a spouse of the victim or is otherwise a person against whom the victim is protected according to the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Recommendation 14.37: Review offenses involving Domestic Violence, Dating Violence and Stalking for statistics for 2013 and beyond to determine if they meet the Clery Act definitions for these offenses.

Recommendation 14.38: Review applicable domestic and family violence laws for each jurisdiction in which the College has Clery-reportable locations to determine whether there are additional persons, or classes of persons, against whom an adult or youth victim is protected under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Additional Recommendations:

Recommendation 14.39: The Clery Compliance Officer should assess cases that the Investigative Division has "unfounded" in order to thoroughly review them to ensure that they meet the Department of Education's definition of Unfounded Crimes (that is, a crime investigated by sworn or commissioned law enforcement authorities that is subsequently determined to be false or baseless). If cases do not meet the definition of Unfounded Crimes, they should be included in the institution's annual crime statistics.

Recommendation 14.40: Conduct a review of the addresses identified in the Local Law Enforcement request letter prior to submitting it to those agencies in order to ensure that property owned or controlled by PCC or the institution's officially recognized student organizations has not changed.

Recommendation 14.41: Continue to use the crime statistics chart provided in this report to ensure that all Clery-reportable crimes and geographic categories are properly reported in the institution’s Annual Security Report. Provide statistics for arrests and referrals for liquor, drug and weapon law violations as combined institutional totals rather than by department. If there are no arrests/referrals made for these three offenses, the institution must still include those categories and the Clery Geography categories on the crime statistics chart and put zeros on the chart. A sample of a complete crime statistics chart is located in Appendix #11—Sample Crime Statistics Chart.

Recommendation 14.42: Provide for a thorough review of potentially reportable cases that are reported to CSAs (including the Title IX Coordinator) or any department other than the PCC Police. (Note: CSAs need to review those cases that are potentially Clery-reportable with the PCC Police to allow the PCC Police to determine whether the case is reportable. This includes a review of the date reported, the classification of the crime, the location of the crime and the number of victims).

Recommendation 14.43: Train Officers to include all relevant information in the incident report narratives that supports the offense classification.

Recommendation 14.44: Investigate every fire that is not immediately known to be accidental to determine if the case is arson (set willfully or maliciously), a fire of suspicious origin or a fire of unknown origin.

Recommendation 14.45: Ensure that all correspondence with local law enforcement agencies regarding the request for crime statistics, the responses to the requests and any clarification about the reported statistics is documented for the file.

We created a 2012 audit trail that identifies all of the required information for each crime that needs to be reported. That system was used when we conducted the audit of 2012 Incident Reports.

Recommendation 14.46: Use a formal audit trail system to document the 2014 records to verify the statistics before reporting them in the 2014-2015 Annual Security Report.

Appendix #13—Audit Trail of PCC Police Records-2012

Section XV: Audit of Student Development Records and Processes

The purpose of this section is to highlight issues identified during the on-site review of student conduct records for calendar year 2012. Recommendations are offered to enhance compliance efforts pertaining to the collection and classification of Clery-reportable crimes that could be maintained in student conduct records, including referrals for disciplinary action involving liquor law, drug law and weapons law offenses, as defined by the Clery Act.

For calendar year 2012, 36 files were reviewed in the College's in-house electronic student conduct records management system (the Code of Conduct Log, i.e., "the Log") for incidents pertaining to the Downtown and West Campuses. Both suspected Code of Conduct issues and non-Code behaviors of concern are logged in this system, for student discipline and behavioral intervention purposes. As part of the audit, all 20 incidents contained in the Code of Conduct Log for the Downtown Campus was reviewed, as were all 16 incidents for the West Campus.

The review involved reading all pertinent details and any supporting documentation contained in the Log. The VPSD on the West Campus reviewed hard copy files maintained in his office and advised that he did not have any additional records that related to the cases appearing in the Log.

The VPSD of the Downtown Campus (who was on the job for approximately six months at the time of our site visit) was not a participant in the audit process. Therefore, a request was made for the VPSD's Office at the Downtown Campus to confirm that no hard copy records were being maintained outside the Log. In response to this request, the VPSD's Office located a cabinet containing hard copy student conduct files. These files were scanned and emailed to the DSA auditors for off-site review. None of these files were found to contain any Clery-reportable offenses.

Most of the incidents reviewed involved instances of disruptive conduct or academic dishonesty. Only one incident involving alcohol was discovered during the spot check of student conduct records. However, the incident was properly not reported as a Liquor Law Violation Referral, as the subject was a 27 year old male who was found to be in an intoxicated state (it appears from the Log entry the subject was also issued a citation). Therefore, there were no instances found during the audit in which the University overreported or underreported any referrals for disciplinary action involving liquor law, drug law or weapons law violations.

General Practices and Procedures

Any person may report a suspected Student Code of Conduct violation by completing a College Incident Report (available to all employees on the College's intranet) and submitting the report to the respective campus VPSD. The Incident Report is used by college employees infrequently, as most of the actions reviewed during this audit stemmed from telephone calls or email communications to the applicable VPSD.

The Pima Community College Police Department (PCC Police) typically completes a College Incident Report whenever they respond to alleged violations of law and/or the Student Code of Conduct (in the narrative of the Police Reports, it is customary for these forms to be referred to as a "Student Code of Conduct Referral Form"). The Incident Report is submitted to the VPSD of the campus on which the incident occurred. The official PCC Police Report is not shared with the VPSD, although the VPSD could make a public records request to receive a redacted version of the Police Report by contacting the Clery Compliance Officer.

Upon receipt, the campus VPSD will review an incident report to determine whether there is sufficient information to allege a violation of the Code has transpired. The VPSD is required (as noted in the Student Code of Conduct) to input information into the Code of Conduct Log within 24 hours and determine if the referred student has a prior disciplinary history. The VPSD is also responsible for inputting into the Code of Conduct Log the final resolution of any disciplinary action taken. In certain cases, the VPSD is also required to provide a copy of an incident report to the Student Behavioral Assessment Committee and the President of the University. The VPSD for each campus does not consistently uploading copies of Incident Reports or other supporting documentation into the Code of Conduct Log. Most of the records reviewed in the Code of Conduct Log did not contain these attachments.

The VPSD is responsible for arranging a preliminary meeting with the student (a "Review Meeting"). After the Review Meeting, the VPSD will transmit an outcome letter to the student ("Review Decision"). The letter will identify the specific portions of the Code violated and sanctions assigned, if any. In certain cases involving separation, students can appeal the decision to the President's Office. The President's decision is final.

In cases where a student is determined to pose an unreasonable risk of danger to himself/herself or others, or the student's presence on College property poses a significant risk of disruption of educational activities, the VPSD or a PCC Police Officer may impose an immediate suspension. An immediate suspension template is available on the College's intranet for all authorized persons.

The VPSD indicated that any Code of Conduct Log user has the ability to input data into the Log. System users include each campus VPSD, Vice President for Instruction (VPI) and some Directors. The District-wide Information Technology Department is the only entity with the ability to manipulate fields/drop-down options in the system.

Considering the College's current practices, as described above, we have the following recommendations:

Recommendation 15.1: Each campus VPSD should upload all pertinent student conduct records (including complete Incident Reports, Witness Statements, Review Meeting Notices, Review Decisions, etc.) to the Code of Conduct Log. Retaining these records in a single electronic system will help ensure all student conduct actions are centrally recorded and maintained in a single repository, which will streamline access to student conduct records for Log users and ensure all records that need to be reviewed for Clery classification purposes are available in a single records management system. This will also eliminate the need to keep separate hard copy files outside of the Log on individual campuses.

Recommendation 15.2: The Code of Conduct Log should be edited so that the PCC Police Incident Report number can be recorded in the system when PCC Police are involved in responding to an incident. Tracking PCC Police Report numbers will assist in

cross-referencing student conduct cases for which PCC Police are involved when these cases are reviewed for Clery classification purposes.

Recommendation 15.3: The Code of Conduct Log should be modified to include a Date of Birth field. Retaining this information in the Log will help determine the student's age at the time of the reported offense, which will be useful in reviewing cases involving alcohol to determine whether the student qualifies as a reportable Liquor Law Violation Referral.

Recommendation 15.4: Each campus VPSD should make a public records request for the applicable PCC Police Report (and upload the report received to the Conduct Log) whenever PCC Police are involved in responding to an alleged Student Code of Conduct violation. The PCC Police report will assist the VPSD in determining applicable charges and findings and will also help to ensure that all available information is considered by the official in Student Development with Clery classification responsibilities.

Once an incident is entered into the Log, it is considered to be a “record” unless it is expunged from the system. To qualify as being *referred for disciplinary action* under Clery, the following three criteria must be met:

1. The official receiving the referral must initiate a disciplinary action,
2. A record of the action must be kept, and
3. The action may, but does not have to, result in a sanction.

The *Handbook for Campus Safety and Security Reporting* specifically advises that “...[a disciplinary action] can include an interview or an initial review of names submitted to an official” (p. 67). Practically speaking, this means any incident report stored in the Log automatically meets these three criteria, as (1) an official has reviewed the report to determine what action to take (including the decision to take no further action); (2) a record is being maintained of the action; and (3) a sanction was possible for each student documented in the report's narrative simply by virtue of the report's initial review.

Recommendation 15.5: All cases stored in the Log that involve liquor, drugs and/or weapons should be reviewed to determine whether the narrative of the report establishes the presence of countable liquor, drug or weapons law violations (in accordance with state laws and local ordinances that correspond to Clery-reportable UCR Liquor, Drug and Weapons Law Violations). Cases for which the narrative establishes the presence of countable law violations should be counted as Clery-reportable referrals for disciplinary action provided the student has not been arrested or issued a criminal citation for the same offense.

The VPSD for the West Campus advised that there is not currently a records retention or destruction policy that applies to records maintained in the Log. The VPSD further advised that the Log is approximately four years old and he is not aware of any records being deleted from the Log.

The Clery Act requires institutions to retain all supporting records used in compiling the Annual Security Report for three years from the latest publication of the report to which those records apply. This means records must be kept for seven years. For example, the 2009 statistics and supporting records must be kept until Oct. 1, 2015 to comply with the records retention requirement of the Clery Act. Although retaining records beyond this point is not required, in the event of a Department of Education audit, all records the institution maintains may be subject to review and auditing (this happened at the Pennsylvania State University. The Department of Education audited 13 years' worth of crime statistics because Penn State did not destroy records older than seven years).

Recommendation 15.6: A formal records retention and destruction policy should be established for all student conduct records maintained in the Log. The policy should ensure that all records are maintained for no less than seven years in compliance with the Clery Act and that records will be destroyed upon expiration of the retention period. A staff member with access to the Log should be responsible for developing a system to monitor records retention periods and ensure destruction of those records the institution no longer wishes to maintain after the required records retention period has elapsed.

Clery Reporting Process for Calendar Year 2012

For 2012 statistics, the Clery Compliance Officer emailed the Psychologist responsible for overseeing behavioral assessment efforts on the part of the College (Dr. James Sanchez). The request was made on September 17, 2013 for 2012 statistics. Dr. Sanchez was also responsible for overseeing the Code of Conduct Log on behalf of all campuses (Dr. Sanchez left the College sometime during the Spring 2014 semester). The Clery Compliance Officer's request asked for "the Student Code of Conduct Stats for 2012" and requested that the following information be provided: "student name, incident, sanction, location, date, and if there was DPS involvement."

It is believed, but could not be confirmed, that Dr. Sanchez pulled a report based on whether the "Clery Indicator" was marked "Yes." The VPSD for the West Campus indicated that VPSDs on each campus are responsible for switching the Clery Indicator to "Yes" whenever there is a belief that the incident might be Clery-reportable. This spreadsheet was provided to the Clery Compliance Officer, who reviewed the entries to determine which offenses were Clery reportable. The review involved reading the corresponding PCC Police report when that agency was involved in the incident's response. For those cases which PCC Police was not involved, the Clery Compliance Officer relied upon the spreadsheet she was given (no referrals for disciplinary action were reported for the 2012 calendar year for the West or Downtown Campuses).

Calendar Year 2013 Statistics

On June 20, 2014 the Clery Compliance Officer emailed all campus VPSDs requesting "the number of individuals who were referred to the administration for violations involving weapons, drugs or alcohol" from the Code of Conduct Log. The request was made pursuant to the Title IV Department of Education audit and sought records from calendar years 2009-2013. The VPSD for the Northwest Campus provided a spreadsheet of every incident for which the "Clery Indicator" field was marked as "Yes" for all

campuses. This spreadsheet was used by the Clery Compliance Officer to fulfill the request made to all VPSDs.

The Clery Compliance Officer also emailed the Assistant Vice Chancellor of Student Development, who serves as the District's Title IX Coordinator, and the Director of Employee Relations, Policies and Organizational Effectiveness, to request information about any "sexual assaults and/or sexual harassment reports" from 2009-2013. The request was made pursuant to the Title IV Department of Education audit.

In response to this request, the Director of Employee Relations, Policies and Organizational Effectiveness provided the Clery Compliance Officer with two spreadsheets: one from the Human Resources Employee Relations unit, and another from the College's EEO office.² Additionally, the Assistant Vice Chancellor queried the Code of Conduct Log and provided a filtered list of offenses that related to any incident types in the Code of Conduct Log that may have Title IX implications (these were not filtered by whether the "Clery Indicator" was marked "Yes").

On site, the Assistant Vice Chancellor initially believed she queried the Student Complaint Log in response to the Clery Compliance Officer's request, but discovered during the records audit that information was provided from the Code of Conduct Log instead. A spot-check of the Student Complaint Log was conducted of the 2012 cases on the Student Complaint Log and there appeared to be no Clery-reportable offenses contained therein.

The Assistant Vice Chancellor further explained that the College uses a third party reporting system, EthicsPoint, to receive student complaints of sexual harassment. Complaints filed in EthicsPoint are routed to the Office of Dispute Resolution, which is responsible for investigating the complaint. If the nature of the complaint is related to Title IX, the complaint is re-routed to the District Office where Equal Employment Opportunity (EEO) staff will initiate an investigation. This is why EEO staff were queried by the Clery Compliance Officer regarding any sexual harassment or assault reports had been made to EEO.

Recommendation 15.7: The Clery Compliance Officer should not be tasked with reviewing Log entries on behalf of Student Development to determine whether any Clery-reportable offenses are being maintained in student conduct records. Instead, a staff member in Student Development (either a VPSD familiar with the conduct process and/or someone in the District Office) should be responsible for reviewing cases recorded in the Log to determine whether any Clery-reportable offenses are being maintained in the system.

Recommendation 15.8: The individual(s) assigned to review conduct cases for Clery reporting purposes should receive training in how to classify and count offenses for Clery

² These spreadsheets were created to track complaints beginning with 2013 complaints. Prior to the Title IV audit, there was not a formal recordkeeping system utilized by the EEO staff for tracking complaints or dispositions.

Act purposes. It is recommended that this official and a designated “back up” person attend the D. Stafford & Associates Clery Act Compliance Training Academy. This program dedicates significant time to classifying offenses using the Uniform Crime Reporting (UCR) standards as adopted by the U.S. Department of Education as well as classifying arrests and referrals for disciplinary action for liquor, drug and weapons law violations. For more information, visit: <http://www.dstaffordandassociates.com/training/>. NOTE: A one and one-half day class specifically designed for student conduct personnel will be offered in June and October of 2015 and will focus on classifying and counting offenses using UCR program guidelines. Please visit www.dstaffordandassociates.com for more information about this class, tentatively titled “Foundations of Clery Compliance for Student Conduct Administrators.”

Recommendation 15.9: All cases in the Log that *could* contain Clery-reportable incidents should be reviewed to determine if the case should be counted in the annual crime statistics. This is applicable for any incident involving reports of theft, assault, sexual assault, domestic/dating violence, stalking, trespassing, motor vehicle theft (including golf carts) and fires not immediately known to be accidental. This is also applicable for any cases involving liquor, drug or weapons violations so that an assessment can occur as to whether or not these cases contain any countable referrals for disciplinary action.

Recommendation 15.10: The entire narrative of all incident reports (as well as any supplemental documentation, such as witness statements, evidence logs, photographs, etc.) should be reviewed by the individual(s) designated to review Student Code of Conduct Cases for Clery-reporting purposes.

Recommendation 15.11: Campus VPSDs should cease use of the “Clery Indicator” in the Log, as all VPSDs do not have the requisite training to classify and count offenses for Clery Act purposes and therefore should not be expected to accurately designate whether a particular offense is (or might be) Clery-reportable.

Recommendation 15.12: The spreadsheet utilized by D. Stafford & Associates should be used by the designated official in Student Development for keeping an audit trail of all referrals for disciplinary action involving liquor, drug and weapons offenses (in addition to any other Clery Act crimes that may be stored in the Code of Conduct Log). Each student listed in the report narrative should be captured on his/her own row of the spreadsheet to indicate whether the student was counted or not counted for Clery reportability. (It is recommended that the “Comments” column be used to document rationales for not counting people, when appropriate, or for stating why the person was counted in borderline or unique cases.)

Recommendation 15.13: The official(s) from Student Development and/or the District Office that are responsible for reviewing cases for Clery-reporting purposes should periodically meet with the Clery Compliance Officer to compare audit trails of reported incidents involving the PCC Police (as well as other arrest statistics or Clery Act crimes for which the PCC Police may not have records if they were not involved in the incident’s response or documentation). Periodically sharing the audit trail with the PCC Police will

enable them to enter cases for which they were previously unaware on the Daily Crime Log within two business days of receipt, as required by the Clery Act, and can serve to ensure students are not double counted in the annual crime statistics (once by PCC Police as an arrest, once by Student Development as a referral).

Recommendation 15.14: The PCC Police and a representative of Student Development should meet annually to reconcile the entire calendar year's statistics to both serve as a double-check of periodic efforts as well as ensure all cases from the calendar year have been reviewed and included in the crime statistics, when appropriate.

Recommendation 15.15: The Clery Compliance Officer, in concert with the Director of Employee Relations, Policies and Organizational Effectiveness, should review any supporting documentation that relates to the cases documented on the EEO spreadsheets to determine whether any Clery-reportable offenses have historically been omitted from the annual crime statistics.

Recommendation 15.16: A system should be developed to ensure any sexual harassment cases that could meet the Clery Act sex offense definitions of rape, fondling, statutory rape or incest are promptly shared with the PCC Police Department to enable the PCC Police to review these reports for potential inclusion in the crime statistics and/or for Timely Warning Notification purposes. The system developed to collect crime reports from other Campus Security Authorities may be used for this purpose, if the staff in Human Resources and/or other EEO staff are otherwise identified as Campus Security Authorities and are trained in their responsibilities to report Clery Act crimes promptly to the reporting structure of the institution (PCC Police).

Appendix #14—Audit Trail of Student Conduct Records-2012

Section XVI: Drug Free Schools and Communities Act (DFSCA)

The Department of Education Clery Act Compliance Division has taken over the responsibility for auditing compliance with the requirements of the Drug Free Schools and Communities Act (DFSCA). The DFSCA's implementing regulations are published in 34 C.F.R. Part 86 as the "Drug-Free Schools and Campuses Regulations" (hereafter, "Part 86 regulations"). The Part 86 regulations require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program "to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees" both on the institution's premises and as part of any of its activities. When applying for federal assistance, IHEs certify to the existence of such programs, typically as part of a standard grant or contract application under the provisions referred to as "Reps and Certs" (Representations and Certifications).

Additionally, Subpart B 86.103 indicates that IHEs must retain all records related to DFSCA compliance for three years. Therefore, creating a program that complies with the regulations requires an IHE to do the following:

1. Annually notify each employee and student, in writing, of standards of conduct; a description of appropriate sanctions for violation of federal, state, and local law and campus policy; a description of health risks associated with AOD use; a description of available treatment programs; and a statement regarding the imposition of disciplinary sanctions.
2. Develop a sound method for distributing annual notification information to every student and staff member each year.
3. Prepare a biennial report on the effectiveness of its AOD programs and the consistency of sanction enforcement.

The Part 86 regulations establish a set of minimum requirements for campus substance use programs. It also recognizes that colleges and universities may have additional obligations under state law.

We requested a copy of the DFSCA Policy and the last biennial review completed by the College and no report was provided. The appropriate officials of the institution should review the requirements as outlined in *Appendix #15—Summary of the Requirements of DFSCA* and work to bring the institution into compliance with them.

Recommendation 16.1: Review the requirements as outlined in *Appendix #15—Summary of the Requirements of DFSCA* and ensure that the institution is in compliance.

Recommendation 16.2: Complete a biennial review of the DFSCA compliance efforts for the College every other year and complete the first review prior to the end of 2014.

Recommendation 16.3: Distribute the required annual notification to all students and employees each year. If the College has not sent the required notification this year, the appropriate PCC officials should immediately send this notification to all students and employees.

Recommendation 16.4: Ensure that all records of requirements (as outlined in *Appendix #15—Summary of the Requirements of DFSCA*) related to DFSCA compliance are maintained for at least three years.

Appendix #15—Summary of the Requirements of DFSCA

Section XVII: Overall Recommendations

In the past five years, the Department of Education has made significant changes that require institutions to focus more time and attention on Clery Act compliance issues. The number of institutions that have been audited is significantly more in each of the past five years than previously recorded in the 24 years this law has been in effect. In addition, the number of audits resulting in substantial fines has also increased significantly during the past five years. There were only eight fines levied in the first nineteen years and there have been at least that many fines issued each year since 2009. During the past five years, the Department of Education has created a Clery Compliance Division and has staffed that unit with twelve new employees. The Department of Education recently requested an additional \$2 million in funding to hire thirteen new auditors. The increased national attention on sexual assault response has increased the pressure on the Department of Education to ensure compliance with both Title IX and the Clery Act. In particular, the Office of Civil Rights and the Clery Compliance Unit have seen increased pressure to conduct audits of more campuses, both based on responding to complaints and conducting random audits.

All of this is to say that many campuses are now in the position of having to assess the amount of time and energy being expended on Clery compliance and to make necessary adjustments if the staffing levels are not appropriate to manage the complexities of this law. The responsibilities of the Clery Act have continued to expand over the years based on the new requirements that were added with each of the last five revisions to the law. The amount of work necessary to get into and maintain compliance has quadrupled since the passage of the original law in 1990. For example, with the passage of the Violence Against Women Act, at least 35 additional policy statement requirements for the Annual Security Report were added; there are three additional categories for which crime statistics must be gathered; and the law now requires a significant amount of primary prevention and awareness programs that must be conducted for new and continuing students and employees.

The Clery Compliance Coordinator indicated that she spends approximately 50% of her time working on compliance issues related to the Clery Act. In our experience we have found that at a large institution, in order to maintain compliance with the Clery Act, it takes approximately 1.5 to 2 full-time equivalents to manage all aspects of compliance. PCC currently has less than 1 full-time employee working on Clery compliance. The College should seek to make the necessary adjustments to staffing levels, as this report identifies a significant number of compliance-related issues that will require additional staff to address.

Recommendation 17.1: The College should initiate a Clery/HEOA Committee that includes, at a minimum (if you have these units/departments): DPS, Compliance and Internal Audit, Student Judiciary, Dean of Student Affairs, Student Activities, Residence Life and Housing, Environmental Health and Safety, Risk Management (Fire Safety Engineer), Admissions, Human Resources and the Office of the General Counsel.

Recommendation 17.2: The College should provide formal training for all members of the Clery/HEOA Committee and the leaders of the PCC Police at the level of Sergeant or above.

Recommendation 17.3: The following offices, at a minimum, should be responsible for reviewing and signing off on the accuracy of the policy statements and other information contained in the Annual Security Report prior to publication each year:

- a. Compliance and Internal Audit
- b. Student Development
- c. Risk Management
- d. The Women's Center/Sexual Assault Advocate
- e. The Office of the General Counsel
- f. Environmental Health and Safety
- g. Title IX Coordinator

Recommendation 17.4: Maintain an annual compliance file with all records pertaining to each compliance cycle.

Recommendation 17.5: Hire an individual at a managerial level to oversee all aspects of Clery Compliance. The recent Penn State case revealed a need for someone at a managerial level to oversee Clery compliance efforts on campuses.

Recommendation 17.6: Make sure the language in the Student Handbook and all other policies and procedures is consistent with the changes that were made to the Annual Security Report.

Based on the fact that the College is currently out of compliance with the requirements of the Clery Act/HEOA, the College should:

Recommendation 17.7: Conduct an audit of 2013 records using the same methodology employed for the audit of PCC Police Criminal Incident Reports and Student Development Records from 2012.

Recommendation 17.8: Submit revised crime statistics for 2012 and 2013 to the Campus Safety and Security Help Desk (a campus representative will need to call the Help Desk at 800-435-5985 or email them at campussafetyhelp@westat.com to initiate this process since the on-line data collection period closed in mid-October). Revised statistics may be submitted for inclusion in the Campus Safety and Security Web-Based Data Collection website through mid-to-late March until such a time that the Help Desk archives all previously submitted data (the Help Desk can provide a more precise anticipated archival date, but we would encourage PCC to submit revised statistics well in advance of this date). The University must contact the Help Desk directly to make changes on the PCC's behalf since the data cannot be revised on-line by PCC personnel after data have been locked. When calling or writing the Help Desk, be prepared to provide an explanation that conveys why statistics need to be updated and identify the specific lines (crime categories) that need to be changed.

Recommendation 17.9: As an alternative to recommendation 17.8, wait to submit revised crime statistics for 2013 until the next data collection cycle begins (likely mid-August). Institutions may use the Web-Based Data Collection website at that time to update previously-submitted crime statistics for 2013 when submitting new crime statistics for 2014. Per the most recent (2014) User’s Guide for the Campus Safety and Security Web-Based Data Collection, a caveat should be provided for each change and should be formatted as follows: “For (YEAR), line (X) was changed from (A) to (B) because (REASON).” If PCC wishes to note revised statistics for 2012 at that time, the numbers may not be edited for 2012 by the institution or by the Help Desk. Instead, the institution would need to provide a caveat in the 2013 statistics explaining what the statistics for 2012 should be (using the same format as previously described).

Recommendation 17.10: Update the Annual Security Report based on our recommendations and the results of the records audit(s). The revised statistics submitted to the Campus Safety and Security Help Desk should match the revised statistics included in an updated Annual Security Report (in other words, don’t update crime statistics from 2012 in the Annual Security Report if those same updates will not be reflected in the Campus Safety and Security Web-Based Data Collection website). Have the new Annual Security Report reviewed by the appropriate campus officials and make the new document available immediately on the website. Include a caveat in the new Annual Security Report that indicates statistics have been revised pursuant to misclassified offenses discovered during an internal audit.

Recommendation 17.11: Once the revised ASR is available on the website, the College should immediately send a notice of availability to the entire campus community. The notice of availability should indicate that the new ASR includes updated policy statements and crime statistics that have been revised pursuant to misclassified offenses discovered during an internal audit.

APPENDIX #2

January 21, 2015

NAME
DEPARTMENT
ADDRESS

Dear ???,

I would like to request crime statistics for the below listed areas. Specifically, I am looking for 2014 crime statistics for the following crime categories:

Murder/Non-Negligent Manslaughter
Negligent Manslaughter
Sex offenses (rape, fondling, statutory rape and incest)
Robbery
Burglary
Aggravated Assault,
Motor Vehicle Theft
Arson
Domestic violence
Dating violence
Stalking

In addition, I need to know if any of the above listed offenses were categorized as hate crimes. In addition, I need to know if there were any incidents of larceny; simple assault; intimidation; vandalism or destruction of property, or other crimes involving bodily injury that were classified as hate crimes. If you provide me with statistics regarding hate crimes, I also need the category of prejudice for each hate crime according to the eight categories we are required to report, which includes race, gender, religion, sexual orientation, ethnicity/national origin, gender identity and disability.

I also need the statistics for arrests only for the following categories:

Liquor Law Violations
Drug Law Violations
Illegal Weapons Possession.

According to federal law specifically the Clery Act, Universities are required to report all crime statistics that occurred in/on campus property and on public property adjacent to

University owned buildings to all students and employees. We are required to report statistics that are reported to our department as well as to the local police department.

Therefore, I would like to request the required crime statistics for the PIMA Community College and well as the public property that is immediately adjacent to or within the core campus, including:

- Greasewood Rd from Anklam Road to Speedway Blvd
- Alklam Road from La Cholla Blvd to Greasewood Road
- Speedway Blvd from Greasewood Road to North Camino Santiago
- North Camino Santiago from Speedway Blvd to 751 North Camino Santiago

I also need the same crime statistics for the following specific addresses:

LIST SPECIFIC ADDRESSES FOR NON CAMPUS PROPERTY HERE

I would appreciate it if you could forward this information to me as soon as you get an opportunity. We are beginning to process of publishing our annual report and we will need to include these statistics in the final draft.

In addition, if a serious crime that may cause an ongoing threat to the BLANK community is reported to your department, we would appreciate it if you would notify BLANK PD immediately. The institution has a responsibility to notify the campus community in a timely manner about any crimes on and around the campus which pose an ongoing threat to the community.

Thank you for your attention to this matter.

Sincerely,

NAME
TITLE

APPENDIX #3

Myths and Facts About Acquaintance Sexual Assault

MYTH: When a woman dresses in skimpy clothing or in an alluring manner, she is asking to be raped.

FACT: Perpetrators choose victims for their vulnerability, not their sexiness or how they look or act. Rape is not a crime of sexual desire. It is a crime of hostility and violence toward the victim. People often engage in victim blaming. It is a way to preserve the false belief that they will be safe from sexual assault "if only" they do not do what the victim did. However, rape is never the victim's fault. Only the perpetrator chooses to commit sexual assault.

MYTH: It could never happen to me.

FACT: All individuals are potential rape victims: regardless of age, race, class, religion, occupation, sexual orientation, educational background, or physical description. Both males and females can be rape victims. Rape is never the victim's fault.

MYTH: Anyone who gets drunk or takes drugs is partially responsible for being raped.

FACT: Being drunk does not mean a person is asking to be raped. Forcing sexual contact on another person without consent is against the law. Someone who is passed out, unconscious, or incapacitated because of drugs or alcohol is unable to give consent. Sex without [consent](#) is sexual assault. Rape is never the victim's fault.

MYTH: Women lie about being raped to protect their reputations, or to get revenge on a guy.

FACT: According to the FBI, the incidence of false reporting is only 2%, the same as for other felonies. Sexual assaults are investigated just like any other crime. It is far more likely that rape is under-reported and in fact, some studies estimate that only 40% of rapes are reported. Rape is never the victim's fault.

MYTH: When someone says that they are not interested in sex, or doesn't respond to their partner's sexual advances, they just need to be persuaded to have sex.

FACT: Sex without [consent](#) is sexual assault. A person can withdraw their consent at any time. Not responding to sexual advances is not consent. A "no" in any form, must be respected and listened to. Consent is actual words or conduct indicating a freely given agreement to engage in sexual activity. Rape is never the victim's fault.

MYTH: Once a male is aroused or excited, he has to have sex. He will not be able to stop himself.

FACT: There is a difference between not wanting to stop and not being physically able; people are physically capable of controlling their sexual actions. For example, if two people are engaged in

consensual sexual activity and a roommate walks in the room, they are physically able to (and probably would) stop having sex. Rape is never the victim's fault.

MYTH: Sexual assault is an impulsive, spontaneous act.

FACT: Most rapes are carefully planned by the rapist. A rapist will rape again and again, usually in the same area of town (or within the same college or university) and in the same way.

MYTH: Sexual assault usually occurs between strangers.

FACT: By some estimates, over 70% of rape victims know their attackers. The rapist may be a relative, classmate, friend, co-worker, date or other acquaintance. In college acquaintance or non-stranger rape accounts for nearly 90% of all completed or attempted rapes on campus.

Myth: Only teenaged girls are victims of drug-facilitated sexual assault.

Fact: Statistically, women between 16 and 24 are at highest risk of being sexually assaulted; however, anyone can become a victim of drug-facilitated sexual assault, regardless of age, sexual orientation, and even gender.

Myth: These crimes are always committed by strangers.

Fact: Most sexual assaults are committed by friends or acquaintances of the victim.

Myth: Drug-facilitated sexual assaults are very uncommon.

Fact: About twenty-five percent of women report that drugs were a factor in a rape. However, because drug-facilitated sexual assault is a highly underreported crime, no one can say for sure just how often it happens.

It is never a victim's total responsibility to prevent an assault, but the following tips can help you have a safe and fun time when at a bar, a party, or just out with friends.

If you plan to drink alcohol, be aware of your surroundings and the people you're with. If you feel the need to sleep or feel you may pass out, consider asking a trusted and sober friend for a ride home.

Avoid leaving your drink unattended, and if your drink ever tastes, looks or smells strange, don't drink it.

Use a buddy system if you go out with your friends; keep an eye on them and have them keep an eye on you.

If you suspect you may have been drugged, particularly if you feel "way too intoxicated" or extremely drowsy, get help immediately.

APPENDIX #4

TO: Campus Security Authorities

FROM: NAME
TITLE

DATE: January 15, 2014

RE: Reporting Crimes

According to federal law, specifically The Student Right to Know and Campus Security Act of 1990 (re-named the Clery Act in 1998), BLANK Police Department is required to report “statistics concerning the occurrence of certain criminal offenses reported to the local police agency or any official of the institution who has “significant responsibility for student and campus activities”. Your position has been identified by Federal Law as a “Campus Security Authority”.

The definition of “Campus Security Authority”, according the federal law, is as follows: “An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.” For example, a dean of students who oversees student housing, a student center, or student extra-curricular activities, has significant responsibility for student and campus activities. Similarly, a director of athletics, team coach, and faculty advisor to a student group also have significant responsibility for student and campus activities. A single teaching faculty member is unlikely to have significant responsibility for student and campus activities, except when serving as an advisor to a student group. A physician in a campus health center or a counselor in a counseling center whose only responsibility is to provide care to students are unlikely to have significant responsibility for student and campus activities. Also, clerical staff are unlikely to have significant responsibility for student and campus activities.

The criminal offenses that we are required to report are murder/non-negligent manslaughter, negligent manslaughter, sex offenses (rape, fondling, statutory rape and incest), robbery, aggravated assault, burglary, motor vehicle theft, domestic violence, dating violence, stalking, arson, liquor law violations, drug violations and/or illegal weapons possession.

We are also required to report statistics for hate (bias) related crimes for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses ((rape, fondling, statutory rape and incest), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny, vandalism, intimidation, and simple assault.

We are required to report offenses that occur on campus, in residence facilities, in non-campus property and on public property.

I need you to complete the attached Reporting Forms and return them to me. If no crimes were reported to you, please fill out the top section only and if any of the criminal offenses listed in this letter and defined in the attached charts were reported to you in 2014, please complete the appropriate sections of this chart. If you don't know whether or not the crime was reported to the BLANK PD, then please complete the attached form and forward the form to me no later than February 28, 2015. It would be very helpful if you could provide me with the date and the location of the incident. If you don't know the date it occurred, give me the date or timeframe when it was reported to you. If you don't know the exact location, provide as much information as you have, i.e. occurred in a residence hall, an academic building, on campus or whatever you know that will help me properly classify the crime. In addition I need a brief description of the incident so that I can appropriately classify it in accordance with the crime definitions published by the Federal Bureau of Investigations Uniform Crime Reporting Program.

In addition, if a serious crime that may cause an ongoing threat to the INSTITUTION community is reported to anyone who is defined as a Campus Security Authority, that individual should not wait until the end of the year to report that incident to the BLANK Police Department. The institution has a responsibility to notify the campus community about any crimes which pose an ongoing threat to the community, and as such, Campus Security Authorities are obligated by law to report crimes immediately to the BLANK Police Department. If there is any question about whether an ongoing threat exists, immediately contact me, or the Assistant Chief in my absence to discuss the matter further.

If you have any questions about this request or you would like to discuss the specifics about an incident, please feel free to contact me at (PHONE NUMBER).

Thank you for your assistance in complying with this federal law. Please return all completed forms to me at Address or email it to me at Address.

APPENDIX #5

THE (INSTITUTION/DEPARTMENT NAME)

CRIME STATISTIC REPORT FORM

Please forward this completed form to: Name, Title, Address and Email Address

If no crimes were reported to you in 2013, please check the box below, print your name and initial. This form is being used to document that you have received this reporting form and that no crimes were reported to you for the previous reporting cycle.

Reporting Person (print name): _____ Department: _____

_____ *By placing an X on this line, you are confirming that no crimes, as described below, were reported to you during the requested calendar year. Initial here:* _____

Complete this box if a crime was reported to you, if more than one crime was reported to you, fill out one of these forms for each crime reported.

Reporting Person (print name): _____ Phone Number: _____

Classification (see definitions below): _____ Date Incident Occurred: _____

Location of Incident (building name or address): _____

Brief description of the incident: _____

Murder/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.

Robbery: the taking or attempting to take anything from value of 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.

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 - 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.

Domestic Violence: The term "domestic violence" 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 who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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. (ADD INFORMATION FROM YOUR STATE CRIMES CODE).

Dating Violence: The term "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 shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship. (ADD INFORMATION FROM YOUR STATE CRIMES CODE).

Stalking: The term "stalking" 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. (ADD INFORMATION FROM YOUR STATE CRIMES CODE).

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.

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, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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.)

NOTE: The above listed crime definitions from the Uniform Crime Reporting Handbook 2004(Summary Reporting Statistics)

Sex Offenses

Rape: The carnal knowledge of a person without consent of the victim, including instances where the victim is incapable of giving consent b/c of his/her age or temporary or permanent mental or physical incapacity.

Sodomy: Oral or anal sexual intercourse with another person without consent of the victim, including instances where the victim is incapable of giving consent b/c of his/her age or temporary or permanent mental or physical incapacity.

Sex Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person without consent of the victim, including instances where the victim is incapable of giving consent b/c of his/her age or temporary or permanent mental or physical incapacity.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, 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 because of his/her youth 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: Nonforcible sexual intercourse with a person who is under the statutory age of consent.

HATE CRIMES

(INSTITUTION NAME) is also 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 (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

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.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc... the assault is then also classified as a hate/bias crime.

If a hate (bias) related crime was reported to you, please **fill out the top section of Page 1 and then complete the following information** about the type of bias involved in the crime.

Type of Bias (circle one):

Race	Religion	Ethnicity/National Origin	
Gender	Sexual Orientation	Disability	Gender Identity

APPENDIX #6

THE (INSTITUTION/DEPARTMENT NAME)

CRIME STATISTIC REPORT FORM

Please forward this completed form to: Name, Title, Address and Email Address

If no crimes were reported to you in 2013, please check the box below, print your name and initial. This form is being used to document that you have received this reporting form and that no crimes were reported to you for the previous reporting cycle.

Reporting Person (print name): _____ Department: _____

_____ By placing an X on this line, you are confirming that no crimes, as described below, were reported to you during the requested calendar year. **Initial here:** _____

Complete this box if a crime was reported to you, if more than one crime was reported to you, fill out one of these forms for each crime reported.

Reporting Person (print name): _____ Phone Number: _____

Classification (see definitions below): _____ Date Incident Occurred: _____

Location of Incident (building name or address): _____

Brief description of the incident: _____

Murder/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.

Robbery: the taking or attempting to take anything from value of 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.

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 - 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.

Domestic Violence: The term "domestic violence" 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 who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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. (ADD INFORMATION FROM YOUR STATE CRIMES CODE).

Dating Violence: The term "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 shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship. (ADD INFORMATION FROM YOUR STATE CRIMES CODE).

Stalking: The term "stalking" 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. (ADD INFORMATION FROM YOUR STATE CRIMES CODE).

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.

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, methadones); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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.)

NOTE: The above listed crime definitions from the Uniform Crime Reporting Handbook 2004(Summary Reporting Statistics)

Sex Offenses

Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, 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 because of his/her youth 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: Nonforcible sexual intercourse with a person who is under the statutory age of consent.

NOTE: As of 2013 crime statistics, The Rape definition is based on the Uniform Crime Reporting Handbook 2004(Summary Reporting Statistics).The remaining Sex Offenses Definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

HATE CRIMES

(INSTITUTION NAME) is also 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 (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

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.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc... the assault is then also classified as a hate/bias crime.

If a hate (bias) related crime was reported to you, please **fill out the top section of Page 1 and then complete the following information** about the type of bias involved in the crime.

Type of Bias (circle one):

Race	Religion	Ethnicity/National Origin	
Gender	Sexual Orientation	Disability	Gender Identity

APPENDIX #7

Crime Log Instructions

Crime log case numbers do not run sequentially. The University Police Department assigns a case number for all reportable activities, both criminal and non-criminal. Only case numbers generated for criminal activity are listed in the crime log.

Crimes are in chronological order. The most recent crimes are at the top of the list.

The crime log incidents will not match the crime statistics, as the crime log is compiled using the DC Crimes Code and the crime statistics are required by law to be compiled using the Federal Uniformed Crime Reporting crime definitions.

Hard copies of the Crime Logs are also available at Flynn Hall during normal business hours.

Note: Incidents with a case number that start with “SC” involve information received by UTAPD from the Office of Student Conduct. In these incidents, the incident was reported directly to that office and not to UTAPD, therefore, it is not always possible to provide information regarding the five areas typically covered in the Crime Log, i.e. (Nature/Classification, Date Reported, Date Occurred, Time, General Location, and Disposition. Because an official report was not filed, the disposition will be “Closed-Referred to Student Conduct” and will list the number of people associated with the report. These incidents are reported to the UTAPD for statistical purposes and are posted to the Crime Log as the information is received by the UTAPD.

Note: Incidents with a case number that start with “CSA #-year” involve information received from other University Administrators, who are defined by federal law as “campus security authorities”. These administrators share non-identifying information, with the UTAPD that is provided by the victim. In these incidents, the crime was reported directly to that CSA and not to UTAPD, therefore, it is not always possible to provide information regarding the five areas typically covered in the Crime Log, i.e. (Nature/Classification, Date Reported, Date Occurred, Time, General Location, and Disposition. Because an official report was not filed, the disposition will be “Cleared-No Further Action”. These incidents are reported to the UTAPD for statistical purposes and are posted to the Crime Log as the information is received by the UTAPD.

Note: Incidents with a case number that start with “APD” involve crimes reported directly to Arlington Police Department, but not to UTAPD. Because an official report was not filed with UTAPD, the disposition will be “Cleared-No Further Action”. These incidents are reported to the UTAPD for statistical purposes and are posted to the Crime Log as the information is received by the UTAPD.

According to Federal Law, an institution may withhold any of the required fields of entry, i.e. the nature, date, time, location and/or disposition if any of the following conditions apply:

1. The disclosure is prohibited by law
2. If disclosure would jeopardize the confidentiality of the victim.
3. If disclosure would jeopardize an ongoing criminal investigation or the safety of an individual
4. If disclosure would cause a suspect to flee or evade detection
5. If disclosure would result in the destruction of evidence

Crime Log Disposition Definitions (effective January 1, 2004)

The following is an explanation of the terminology used to complete the Disposition section of the UPD Crime Log:

Open Case: The case is currently being investigated by GWPD.

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

Closed. Referred to Department: The case is referred to the appropriate supervisory employee or to GW Human Resources Services Department. Those departments review the case and determine if disciplinary action will be initiated.

Closed. Referred to MPD: The case is being investigated by the Metropolitan Police.

Closed. Referred to Outside Agency: The case is being investigated by a law enforcement agency other than MPD. The specific agency will be identified in the disposition.

Closed. Referred to SJS: The case has been forwarded to the Dean of Students Office. That office is responsible for reviewing the case and for determining whether or not the student(s) involved will be charged with a violation(s) of the Student Code of Conduct.

Closed. Victim Declined to Prosecute: The victim decided not to press charges or follow through with criminal process.

Closed. Referred to Prosecutor: The case is referred to the prosecutor's office. That agency will review the case and determine if charges will be filed.

Closed. Public Space: Closed. Case occurred on public property within the campus boundaries. GWPD did not investigate the case.

Closed. Off campus incident: Closed. Case occurred off campus and is not within the University's jurisdiction. GWPD did not investigate the case.

Closed. Subject barred: The subject(s) has been issued a University bar notice which restricts the subject from entering or accessing any University property. A violation of a bar notice may result in that person's arrest for trespassing.

Closed. Subject arrested: The subject(s) has been arrested by either GWPD or MPD.

Closed. No suspects or witnesses: Case has no solvability.

Closed. No identifiable suspect: A description and/or video surveillance of the subject is available but positive identification of the subject has not been made.

Closed. Reclassified: The original incident report classification has been changed to accurately reflect the appropriate classification, based on the results of the investigation.

Closed. No further action: No further investigative action is required.

APPENDIX #8

**CAMPUS POLICE DEPARTMENT
CASE DISCHARGE REPORT**

Case Number _____ was discharged by:

- Unfounded
- Closed, Investigation Completed and Crime Unsolved
- Cleared by arrest, adult
- Cleared by arrest, Juvenile
- Cleared by exceptional means, adult
- Cleared by exceptional means, juvenile
- Inactive

Investigating Officer/ Date

Supervisor/ Date

Comments:

**CAMPUS POLICE DEPARTMENT
CASE DISPOSITION REPORT**

Case Number _____ was discharged by:

- ❑ **Closed. Arrested:** The subject(s) has been arrested.
- ❑ **Closed. Handled by Other Agency:** The case is being investigated by a law enforcement agency other than XUPD.
- ❑ **Closed-Investigated: DEFINE THIS**
- ❑ **Closed. Internal Discipline:** The case has been forwarded to the Office of Student Integrity. That office is responsible for reviewing the case and for determining whether or not the student(s) involved will be charged with a violation(s) of the Student Code of Conduct.
- ❑ **Closed-Unfounded:** The case is determined through investigation to be false or baseless. No offense occurred nor was attempted.
- ❑ **Closed. Victim Declined to Prosecute:** The victim decided not to press charges or follow through with criminal process.
- ❑ **Closed. Referred to Prosecutor:** The case is referred to the prosecutor's office. That agency will review the case and determine if charges will be filed.
- ❑ **Closed. Public Space:** Closed. Case occurred on public property outside the campus boundaries. XUPD did not investigate the case.
- ❑ **Closed. Off campus incident:** Closed. Case occurred off campus and is not within the University's jurisdiction. GWPD did not investigate the case.
- ❑ **Closed. Criminal Trespass Warning Notice:** The subject(s) has been issued a Trespass notice which restricts the subject from entering or

accessing any University property. A violation of a bar notice may result in that person's arrest for trespassing.

- ❑ **Closed. No suspects or witnesses:** Case has no solvability.
- ❑ **Closed. Reclassified:** The original incident report classification has been changed to accurately reflect the appropriate classification, based on the results of the investigation.
- ❑ **Closed. No further action:** No further investigative action is required.

Investigating Officer/ Date

Supervisor/ Date

Comments:

APPENDIX #9

TO: Student Affairs
Counseling Center
Student Health

FROM:

DATE: May 1, 2014

RE: Crime Prevention and Education Programs

I would appreciate it if you would forward the following information to me by May 30, 2014, the number of crime prevention and security awareness programs, including alcohol education and sexual assaults/rape prevention programs, presented by people in your department for the 2013-2014 academic year. I need these numbers for the compliance document for The Student Right to Know and Campus Security Act of 1990 (recently re-named the Clery Act). I would appreciate it if you would respond even if the people in your area did not conduct any programs so I know that you received this memo.

Please respond in writing (memo or email) so I have a copy of your response for my file.

If you have any questions or concerns about any of this information please feel free to contact me at ???

APPENDIX #10

The George Washington University recently completed a test of the emergency response and evacuation plans. The test included two components, a drill and an exercise. The exercise was held on March 7, 2011 at 9am and had been announced and scheduled for the leadership team of the University. The exercise consisted of a tabletop exercise held in the Emergency Operations Center in Rice Hall and the exercise scenario involved an explosion in a University building that tested various components of the Emergency Response Plan. The second component of the test was the drill, which was conducted on March 10, 2011 at 11:00 am and tested the University's AlertMe Notification System. The test messages went to everyone in the community who has signed up for the system and all messages were received by the recipients. If you have not signed up to receive emergency messages through the AlertMe System, you can do so by going to the following website <http://www.???>.

Summary of the Emergency Response Plan

The University's Incident Manual includes information about Incident Teams; University operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts numerous emergency response exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

GW police officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually GWPD, MPD and the DC Fire and Emergency Medical Services (DCFEMS) Department, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other GW departments and other local or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for GW are publicized each year as part of the institution's Clery Act compliance efforts, and that information is available on the GWPD website. Detailed information and updates to the GW Incident Manual and departmental Contingency and Continuity Plans are available on the Campus Advisories website at <http://www.CampusAdvisories.gwu.edu>.

Summary of Emergency Evacuation Procedures

An evacuation drill is coordinated by GWPD each semester for all residential facilities on both the Foggy Bottom and Mount Vernon campuses. A second drill is coordinated each semester for some first year Residence Halls and the more densely populated halls. Thus, the emergency response and evacuation procedures are tested at least twice each year and, for some of the buildings, four times a year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction

they should travel when exiting each facility for a short-term building evacuation. GWPD does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, GWPD and Housing Programs staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At GW, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. Palm cards with educational information are distributed to residents re-entering a facility immediately after an evacuation drill. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by GWPD, EHS, and the Housing Programs Department to evaluate egress and behavioral patterns. Reports are prepared by participating departments that identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and shelter-in-place procedures during their first floor meetings and during other educational sessions that they can participate in throughout the year. The House Staff members are trained in these procedures as well and act as an on-going resource for the students living in residential facilities.

Shelter-in-Place Procedures –

What it Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings

(purse, wallet, GWorld card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, including GWPD, Housing Staff members, other University employees, the federal or DC government, MPD, or other authorities utilizing the University’s emergency communications tools.

How to “Shelter–in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.

2. Locate a room to shelter inside. It should be:

-An interior room;

-Above ground level; and

-Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.

3. Shut and lock all windows (tighter seal) and close exterior doors.

4. Turn off air conditioners, heaters, and fans.

5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)

6. Make a list of the people with you and ask someone (House Staff, faculty, or other staff) to call the list in to GWPD so they know where you are sheltering. If only students are present, one of the students should call in the list.

7. Turn on a radio or TV and listen for further instructions.

8. Make yourself comfortable.

APPENDIX #11

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
Murder/Non Negligent Manslaughter	2013					
Negligent Manslaughter	2013					
Sex Offenses (Rape, Sodomy, Sexual Assault w/object and Fondling)	2013					
Sex Offenses, Non Forcible (Incest and Statutory)	2013					
Robbery	2013					
Aggravated Assault	2013					
Burglary	2013					
Motor Vehicle Theft	2013					
Liquor Law Arrests	2013					
Drug Law Arrests	2013					
Weapons Law Arrests	2013					
Liquor Law Violations Referred for Disciplinary Action	2013					
Drug Law Violations Referred for Disciplinary Action	2013					
Weapons Law Violations Referred for Disciplinary Action	2013					

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Residential Facilities
Arson	2013					
Domestic Violence	2013					
Dating Violence	2013					
Stalking	2013					

HATE CRIME REPORTING: (DO NOT INCLUDE IN THE CHART ABOVE)

There were no hate crime reported for 2013.

OR

There was one reported (CRIME) with a bias of (LIST BIAS) that occurred in (LIST CLERY GEOGRAPHIC CATEGORY(s)).

APPENDIX #12

Offense (Reported By Hierarchy)	Year	On Campus	Noncampus	Public Property	Total	Residential Facilities*	Unfounded Crimes**
Murder/Non Negligent Manslaughter	2015						
	2014						--
	2013						--
Negligent Manslaughter	2015						
	2014						--
	2013						--
Rape	2015						
	2014						--
	2013						--
Fondling	2015						
	2014						--
	2013						--
Incest	2015						
	2014						--
	2013						--
Statutory Rape	2015						
	2014						--
	2013						--
Robbery	2015						
	2014						--
	2013						--
Aggravated Assault	2015						
	2014						--
	2013						--
Burglary	2015						
	2014						--
	2013						--
Motor Vehicle Theft	2015						
	2014						--
	2013						--
Liquor Law Arrests	2015						
	2014						--
	2013						--
Drug Law Arrests	2015						
	2014						--
	2013						--
Weapons Law Arrests	2015						
	2014						--
	2013						--
Liquor Law Violations Referred for Disciplinary Action	2015						
	2014						--
	2013						--
Drug Law Violations Referred for Disciplinary Action	2015						
	2014						--
	2013						--
Weapons Law Violations Referred for Disciplinary Action	2015						
	2014						--
	2013						--

Offense (Not Reported By Hierarchy)	Year	On Campus	Noncampus	Public Property	Total	Residential Facilities*	Unfounded Crimes
Arson	2015						
	2014						--
	2013						--
Domestic Violence	2015						
	2014						--
	2013						--
Dating Violence	2015						
	2014						--
	2013						--
Stalking	2015						
	2014						--
	2013						--

**Residential Facility crime statistics are a subset of the On Campus category, i.e. they are counted in both categories.*

***Institutions are required to publish the number of "Unfounded Crimes" beginning with calendar year 2015 crime statistics. XYZ COLLEGE/UNIVERSITY has elected to voluntarily report this information for 2014 crime statistics in advance of the requirement taking effect.*

NOTE TO CAMPUS PUBLIC SAFETY DEPARTMENTS: If you have a Murder/Non-Negligent manslaughter case that involved a sex offense, you must count both and we would recommend that you then add a caveat here to explain that the statistic is counted in both categories.

HATE CRIME REPORTING: (DO NOT INCLUDE IN THE CHART ABOVE)

There were no hate crime reported for 2013.

OR

There was one reported (CRIME) with a bias of (LIST BIAS) that occurred in (LIST CLERY GEOGRAPHIC CATEGORY(s)).

APPENDIX #13

Sex Offenses

Case Number	Reporting Office/ Agency	TWN	Date	Time	R	S O D	S A F	Hate Crime	R A C E	G E N	R E L	S E X	E T H N	D I S	Unf.	Address	On Campus	Non-Campus	Public Property	Total Number of Offenses	Residential Facilities	Reviewed	Name of Subject(s)	Comments
DOWNTOWN CAMPUS																								
TOTAL						0	0	0	0								0	0	0	0	0			
WEST CAMPUS																								
TOTAL						0	0	0	0								0	0	0	0	0			

1 offense per victim

APPENDIX #14

Liquor Law Referrals

Case Number	Reporting Office/ Agency	Incident Date	Incident Time	Date Reported	Unlawful Possession	Providing to Minors	Other	Unf	Address	On Campus	Non-Campus	Public Property	Total Number of Offenses	Residential Facilities	Comments	Reviewed	Name of Subject(s)	Comments
DOWNTOWN CAMPUS																		
	PCC Police	8/2/2012	unk						Downtown Campus - Unknown Location	0	0	0	0	0			Pierson, Benjamin	Intoxicated individual - age 27
TOTAL					0	0	0			0	0	0	0	0				
WEST CAMPUS																		
TOTAL					0	0	0			0	0	0	0	0				

APPENDIX #15

Higher Education Act of 1965, Section 120 a–d

Minimum requirements for Institutes of Higher Education (IHE) drug and alcohol abuse prevention programs.

The program to prevent the use of illicit drugs and the abuse of alcohol by students and employees covers 2 sections –

1. Annual written distribution of information to all students and employees
2. Biennial review of program by the institution

1. Every year, each student and employee must receive the following in writing:

- A. **Standards of conduct** clearly prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol on IHE property or as part of any of its activities
- B. A description of the **applicable legal sanctions** under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol
- C. A description of the **health risks** associated with the use of illicit drugs and the abuse of alcohol
- D. A description of any **drug or alcohol counseling, treatment, or rehabilitation or re-entry programs** that are available to employees or students
- E. **A clear statement that the IHE will impose disciplinary sanctions** on students and a **description of those sanctions**.

2. The Biennial Review by the institution must:

- A. **Determine the program's effectiveness** and implement changes to the program, if the changes are needed
- B. Determine the number of drug and alcohol-related violations and fatalities that:
 - i. **Occur on campus or as part of any of the institution's activities; and**
 - ii. **Are reported to campus officials**
- C. Determine **the number and type of sanctions that are imposed** by the institution as a result of drug and alcohol-related violations and fatalities on the institution's campus or as part of any of the institution's activities
- D. **Ensure that the sanctions are consistently enforced**

Section 120 (a–d) can be found at <http://www.nrcyd.ou.edu/publication-db/documents/higher-education-act-1965.pdf>, pages 13–14.