

# UCSD

## CRIME AWARENESS AND CAMPUS SECURITY

**(CLERY REPORT)**

(2005–2006)



UCSD Police Department

(October 1, 2005)

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## 1.0 INTRODUCTION

The Federal Student Right-to-Know, Crime Awareness and Campus Security Act now cited as the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act," herein identified as the "Clery Report" requires institutions of higher learning to prepare, publish, and distribute a report concerning campus crime statistics and security policies on an annual basis through appropriate publications, mailings or computer network to all current students and employees, and all prospective students and prospective employees upon request. This report contains the annual report concerning specific campus crime and arrest statistics as well as information about campus policies and practices intended to promote crime awareness, campus safety and security.

This report complies with the provisions as codified: 1) United States Code Title 20, Chapter 28 Section 1092(f) as amended in 1992 and 1998, 2) United States Code of Federal Regulations, Title 34, Chapter VI, Part 668, Section 668.46, and 3) California Education Code, Sections 67380-67385. Copies of this report may be obtained from the UCSD Police Department or by visiting the UCSD Police Department Webpage located at: [www.police.ucsd.edu/docs/annualclery.pdf](http://www.police.ucsd.edu/docs/annualclery.pdf).

For the convenience of the reader, a complete copy of United States Code Title 20, Chapter 28 Section 1092(f) as amended in 1992 and 1998 is attached to the end of this report.

## 2.0 UCSD LAW ENFORCEMENT (*Policies Concerning Law Enforcement*)

The UCSD Police Department is vested by the Regents of the University of California with the authority and responsibility to enforce, on University property, all applicable local, state, and federal laws, with a special emphasis on the enforcement of laws involving weapons, alcohol, drugs and narcotics. UCSD police officers have the authority and duty to conduct criminal investigations, arrest violators and suppress campus crime. **Police services for off-campus University property that is not immediately adjacent to the La Jolla campus are provided by the San Diego Police Department.** (See Agreement in section 2.8 below) The UCSD Police Department is computer linked to city, state and federal criminal justice agencies for access to criminal records, information on wanted persons, as well as stolen property and stolen vehicle information.

### 2.1 Police Authority

UCSD police officers are duly sworn peace officers under California Penal Code Section 830.2(b). The thirty-three (33) sworn police officers on the department are armed and possess the same authority under the law as do municipal police officers. The department subscribes to the standards of the California Commission on Peace Officer Standards Training (POST). Officers receive the same basic training as municipal and county peace officers, plus additional training to meet the unique needs of a campus community environment.

The UCSD Police Department is the primary agency for reporting and investigating criminal activity occurring on the UCSD campus. Officers patrol the main campus 24 hours each day, 365 days a year. The police department provides immediate response to all police, fire and medical emergencies. Accidents involving automobiles and bicycles are also investigated by the police department.

### 2.2 Mission Statement

The mission of the University of California Police Department, San Diego is to protect and to defend the rights guaranteed in the Constitution of the United States and the Constitution of the State of California; to enforce the criminal laws of the State of California in the spirit they were enacted; to protect life and property; to prevent crime, to apprehend suspected criminal violators, and to aid community members whenever possible. We shall strive to accomplish these objectives without prejudice, with integrity, respect and to support the people we serve in order to advance the achievement of the University's academic, research, and public service mission.

### 2.3 Patrol Division

Patrol is the largest division in the police department. A patrol officer's duties include protecting life and property, prevention of crime and keeping the peace. Patrol officers provide a wide variety of safety related services to the UCSD community. Officers investigate crimes and traffic collisions, they enforce criminal and traffic laws. When a crime is reported, a patrol officer will take the initial crime report which outlines the circumstances of the incident. When possible and as needed, the patrol officer will collect evidence, arrest offender(s) and testify in court.

## **2.4 Detective Bureau**

The police department's detective bureau is responsible for conducting follow-up investigations of criminal activity which has occurred on the University campus. Cases involving identifiable criminal offenders are regularly filed with the city/county prosecutor's office for criminal prosecution. When the offender is a UCSD student, the case may also be filed with the University Student Judicial Affairs Office for administrative action.

## **2.5 Residential Security Officer (RSO)**

In addition to the sworn peace officers, the police department employs (13) unarmed Residential Security Officers (RSOs) who patrol the student residential areas of campus during the evening hours. RSOs provide on-site residential security to assist students and staff in the prevention of crime.

## **2.6 Community Service Officer (CSO)**

The police department also employs approximately (40) student Community Service Officers (CSOs) who provide escort services, parking lot patrol, building lockup, and who assist in special security details and scheduled University events. Since 1981, Community Service Officers (CSOs) have provided evening escort services to community members. CSO's are UCSD students who assist other police department personnel in keeping the campus a safe place to live, study and work. CSO's can be identified by their identification card, which includes their photograph, name and badge number. CSO's wear navy blue shirts/jackets which display the University Police star on the front, and the words, "Community Service Officer" on the back.

## **2.7 Retired Senior Volunteers (RSVP)**

In 1996, the UCSD Police Department initiated the Retired Senior Volunteer Program (RSVP) involving local community members who volunteer their time and experience to improve the quality of campus life and to assist in the overall fulfillment of the police department's mission.

## **2.8 Inter-agency Police Services Assistance Agreement**

Pursuant to California Education Code Section 67381, the UCSD Police Department and the San Diego Police Department have adopted and signed (January 6, 1999) a written agreement which clarifies and affixes operational responsibilities for the investigation of violent and non-violent crimes occurring on University property. Due to the sophisticated investigative resources required to properly investigate certain crimes, the UCSD Police Department by agreement has arranged in certain circumstances for the assistance from the San Diego Police Department.

*"The UCSD Police Department will be the primary reporting and investigating law enforcement agency for all crimes occurring on the UCSD campus, with the exception of homicide/manslaughter. In cases of homicide/manslaughter, the San Diego Police Department will be the lead reporting and investigating agency. The San Diego Police Department will be the primary reporting and investigating law enforcement agency for all crimes occurring outside the boundaries of the UCSD Campus. Both agencies will continue to provide mutual aid assistance as appropriate when requested."*

## **3.0 REPORTING CRIMINAL ACTIVITY (Policies for Reporting Crimes and Emergencies)**

For safety sake, community members are strongly encouraged to immediately report criminal activity, hate bias motivated incidents and any/all suspicious person(s) to the UCSD Police Department. The UCSD Police Department has primary jurisdiction and responsibility for investigating crimes and providing police protection and services to the UCSD community. The police department is located on campus in building #500 of the University Center Complex and directly east of the Price Center.

### **3.1 Emergencies**

Police, fire or medical emergencies can be reported by dialing 911 from any telephone on campus. All telephones located at UCSD (campus, private, public) are tied to the 911 emergency system. Emergencies can also be reported by using any one of the more than (120) Code Blue or Yellow emergency call-boxes located throughout campus, or by using the emergency intercom system located in most building elevators. At off-campus locations, calls for service should be directed to the local law enforcement agency.

### 3.2 Non-emergencies

Non-emergencies can be reported to the UCSD Police Department by dialing 534-HELP (4357). The police department can also be reached from all campus public telephones free of charge by simply dialing #8. All suspected on-campus crimes, regardless of their nature, should be reported immediately to the UCSD Police Department. At off-campus locations, calls for assistance should be directed to the local law enforcement agency.

### 3.3 Anonymous/Confidential Reporting

In certain instances, a crime victim may be reluctant to file a report fearing the “process” and/or loss of his/her anonymity. In such circumstances, crime victims are still encouraged to make a confidential report to one of the designated campus security authorities. At minimum, crime victims will receive important counseling and referral information. Confidential reports are important because they provide valuable information that can enhance the safety of the community-at-large and such reports will (at least) provide a more accurate portrait of actual campus crime. (Remember, help is available, all you need to do is ask.)

### 3.4 Campus Security Authorities

Although we encourage the reporting of campus criminal activity directly to the UCSD Police Department, in some instances members of the campus community may choose to file a report with one of the other campus security authorities. Crime statistics are continuously gathered from UCSD Campus Security Authorities using the convenient and accessible “Clery Incident Report” form. This two page form (Attachment III) is available from the UCSD Police Department Webpage at: [www.police.ucsd.edu/docs/annualclery.pdf](http://www.police.ucsd.edu/docs/annualclery.pdf) in a down loadable PDF format. Any reportable crime made to one of more than eighty Campus Security Authorities can be immediately transmitted to the UCSD Police Department via email, fax machine or campus mail. For reporting purposes at UCSD, Campus Security Authorities have been designated as:

- 1) UCSD Police Department
- 2) UCSD College Deans
- 3) UCSD College Resident Deans
- 4) UCSD College Assistant Resident Deans  
Residential/House Advisors
- 5) Office of Student Judicial Affairs
- 6) Office of Student Safety & Sexual Assault Awareness Resource Center
- 7) Director of the Student Office of Human Relations
- 8) Director of the Office of Graduate Studies and Research
- 9) Director of Student Affairs, UCSD School of Medicine
- 10) Assistant Director of Student Affairs, UCSD School of Medicine
- 11) Director of UCSD Extension
- 12) Director of UCSD Summer Session
- 13) Director, Intercollegiate Athletics
- 14) Intercollegiate Athletics, Associate Athletic Directors
- 15) Intercollegiate Athletics, Assistant Athletic Directors
- 16) Intercollegiate Athletics, Assistant Athletic Director - Marketing
- 17) Intercollegiate Athletics, Associate Athletic Director
- 18) Intercollegiate Athletics, Sports Information Director
- 19) Intercollegiate Athletics, Assistant Sports Information Director
- 20) Intercollegiate Athletics, Head Trainer
- 21) Intercollegiate Athletics, Assistant Trainers
- 22) Intercollegiate Athletics, Softball Coaches
- 23) Intercollegiate Athletics, Water Polo Coaches
- 24) Intercollegiate Athletics, Crew Coaches
- 25) Intercollegiate Athletics, Soccer Coaches
- 26) Intercollegiate Athletics, Basketball Coaches
- 27) Intercollegiate Athletics, Tennis Coaches
- 28) Intercollegiate Athletics, Volleyball Coaches
- 29) Intercollegiate Athletics, Fencing Coaches
- 30) Intercollegiate Athletics, Swim Coaches
- 31) Intercollegiate Athletics, Track Coaches

- 32) Intercollegiate Athletics, Cross Country Coaches
- 33) Intercollegiate Athletics, Golf Coaches
- 34) Campus Recreation Department, Director
- 35) Campus Recreation Department, Associate Department Director
- 36) Campus Recreation Department, Assistant Department Directors
- 37) Campus Recreation Department, Director of Recreation and Sports Club
- 38) Sports Facilities, Director
- 39) Sports Facilities, Assistant Director Marketing and Events
- 40) Sports Facilities, Assistant Director of Operations
- 41) Sports Facilities, Manager of Main Gym

UCSD pastoral and professional counselors are encouraged to tell their clients about the reporting procedures outlined in this document. As noted in section 3.3 above, confidential reports/anonymous reports are extremely valuable in order to prevent further victimization and to obtain a more accurate portrait of UCSD campus crime.

### **3.5 Staff and Faculty Disciplinary Referrals**

In addition to the student administrative disciplinary referrals for alcohol, weapons, drugs and narcotics violations reported in **Table 13.7**, all institutions of higher learning are also required to report all similar administrative referrals involving staff and faculty of the institution. Starting in October 2003, the UCSD Annual Clery Report includes all employee referrals. See **Table 13.7**

### **3.6 Annual “Clery Notice” Compliance**

The UCSD “Clery Notice” is distributed (directly) via Internet email to all current students and current employees in October each year. In addition, the “Clery Notice” is hosted by the UCSD Police Department and posted on numerous Internet webpages. Finally, the “Clery Notice” is printed in several campus publications for the benefit of all prospective students and prospective employees.

#### **“NOTICE OF THE ANNUAL CLERY CAMPUS SECURITY REPORT”**

In accordance with the guidelines established by the University of California, Office of the President, and pursuant to federal law, identified as the “*Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998*,” all currently enrolled students, campus employees and all prospective students and prospective employees are entitled to request and receive a copy of the UCSD Annual Campus Security Report.

The report contains crime statistics about certain specified crimes/incidents that have been reported to Campus Security Authorities over the past three years and which have occurred either on-campus, in off-campus buildings or property owned or controlled by the University, or on public property adjacent to campus.

The report also contains policies and practices pertaining to campus security, crime reporting, alcohol and drugs, victims’ assistance programs, student discipline, campus resources, community safety alerts, crime prevention, access to campus facilities/properties as well as personal safety tips. The report encourages the reporting of all crime occurrences. The report tells how and to whom to report crimes, especially sexual assault crimes.

Copies of this report may be obtained in person from the UCSD Police Department or on-line at the Police Department’s website located at: [www.police.ucsd.edu/docs/annualclery.pdf](http://www.police.ucsd.edu/docs/annualclery.pdf) Annual Clery Security reports for the other campuses of the University of California are also available on-line at [www.ucop.edu/news/clery/crimeprev.html](http://www.ucop.edu/news/clery/crimeprev.html).

The UCSD “Clery Notice” is printed and distributed all current students/employees, and made available to all prospective students/employees using a variety of methods to ensure campuswide dissemination to satisfy federal law mandates. The following summary outlines the various “Clery Notice” compliance mechanisms.

**A. Current Students:**

**1. Electronic mail:**

- a. Annual (October) electronic mailing to all students. (ALL@UCSD email)

**2. Webpage postings:**

- a. UCSD Police Department
- b. UCSD Home webpage
- c. On-line "StudentLink"
- d. UCSD Admissions Home page
- e. On-line OGSR applications
- f. SIO Webpage
- g. SOM Webpage
- h. (6) College Webpages

**3. Publications:**

- a. UCSD Student Catalog (2003-2004)
- b. UCSD Student Schedule of Classes (On-line)
- c. Clery Report is available at the UCSD Police Department

**B. Prospective Students:**

**1. Webpage postings:**

- a. UCSD Police Department
- b. UCSD Home Webpage
- c. UCSD Admissions Home page
- d. On-line OGSR applications
- e. SIO Webpage
- f. SOM Webpage
- g. (6) College Webpages

**2. Publications:**

- a. UCSD Student Catalog (2003-2004)
- b. UCSD Student Schedule of Classes (On-line)
- c. Clery Report is available in hardcopy at UCSD Police Department

**C. Current Employees (Including UCSD Medical Center)**

**1. Direct mailing:**

- a. Annual printing of the "Notice" in the UCSD Times

**2. Electronic mail:**

- a. Annual electronic mailing to all UCSD employees. (ALL@UCSD email)

**3. Webpage postings:**

- a. UCSD Police Department
- b. UCSD Home Webpage
- c. SIO Webpage
- d. SOM Webpage
- e. Academic Affairs Webpage (Recruitment)

**4. Publications**

- a. New Employee Orientation Manual
- b. Healthcare Safety Fair Material
- c. Faculty Recruitment Webpage
- d. Clery Report is available in hard copy at UCSD Police Department

## **D. Prospective Employees (Including UCSD Medical Center)**

### **1. Webpage postings:**

- a. UCSD Police Department
- b. UCSD Home Webpage
- c. SIO Webpage
- d. SOM Webpage
- e. Academic Affairs Webpage

### **2. Publications**

- a. New Employee Orientation Manual
- b. Healthcare Safety Fair Material
- c. Faculty Recruitment Webpage
- d. Clery Report is available in hardcopy at UCSD Police Department

## **3.7 Missing Persons**

It is the policy of the UCSD Police Department to accept all reports of missing persons without delay. However, the reporting party should be a spouse, family member, close friend, or roommate. Investigative priority will be given to investigating missing persons over the handling of property crimes.

A missing student often has a temporary residence on campus, a permanent family residence in another jurisdiction, yet, he/she may have been last seen or heard from in a third jurisdiction. In order to ensure proper case follow-up and a quick resolution, jurisdictional responsibilities and investigative agreements need to be quickly reached between all the potential reporting jurisdictions.

Every case of a missing person poses unique investigative challenges that will dictate who, if any (spouse, roommates, family members, guardians, friends) will be contacted, interviewed and in what order. In cases that involve a missing adult student, the officer shall consider notification of the person's parent(s) or guardian. However, cases involving a missing juvenile student, the parent(s) or guardian of the student shall be notified, as soon as it is practical to do so.

When the person's disappearance is deemed to be suspicious, foul play is suspected, and/or the person may be "at-risk," consideration shall be given to asking the San Diego Police Department for assistance, as described in the Interagency Assistance Agreement noted in section 2.8 above.

## **3.8 Police Daily Crime Log**

The UCSD Police Department maintains a daily crime log which is a record of all crimes reported to the police department which have occurred either on campus property, non-campus building/property or public property immediately adjacent to campus. The log reflects the time and date the crime was reported to the police department, the location and nature of the reported incident along with a case disposition.

The police department may withhold information from the daily crime log if the release of such information would jeopardize an ongoing criminal investigation, the safety of an individual, cause a suspect to evade detection or flee, and/or result in the destruction of evidence.

The police department's crime log covers the most recent 60 day period, and it is open for public inspection during normal business hours. Crime log information dating back more than 60 days will be made available for inspection within two business days of a request.

## **4.0 Off-campus Criminal Activity from locations of Recognized Student Organizations**

*(Policies for Monitoring Crimes by Students at Off-Campus Sites)*

The UCSD Police Department does not track or monitor law enforcement proceedings against students for offenses that take place off campus other than by collecting the required statistics on crimes that occur at specified off-campus locations as required by the Clery Act.

## **5.0 CRIME PREVENTION**

### *(Programs to Inform About Crime Prevention & Programs About Security Practices)*

Crime is a serious problem for which there are no easy answers or solutions. The University campus is not immune to crime, therefore, the prevention of crime is a top priority. All members of the UCSD community are encouraged to take responsibility for his/her own security, and when possible assist others with their security needs. While the UCSD Police Department may offer advice and assistance regarding campus safety, each individual has the primary responsibility for his/her own safety.

The police department supports a proactive crime prevention unit that works closely with community members to create a safe UCSD environment. Crime prevention/awareness programs begin with freshman orientation presentations. Topics of discussion include the student conduct code, academic dishonesty, civility, sexual harassment, sexual exploitation, substance abuse, alcohol and hate violence. Throughout the year, the UCSD PD crime prevention unit gives presentations and workshops regarding personal safety, self-defense, office safety, rape prevention, vehicle and residential security.

The UCSD Police Department's effort to educate the campus community about incidents of crime, the importance of reporting crimes, (especially sex related crimes) and the prevention of crime is a work-in-progress. The offices of the UCSD Police Department, Student Affairs Office, Campus Residential Life, College Deans Offices, Student Safety Awareness Program, and the Student Judicial Affairs Office all actively participate in this never ending effort. From freshman orientation to the graduation commencement years later, students are subjected to a continuous array of programs, designed to create a safer campus environment, examples include: Sexual Assault Awareness Week, Alcohol Safety Awareness Week, Hate Crimes Forum, Self-Defense Instruction, Office Security Surveys, Workplace Violence Training Workshops, Anti-theft presentations, Bicycle Safety, and the CSO Escort Services just to name a few.

### **5.1 Campus Safety/Education**

The UCSD Police Department Crime Prevention Officer works closely with the Director of the Student Safety Awareness Program, the UCSD Women's Center, the six UCSD Colleges and other key campus departments to provide security and safety programs/presentations and workshops throughout the year. In addition, these campus units produce and publish brochures and pamphlets relating to crime prevention and personal safety. The following are just a few examples of the programs and material available each year to the campus community:

#### **Safety and Security Education Program presentations/collaborations by the UCSD Police Department:**

- University Extension English Language Program (3@year)
- UCSD Peer Orientation Team Leaders Training once year
- UCSD Residential Life Office Training
- UCSD Parent Orientations (24@year)
- UCSD Preview Day
- UCSD Commuter Student Information Fair
- Alcohol & Drug Awareness Week (3@year)
- UCSD Transfer Admit Day
- Housing Alcohol & Drug Education Training (6@year)
- Prevention of Workplace Violence Programs (6@year)
- Office Security Surveys and Personal Safety Presentations (20@year)
- Pepper Spray Classes (2@year)
- Self-Defense Classes (4@year)
- Disaster Preparedness Drills (Emergency Operations Center - Activation)
- Regular meetings of the UCSD Regional Emergency Response Teams

#### **UCSD Staff Education and Development Office**

Year long schedule of classes too numerous to mention

#### **Environmental Health and Safety**

- Office/laboratory Safety Surveys
- Hazardous Material Handling
- Annual Residential Life Fire/Disaster Drills

**Office of Human Relations**

Year long schedule of events too numerous to mention

**Office of Sexual Harassment Prevention and Policy**

Year long schedule of events too numerous to mention

**Student Safety Awareness & Sexual Assault Resource Center (SARC)**

Family Feud (Safety/Alcohol)

Safety Jeopardy

SARC Services & Social Norming

Mission Possible

Dating 101 Rehearsal

Safety Awareness and Crisis

Truth Behind the Faces

Before you Visit Tijuana

International Safety Issues

Party Culture and Date Rape Drugs

The Great Sex Debate

Alcohol Awareness Week - seminars all week

Rape Awareness Week - seminars all week

Working Against Violence by Empowering Students Workshops

Student Safety Awareness Prevention Theatre

Take back the night rally

**Women's Center**

Year long schedule of events too numerous to mention

**Student Psychological Services**

Year long schedule of events too numerous to mention

**Brochures, pamphlets and handouts distributed each year to students, staff and faculty.**

Guide to traveling in Mexico

Drinking and Driving Don't Mix

Party Tips

Fire Safety

CSO (Community Service Officer) escort Services

Guide to Safety on transit buses

Mediation and conflict resolution material

Residential Safety Tips for Christmas and Spring Break

Numerous community safety brochures

For Safety's Sake

Taxi Service from Mexico

Campus Cults

High Pressure Religious Groups

Domestic Violence Safety Tips

Men Stopping Rape

Date protection

Rape prevention (Drugs)

Recovering from Sexual Assault

Student Legal Services

Relationship Violence Awareness

Taking Action if you are raped

Harassment in the workplace

Sexual harassment in the workplace

Rape Aggression Defense System (RAD)

Hate Crimes and Bias Motivated Incidents

Stalking and Unwanted Pursuit

Workplace Violence (Understanding and Preventing)  
Managing Disruptive Student Behavior  
Crime Prevention Tips for Office and Laboratory  
Bomb Threats  
Citizen's Guide for Traffic Stops  
Handling Annoying Telephone Calls  
Reducing Your Chances of Vehicle Theft  
How to Avoid Date Rape Drugs  
If Your Friend Was Raped

## 5.2 Campus Residents

Campus residents are reminded that crime can happen anywhere, at anytime to anyone and that the UCSD campus is not a crime free zone. Residents must take very seriously their own personal safety. Since the campus is open 24 hours each day and visitation to campus housing facilities is mostly unrestricted, campus residents are advised to:

- X Keep room and apartment doors locked at all times
- X Ask strangers to wait in the common areas, restrict access to private areas
- X Keep valuables out of sight
- X Do not leave personal property in common areas
- X Suspicious activity should immediately reported to the UCSD Police Department

## 5.3 Escort Services

Community Service Officers (CSOs) are available to community members from about the time it gets dark each night until approximately 1:00a.m., 365 days a year. If you need an escort, please call [534-9255](tel:534-9255).

## 5.4 Mexico visits

To some, Mexico offers a cross-cultural opportunity, but for others, Mexico simply provides the opportunity to legally enter bars and night clubs in order to drink alcohol. What needs to be remembered is that Mexico is a foreign country. Travel in Mexico presents potential risks for those who are unfamiliar with Mexican laws. The Mexican judicial system is different from the United States--their system does not presume a person is innocent until proven guilty--the reverse is true.

While the drinking age in Mexico is 18 years, public drunkenness, open container, urinating/spitting in public is illegal and violators could end up in jail. While in Mexico, avoid getting involved in any public disturbances, loud cursing, throwing bottles, fighting, littering and nudity. Drunk driving is considered a major violation of the law--you will go to jail. The penalties for the possession of drugs or narcotics is similar to trafficking--severe!

If you choose to drive in Mexico, remember things are different; accidents are felonies. The driver of a vehicle involved in an accident who has been determined to be at fault must pay damages before being released from custody.

While sexual assaults can happen on either side of the border, visitors to Mexico need to remember that they are not protected by American laws or United States law enforcement while in Mexico. Young, inexperienced UCSD students who drink and "party" in Mexico can quickly find themselves in an unsafe situation and without help.

## 6.0 Crime Alert Bulletin (*Timely warnings*)

In order to safeguard the campus community, to increase crime awareness and to meet our timely warning commitments, (subject to the availability of accurate information) campus Crime Alerts shall be distributed as soon as possible following the reported incident. The circumstances of any particular situation coupled with a police department's evaluation of the situation/threat potential will dictate the need, breath and manner for the issuance of a Crime Alert Bulletin. However, in general, whenever there has been a report of a violent crime or a major property crime on campus and the police department is of the opinion that the safety of the campus community is at-risk, a Crime Alert Bulletin will be issued.

The alert process typically entails a combination of 1) campus electronic mail postings, 2) physical postings of bulletins in designated campus residential areas by residential life personnel and 3) electronic posting on the UCSD Police Department webpage at: [www.police.ucsd.edu](http://www.police.ucsd.edu) Campus security authorities who receive reports of crimes are provided guidance on how to distribute "timely warning" crime alerts to the campus community.

## 6.1 Timely Warnings

Once the decision has been made to issue a crime alert bulletin, the following items shall be included, if available:

- X Description of the incident (type of crime, time, date and location, etc.)
- X Physical description (and name if possible) of the offender
- X Composite drawing or photograph of the offender
- X Connection to previous reported incidents
- X Description of victim and injuries (if relevant)
- X Date and time the campus crime alert was issued

## 6.2 Distribution Procedures

There is no (single) best method to distribute a Campus Crime Alert Bulletin; however, depending upon the circumstances of the particular case, crime alert bulletins will often be limited to a clearly defined segment of the UCSD campus community, (e.g. crimes targeting campus resident students, crimes targeting research laboratories, crimes targeting campus computer users or crimes that target uses of the Geisel library). In other situations the entire campus community may be at-risk, in which case a campuswide distribution would be the most appropriate.

## 7.0 SEXUAL ASSAULT AND HARASSMENT PREVENTION

### *(Campus Sexual Assault Programs)*

UCSD is committed to creating a safe and secure campus environment that is free from acts of intimidation or the fear of falling victim to a sexual assault or hate violence. The following offices contribute greatly toward this effort.

UCSD Police Department	534-4357
Student Safety Awareness and Sexual Assault Resource Center	534-5793
Student Psychological and Counseling Services	534-3755
Faculty/Staff Assistance Program (FSAP)	534-5523
Office of Sexual Harassment Prevention and Policy (OSHPP)	534-8297
Student Office for Human Relations	534-5661

## 7.1 Sexual Assault Safety Procedures

Persons who believe they have been sexually assaulted or who have been the victim of any kind of sex offense should immediately report the incident to the UCSD Police Department by dialing 911. The following is strongly suggested.

1. Get to a safe place
2. Call the police by dialing 911
3. If you are not sure what to do, call the Rape Crisis Hotline - (888) 272-1767. The advocate will provide you with options and you will not have to give your name.
4. You can also call the UCSD Student Safety Awareness & Sexual Assault Resource Center for guidance and assistance.
5. If you are not sure about reporting the attack, but you might want to later, you are encouraged to immediately file a police report in order to obtain a medical evidentiary examination. You always maintain the right to change your mind and not to pursue a criminal complaint.
6. Do not eat, drink, wash, shower, go to the bathroom, douche or clean up. As difficult as this is, your body is a receptor of physical evidence that needs to be properly collected.
7. If you do not wish to make a report to the police, you are still encouraged to seek professional medical advice. It is important not to forget the possibility of sexually transmitted diseases and/or pregnancy. Note: All health care providers are legally required to report to the police all cases of suspected sexual or physical assault.

## 7.2 Physical Evidence

The preservation of criminal evidence is essential and time sensitive to the successful prosecution of most sex offenses. UCSD Police Department personnel have been trained in the proper identification, collection and preservation of such evidence. Considering the time sensitive nature regarding the collection of such evidence, it is essential that the police department be contacted as soon as possible.

Staff members from the UCSD Student Safety Awareness & Sexual Assault Resource Center (SARC) are available to assist students who have fallen victim to a sex offense from the initial report to the final resolution of the case.

### 7.3 Administrative/Judicial Considerations

Students may also contact their College Dean, Student Safety Awareness & Sexual Assault Resource Center or any Campus Security Authority for information and assistance regarding the filing of a criminal complaint and/or confidential report. To initiate a complaint under the UCSD Student Conduct Code, persons should contact the Student Judicial Affairs Office.

Note: Any UCSD student or employee who is suspected of sexual misconduct is subject to both criminal prosecution and disciplinary action under campus policies and regulations. Campus disciplinary action can be initiated even if criminal charges are not pursued.

A UCSD student accused of sexual misconduct is subject to disciplinary action in accordance with the UCSD Student Conduct Code. The accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding, and both shall be informed of the outcome of any campus disciplinary proceeding brought forth alleging a sex offense. Student sexual assault victims also have the option of changing their academic or on-campus living arrangements after an alleged sexual assault, if such changes are reasonably available.

A UCSD employee accused of sexual misconduct is subject to the applicable provisions and disciplinary action in accordance with University Policies and Procedures. Sanctions for sexual misconduct include, but are not limited to, warning(s), censure, demotion, suspension, or termination of employment.

Counselors with the UCSD Student Safety Awareness & Sexual Assault Resource Program are not considered “Campus Security Authorities,” [668.46(4) Code of Federal Regulations] and therefore, not required to report statistics concerning incidents of sexual assault. However, in order to provide the UCSD community with a better understanding of the sexual assault threat potential at UCSD, this information is made available. Some of these cases reportedly occurred on-campus; however, victims chose not to report the incidents to the police department.

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Sex Offenses (Force)	1	0	0	0	1	0	0	0	0	0	0	1	0	0	1
Sex Offenses (No force)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

- #1: On-Campus
- #2: On-Campus Residential Life Buildings
- #3: Non-Campus Property
- #4: Public Property Adjacent to Campus

### 7.4 Sexual Assault Investigative Guarantee

If you have been sexually assaulted, you have the right to report the assault to the police department. As an encouragement to report sexual assaults, the UCSD Police Department is committed to the following ten guarantees.

1. **WE WILL** meet with you privately and you may be accompanied by a personal advocate.
2. **WE WILL** provide a female officer to conduct the initial interview if requested and one is available.
3. **WE WILL** fully investigate your case, regardless of the gender, race, ethnicity, sexual orientation, age, national origin or religion of the parties involved.
4. **WE WILL** not pre-judge you or your actions. Assault victims are not responsible for the criminal actions of others.
5. **WE WILL** treat you and your case with courtesy, sensitivity, and understanding.
6. **WE WILL** assist you in arranging for your medical needs and/or hospital treatment.
7. **WE WILL** provide you with advocate and counseling referral information.
8. **WE WILL** not release your name to the public or to the press.
9. **WE WILL** discuss and explain the criminal justice process. You will be kept informed as to the progress of the investigation which may include the arrest and prosecution of the offender.
10. **WE WILL** be available to answer your questions as the process of the investigation and prosecution unfolds.

Professional counseling is available on campus from SARC, FSAP, SSA/SARC, and Student Psychological and Counseling Services. Students may contact the UCSD Student Legal Services at (858) 534-4374 for assistance and advice concerning available legal options. Students may also contact the UCSD Student Health Center for medical care and advice at (858) 534-3300.

## **7.5 Sexual Harassment**

UCSD is strongly opposed to sexual harassment. Sexual harassment is a form of workplace discrimination, which is illegal under Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and the California Fair Employment and Housing Act. Sexual harassment is also a violation of UCSD policy. UCSD is committed to creating and maintaining a community in which all persons who participate in UCSD programs and activities can work and learn together in an atmosphere free of all forms of harassment, exploitation, or intimidation, including sexual harassment.

Sexual harassment is defined by the University as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when;

1. submission to or rejection of such conduct is made either explicitly or implicitly a condition of instruction, employment, or participation in other University activity; or
2. submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting the individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive University environment.

The Office of Sexual Harassment Prevention & Policy (OSHPP) oversees the University's sexual harassment policy by providing education and assistance in investigating and resolving complaints. Any individual who has questions about sexual harassment or gender discrimination should contact OSHPP at (858) 534-8298 or email [oshpp@ucsd.edu](mailto:oshpp@ucsd.edu). You can get advice without filing a complaint. UCSD will take whatever action may be needed to prevent, correct, and if necessary, discipline behavior which violates the sexual harassment policy. More information is available on the OSHPP website at [Http://:oshpp.ucsd.edu](http://oshpp.ucsd.edu).

## **8.0 REGISTERED SEX OFFENDER INFORMATION**

### *(Registered Sex Offender Information)*

### **8.1 Sex Offender Registration Laws**

More than 50 years ago California began requiring all dangerous sex offenders to register with their local law enforcement agency. This registration requirement gave local law enforcement the ability to keep track of convicted sex offenders who were in their community. (Note: In most instances, registration is a lifetime requirement.)

In July 1995, for the first time, members of the public were provided limited access to certain offender information concerning registered sex offenders who live in their community by calling a "900" number operated by the California Department of Justice. This change came from the Child Protective Act of 1994. [290.4PC]

In May 1996, the California Legislature increased the public's access to sex offender information with the passage of Megan's Law. Megan's Law was named after 7-year-old New Jersey girl (Megan Kanka) who was raped and murdered by a known child molester who had moved across the street from Megan's family without their knowledge. In the wake of Megan's murder, California increased the public's access to sex offender information with enactment of 290.4PC.

In October 2000, the Federal Campus Sex Crimes Prevention Act 20 U.S.C. § 1092(f)(1)(I) amended Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994. The Campus Sex Crimes Prevention Act required sex offenders who are required to register under state law to also provide notice of their enrollment or employment at any institution of higher learning in the state where he/she resides starting in October 2002. Institutions of higher learning are required to issue a statement in their annual Clery Report detailing where members of their campus community can obtain information concerning registered sex offenders. [20 U.S.C. § 1092(f)(1)(I)]

In 2001, the California Legislature amended its registered sex offender laws to satisfy the federal law requirements. On October 28, 2002, sex offenders who resided on campus were required to register with campus law enforcement. This new law also expanded the registration requirements for all campus affiliated sex offenders to register with the campus police department. [290.01(a)PC]

Every person who is required to register in California as a sex offender and who:

1. resides on UCSD campus property, or
2. is enrolled as a student at UCSD, including Extension classes, or
3. is a full/part time employee of UCSD (with/out compensation), or
4. carries on a vocation at UCSD for more than 14 days, or for an aggregate period exceeding 30 (total) days in a calendar year, shall register with the campus police department.

In October 2003 an amendment was added to Penal Code Section 290.01. Subsection (d)(1)(a) provided that the campus police department (may) in certain instances release registered sex offender information (all categories) to members of the campus community. (See attachment IV)

In 2004, the California Legislature further amended its registered sex offender laws and directed the California Department of Justice to make available by July 1, 2005 via an Internet Web site certain specified information about certain sex offenders available to the public. Further, the Department of Justice shall update the Web site on an ongoing basis. On January 1, 2005, the Web site was operating at: [www.ag.ca.gov](http://www.ag.ca.gov) with the information of more than 63,000 sex offenders.

### **8.2 Sex Offender Information (Campus community access)**

A. Campus affiliated registered sex offender information (all categories) is available for inspection by members of the campus community (by appointment) at the UCSD Police Department during normal business hours, please call (858) 534-4359 for more information.

1. The UCSD Police Department may release sex offender information (all categories) relating to campus affiliated sex offenders to members of the campus community who: [290.01(d)(4)(A)]
  - a. is over 18 years of age
  - b. is a member of the campus community
  - c. is not themselves a registered sex offender
  - d. is willing to certify to the understanding that the release of registered sex offender information is for the purpose of allowing members of the campus community to protect themselves and their children from sex offenders
  - e. is willing to certify an understanding that it is illegal to use the sex offender registration information to harass, discriminate, or commit a crime against any person who has been identified as a sex offender
  - f. is willing to sign a "Registered Sex Offender View Form"
2. Registered sex offender information available for public viewing. [290.01(d)(1)(A)]
  - a. name and known aliases
  - b. age, DOB, gender, race
  - c. physical description (including scars, marks, tattoos)
  - d. photograph, (if available)
  - e. crimes that were the basis for the registration requirement
  - f. date of last registration

B. Sex offender registration information for non-campus affiliated sex offenders is NOT available at the UCSD Police Department. (For more information see 8.3 below)

### **8.3 Sex Offender Informational Data (Public access)**

There are two (2) easy ways the public can gain access to information concerning registered sex offenders.

1. The Office of the California Attorney General makes certain specified registered sex offender information available to the public on the Internet at: [www.ag.ca.gov](http://www.ag.ca.gov)
2. Certain designated local law enforcement agencies have been designated to maintain up-to-date California Department of Justice Internet based list of California registered sex offenders. In San Diego County, the San Diego County Sheriff's Department and the San Diego Police Department maintain this information for public viewing.

- a. San Diego County Sheriff's Department  
9621 Ridgehaven Court  
San Diego, CA 92142 (858) 974-2020  
M-F 9am - 4pm

Records are typically searched by zip code (street addresses are not available from these records). A search will provide the name, and any known aliases; age and sex; physical description, (scars, marks and tattoos); photograph if available; crimes resulting in registration; county of residence; and zip code of the sex registrant. The San Diego County Sheriff's Department also maintains an Internet website with information concerning registered sex offenders who live in San Diego County at:

<http://www.arjis.org/SDCRPinMapEntry.html>

- b. San Diego Police Department  
1401 Broadway  
San Diego, CA 92101 (619) 531-1543  
M-F 9am - 5pm

California Sex offender information is also available for viewing at the SDPD Headquarters Building located on Broadway in downtown San Diego. You will be asked to show California picture identification and to sign a form stating that you are not a sex registrant, that you are at least 18 years old, and that you are a California resident. You can search for sex registrants by name, or you can search for a list of sex registrants by zip code. You will be able to see the names and photographs of the sex registrants as well as their sex offense conviction record. You will NOT be given specific address information.

**Reminder:** The information under Megan's Law may not be used to harass or commit any crime against a sex offender. Public safety is best served when registered sex offenders are not concealing their location to avoid harassment.

#### 8.4 Campus Law Enforcement Disclosure

- A. The UCSD Police Department may release any portion of the following information to the campus community concerning the presence of a high-risk sex offender who is in the campus community. [290.45(b) PC] (Proactive)
- B. The UCSD Police Department may release any portion of the following information (when a peace officer reasonably suspects, based upon information that has come to his/her attention that a child or other person may be at-risk) the campus community concerning the presence of a sex offender who is in the campus community. [290.45(a)(4)(A) PC] (Reactive)
  - 1. name and known aliases
  - 2. age, DOB, gender and race
  - 3. physical description, including scars, marks and tattoos
  - 4. photograph, (if available)
  - 5. crimes that were the basis for the registration requirement
  - 6. residence address (must be verified by law enforcement prior to release)
  - 7. description and license plate number of offender's vehicle
  - 8. type of victim targeted by the offender
  - 9. relevant parole or probation conditions
  - 10. dates of crimes resulting in classification
  - 11. date of release from confinement
  - 12. offender's employment, vocation or student status with UCSD

The UCSD Police Department may authorize the release of sex offender information to persons and campus entities for the purpose of disclosing the information to additional persons if we (UCSD Police Department) can determine the scope of any further disclosure and that such further disclosure meets the conditions set forth in Penal Code Section 290.45.(a)(2) PC]

- a. The information under Megan’s Law may not be used to harass or commit any crime against a sex offender. Public safety is best served when registered sex offenders are not concealing their location to avoid harassment. [290.01(d)(4)(A) PC]
- b. The disclosure of any information shall include a statement the purpose of the disclosure is to allow members of the public to protect themselves and their children from sex offenders. [290.45(a)(5)PC]

**8.5 UCSD Sex Offender Registration Requirements**

Every person who is required to register in California as a sex offender and who:

- a. resides on UCSD campus property, or
- b. is enrolled as a UCSD student (including Extension classes), or
- c. is a full/part time employee at UCSD w/out compensation, including volunteer, or
- d. carries on a vocation at UCSD for more than 14 days, or for an aggregate period exceeding 30 (total) days in a calendar year, shall register with the campus police department.

A campus affiliated sex offender shall also notify the UCSD Police Department within five working days of ceasing to be enrolled or employed, ceasing to carry on a vocation at UCSD, or change of address. [290.01PC]

In addition, every person adjudicated a sexually violent predator (as defined in Section 6600 Welfare Institutions Code) after being released from custody and who is a campus affiliated sex registrant, shall verify his/her address with the UCSD Police Department no less than once every 90 days. [290(a)(1)(E)PC]

**8.6 UCSD Sex Offender Registration Procedure**

Campus affiliated registration of sex offenders will be conducted at the UCSD Police Department by detective personnel. Persons required to registered shall do so in person Monday through Friday (excluding holidays) between 0900 and 1500 hours. Registrations will be handled by appointment only, please call (858) 534-4359.

**9.0 HATE VIOLENCE**

UCSD’s Principles of Community places a great emphasis on the value of diversity, assessing one’s culture and the management of difference. However, the reality is that anyone and anytime can be the target of a hate crime or a bias motivated incident. Unlike other crimes that target individuals, hate crimes and bias motivated incidents negatively affect the entire UCSD campus community. While the UCSD campus is not immune to such opportunistic acts, the low number of reported occurrences provides some antidotal information that we have made great strides toward the creation of a campus environment that is more tolerant of individuals, groups, cultures and ideas.

**9.1 Reporting Hate Violence**

Reporting hate violence is a crucial component in the development of a more tolerant society and a hate free campus environment. If you have been the target of a hate crime or hate bias motivated incident, you are encouraged to report the occurrence to the UCSD Police Department or to any designated Campus Security Authority. Reporting note: Under the Clery Act, the Federal Department of Education does not collect hate violence statistics for crimes other than (Murder, Manslaughter, Sex offenses, Robbery, Aggravated Assault, Simple Assault, Burglary, Motor Vehicle Theft, Arson), and to date, the Federal Department of Education does not collect statistics regarding hate motivated incidents. However, the UCSD Police Department does collect and maintain statistics on all reported hate bias motivated incidents.

2002:	(1) hate crime reported	(Clery criteria - [0] hate crimes)
2003:	(1) hate crimes reported	(Clery criteria - [1] hate crimes)
2004:	(5) hate crimes reported	(Clery criteria - [0] hate crimes)

## **10.0 CAMPUS FACILITIES ACCESS AND SECURITY**

*(Security of and Access to Campus Facilities)*

### **10.1 Residential Life**

UCSD is the size of a small city providing residential housing to University employees and approximately 8,500 students. Housing facilities range from apartments designed for married students and employees with children, to multi-student apartments and residence halls. Such a large campus population has motivated the police department and residential life personnel to work closely together to create a safe and comfortable living and learning environment. Security in residential areas is supplemented by Residential Security Officers (RSOs), and live-in resident deans. Contract security guards patrol Mesa Housing and the La Jolla Del Sol Apartment complexes.

Theft is the most common crime problem in the residential areas; therefore, precautions should be exercised at all times. Residents are encouraged to be watchful and cautious--be aware of your surroundings and the presence of unknown persons.

### **10.2 Solicitors**

Door-to-door solicitation is prohibited at UCSD. Residents are encouraged to report the presence of such persons to residential life personnel and/or the police department. Residents are also advised to keep their resident hall or apartment doors locked at all times. Residents are encouraged not to hesitate to ask for assistance from any residential life staff member, Residential Security Officer, Community Safety Officer or UCSD Police Officer.

### **10.3 Shuttle Buses**

UCSD shuttle buses provide free and safe transportation around campus and from satellite parking lots for both residents commuters and visitors. More important, shuttle bus drivers provide additional eyes and ears to the police department during the week between 5:30 a.m. and 1:15a.m.

### **10.4 Parking Structures**

In addition to the many parking lots located around campus, UCSD also maintains two large parking structures, each containing more than 850 parking spaces. In order to reduce the chance of property loss, never leave your vehicle running, unlocked, keys in the ignition or the windows rolled down. Keep all valuables out of sight. Use security devices such as a car alarm, steering wheel lock and/or a fuel/electric cut-off switch. When approaching your vehicle, have your keys in your hand and remember to look inside your vehicle before you get in.

For emergencies, each parking structure has Code Blue emergency call boxes located on each level. Each box is directly connected to the UCSD Police Department.

### **10.5 Fire Safety**

The University of California, San Diego has a proactive Fire/Life Safety Program developed and maintained by the Fire/Life Safety Division of the Environment, Health, and Safety Department. This program is designed to ensure that all faculty, staff, students, and visitors to the campus are provided with at least the minimum required levels of protection, but often significantly higher levels. For example, although many buildings (offices, lecture halls) are not required to be protected by automatic fire sprinklers, since the late 1980's, it has been UCSD policy to retrofit buildings with sprinklers during major renovation projects. Of the more than 160 buildings designated for student housing, 25 are fully protected by fire sprinklers and 18 others are partially protected. However, all student housing is equipped with fire alarm and smoke alarm systems. Student residents receive fire/life safety handouts at move-in and they are required to participate in an annual fire drill.

## **11.0 ILLEGAL WEAPONS**

University policy and California state law prohibits the possession or control of any firearm, deadly weapon, explosive device, fireworks, nunchakus, metal knuckles, shuriken, billy club, sap, or any other deadly weapon or prohibited knife, while on the property of the University of California, San Diego, (including all campus housing) except as required in the lawful course of business or as authorized by the UCSD Chief of Police.

In addition, it is a violation of University Housing Policy for any campus resident to possess or have control of any Pellet gun, BB gun, slingshot, or bow and arrow in the Residential Life areas.

## **12.0 SUBSTANCE ABUSE**

### *(Policies on Alcoholic Beverages, Illegal Drugs and Drug/Alcohol Abuse Programs)*

#### **12.1 Policies**

The UCSD campus has been designated “**Drug free**” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Campus affiliated violators are subject to University disciplinary action, criminal prosecution, fine and incarceration.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the UCSD Alcohol Policy for anyone to consume or possess alcohol in any public/private area of campus without prior University approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

#### **12.2 Enforcement**

The possession, sale or the furnishing of alcohol on the University campus is governed by the UCSD Alcohol Policy and California state law. Laws regarding the possession, sale, consumption or furnishing of alcohol are controlled by the California Department of Alcohol and Beverage Control (ABC). Although, the enforcement of alcohol laws on campus is the primary responsibility of the UCSD Police Department.

#### **12.3 Education**

UCSD students and employees with substance abuse problems (including alcohol) create a health and safety risk for themselves and for others. Such abuses can also result in a wide range of serious emotional and behavioral problems which is why UCSD makes available to students and employees a wide variety of alcohol and substance abuse programs. These programs are designed to discourage the use of illicit substances and to educate students and others as to the merits of legal and responsible alcohol consumption.

UCSD Student Psychological and Counseling Services provides counseling and referral services to students who suffer from a substance abuse problem. Group and individual counseling sessions are available to students at no cost. All information regarding any contact or counseling is confidential and will be treated in accordance with University policies, state and federal laws. A student's decision to seek assistance will not be used in connection with any academic determination or as a basis for disciplinary action.

UCSD employees who have substance abuse problems are encouraged to seek assistance through the UCSD Faculty and Staff Assistance Program (FSAP), where counseling, referrals and other valuable services are available.

UCSD policies on substance abuse are described in the schedule of classes entitled, "OFFICIAL NOTICE TO STUDENTS REQUIRED BY THE DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989," and in the UCSD “SUBSTANCE ABUSE PROGRAM GUIDE,” which is available from the Human Resources Department or on-line in a PDF format at:

[http://blink.ucsd.edu/Blink/External/Topics/Policy/0,1162,533,00.html?coming\\_from=Content](http://blink.ucsd.edu/Blink/External/Topics/Policy/0,1162,533,00.html?coming_from=Content) .

## **13.0 CRIME STATISTICS** *(Collection of crime statistics for the Annual Report)*

The UCSD Police Department has the responsibility to identify reportable crimes, collect and report crime statistics to the Department of Education, the FBI and to the general public. Statistical reporting requirements (types of crimes, definitions, geographic locations) vary depending upon the governmental recipient. FBI mandated reporting is different from the Federal Department of Education - Clery reporting. Example, Clery reporting requires the reporting of student disciplinary referrals that are not required by either state or federal law enforcement. Clery also mandates the collection of crime data from non-law enforcement personnel--identified as “Campus Security Authorities.”

This report contains crime statistics that have been compiled from the 2003 calendar and a reprint of the previous two calendar years crime statistics. The crime statistics reported in **Sections 13.1 - 13.11** have been compiled from data collected from three (3) reporting sources, the UCSD Police Department, the San Diego Police Department and from UCSD (non-police) Campus Security Authorities. Crime statistics reported in **Sections 13.12 and 13.13** have been collected from the UCSD Medical Center Security Department.

Crime statistics gathered by the UCSD Police Department are collected and reported on an annual/calendar year basis. Since San Diego County law enforcement agencies all have equal access to city and county crime statistics via a countywide law enforcement computer network called ARJIS (Automated Regional Justice Information System), crime statistics can be directly accessed from computer terminals at the UCSD Police Department. Crime statistics for “**public property**” column #4 of each table have been collected from ARJIS crime data. UCSD Campus Security Authorities (section 3.4 above) report “reportable crimes” using the CLERY INCIDENT REPORT form available at: [www.police.ucsd.edu/docs/annualclery.pdf](http://www.police.ucsd.edu/docs/annualclery.pdf). Any reportable crime made to a Campus Security Authority can be immediately transmitted to the UCSD Police Department via fax machine or campus mail.

## Reporting Locations

### #1 **On-Campus:**

Offense statistics for any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purpose, including buildings or property the location described herein that is owned by the University but controlled by another person and which is frequently used by students. (Excluding Residential Life buildings).

### #2 **On-Campus Residential Life buildings:**

Offense statistics for all on-campus Residential Life buildings, including:  
Mesa Apartments  
Coast Apartments

### #3 **Non-campus property:**

Offense statistics for non-campus property or building owned or controlled by the University that is frequently used by students and is not within the same reasonably contiguous geographic area of the institution or any building/property that is owned or controlled by a student organization that is officially recognized by the institution.

UCSD Extension Services:

North County Center	- 15373 Innovation Drive.
Sorrento Mesa Center	- 6925 Lusk Blvd.
La Jolla Country Day School	- 9490 Genesee Avenue
La Jolla Village Professional Center	- 8950 Villa La Jolla Drive

UCSD Medical Center (Hillcrest)	- 200 West Arbor Street
La Jolla Del Sol Apartments	- 8046 Regents Road
Nimitz Marine Facility	- 297 Rosecrans Street

### #4 **Public property:**

Offense statistics for public property located immediately adjacent to and accessible from campus, including: thoroughfares, sidewalks, streets, lands, parks and beaches.

Genesee Avenue	(9900 - 10600 block)
Gilman Drive	(9850 - 9000 block)
La Jolla Shores Drive	(8500 - 9600 block)
La Jolla Scenic Drive North	(8600 - 9000 block)
La Jolla Village Drive	(2800 - 4100 block)
North Torrey Pines Road	(9000 - 12000 block)
El Paseo Grande	(8400 - 8500 block)
Regents Road	(9000 - 9800 block)
Torrey Pines Road	(8700 - 9000 block)
Torrey Pines City Park/Glider Port	(3000 Torrey Pines Scenic Dr)
La Jolla Athletic Field Area	(8800 Torrey Pines Rd)
Salk Institute Road	
Torrey Pines Scenic Drive	

**13.1**

**TOTAL crime statistics for offenses reported by UCSD Police Department, San Diego Police Department, Campus Security Authorities and Medical Center (Total of tables 13.2, 13.3, 13.4, 13.5 and 13.12)**

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (Force)	0	2	0	1	3	5	2	0	0	7	1	1	3	1	6
Sex Offenses (No force)	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0
Robbery	0	0	0	1	1	0	3	0	0	3	1	0	0	1	2
Aggravated Assault	1	1	0	2	4	3	0	2	1	6	3	0	1	0	4
Burglary	39	10	0	0	49	41	21	2	1	65	54	8	1	0	63
Motor Vehicle Theft	50	0	11	82	143	52	0	9	32	95	37	5	14	37	93
Arson	1	1	0	0	2	1	1	0	0	2	3	1	1	0	5
Hate Crimes	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0

**13.2**

**Crime statistics for offenses reported by UCSD Police Department**

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (Force)	0	2	0	1	3	5	1	0	0	6	1	1	1	0	3
Sex Offenses (No force)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	1	1	0	3	0	0	3	1	0	0	0	1
Aggravated Assault	1	1	0	2	4	3	0	0	0	3	3	0	0	0	3
Burglary	39	10	0	0	49	41	21	0	1	63	54	8	1	0	63
Motor Vehicle Theft	50	0	11	82	143	52	0	0	2	54	37	5	1	4	47
Arson	1	1	0	0	2	1	1	0	0	2	3	1	0	0	4
Hate Crimes	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0

13.3

Crime statistics for offenses reported to and by the Office of Student Judicial Affairs

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (Force)	1	0	0	0	1	(1)	(1)	0	0	(2)	0	0	0	0	0
Sex Offenses (No force)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	(1)	0	0	0	(1)	0	0	0	0	0

( ) = reported/captured elsewhere

13.4

Crime statistics for offenses reported to and by Campus Security Authorities using the Clery Incident Report

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (Force)	1	0	0	0	1	0	1	0	0	1	0	0	0	0	0
Sex Offenses (No force)	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	(1)	0	0	(1)	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

( ) = reported/captured elsewhere

13.5

Crime statistics for offenses reported by San Diego Police Department

Violation	#3	#4	2002	#3	#4	2003	#3	#4	2004
Murder	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses (Force)	0	1	1	0	0	0	1	1	2
Sex Offenses (No force)	0	0	0	0	0	0	0	0	0
Robbery	0	1	1	0	0	0	0	1	1
Aggravated Assault	0	2	2	2	1	3	0	0	0
Burglary	0	0	0	1	0	1	0	0	0
Motor Vehicle Theft	11	81	92	4	30	34	9	33	42
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0

( ) = reported/captured elsewhere

13.6

Number of arrests for offenses made by the San Diego Police Department

Violation	#3	#4	2002	#3	#4	2003	#3	#4	2004
Drug / Narcotics Offenses	-	-	-	-	-	-	3	0	3
Weapons Offenses	-	-	-	-	-	-	0	0	0
Alcohol Offenses	-	-	-	-	-	-	0	0	0

13.7

Number of arrests for offenses made by the UCSD Police Department

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Drug / Narcotics Offenses	25	7	0	10	42	15	1	0	7	23	17	1	1	10	29
Weapons Offenses	2	1	0	2	5	0	0	0	0	0	2	0	0	1	3
Alcohol Offenses	15	18	0	0	33	12	13	0	0	25	39	7	0	24	70

13.8

Number of disciplinary referrals made by the UCSD Police Department

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Drug / Narcotics Offenses	0	21	0	0	21	0	17	0	0	17	5	3	0	0	8
Weapons Offenses	1	0	0	0	1	0	0	0	0	0	2	0	0	0	2
Alcohol Offenses	1	13	0	0	14	1	8	0	0	9	2	10	0	0	12

**13.9**

**Number of (student) disciplinary referrals made by campus authorities**

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Drug / Narcotics Offenses	31	99	0	0	130	7	125	0	0	132	68	69	0	0	137
Weapons Offenses	3	2	0	0	5	0	2	0	0	2	4	11	0	0	15
Alcohol Offenses	146	891	0	0	1037	52	965	0	0	1017	334	845	0	0	1179

**13.10**

**Number of (staff) disciplinary referrals made by campus authorities**

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Drug / Narcotics Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Offenses	0	0	0	0	0	0	8	0	0	8	0	0	0	0	0

**13.11**

**Number of (faculty) disciplinary referrals made by campus authorities**

Violation	#1	#2	#3	#4	2002	#1	#2	#3	#4	2003	#1	#2	#3	#4	2004
Drug / Narcotics Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Offenses	0	0	0	0	00	0	0	0	0	0	0	0	0	0	0

**13.12 (UCSD Medical Center)**

**Crime statistics for offenses reported at the UCSD Medical Center (non-campus property #3)**

Violation	2002	2003	2004
Murder	0	0	0
Manslaughter	0	0	0
Sex Offenses (Force)	0	0	1
Sex Offenses (No force)	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	1
Burglary	0	1	0
Motor Vehicle Theft	11	5	4
Arson	0	0	1
Hate Crimes	0	0	0

**13.13 (Hate crimes / on-campus property)**

**Hate crimes reported to campus security authorities (including UCSD Police Dept) according to category of prejudice**

Violation	Race			Gender			Religion			Sexual Orientation			Ethnicity			Disability			National Origin		
	02	03	04	02	03	04	02	03	04	02	03	04	02	03	04	02	03	04	02	03	04
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense (Force)	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
Sex Offense (No force)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**13.14 (On-Campus Housing) Hate crimes reported to campus security authorities (including UCSD Police Dept) according to category of prejudice: (Zero)**

**13.15 (Non-campus property) Hate crimes reported to campus security authorities (including UCSD Police Dept) according to category of prejudice: (Zero)**

**13.16 (Public property) Hate crimes reported to campus security authorities (including UCSD Police Dept) according to category of prejudice: (Zero)**

**13.17**

**Hate crimes reported to UCSD Medical Center Security Authorities according to category of prejudice: (Zero)**

## ATTACHMENT I

### CRIME DEFINITIONS

#### **Murder**

The willful (non-negligent) killing of a human being by another.

#### **Manslaughter**

The killing of another person through gross negligence.

#### **Sex Offenses (Force)**

Any sexual act against another person without the other person's consent. (Includes attempts)

- a. Sexual intercourse with another person without the other person's consent.
- b. Sodomy with another person without the other person's consent.
- c. Oral copulation (vaginal, anal) with another person without the other person's consent.
- d. Rape with a foreign object (vaginal, anal) of another person without the other person's consent.
- e. Sexual battery is the touching of the intimate parts of another person for the purpose of sexual gratification, without the other person's consent.

#### **Sex Offenses (No force)**

Any unlawful, but consensual sex act with another person. (Includes attempts)

- a. Incest--consensual sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited.
- b. Unlawful sexual intercourse, (statutory rape), consensual intercourse with a person who is under the age of consent.

#### **Robbery**

The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear.

#### **Aggravated Assault**

An unlawful assault upon the person of another with a firearm, deadly weapon, object, instrument or by any means or use of force likely to produce great bodily harm. (Includes attempts, whether or not an injury occurred.)

#### **Burglary**

The unlawful entry into a defined structure with the intent to commit a theft or any felony.

#### **Vehicle Theft**

The taking of a vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of title or possession of the vehicle.

#### **Arson**

The willful and malicious setting of a fire to burn or who burns or causes to be burned or who aids, counsels, or procures the burning of any structure, forest land or property.

#### **Narcotics/Drug Offenses**

The unlawful possession, sale, use, transportation, cultivation, manufacturing or maintaining an unlawful place. (Does not include driving while under the influence, and/or being under the influence of narcotic/illegal drugs.)

#### **Alcohol Offenses**

The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), and maintaining an unlawful drinking place. **(Does not include public drunkenness or driving while under the influence.)**

#### **Weapon Offenses**

With certain exceptions, the possession or control of any firearm, deadly weapon, illegal knife or explosive device while on the property of UCSD except as required in the lawful course of business or as authorized by the UCSD Chief of Police is prohibited and illegal. In addition, UCSD Residential Life policy prohibits the possession or control of any fireworks, Pellet or BB guns, switch blade knives, nunchakus, billy clubs or any other deadly weapon.

#### **Hate Crimes**

A criminal act motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics. **For Clery Report purposes, the only hate crimes reported are those associated with "reporting crimes" identified in the statistics above.**

## ATTACHMENT II

### Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Disclosure of campus security policy and campus crime statistics [20 U.S.C. § 1092]

(f) Disclosure of campus security policy and campus crime statistics

- (1) Each eligible institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall on August 1, 1991, begin to collect the following information with respect to campus crime statistics and campus security policies of that institution, and beginning September 1, 1992, and each year thereafter, prepare, publish, and distribute, through appropriate publications or mailings, to all current students and employees, and to any applicant for enrollment or employment upon request, an annual security report containing at least the following information with respect to the campus security policies and campus crime statistics of that institution:
  - (A) A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution's response to such reports.
  - (B) A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
  - (C) A statement of current policies concerning campus law enforcement, including--
    - (i) the enforcement authority of security personnel, including their working relationship with State and local police agencies; and
    - (ii) policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.
  - (D) A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.
  - (E) A description of programs designed to inform students and employees about the prevention of crimes.
  - (F) Statistics concerning the occurrence on campus, in or on noncampus buildings or property, and on public property during the most recent calendar year, and during the 2 preceding calendar years for which data are available--
    - (i) of the following criminal offenses reported to campus security authorities or local police agencies:
      - (I) murder;
      - (II) sex offenses, forcible or nonforcible;
      - (III) robbery;
      - (IV) aggravated assault;
      - (V) burglary;
      - (VI) motor vehicle theft;
      - (VII) manslaughter;
      - (VIII) arson; and
      - (IX) arrests or *persons* referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession; and
    - (ii) of the crimes described in sub clauses (I) through (VIII) of clause (I), and other crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim that are reported to campus security authorities or local police agencies, which data shall be collected and reported according to category of prejudice.

- (G) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations which are recognized by the institution and that are engaged in by students attending the institution, including those student organizations with off-campus housing facilities.
- (H) A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 1011i of this title.
  - (I) A statement advising the campus community where law enforcement agency information provided by a State under section 14071(j) of Title 42, concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address.
- (2) Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to campus crimes or campus security.
- (3) Each institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall make timely reports to the campus community on crimes considered to be a threat to other students and employees described in paragraph (1)(F) that are reported to campus security or local law police agencies. Such reports shall be provided to students and employees in a manner that is timely and that will aid in the prevention of similar occurrences.
- (4) (A) Each institution participating in any program under this subchapter [20 U.S.C.A. § 1070 et seq.] and part C of subchapter I of chapter 34 of Title 42 [42 U.S.C.A. § 2751 et seq.] that maintains a police or security department of any kind shall make, keep, and maintain a daily log, written in a form that can be easily understood, recording all crimes reported to such police or security department, including--
  - (i) the nature, date, time, and general location of each crime; and
  - (ii) the disposition of the complaint, if known.(B)
  - (i) All entries that are required pursuant to this paragraph shall, except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, be open to public inspection within two business days of the initial report being made to the department or a campus security authority.
  - (ii) If new information about an entry into a log becomes available to a police or security department, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police or security department.
  - (iii) If there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until that damage is no longer likely to occur from the release of such information.
- (5) On an annual basis, each institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 [42 U.S.C.A. § 2751 et seq.] shall submit to the Secretary a copy of the statistics required to be made available under paragraph (1)(F). The Secretary shall:
  - (A) Review such statistics and report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate on campus crime statistics by September 1, 2000;
  - (B) Make copies of the statistics submitted to the Secretary available to the public; and

- (C) In coordination with representatives of institutions of higher education, identify exemplary campus security policies, procedures, and practices and disseminate information concerning those policies, procedures, and practices that have proven effective in the reduction of campus crime.
- (6) (A) In this subsection:
  - (i) The term "campus" means --
    - (I) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
    - (II) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).
  - (ii) The term "noncampus building or property" means --
    - (I) any building or property owned or controlled by a student organization recognized by this institution; and
    - (II) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes is used by students, and is not within the same reasonably contiguous geographic area of the institution.
  - (iii) The term "public property" means --
    - all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.
- (B) In cases where branch campuses of an institution of higher education, schools within an institution of higher education, or administrative divisions within an institution are not within a reasonably contiguous geographic area, such entities shall be considered separate campuses for purposes of the reporting requirements of this section.
- (7) The statistics described in paragraph (1)(F) shall be compiled in accordance with the definitions used in the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, and the modifications in such definitions as implemented pursuant to the Hate Crime Statistics Act. Such statistics shall not identify victims of crimes or persons accused of crimes.
- (8) (A) Each institution of higher education participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding--
  - (i) Such institution's campus sexual assault programs, which shall be aimed at prevention of sex offenses;
  - (ii) The procedures followed once a sex offense has occurred.
- (B) The policy described in subparagraph (A) shall address the following areas:
  - (i) Education programs to promote the awareness of rape, acquaintance rape, and other sex offenses.
  - (ii) Possible sanctions to be imposed following the final determination of an on-campus disciplinary procedure regarding rape, acquaintance rape, or other sex offenses, forcible or nonforcible.

- (iii) Procedures students should follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence as may be necessary to the proof of criminal sexual assault, and to whom the alleged offense should be reported.
  - (iv) Procedures for on-campus disciplinary action in cases of alleged sexual assault, which shall include a clear statement that--
    - (I) the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding; and
    - (II) both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual assault.
  - (v) Informing students of their options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses.
  - (vi) Notification of students of existing counseling, mental health or student services for victims of sexual assault, both on campus and in the community.
  - (vii) Notification of students of options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available.
- (C) Nothing in this paragraph shall be construed to confer a private right of action upon any person to enforce the provisions of this paragraph.
- (9) The Secretary shall provide technical assistance in complying with the provisions of this section to an institution of higher education who requests such assistance.
- (10) Nothing in this section shall be construed to require the reporting or disclosure of privileged information.
- (11) The Secretary shall report to the appropriate committees of Congress each institution of higher education that the Secretary determines is not in compliance with the reporting requirements of this subsection.
- (12) For purposes of reporting the statistics with respect to crimes described in paragraph (1)(F), an institution of higher education shall distinguish, by means of separate categories, any criminal offenses that occur--
  - (A) on campus;
  - (B) in or on a noncampus building or property;
  - (C) on public property; and
  - (D) in dormitories or other residential facilities for students on campus.
- (13) Upon a determination pursuant to section 1094(c)(3)(B) of this title that an institution of higher education has substantially misrepresented the number, location, or nature of the crimes required to be reported under this subsection, the Secretary shall impose a civil penalty upon the institution in the same amount and pursuant to the same procedures as a civil penalty is imposed under section 1094(c)(3)(B) of this title.
- (14) (A) Nothing in this subsection may be construed to--
  - (i) create a cause of action against any institution of higher education or any employee of such an institution for any civil liability; or
  - (ii) establish any standard of care.(B) Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with this subsection shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce this subsection.
- (15) This subsection may be cited as the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act".

One purpose of CLERY is to encourage reporting and the accurate collection of campus crime statistics to promote crime awareness and to enhance campus safety through reliable statistical records. The purpose of this report form is to provide a uniform procedure for documenting the (What, When, Where) of certain reportable crimes and/or non-criminal hate motivated incidents that have occurred within one of the four reporting locations and which have been reported to a Campus Security Authorities (CSA) other than the UCSD Police Department. Data collected on this form is to be used to increase public safety, not to identify the victim, therefore, no personal identifying information shall be included on this form.

It is the policy of the University of California to encourage victims and/or witnesses to crime(s) to report such crimes to the police and/or to a designated Campus Security Authority. (A complete list of Campus Security Authorities can be found in the Annual Clery Report which is available at www.police.ucsd.edu. For the purposes of CLERY, CSA's are required to document certain reportable crimes and non-criminal hate motivated incidents which have been reported to them and which have occurred in the following locations:

- 1) On-campus property: Offense statistics for any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purpose, including buildings or property the location described herein that is owned by the University but controlled by another person and which is frequently used by students. (Excluding Residential Life buildings).
2) On-campus residential life buildings
3) Non-campus property: Offense statistics for non-campus property or building owned or controlled by the University that is frequently used by students and is not within the same reasonably contiguous geographic area of the institution, or any building/property that is owned or controlled by a student organization that is officially recognized by the institution.
4) Public property: Offense statistics for public property located immediately adjacent to and accessible from campus, including: thoroughfares, sidewalks, streets, lands, parks and beaches.

For CLERY purposes, the student status (yes/no) of the offender or the victim is not a relevant fact as to whether or not this report form is to be completed. If a violation of one of the 14 highlighted violations occurs, documentation is required.

CLERY documentation is not satisfied by simply directing/referring the reporting party to the police department. In order for UCSD to satisfy the statistical reporting requirements of the Clery Act, all CSA's are required to complete this form when certain any of the specified offenses list below are reported to them. Nonetheless, a person reporting a crime shall also be encouraged to report the crime to the UCSD Police Department.

- Homicide, Aggravated Assault, Burglary, Alcohol violations (Disciplinary referrals only), Manslaughter, Sex Offense (Forcible), Motor Vehicle Theft, Drug/Narcotic violations (Disciplinary referrals only), Robbery, Sex Offense (Non-forcible), Arson, Weapons violations (Disciplinary referrals only)

Form section for Hate Crime (Type) and Category Of Prejudice, including checkboxes for Bodily injury, Vandalism, Email, Telephone, Message, Other, Ethnicity, Race, Religion, Gender, Disability, National Origin, Sexual Orientation.

Form section for On-campus (excluding residential life), Public property, Unknown, Date of Incident, Time of Incident, CSA Tracking #.

Form section for Name of CSA receiving report, UCSD Department, Date reported, Time reported, Dept. Mail Code.

Form section for Reporting party (Victim, Witness, Other), Police report filed? (Yes, No, Unk), Date filed, UCSD PD Case #.

Sex Offense: Sex offenses are of special concern to the campus community because they have been historically under reported. The victim of a sex offense typically desires confidentiality and anonymity, as a result he/she will often seek a reporting source other than law enforcement such as a designated Campus Security Authority. Because the sex offender may continue to pose a threat to the community, the threat potential needs to be evaluated and the campus community alerted/warned as necessary. In this regard, the following additional information is requested.

Form section for Known offender (friend, classmate, acquaintance, date, etc.), UCSD affiliated (student, staff, faculty), Unknown offender (stranger), Victim was not injured (excluding emotional/psychological trauma), Victim was injured - Describe injuries, Alcohol involved, Drugs involved, Narcotics involved, Weapon involved, Offender, Victim, Yes, No.

Form section for Description of offender, Race / Gender, Age, Height, Weight, Hair Color, Color of eyes, Physical characteristics.

Brief description of Crime or Incident: [Empty text area for reporting the crime details]

## Definitions

### **Murder**

The willful (non-negligent) killing of a human being by another.

### **Manslaughter**

The killing of another person through gross negligence.

### **Sex Offense (Forcible)**

Any sexual act directed against another person without the other person's consent. (Includes attempts)

- a. Sexual intercourse (penetration--however slight)
- b. Sodomy (penetration, however slight)
- c. Oral copulation (vaginal, anal)
- d. Rape with a foreign object (penetration vaginal or anal--however slight)
- e. Sexual battery (the touching of the intimate parts [sexual organ, anus, groin, or buttocks of any person, or the breast of a female] of another person for the purpose of sexual gratification)

### **Sex Offense (Non-forcible)**

Any unlawful, but consensual sex act with another person. (Includes attempts)

- a. Incest (sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited)
- b. Statutory rape (intercourse with a person who is under the age of consent--18yrs).

### **Robbery**

The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear. (Includes attempts)

### **Aggravated Assault**

An unlawful assault upon the person of another for the purpose of inflicting severe or aggravated bodily injury. (Includes attempts, and whether or not an injury occurred.)

### **Burglary**

The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony. (Excludes vehicle burglary)

### **Motor Vehicle Theft**

The taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle. (Includes attempts)

### **Arson**

The willful or malicious burning or attempt to burn (w/o the intent to defraud) a dwelling, house, public building, motor vehicle or aircraft, or personal property of another. (Includes attempts)

### **Drug/Narcotics**

The unlawful possession, sale, use, transportation, cultivation, manufacturing, maintaining an unlawful place. (CSA's are **only required** to record and report this offense when the person was referred for campus disciplinary action.)

### **Alcohol Offense**

The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place. (CSA's are **only required** to record and report this offense when the person was referred for campus disciplinary action.) **CLERY does not require the reporting of public drunkenness or driving while under the influence offenses.**

### **Weapons Offense**

The unlawful possession or control of any firearm, deadly weapon, (including nunchakus or billy club) illegal knife or explosive device while on the property of the University of California, San Diego except as required in the lawful course of business or as authorized by the UCSD Chief of Police. (CSA's are **only required** to record and report this offense when the person was referred for campus disciplinary action.)

### **Hate Crime**

A criminal act involving one/more of the listed crimes which was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

### **Hate Incident**

Any noncriminal act motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

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### **DEFINITION OF CAMPUS SECURITY AUTHORITY (CSA)**

- a. A campus police department or campus security department of the University.
- b. Any individual who has responsibility for campus security but who is not a member of the campus police department or the campus security department. (e.g. parking enforcement staff, campus safety escort staff, special event venue security).
- c. Any individual specified in the University's statement of campus security policy as an individual to which students and employees should report criminal offenses.
- d. An individual of the University who has significant responsibility for student **and** campus activities. (e.g. student housing, student discipline, athletic directors/coaches and campus student judicial officials)

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### **INSTRUCTIONS**

- a. If the reported incident constitutes a threat to the safety of the UCSD community, in addition to completing this form, the CSA shall immediately telephone the UCSD Police Department at 534-4357.
- b. Confidential and anonymous reports are accepted. However, if the reporting party is a victim of a sex offense, he/she shall also be encouraged to report the crime directly to the police department and/or the Office of Student Safety Awareness Program.
- c. While second hand reports are inherently unreliable and are difficult to verify, such reports shall also be accepted. The potential for duplication of reported incidents **shall not** be a factor in determining whether or not a report is taken.
- d. Clery reporting (this form) does not replace or change any existing reporting requirements or procedures for disciplinary referrals for student or employee misconduct.
- e. Hate Crimes present a special reporting challenge. CLERY requires the CSA to document each reported crime occurrence, and CLERY also requires the CSA to record the category of prejudice.

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**Send report:** To the UCSD Police Department at mail code 0017, fax to 534-6192 attention Clery Coordinator. If the report involves a sex offense, a copy of the report should also be sent to the Student Safety Awareness & Sexual Assault Resource Program at Mail Code 0372. Any questions concerning this form or the CLERY ACT should be directed to the Clery Coordinator at the UCSD Police Department - 534-4359.



CALIFORNIA PENAL CODE SECTION 290.4  
(provides, in part):

Registered sex offender information distributed pursuant to this section shall only be used for law enforcement purposes and the public safety purposes specified in this section and Section 290. Record information shall not be distributed or removed from the custody of the law enforcement agency that is authorized to retain it. Information obtained from this record shall be disclosed to a member of the public only as provided in this section or Section 290 or any other statute expressly authorizing it. Any member of the public who copies, distributes, discloses, or receives record information except as authorized by law, is guilty of a misdemeanor. 290.4(c)

Unauthorized removal or destruction of record information from the law enforcement agency is a misdemeanor. 290.4(d)

A person is authorized to use information disclosed pursuant to this section only to protect a person at-risk. 290.4(e)(1)

Except as authorized under any other provision of law, the use of any record information for purposes relating to any of the following is prohibited. 290.4(e)(2)

- (A) Health insurance
- (B) Insurance
- (C) Loans
- (D) Credit
- (E) Employment
- (F) Education, scholarship, or fellowships
- (G) Housing or accommodations
- (H) Benefits, privileges, or services provided by any business establishment

Any person who uses information disclosed pursuant to this section to commit a felony shall be punished, by a five-year term of imprisonment in the state prison. 290.4(b)(1)

Any person who, without authorization, uses information disclosed pursuant to this section to commit a misdemeanor shall be subject to a \$1,000 fine. 290(b)(2)

Any use of information disclosed pursuant to this section for purposes other than those provided by (e)(1) or that is in violation of (e)(2) shall make the user liable for actual damages, and any amount that may be determined by a jury or a court, not to exceed three times the amount of actual damages, attorney's fees, exemplary damages, or a civil penalty. 290.4(e)(3)(A)