



SUNY Potsdam Annual Security Report

2016 Report (statistical data for years 2015, 2014, 2013)



Published in compliance with the United States Code Section 1092 (f) the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act (hereinafter referred to as the Campus Security Act) and the code of Federal Regulations.



On behalf of the campus community, welcome to SUNY Potsdam!

Our primary concern is the safety and well-being of our students, employees and visitors. In the following pages, you will find a description of the College's dedication to safety and security and a statistical report of certain offenses in and around the campus.

No matter the time or day, the University Police Department (UPD) is available to provide services to the campus community. We promote safety and responsibility through education, training, interaction and when necessary, enforcement of local, state and federal law.

While we have developed programs, procedures and strategies to protect all members of the campus, it is still necessary for each person to take simple precautions to ensure his or her personal safety and to call University Police or other designated reporters when they observe any suspicious or concerning activity.

We invite you to further examine our website and to contact us at any time for more information or to schedule a University Police officer to present to any student or employee organization, group or residence hall.

The Student Right-to-Know and Campus Security Act was signed into law in November of 1990. Title II of this act was amended and renamed in 1998 as the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act. This law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain offenses that occurred on the campus, adjacent areas of the campus and specified campus controlled property for the previous three calendar years. The purpose of this report is to provide our current and prospective students, faculty and staff with campus safety information including crime statistics and procedures to follow to report a crime. This report also complies with the Violence Against Women Act (VAWA) Re-authorization 2013. This document was compiled by University Police and is available on our website at: <http://www.potsdam.edu/studentlife/safety/upload/Annual-Report-2014.pdf>.

Note: The College will not retaliate nor allow any retaliation toward a person(s) who reports an alleged violation of the Campus Security Act.

The statistics in this report are compiled by the University Police Department by analyzing records from the University Police Department database, by reviewing referrals to Student Conduct and by requesting information from Campus Security Authorities and outside police agencies.

Reporting Locations

This law requires that campuses report specific criminal activities that occur on campus property and specific areas surrounding the campus as well as a few properties controlled by the campus within the community. Crimes and other hazards occur and exist within the community at large that fall beyond the reporting scope of this report. All students and

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employees are advised to exercise caution in all areas of the campus community and to contact University Police for information and programming on personal safety.

On Campus: includes all campus buildings, roadways and walkways.

On-Campus Student Housing: includes all residential halls and living spaces.

Non Campus: includes buildings owned or rented by recognized by student organizations (such as recognized Greek letter organizations) or those owned or rented by the College that are situated outside the primary campus area.

Public Property: includes streets, sidewalks, parking lots or green-space immediately adjacent to and accessible from the campus.

University Police is available 24 hours a day, 365 days a year.

Daily Shift Logs of all University Police activity are available for review during business hours.

Crime/Fire Logs that list all reported crimes and fires are also available for review.

General Campus Information

SUNY Potsdam enrolls a full-time student population of about 3,700 students and has a part-time student enrollment of about 250. The campus is one of the largest employers in St. Lawrence County with 725 full-time and about 173 part-time employees. Over 2,100 students reside in our residence halls while nearly 1,800 reside off-campus.

Standard Facility Access

Students and employees have access to academic, recreational and administrative facilities during scheduled hours. Access to residence halls is limited to students and their guests according to our guest procedures (see Code of Student Conduct or inquire of your Resident Director or Resident Assistant). The campus is considered an “open campus” that allows pedestrian, bicycle and vehicle traffic to travel through the campus without first reporting to a college official. However, the College retains the right to dismiss visitors from the campus when our policies have been violated.

Reporting Crimes

All members of the campus community are urged to promptly report criminal incidents, emergencies and suspicious activities. **The University Police phone number is (315) 267-2222.** Dialing 911 from a campus “land-line” will connect the caller with University Police. Picking up any “red phone” located in most campus buildings or activating any of our “blue light” emergency phones strategically located throughout the campus, will immediately connect the caller with University Police. Police officers are immediately dispatched to the site of the emergency phone activation. All reports are classified, logged and responded to promptly. Any incident, crime or emergency can also be reported directly by any person to the University Police office located in Van Housen Hall Extension, first floor. The Potsdam Police Department can be reached at (315) 265-2121 or by dialing 911 to report any emergency or call for service within the Village of Potsdam.

Federal law also mandates that any official of the institution who is defined as “Campus Security Authority” is required to report criminal offenses. The definition of “Campus Security Authority”, according to the federal law, is as follows: “An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial proceedings.”

University Police offers an anonymous witness form on our web page at: <http://www.potsdam.edu/studentlife/safety/index.cfm>.

This form allows for anonymous reporting of crimes and incidents of concern.

SUNY Potsdam now has the Guardian Safety App available for free download to use on your smartphone. Students can call University Police in an emergency with the touch of a button on their smartphone, as well as sending in tips to University Police.

At SUNY Potsdam, it has been determined that the following positions are examples of who meet the definition of a “Campus Security Authority”:

- Director of Student Conduct and Community Standards
- Dean of Students
- Athletic Director
- Assistant Athletic Director
- Coaches of Intercollegiate Athletic Teams
- Assistant Coaches of Intercollegiate Teams
- Faculty Advisors to Student Organizations, Clubs, Groups
- Resident Hall Directors
- Area Coordinators
- Resident Assistants
- University Police Officers

Safety and Security Responsibility



University Police officers are appointed by the State University of New York as defined in the New York State Criminal Procedure Law. They have the authority to make arrests, conduct criminal investigations, issue uniform traffic tickets, execute warrants and issue summonses for parking. The officers also enforce any general, special or local law or charter, rule, regulation, judgment or order.

The University Police Department is the law enforcement agency for the campus. In 2016, the SUNY Potsdam University Police Department became a New York State Department of Criminal Justice accredited police agency. Officers are vested with full law enforcement responsibilities. All officers must pass a rigorous selection process to be hired and then attend either the St. Lawrence County Police Academy or other NYS approved police

academy for basic training certification. University Police Officers are highly trained officers who receive specialized instruction and in-service training in first aid, defensive tactics, legal updates and other law enforcement topics.

The Department forwards crime incident information to the Division of Criminal Justice Services (DCJS) and the FBI through fingerprint submissions for state and national distribution. Crime reports and related information are entered into the Spectrum Justice System (SJS) for statistical and law enforcement purposes.

The University Police Department enjoys a close proximity to and a working relationship with the Potsdam Village Police, the St. Lawrence County Sheriff's Office, New York State Police and other state and federal agencies such as the US Drug Enforcement Administration. The University Police have assigned two officers to the St. Lawrence County Drug Task Force.

University Police are a proactive, energetic and service-oriented police agency. We follow recognized community-oriented police practices and have a Memorandum of Understanding (MOU) with the Potsdam Police Department. This MOU provides for the ability of each Department to assist the other when necessary, including when violent crimes and missing persons are reported from the campus. Additionally, the Chiefs of both Departments are frequently in contact on a variety of issues and joint projects. The Potsdam Police Department notifies UPD on a daily basis whenever our students are involved in a crime or serious incident. When appropriate, campus judicial referrals are initiated.

Campus Safety Advisory Committee

The Campus Safety Advisory Committee is comprised of a cross section of faculty, staff and students of the College and is appointed by the President each year. The Committee is tasked with the following duties: 1. educating the campus community about personal safety and crime prevention, 2. reporting sexual assaults and assisting victims, 3. advising the President and Chief of Police on matters of campus security and public safety. Each year the Committee conducts a "Campus Safety Walk" surveying areas of the campus that may be in need of improvement or repair. Issues addressed include lighting, pathways and any other hazards or areas of concern. Committee member include staff from: Environmental Health and Safety, University Police, Residence Life, Physical Plant, Counseling Center, as well as student representatives.

Behavioral Evaluation Committee (BEC)

The BEC is a team of carefully chosen faculty and staff members whose goal is to respond to students exhibiting specific alarming behavior. The Committee will create a care management program to intervene early with students who are at risk.

Security and Access

Security and access to on-campus facilities is controlled by key or card access. Staff and Students can also access card swipe doors using a phone app that is also part of the card access system. University Police, Physical Plant and Residence Life staff monitor access to the campus facilities. These security features may not be reflected at Greek letter organizations located off campus.

Residence halls are locked 24 hours per day. A special emphasis is placed on foot patrols by University Police and Residence Life staff in the residence halls. In addition, door viewers have been installed in most residence hall rooms to increase safety and security.

Other security considerations used in maintaining campus facilities include checking of campus lighting by University Police and Physical Plant personnel. The Grounds Department checks areas which may be potentially dangerous and takes corrective action.

University Police Officers provide 24 hour per day vehicle, bicycle and foot patrols of campus properties. The general public may attend cultural and recreational activities on campus yet access is limited only to the facilities in which these public events are held. After evening classes/functions and during times when the campus is officially closed, campus buildings are locked and only faculty, staff and students with proper identification are admitted. Campus employees with assigned offices are issued keys and are responsible for reporting missing and stolen keys.

University Police, Department of Environmental Health and Safety and the Physical Plant staff conduct regularly scheduled inspections of emergency phones and lighting throughout the campus. In addition, security cameras have been added to areas vulnerable to vandalism and continue to be added as facilities are renovated or areas of concern are identified.

The Potsdam Village Police monitor officially recognized student organizations within the Village of Potsdam.



Residence Life and Housing

The Residence Life staff is a team of individuals who work to provide a safe and secure environment in which resident students can live and learn. Residence halls are overseen by Area Coordinators, Resident Directors, Graduate Assistants and Resident Assistants that are responsible for overall operation of the hall. The Residence Hall Directors have educational backgrounds related to counseling and/or student services. They have private offices and are

available to assist students with their personal and academic concerns. The Area Coordinators, Resident Directors, Graduate Assistants and Resident Assistants live in the residence halls so they are available after hours should emergencies occur. Resident assistants are carefully selected students who are trained in mediation and intervention techniques. They work closely with the residents of their areas to develop a sense of community and to help students make the adjustments to living in college residences.

Campus Reporting Agents

The College encourages prompt and accurate reporting of any crime including sex crimes, dating violence, domestic violence, sexual assault and stalking to University Police or external police agencies such as the Potsdam Police. However, it can be difficult for a victim

to come forward after such an event. The College provides several options for students who wish to maintain confidentiality while obtaining the support they need.

Note: Not all campus employees are able to maintain the same level of confidentiality.

1. **Privileged Communications:** some employees are required to maintain nearly complete confidentiality; talking with them is sometimes called a “privileged communication”.
2. **No Personally Identifying Information:** other employees may talk to a victim in confidence and generally only report to the College that an incident occurred without revealing any personally identifying information. Disclosure to these employees will not trigger a College investigation into an incident against the victims’ wishes.
3. **Responsible Employees:** these employees are required to report all the details of an incident (including the identities of both the victim and accused) to the Title IX coordinator. A report to these employees constitutes a report to the College and generally obligates the College to investigate the incident and take appropriate steps to address the situation.

Privileged & Confidential Communications:

Professional and Pastoral Counselors:

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim’s permission. Following is the contact information for these individuals:

Professional & Pastoral Counselors
All Members of the Counseling Center, Van Housen Hall, (315) 267-2330
Campus Ministry, Dr. Harvey Smith, 221b Barrington Student Union, (315) 267-2680
All Members of the Student Health Center, Van Housen Hall, (315) 267-2377

No Personally Identifying Information:

Non-Professional Counselors and Advocates:

Individuals who work or volunteer on-campus including front desk staff and students can generally talk to a victim without revealing any personally identifying information about an incident to the College. A victim can seek assistance and support from these individuals without triggering a College investigation that could reveal the victim’s identity or that the victim has disclosed the incident. While maintaining a victim’s confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator.

This limited report – which includes no information that would directly or indirectly identify the victim – helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX

Coordinator. A victim who speaks to a professional or non-professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the accused.

Even so, these counselors and advocates will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so. Following is contact information for these non-professional counselors and advocates:

Non-Professional Counselors and Advocates
Renewal House, 3 Chapel Street, Canton, NY 13617: (315) 379-9845
Reachout, 24 Hour Hotline: (315) 265-2422

Reporting to Responsible Employees:

A “responsible employee” is a College employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the College to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. A responsible employee must report to the Title IX coordinator all relevant details about the alleged sexual violence shared by the victim and that the College will need to determine what happened – including the names of the victim and accused, any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the College’s response to the report. A responsible employee should not share information with law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement. Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee’s reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources. If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim’s request for confidentiality. Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim’s wishes, including for the College to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

Responsible Employees
Vice President of Student Affairs, Rick Miller, (315) 267-2117
University Police, Van Housen Hall Ext., (315) 267-2222
Director of Student Conduct and Community Standards, Janel Newman, Barrington Student Union, (315) 267-2358
Residence Life Director, Eric Duchscherer, Draime Hall, (315) 267-2350
Athletic Director, James Zalacca, Maxcy Hall (315) 267-2314
Center for Diversity, All Employees, Sisson Hall (315) 267-2184
Human Resources, Mary Dolan, Raymond Hall (315) 267-4816
*All Campus Security Authority Personnel: An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial proceedings.

Requesting Confidentiality:

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College’s obligation to provide a safe, non-discriminatory environment for all students, including the victim. If the College honors the request for confidentiality, a victim must understand that the College’s ability to meaningfully investigate the incident and pursue disciplinary action against the accused may be limited. Although rare, there are times when the College may not be able to honor a victim’s request in order to provide a safe, non-discriminatory environment for all students. The College has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

Requests for Confidentiality
Vice President of Student Affairs, Rick Miller, (315) 267-2117
Title IX Coordinator, Stacey Basford, Van Housen Extension Rm 392, (315) 267-2516

When weighing a victim’s request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the accused will commit additional acts of sexual or other violence, such as:
 - whether there have been other sexual violence complaints about the same accused individual;
 - whether the accused has a history of arrests or records from a prior school indicating a history of violence;
 - whether the accused threatened further sexual violence or other violence against the victim or others;
 - whether the sexual violence was committed by multiple perpetrators;
 - whether the sexual violence was perpetrated with a weapon;
 - whether the victim is a minor;

- whether the College possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the victim's request for confidentiality. If the College determines that it cannot maintain a victim's confidentiality, the College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response. The College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated.

The College will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the accused pending the outcome of an investigation) or adjustments for assignments or tests; and inform the victim of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The College may not require a victim to participate in any investigation or disciplinary proceeding. Because the College is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices. If the College determines that it can respect a victim's request for confidentiality, the College will also take immediate action as necessary to protect and assist the victim.

Other Confidential Avenues:

There are other ways to disclose a sexual assault that will be handled confidentially:

Take Back the Night and other Public Awareness Events

If a student discloses a situation through a public awareness event such as "Take Back the Night," candlelight vigils, protests, a Student Survivor Advocacy Alliance forum, or other public event, the information the student provides will not result in an investigation. The University may use the information the student provides to inform the need for additional education and prevention efforts.

Anonymous Reporting

Anonymous reports can be made in person, by phone, or by our Anonymous Witness Form at our web page at: <http://www.potsdam.edu/studentlife/safety/index.cfm>

Crime Prevention Programming

Crime prevention programs on personal safety and theft prevention are hosted by a number of campus organizations and offices throughout the year. University Police officers present for new students and parents at orientation sessions each summer; new employee orientation programs; residence halls, student and employee groups throughout the campus. We also publish crime prevention tips in the student newspaper, The Racquette; distribute pamphlets on relevant topics; and ensure emergency equipment is operable.

Some programs conducted by University Police include:

- University Police - Services and Overview: A description of the services provided by UPD.
- Operation ID: University Police Officers engrave valuables belonging to students with an identification number that can be traced nationally.
- Personal Safety/Basic Crime Prevention and Tips: This program offers techniques to be utilized in order to maximize safety in a variety of environments.
- Domestic Violence/Dating Violence: This program explains domestic and dating violence and indicators of relationships that could become violent.
- ABC Law/Alcohol: An explanation of the NYS Alcohol Beverage Control Law and the effects alcohol has on the human body.
- Orientation: University Police Officers discuss various important aspects of living on a college campus and in a new community.
- Sexual Assault Awareness and Prevention: University Police Officers discuss ways to maximize personal safety and avoid situations in which sexual assault could occur.
- Quality of Life Issues on and off campus: University Police Officers discuss issues affecting neighbors both on and off campus; such as noise, litter and vandalism.
- Drug Identification and Awareness: This program helps students become aware of and identify illegal drugs.
- Drinking and Driving – Beer Goggles: This very popular program allows students to wear specially designed eyewear simulating the effects of alcohol on the human body.
- Alcohol/Drug Abuse Awareness: University Police Officers discuss the dangers of alcohol and drug use.
- Bicycle Safety and Security: University Police Officers explain New York State and local laws surrounding bicycle use.
- Effective Communication Skills: This program teaches students conflict resolution.
- Campus Security Authority training: University Police Officers explain the obligations of crime reporting to specially designated campus employees.
- Personal Protection during a crisis – Active Shooter: This program teaches students how to maximize safety if confronted by an armed gunman.
- RAD: Rape Aggression Defense training: During this interactive training, students are taught practical self-defense.
- Opiate Awareness training: Students are taught to identify and be aware of the dangers of opiate use.
- Ride-Along program: Any student may spend a shift with a University Police Officer to observe the duties and role of a campus law enforcement officer.

- What to do when stopped by a police officer.

Emergency Response and Evacuation

The College has identified and trained a number of carefully selected members of the leadership staff to efficiently and appropriately respond to any emergency that could arise on or affect the campus. Emergency communications procedures and protocols have been established and are practiced annually by this group known as the Emergency Resource and Response Group or ERRG. The composition of this group is as follows:

- Dean of Students
- Director of Environmental Health and Safety
- Chief of University Police
- Director of Public Affairs
- Director of Student Health Services
- Assistant Vice President of Physical Plant or Director of Facilities
- Director of Residence Life

If there were a serious, immediate threat to the health and safety of the campus community, the emergency response protocol would be enacted. Many members of the ERRG and all University Police staff have participated in training that includes completion of the National Incident Management System (NIMS) and FEMA's Incident Command System (ICS).

The Dean of Students, Chief of University Police and Director of Environmental Health and Safety (or their designees) determine the level of the emergency and the protocols to be followed. The campus community will be notified of an emergency by SUNY Potsdam Alert telephone and text messages, mass email, posters, our website and other methods. These notifications would be constructed by members of the ERRG and our Public Relations office. Notification to the greater community would be coordinated with University Police, the Potsdam Police and members of the ERRG. The College tests the SUNY Potsdam Alert system at least annually as well as our fire alarm systems, emergency evacuation plans, panic alarms and other systems. These tests may be announced or unannounced and all are documented in detail.

Evacuation Procedures

In the event of an emergency on or affecting the campus, the University will alert the campus in a timely manner utilizing a variety of methods as described below.

- **Building Evacuation:** Students, faculty and staff are trained to evacuate a building when a fire alarm is activated or when directed to do so by appropriate staff. Members of the campus community are trained to leave by the nearest, marked exit and to alert others to do the same. They are additionally trained not to use elevators, to assist others when possible, and to proceed to a designated assembly space. Further, return to a building is not permitted until authorized by UPD.
- **Campus Evacuation:** Evacuation of all or a portion of our campus will be announced by UPD. All persons will be directed where to relocate by UPD.
- **Evacuation of Disabled Students:** University Police are notified of those members of the college community who would require assistance in evacuating a building. UPD Officers check exit corridors and stairwells for those who may need assistance.

Timely Warning and Emergency Notifications

What warrants a "timely warning" or "emergency notification"?

Timely Warnings shall be issued whenever a crime as defined in the Campus Security Act (pages 30 - 32 of this report) that is considered to represent a serious or continuing threat to students and employees is reported to UPD or a local police agency. Whenever a timely warning is sent it may be sent to the entire Campus Community or to the relevant population if technology allows.

Emergency Notifications shall be issued when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurs on the campus. As appropriate, emergency notifications may be targeted at only a segment or segments of the campus community that is at risk. Emergency notifications will be issued without delay unless doing so would compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Additional information will be provided as it becomes available throughout the course of the event.

Who Decides? The Chief of University Police, or his or her designees and/or other campus and non-campus officials as appropriate (ex. Emergency Response Resource Group, Commissioner of University Police, Public Relations, Presidents Office, etc.), shall confirm the existence of a situation that may warrant a warning or notification and determine if a timely warning or emergency notification is warranted and the extent of the notification as appropriate. In addition to criminal incidents, emergency notifications may be issued in situations such as, but not limited to:

1. Safety Related Issues:

- An incident that occurs on our campus that affects the personal safety and security of our population.
- An incident that occurs in close proximity to the campus that may potentially affect the personal safety and security of our student, faculty and staff population.

2. Health Related Issues:

- A member of our population is diagnosed with a serious or life threatening communicable/infectious disease.
- Evidence of bio-terrorism.
- A significant and dangerous weather event.
- A significant infrastructure failing such as a natural gas leak.

The only reason an immediate notification for a confirmed emergency or dangerous situation would not be issued is if doing so will compromise efforts to: assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

How will a Timely Warning or an Emergency Notification be Communicated?

For Safety Related Issues: The means of communication will be chosen by the Dean of Students in conjunction with the Chief of University Police or their designee based upon the nature of the incident. Possible means of communication are:

- Email to all students and/or faculty/staff
- Postings in the Barrington Student Union, Maxcy complex, Crane complex and residence halls, as applicable to the incident. At times, postings can be emailed as attachments to various offices as indicated below.
- Delivery of hard copy notification to all residence halls
- Written notice in the student newspaper, the Racquette, based on timing of the incident
- Posting of notification on University Police Department website: www.potsdam.edu/police
- SUNY Potsdam RAVE Alert in the case of a critical campus wide emergency
- Email to parents
- Post to the SUNY Potsdam website: www.potsdam.edu
- SUNY Potsdam's radio station at WAIH 90.3 FM
- Social Media outlets

There is no time in which a person must remain missing in order for a report to be made or for University Police to begin their investigation.

For Health Related Issues: The means of communication will be chosen by the Dean of Students in conjunction with the Director of Student Health or their designees based upon the nature of the incident. Possible means of communication are:

- Letters to students and/or parents (communication to parents is extremely minimal, most likely done in cases of measles, mumps, or rubella. Viral Meningitis would be communicated to the parents whose students are directly affected.)
- Letters to faculty and staff, if appropriate
- Posting of notification on the University web-site
- Written notice in the student newspaper, the Racquette, based on timing of the incident
- SUNY Potsdam's radio station at WAIH 90.3 FM
- Social Media outlets

Students are encouraged to sign up for SUNY Potsdam RAVE Alert at: <http://www.potsdam.edu/studentlife/safety/ravealert> to receive emergency notifications.

Missing Student Notifications

Residential students are afforded an opportunity to register a Confidential Missing Person Contact through Residence Life upon check-in to their residence halls each year. This information can be modified at any time. The information is kept confidential and is only accessed by authorized campus officials and law enforcement in cases of missing person reports.

Whenever a member of the campus feels any student, faculty or staff member is missing, they are to immediately report this information to the University Police. *There is no time in which a person must remain missing in order for a report to be made or for University Police to begin their investigation.* University Police encourages immediate reporting. Certain investigatory steps are taken within the first 24 hours of receiving the report including notification of the student's missing person emergency contact; notification of the student's emergency contact person; notification of the Potsdam Police Department and other law

enforcement agencies. In some cases, law enforcement agencies throughout the state, region, the country and Canada may be notified by electronic means. If the missing student is under the age of 18 years and not emancipated, the campus is required to notify the custodial parent of guardian. The New York State Division of Criminal Justice Services hosts a Missing Child/College Student Alert program at <http://criminaljustice.state.ny.us/missing/aware/amber.htm>

In some cases this system may be activated to alert police agencies, the NYS Thruway, broadcast media, airports, bus terminals, train stations, border crossings and other areas within minutes of data entry.

Note: All students are strongly urged to notify their Resident Assistant (RA) if they plan to make an unscheduled trip or outing. This will eliminate the University Police Department from receiving reports of missing persons.

Alcohol and Drugs

The use of alcoholic beverages, narcotics and dangerous drugs is governed by the laws of the State of New York and college policy as detailed in the Student Handbook and the Code of Student Conduct. Irresponsible and/or illegal possession, use of sale of alcohol, narcotic or dangerous drugs and/or the resulting inappropriate behavior, is strictly prohibited.

The College follows a zero tolerance philosophy toward unlawful alcohol and drug possession, with the premise that every alcohol policy violation will be met with strong and swift disciplinary action. There is a need to send both a consistent and strong message that illegal consumption of alcohol, alcohol abuse as well as drug abuse and the resulting behavior will not be tolerated.

The University Police Department is responsible for the enforcement of all federal, state and local laws related to alcohol, narcotics and dangerous drug violations that are reported, receive immediate attention and are thoroughly investigated.

Drug and Alcohol Abuse Education

As an educational institution, SUNY Potsdam believes that the best approach to drug and alcohol abuse is education. The college provides ongoing drug and alcohol awareness educational programs and dissemination of pertinent information as illustrated below:

Programs conducted by Health Educator:

Prevention and Intervention Educational Programs

- *Alcohol Awareness:* Provides students with facts and statistics about alcohol and other drugs and how they can affect one's life, including legal issues. Also provides students with alternatives to drinking and using drugs.
- *Signs of someone who is possibly abusing drugs and alcohol:* Provides students with information on behavior and signs of someone who is possibly abusing

drugs/alcohol. If students have a friend they are worried about, they are encouraged to contact resident assistants, resident directors and counselors on campus.

- *Caution: Drugs and Alcohol don't mix:* Explains the possible consequences of mixing alcohol with certain types of medication. Mixing antibiotics, antihistamines, over-the-counter pain killers, and sleep medicines are dangerous when mixed with alcohol.
- *Alcohol/drugs can lead to Aids and other STIs (Sexually Transmitted Infections):* Provides students with an overview of Aids and various and STIs and makes them aware of how alcohol and drugs can lead to unsafe sex.
- *Binge drinking:* Describes what binge drinking is, the dangers and what it can lead to, how to resist pressures, and offers healthy options.
- *Alcohol poisoning:* Covers warning signs of alcohol poisoning and how to react immediately.
- Other topics will be covered upon request.

Marijuana and its Effects

- Provides students with an overview of marijuana and how it affects the body. Issues covered are personality changes, panic reactions, memory deficits, risks and side effects, trends and demographics.

Opioid Abuse

- Provides students, Residence Life staff and new employees with an overview of opioid abuse, prevention and intervention.

Programs Conducted by the University Police

- **Domestic Violence/Dating Violence:** This program explains domestic and dating violence and indicators of relationships that could become violent.
- **ABC Law/Alcohol Awareness:** An explanation of the NYS Alcohol Beverage Control Law and the effects alcohol has on the human body.
- **Orientation – Provided for Students and Parents:** University Police Officers discuss various important aspects of living on a college campus and in a new community.
- **Common Road Blocks Students Encounter:** University Police Officers explain ways to maneuver around common obstacles facing college students.
- **Drug Identification for Resident Assistants:** This program is tailored for Resident Assistants to help them identify drugs.
- **Drug Identification and Awareness:** This program helps students become aware of and identify illegal drugs.
- **Drinking and Driving – Beer Goggles:** This very popular program allows students to wear specially designed eyewear simulating the effects of alcohol on the human body.
- **What to do When Stopped by the Police**



Other programs on alcohol and drugs are also provided on campus by the Potsdam Village Police, the New York State Police, Alcoholics Anonymous, and the Potsdam Volunteer Rescue Squad.

Programs are provided when requested and focus on the residence halls and student groups.

Sexual Assault Awareness and Prevention

College Policies and Regulations on Sex Offenses

What is the College's position on sexual assault?

The College encourages prompt reporting of any act of sexual misconduct by every member of the community. The College believes that the best approach to the complex problem of sexual assault is prevention. The College puts forth considerable resources in the areas of sexual assault education; support services for the survivor; crime prevention and campus law enforcement. Furthermore, the College believes that all sexual assault incidents are very serious and are dealt with in a sensitive, private and professional manner. The College makes every effort to identify the person responsible for sexual assault offenses and pursues criminal charges as well as campus disciplinary action.

Sexual assault is prohibited. Sexual assault is defined as forced, manipulated or coerced sexual acts using verbal coercion, emotional or physical intimidation, threats, physical restraint and/or physical violence. It may include but is not limited to unwanted touching of another person's intimate areas (genitalia, buttocks, breasts), oral copulation or rape by a foreign object. It includes acts that occur when the survivor is intoxicated to the point of being unable to "provide consent" or in other words, make an informed decision. Intoxicating agents include alcohol and other drugs. Being unconscious, asleep and in some cases, simply remaining mute may also preclude a person from providing consent.

Code of Student Conduct, Rights and Responsibilities:

Prohibited Conduct

Sexual Assault includes offenses such as rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Report.

Sexual Harassment: All unwelcome conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, denies or limits someone's ability to participate in or benefit from a program or activity. Examples include requests for sexual favors, unwelcome advances or sexist comments. These actions may occur as a single episode or be persistent behavior.

Sexual Misconduct:

- a. Any sexual act that occurs without the consent of the victim, or that occurs when the victim is unable to give consent is prohibited.
- b. Obscene or indecent behavior, which includes, but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would reasonably be offensive to others, is prohibited.

Note: The act of consent requires spoken words or behavior that indicates, without doubt to either party, a mutual agreement to participate in sexual intercourse or other sexual activities. **Indicators of consent do not include silence or past or present sexual relationships.** A person is deemed incapable of consenting when that person is developmentally disabled, mentally incapacitated, physically helpless (whether induced by drugs, alcohol, otherwise) or asleep. The use of alcohol or other drugs cannot be considered an excuse for Sexual Misconduct. Sexual Misconduct can be committed by a friend, acquaintance, or stranger.

Affirmative Consent: is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent. Seeking and having consent accepted is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual activity between or with any party does not constitute consent to any other sexual act. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression. Consent may be initially given but withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained, if any of the parties are under the age of 17, or if an individual otherwise cannot consent. Consent cannot be given when it is the result of any coercion, intimidation, force or threat of harm.

What Should I do if I am Assaulted?

In order for survivors to obtain proper support and build a strong case against the offender, it is helpful to take the following measures:

- After getting to safety, report the assault immediately to University Police.
- Survivors may report to any outside police agency at any time and the college will assist them in the investigation.
- University Police will provide survivors with written notice of reporting options, remedies, and services.

Victim's Bill of Rights:

The State University of New York is committed to providing options, support and assistance to victims/survivors of sexual violence/assault. Pursuant to the Violence Against Women Act, these rights are also extended to victims of domestic violence, dating violence, and stalking. The purpose of these actions is to ensure that victims can continue to participate in College/University-wide and campus programs, activities, and employment

All victims of these crimes regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial

status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction have the following rights, regardless of whether the crime occurs on campus, off campus, or while studying abroad.

Major rights of sexual violence victims:

Describe the incident to as few individuals as practicable and not to be required to repeat unnecessarily a description of the incident.

Be free from retaliation by the campus, the accused, and/or their friends, family and acquaintances.

Exercise civil rights and practice your religion without interference by the investigative, criminal justice or conduct process of the campus.

Victims can report the incident to one of the following college officials who can offer privacy, explain victim services, and clarify further actions that can be taken. An official who can offer privacy may still be required by law and College policy to inform one or more College officials about the incident, including, but not limited to, the Title IX Coordinator(s).

Title IX Co-Coordinator(s):

Stacey Basford, basforsl@potdam.edu, Van Housen Extension Rm 392, 315-267-2516

University Police: universitypolice@potdam.edu, Van Housen Hall Extension, 315-267-2222

Anonymously at:

<http://www.potdam.edu/studentlife/safety/incidentreporting/witnessform.cfm>

Additional Reporting Locations

- Office of Student Conduct and Community Standards: Barrington Student Union, (315) 267-2358
- Campus Ministries: Barrington Student Union, (315) 267-2680
- College Counseling Center: Van Housen Hall, (315) 267-2330
- Student Health Services: Van Housen Hall, (315) 267-2377
- Canton Potsdam Hospital: 50 Leroy Street, Potsdam, (315) 265-3300
- Potsdam Police Department: 38 Main Street, Potsdam, (315) 265-2121
- Renewal House: 3 Chapel St Canton, (315) 379-9845

Evidence Preservation – for future criminal prosecution or campus student conduct action.

- Do not change clothes, shower or clean up in any way
- Do not throw anything away
- Do not take any unnecessary medication
- Inform the investigator of people who may have been nearby during the assault or who may have heard or seen anything before, during or after the attack. It is very

important you inform the police who you spoke with, emailed or texted after the attack.

- Try to describe the attacker in detail: age, weight, height, race, eye and hair color, clothing, scars, tattoos, piercings, length of hair, if facial hair was present, jewelry worn, items they may have left, odors, exact wording they used and any distinctive language or speech patterns.

Survivor Assistance

Please remember that the sexual assault is not your fault. It does not matter what you may have been wearing or how much you had to drink.

- Although it is never too late to report a sexual attack, reporting as soon as possible is very important.
- As a sexual assault survivor, you have the right to report the incident. Only you can make that decision. We want to ensure you receive the support you need to handle this crisis. We strongly encourage you to file a complaint. The College wants to handle this incident in the best way for you and in a manner that prevents further attacks. Studies show rapists are often repeat offenders and have an average of up to 6 victims. You can help stop the cycle of attacks.
- Survivors may be able to have their academic and living conditions changed.
- We have many resources dedicated to survivors of sexual attacks. Of course first and foremost, we urge you to contact University Police as soon as possible.
- The Counseling Center's highly training staff is always available to help you.
- Wellness Advocates (WA's) are on call through the Counseling Center as well should you prefer to speak with a peer. Their number is 315-261-8873.
- Resident Assistants and Resident Directors are also available at all times to help.
- Renewal House, a domestic violence and rape crisis organization is available at 315-379-9845.
- Reachout, a 24-hour crisis outreach service is also available at any time.

Counseling

Counselors are special people with enduring sensitivity, trained to respond to crisis situations. They can understand, support, advocate, listen and clarify. The Counseling Center is located in Van Housen Hall: (315) 267-2330.

You do not bring your best skills to a crisis, but a counselor will bring his/hers. You can choose to talk to either a male or female counselor or not to speak to a counselor at all.

If you choose to speak with a counselor, they will try to help you sort through all of the important issues one step at a time, at a manageable pace with you leading the way. Some of the issues a counselor may discuss with you:

- Obtaining immediate care for physical trauma.
- Gathering medical/legal evidence using a sexual assault nurse examiner (SANE Nurse).
- Prevention/treatment of SID/HIV.
- Prevention/treatment of pregnancy.
- Linking with your personal support system of family and friends.
- Legal assistance/reporting and prosecuting the offender if you choose to do so.

- Help dealing with any long-term effects of assault, including anxiety, depression, fear and how to handle family members and friends.

Medical Care

If you have been sexually assaulted, it is important to make sure you protect your physical health as well as your mental health. SUNY Potsdam Student Health Services (Van Housen Hall: (315) 267-2377) is ready to help you get the medical care you need after a sexual assault, but there are other options for you as well. You could see your regular doctor or go to the nearest emergency department, Canton-Potsdam Hospital, 50 Leroy Street, Potsdam: (315) 265-3300. Please keep in mind that many treatments are time dependent. The sooner you obtain medical care, the more effective the treatment can be.

Visiting a health care provider can ensure your safety by providing you with the following:

- Treatment for any physical trauma that occurred during the assault.
- Screening for and prescription medications to prevent sexually transmitted infection including HIV.
- Prescription medications to prevent pregnancy.
- Collecting physical evidence that may help you in court or making arrangements for a sexual assault nurse (SANE) to do the same.
- Helping you get any counseling and support you may need.

Programming for Preventing of Sexual Assault/Awareness on our Campus

- Personal Safety/Basic Crime Prevention and Tips: This program offers techniques to be utilized in order to maximize safety in a variety of environments.
- Title IX training at all Orientation Sessions.
- Required Title IX training for all new student – We Comply Module
- Student Groups Title IX training, ex. Athletics, Greek organizations, student government etc.
- Domestic Violence/Dating Violence: This program explains domestic and dating violence and indicators of relationships that could become violent.
- Alcohol Awareness: An explanation of the NYS Alcohol Beverage Control Law and the effects alcohol has on the human body.
- Orientation – Provided for Students and Parents: University Police Officers discuss various important aspects of living on a college campus and in a new community.
- Rape Aggression Defense (R.A.D.): During this interactive training, students are taught practical self-defense.
- Interpreting “No” – A Candid Discussion for Men: University Police Officers speak with male students about the issue of informed consent.
- Self Defense Course – Physical Education Course.
- “No More Fear” – Sexual Assault Avoidance: University Police Officers discuss ways to maximize personal safety and avoid situations in which sexual assault could occur.
- University Police Escort: Officers will locate and transport students who feel they are at risk.
- Sexual Assault Prevention: University Police Officers discuss ways to maximize personal safety and avoid situations in which sexual assault could occur.
- Safer Sex Programs: Health educators explain safe sex practices.

Recommended Sexual Assault Prevention Measures

Before we suggest ways to protect yourself from attack, it is helpful to examine and be aware of myths surrounding rape and sexual attacks.

Myth #1: The motivating force behind sexual assault is only sexual desire.

Sexual assault is about power and control, humiliation and degradation.

Myth #2: Sexual assaults are perpetrated mostly by strangers outdoors and at night in deserted areas like parking lots, behind bushes and back alleys.

In fact this is **atypical** of most rapes and sexual attacks; particularly on college campuses. In **most** cases, rape survivors knew their attacker prior to the assault and in some cases, the perpetrator was a boyfriend or girlfriend. Many rapes occur in the context of a date, while others are committed by neighbors, relatives and other acquaintances. Almost half of all reported rapes occur in a home, many times the survivor's home.

Myth #3: Physical assault is always involved with sexual assault. The survivors will have bruises and apparent injuries on their body if they were truly sexually assaulted. Most rapes do not involve a high level of physical violence. Psychological strategies like intimidation, pressuring, emotional blackmail and the use of threats are the most common techniques used by perpetrators. Most offenders utilize physical force after psychological strategies have failed. Many survivors do not present with bruises, cuts or torn clothing. They may not look "battered".

Myth #4: You can tell simply from another person's actions or way of dressing that she or he wants to have sex with you. One can never assume someone wants to have sex based on his/her appearance (appearance does not imply or take the place of verbalized consent).

Myth #5: Some people ask to be raped or sexually assaulted and are at fault for whatever happens. People may make poor judgments and even dangerous decisions but no one ever **asks** or **deserves** to be sexually assaulted. Rape has nothing to do with appearance or the victim's reputation. It is **never the survivor's fault!**

Myth #6: Women make up accusations of sexual assault to get revenge against a person. Sexual assault is severely under-reported and false complaints make up a small portion of reports.

Myth #7: Rapists are severely disturbed. Generally, rapists test in the normal range on most psychological instruments. Rapists look like most other people and often have jobs, families and otherwise normal lives.

How To Protect Yourself Against Sexual Attack

SUNY Potsdam has experienced a relatively low incident of sexual assaults. However, it is important not to develop a false sense of security. Knowledge and awareness help make safe decisions.

- Most rapes on or near college campuses are committed by acquaintances or during some type of date. Although "stranger crimes" can occur, they are very rare on their campus and within the community.

- **Students are at the highest risk of unwanted sexual contact during their first few weeks on campus or during their first few weeks living off-campus.**
- Determine what you want, and what you don't want, and communicate your personal limits clearly. No one should pressure you into unwanted sexual activity. If you are uncertain about what you want, tell your partner to respect your feelings.
- Know that you have the right to say, "No" at any time and the right to defend yourself against an attacker.
- **Trust your intuition. If you feel uncomfortable leaving or entering a Residence Hall, go to the most public space. Never feel you have to hold the door for others to enter a secure Residence Hall. If you feel something is wrong, it likely is. Remove yourself from the situation and get to a safe space as quickly as possible.**
- Be careful with alcohol and drugs. Some people think that a drunk or stoned companion has automatically consented to sex. This is not true. Investigations show alcohol use and abuse is often a component of sexual assault cases.
- Attend parties with friends you can trust. Agree to **"look out for one another"**. Always try to leave with a group rather than alone or with someone you don't know well.
- If you find yourself alone and uncomfortable on campus, call University Police at 315-267-2222. If you are off campus and alone and uncomfortable, and feel your safety is compromised call 911.
- Look for danger signals in a dating relationship. If your partner restricts your activities, isolates you from friends or displays jealous behavior, he or she may become dangerous.
- Talk with your friends about the problem of dating violence. Become conversant with techniques to disrupt degrading jokes about violence and sexuality (Bystander Awareness Training offered by Student Affairs).
- Be alert. Walk with confidence and look others in the eye.
- Carry your car or house/room keys in your hand as you leave or are walking toward your destination.

Helping Protect Others

- Respect your partner's decisions. Don't pressure them to go beyond the limits they have set. Listen carefully to your partner and ask for clarification if your partner seems unclear or is giving you a mixed message. If you're not sure your partner wants to engage in a sexual act, ask them!
- Respect the person when he or she says, "no" to sexual activity and comply. **Not hearing the word "no" does not mean "yes" or imply consent has been given.** Be absolutely certain you are not going beyond your partner's limits. Once again, asking your partner if they want to have sex is a great way to show them respect and to clarify what they want.
- **If you see someone in a vulnerable position, find a safe way to help.** Don't ignore what you think is a dangerous situation or presume someone else will take care of the problem.
- Alcohol and drugs diminish the ability to make clear and good decisions. **Having sexual contact with someone too intoxicated by any substance to make a good decision is a crime.**

- Be careful in groups. Resist pressure from friends to participate in or be subjected to any act with which you are not comfortable.
- Never make assumptions about a person's behavior. **Never assume a person wants to have sex because they drink heavily, dress in a certain manner or agree to go back to your room.**
- **Previous consent does not imply current consent.**

Safety in the Residence Halls and In Your Apartment

- Do not let strangers in the exterior doors.
- Keep your doors locked at all times. If off-campus, windows should be locked as well.
- Do not open your locked door for anyone until you know who they are and decide you want them in your living space. Use your door viewer.
- Ask for identification from the repairpersons or service persons who come to your door before allowing entry.
- Report lost keys and ID cards immediately to Residence Life staff.
- Report suspicious persons to Residence Life staff or University Police immediately.
- Do not "prop" open outside doors.
- Remember: Always keep your door locked, even when using the bathroom or visiting friends on your floor. Keep it locked.

Sex Offender Information

Individuals convicted of sex offenses throughout the country may be designated as "sex offenders" and some may be required to register with law enforcement agencies. In New York State, there are three categories or levels of sex offenders. They are Level One, Level Two and Level Three. Level Three offenders are considered to have committed the most serious sexual offenses and to pose the greatest threat of re-offending while Level One offenders are considered to have committed the least serious of offenses and are least likely to re-offend.

The State of New York Division of Criminal Justice Services and the St. Lawrence County Sheriff's Office maintain an on-line service listing offenders in the State and in our area. The web addresses are as follows: <http://www.criminaljustice.ny.gov> and <http://www.co.st-lawrence.ny.us/Departments/Sheriff/SexOffenderWatch>

Additionally, the University Police will assist any member of the campus in locating these sites and information related to the Sex Offender Registry in New York State.

Filing of a Formal Complaint

Any person who has experienced an incident of sexual misconduct by a SUNY Potsdam student, faculty or staff member can file a formal complaint with the Office of Student Conduct and Community Standards in the Barrington Student Union room 218, with University Police in the Van Housen Ext. or with a Title IX Coordinator. The complaint shall provide a concise statement of the alleged violations of the Sexual Misconduct Policy and a detailed statement of the facts supporting the alleged violations. Although *there is no time limit* on the filing of a formal complaint with the College, the College strongly encourages a prompt filing so that a more satisfactory and complete investigation can be conducted.

Responding to a Formal Complaint

SUNY Potsdam will conduct a timely review of all complaints of domestic violence, dating violence, stalking, sexual misconduct and/or sexual assault. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

The student charged shall receive written notification of the filing of a formal complaint, along with a copy of the formal complaint, after the complaint has been received by the Office of Student Conduct and Community Standards. The student charged will meet with the Director of Student Conduct and Community Standards generally within 3 business days after receiving the complaint in order to discuss the nature of the complaint, the rights and responsibilities of the student charged and the student conduct process. The student charged shall receive a written copy of this policy at that time.

Prehearing Process

- The College reserves the right to extend any time periods identified in this policy.
- All relevant reports, witness statements, complaint forms, student charged statements and other relevant written materials are to be shared with the student charged and survivor at least 3 business days prior to the hearing.
- Once the student charged has been notified of the formal written complaint, the student charged and survivor will be kept informed of all developments and will be advised of the procedures that will guide the resolution of the complaint.
- The student charged and survivor will be informed in writing of the date and time of the hearing.
- The student charged and survivor shall have the opportunity to make a request to the Director of Student Conduct and Community Standards for witnesses to testify on their behalf. The Director of Student Conduct and Community Standards shall determine which witnesses shall testify based on the relevance of their testimony.
- Any scheduling requests must be directed to the Director of Student Conduct and Community Standards.
- If a sexual misconduct case is also being heard by a civil or criminal court, the College retains the right to hear the case before, after or during the same time as the civil or criminal case, and to implement appropriate action (such as No Contact Orders, removal from campus residence facilities, removing a student from a class or classes or Interim Suspension) to maintain the safety of the campus.
- The Student Conduct Process shall be confidential to the extent possible and as allowed by law.

Rights of Both the Student Charged and Survivor

- The right to request a Campus No Contact Order against another student who presents a danger to the welfare of the requesting student or others.
- The right to have an advisor accompanying and assisting throughout the Student Conduct Process. This advisor can be any member of the Potsdam community of the student's choosing, a student's parent, or an attorney (provided at the student's own cost). The advisor may not take part directly in the hearing itself, though they may confer with the student as necessary.

- The right to a reasonable investigation and appropriate resolution of all credible formal complaints.
- The right to bring an advisor to all phases of the investigation and hearing.
- The right to receive written notice of the outcome and sanction(s) of the sexual misconduct hearing.
- The right to have a hearing unless the incident was resolved through an Administrative Agreement in Waiver of a Hearing.
- The right to appeal the finding and sanction of the Hearing Board in accordance with the provisions of this policy.
- The right to petition that any member of the Hearing Board be removed on the basis of bias.
- The right to present relevant witnesses as defined by the Hearing Board.
- The right to be present for all testimony given and evidence presented before the Hearing Board.
- The right to be informed in advance of any public release of information regarding the formal complaint to the extent possible and as allowed by law.
- The right to be free from retaliation.
- Protective Measures that may be offered include: relocating student rooms, relocating classrooms if available, relocating job assignment location, safety escorts, no contact orders.

Special Procedures

- **False Reports:** The College will not tolerate intentional false reporting of incidents. It is a violation of the Code of Students Rights, Responsibilities and Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.
- **Notification of Determination:** The determination made after a hearing is part of the education record of the student charged, and is protected from disclosure under Federal law.
 - Survivors shall be informed of the formal complaint against the student charged, the determination made after a hearing, any sanctions imposed and any appeal and its outcome. If the victim is deceased as a result of the offense, the next of kin shall be treated as the victim for purposes of being notified of the results of the hearing.
 - **Alternative Arrangements:** Survivor has the right to request alternative arrangements. These alternative arrangements must be consistent with the rights of the accused. Accordingly, alternative arrangements must enable both parties and the hearing panel to hear each other.
 - **Past Sexual History/Character:** The past sexual history or sexual character of a student charged will not be admissible in a Sexual Misconduct hearing unless the student charged was found to have violated the Sexual Misconduct Policy (“Past Violation”), the information related to the Past Violation may be considered by the Hearing Board if:
 - The previous violation was substantially similar to the present complaint; and
 - The previous violation indicates a pattern of behavior and substantial conformity with that pattern by the student charged.

- The burden of proof in all cases is “the preponderance of evidence” - whether it is “more likely than not” that the incident occurred. If the evidence presented meets this standard, then the respondent must be found responsible.

*The University is firmly committed to a policy that encourages timely disclosure of sexual misconduct. Any person, who, in good faith, reports sexual misconduct will be **protected from retaliation** (defined as an adverse action taken because an individual has engaged in protected activities), threats of retaliation, suspension or discharge from an educational opportunity or employment, or any other forms or means of discrimination because this person reported alleged sexual misconduct.*

Hearing Process

- Pre-hearing discussion by board members. Board members discuss the case to ensure that all written material is understood, to develop questions that should be asked, and to ensure that any procedural questions are answered. The Director of Student Conduct and Community Standards will work with the board during this time to clarify any procedural questions.
- Everyone involved in the hearing is invited into the room. This includes all witnesses.
- Digital recorder is turned on.
- Introductions. Chair asks each person to introduce him/herself, giving name and what their role is in the hearing (Individual bringing forth charges, Student charged, advisor, witness, etc.)
- Explain use of the digital recording. A digital recording is made in order to be available for an appeal. An appeal may be made within 4 working days of receiving notification of the outcome of a hearing. The digital recording will be kept only for the length of the appeal period, except in cases of any form of separation from the institution.
- Query student charged as to the appropriateness of board members. If the student objects to the participation of any member of the board, ask for an explanation. The chair will then call a brief recess so that the board can consider the objection. The chair will rule on the objection and may (1) continue the hearing with the same board (2) adjourn the hearing and take steps to have a new hearing scheduled. The student will be asked to return to the room and the chair will announce the decision with the rationale recorded on record. If the objection is with the chair, the Director of Student Conduct and Community Standards will request an explanation and work with parties involved to determine whether to proceed or adjourn.
- Remind all parties of the following information:

1. Confidentiality of the hearing: It is expected that all information (testimony and written material) given in the hearing will remain confidential. Sharing information presented during the hearing may result in disciplinary action.
 2. Role of the advisor to either party: Advisors are reminded that they may only speak with their advisee. If the advisor has a question, they must ask their advisee to address the board.
 3. Presenting false information: It is a violation of College policy to present false information in a conduct hearing. Such a violation may lead to further disciplinary action.
- Chair reviews the format of the hearing.
 1. Both parties have the opportunity to make an opening statement.
 2. After each opening statement, witnesses will be asked to participate.
 3. At the appropriate time during the hearing, each party will have the chance to question the other and all witnesses.
 4. Board members may ask questions throughout the hearing.
 5. Both parties can make final statements.
 6. Finally, there will be a time for the board and either party to ask final questions to help everyone understand the incident.
 - Witnesses are asked to leave the room. In most cases, witnesses are asked to wait outside the hearing room. They are called in individually to explain whatever information they might have regarding the incident.
 - Response of the accused student to each charge. Read each charge, completely, as presented on the charge letter. Have the student state verbally into the recorder whether they are **RESPONSIBLE or NOT RESPONSIBLE** for the charge(s). For more than one charge, ask the student to respond to each charge individually. In the unlikely event that a student will not respond, record not responsible on the summary form.
 - Opening statement made by College or survivor. The statement should be relevant to the charges; then
 1. The board will ask questions.
 2. The student charged will ask questions.
 3. Additional questions may be asked.
 - Opening statement made by Student charged. The statement should be relevant to the charges.
 1. The board will ask questions.
 2. The student charged will ask questions.
 3. Additional questions may be asked.
 - Witnesses for the College or survivor make statements. Each witness comes in individually.
 1. The board will ask questions.

2. The student charged will ask questions.
 3. Additional questions may be asked.
- Witnesses for the Student charged make statements. Each witness comes in individually.
 1. The board will ask questions.
 2. The Student charged will ask questions.
 3. Additional questions may be asked.
 - Final comments made by College or survivor.
 - Final comments made by Student charged.
 - Final questions and discussion. This is a chance for everyone in the hearing to ask any final questions, which will add to everyone's understanding of what happened in the incident and help the board to understand the organization's perspective about the incident.
 - Explain that the board will move into closed session to deliberate. At this point, the board will go into closed session to determine whether or not the student charged is responsible or not responsible for each of the charges and will determine sanctions if appropriate. The Hearing Board or Hearing Officer may request the Director of Student Conduct and Community Standards remain in the hearing area in case there are questions of clarification. These decisions will be given to the Director of Student Conduct and Community Standards or designee, who will notify the student charged, in writing, of the board's decision. If the Student is found responsible, he/she may appeal the board's decision based on specific criteria that is defined later in this document.
 - Turn off the digital recorder.
 - All but board members leave the room.
 - The Standard of Proof is: **Preponderance of Evidence**

Appeals

- An appeal of a decision from the initial hearing may be made by Director of Student Conduct and Community Standards or designee, or the student found responsible within four (4) school days of the decision except as the period may be extended by the Appellate Board. A survivor, if dissatisfied with the sanction(s) imposed, may request the Director of Student Conduct and Community Standards or designee to file an appeal, and such request shall not be unreasonably refused.
- Appeals may be filed by the Director of Student Conduct and Community Standards or designee on the following grounds only:
 1. that the initial hearing body failed to observe the procedural requirements established by this Code;

2. that the sanction imposed by the initial hearing body was clearly unreasonable in light of the known circumstances.
 3. An appeal may be filed by the responsible student or survivor on the following grounds only:
 - a. that the initial hearing body failed to observe the procedural requirements established by this Code;
 - b. that the sanction imposed by the initial hearing body was clearly unreasonable in light of the known circumstances;
 - c. that new evidence has appeared, that was not available at the time of the hearing, which could have substantially affected the initial decision.
- The non-requesting party will receive notice of the appeal and may submit either his or her own appeal or a written response to the requesting party's appeal within 4 days, which the appeals board will consider together.
 - The purpose of the appeal is not to rehear the underlying case; rather, it is to determine if there is sufficient information presented to allow a reconsideration of the Hearing Board's decision.
 - The Director of Student Conduct and Community Standards will ask the Appellate Board to reconsider the case based on new information presented.

Sanctions

The following sanctions may be imposed after proper procedures have been followed if the preponderance of the evidence establishes a violation of prohibited conduct. The list is not exhaustive or exclusive. The Hearing Boards and Hearing Officers may impose any single sanction listed or a combination thereof. When determining disciplinary sanctions, the Hearing Board or Hearing Officer shall consider a student's past disciplinary record. Repeat offenses may lead to the recommendation of suspension or expulsion.

1. Conditional Discharge: Dismissal of charges on conditions established by the Hearing Officer or Hearing Board.
2. Disciplinary Probation: Probationary status for a specified length of time. However, students on probation and found responsible for violations of a policy, may be subject to more severe sanctions.
3. Residence Hall Probation: Loss of priority in the housing assignment process and notification that the student's housing privilege is in jeopardy.
6. Residence Hall or Campus Restriction: Restriction from appearing in any residence hall or other area of campus. Other restrictions may be imposed such as denial of access to specified campus services or activities. A student may also be barred from the entire campus if behavior threatens the health, safety or well-being of the College community.

7. Disciplinary Removal from Residence: Removal from College residence halls on either a permanent basis or for a stated period of time without refund.
8. No Contact Order: A directive that the sanctioned student shall stay away from other faculty, staff, or student(s) and shall not in any way communicate or interact with said named faculty, staff, or student(s).
9. Restriction Order: A directive restricting the sanctioned student from certain stated acts, activities, places, people or things.
10. Deferred Suspension: This sanction is imposed when the hearing officer/board has found the student(s) responsible for a violation sufficient to warrant suspension but feels there are mitigating circumstances that warrant one final chance. Being found responsible for another violation during the period of deferred suspension, no matter how minor, will result in immediate suspension.

Note: Failure to complete sanctions by the assigned deadline will result in a "Conduct Hold". The "Hold" will remain in effect until all assigned sanctions are complete. The "Hold" means you are unable to register or make changes to your class schedule.

A. Recommendations to President

Hearing boards/officers may recommend a sanction of suspension or expulsion. Only the President of the College (or designee) can impose them. Such a case is not acted upon by the President until the student conduct process, to include appeal, is completed.

1. Disciplinary Suspension:
 - a. Partial suspension: exclusion from particular activities, academic or co-curricular, for a specified period of time.
 - b. Full suspension: exclusion from all College activities for a specified period of time.
 - c. Students sanctioned with full suspension shall not receive credit for the semester in which the suspension occurred, and will be liable for all tuition and fees for that semester.
 - d. Student will not be allowed on the SUNY Potsdam campus, as a student, guest, employee, or in any other role or for any other purpose without permission of the Director of Student Conduct and Community Standards.
 - e. Students found in violation of this sanction could result in arrest for trespass/criminal trespass.
2. Disciplinary Expulsion: Meaning the student can never return to SUNY Potsdam to finish their course of study.

- a. Students sanctioned with expulsion shall not receive credit for the semester in which the expulsion occurred and will be liable for all tuition and fees for that semester.
- b. Student will not be allowed on the SUNY Potsdam campus as a student, guest, employee, or in any other role or for any other purpose without permission of the Director of Student Conduct and Community Standards.
- c. Students found in violation of this sanction could result in arrest for trespass/criminal trespass.

NOTE: Conduct that leads to death or serious physical injury of another person including, but not limited to, hazing, physical abuse or Sexual Misconduct, will result in a permanent transcript notation indicating a disciplinary separation from the College. The transcripts shall read “Suspension – Disciplinary” or “Expulsion – Disciplinary”. Further, students found responsible for such violations shall not receive credit for the semester in which the suspension or expulsion occurred and will be liable for all tuition and fees for that semester.

A Plain Language Explanation of Distinctions Between the New York State Penal Law and the College Disciplinary Processes

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	Criminal Justice System	College/University Disciplinary System
Goals.	Public safety, deterrence, and punishment.	Education; safety; safe and supportive campus environment.
Governing Law.	New York State Penal Code; New York State Rules of Criminal Procedure (or another state’s rules if the crime took place there), Federal Criminal Law, and Rules of Evidence.	Title IX; The Clery Act as amended by the Violence Against Women Act; NYS Education Law sections 129-A and 129-B. More specific rules govern particular colleges and universities.
How to report and whether there must be action once a report is made.	Crimes involving sexual violence may be reported to campus police (if the campus has police officers), the local police agency, or to the New York State Police. Certain crimes may also be reported to federal law enforcement agents. Once a report is made, the decision whether to investigate is made by the police/law enforcement agency, often in consultation with a District Attorney or other prosecuting agency. An investigation may be conducted without the consent or participation	Victims may disclose sexual violence to various college employees who are designated confidential resources or to others who will try to ensure privacy to the extent consistent with the institution’s obligation to provide a safe educational environment. Disclosures made to a confidential resource will not trigger an investigation. When a report is made to the Title IX Coordinator (TIXC) or another Non-Confidential resource, the TIXC will determine whether an investigation is necessary by weighing a request for confidentiality by the reporting individual against the continuing safety of that person

	of a reporting individual. The ultimate decision of whether to initiate a criminal prosecution is initially made by a prosecutor. In cases involving felony charges, the final charging decision is made by a Grand Jury.	and the safety and best interests of the campus community.
Who investigates?	Police or other law enforcement officials.	Investigators employed or retained by the college or university; these individuals may work for different departments within the institution, including, but not limited to, the police/public safety department, student affairs and academic affairs.
Procedures	See Governing Law. Procedures established by police departments, prosecutors' offices, etc.	College/University policies and Bylaws, which generally incorporate requirements of Governing Law. Collective bargaining agreements may impact some procedures.
Standard of Evidence.	Crimes must be proven "Beyond a Reasonable Doubt"	A violation of disciplinary rules must be found by a "Preponderance of the Evidence" (more likely than not)
Confidentiality.	Law enforcement agencies offer some confidential assistance, but a criminal charge and trial must be public.	Colleges and universities offer confidential resources, but a disciplinary proceeding requires that relevant information be shared with those involved.
Privacy.	Criminal trials must be public.	Disciplinary proceedings are kept as private as possible, but information must be shared with certain individuals within the college, the parties, and pursuant to law.
Who are the parties?	The prosecution and defendant. The victim/survivor is <u>not</u> a party, but often the critical witness for the prosecution.	Varies by school—some consider the institution and the respondent to be parties, and confer on the reporting individual certain rights to participate, as the law provides. Otherwise, reporting individual and accused/respondent.
Participation in the process.	In limited circumstances, a criminal prosecution can proceed without the participation or cooperation of the reporting individual, but without a reporting individual's participation, it is generally more difficult to prove a crime beyond a reasonable doubt.	Reporting students cannot be required to participate in the college process. However, a college will be limited in its ability to respond if a reporting individual does not participate.
Who initiates the proceedings?	A prosecutor, acting on behalf of the state (or the United States in federal cases).	The college or university initiates proceedings. While rules vary from school to school, they most provide an active role for the reporting individual.
Testimony.	In a court, testimony is generally public. Other parties are, through counsel, entitled to cross-examine witnesses.	The rules are established by individual colleges and universities, but some institutions provide for alternative approaches that permit students to testify without having other parties in the room and/or to ask cross-examination questions only through the disciplinary panel, investigator, or representative of the reporting individual and/or respondent.
Role of attorneys.	Both the state and the defendant are represented by counsel; counsel may question witnesses.	Varies by school. Many permit the parties to be advised by attorneys but some limit the attorney's' roles to quietly speaking with their clients or passing notes.

Mental Health and Sexual History.	In New York, a reporting individual’s prior sexual and mental health history is generally, but not always, inadmissible in a criminal case. There are limited circumstances under which directly relevant evidence of that kind may be admitted.	Generally not admissible, but subject to quite limited exceptions. Education Law 129-b permits parties to exclude information about their prior sexual history with persons other than the other party and also to exclude evidence of their own mental health history in the fact finding phase of the disciplinary process.
Possible Results.	If a prosecution takes place, the defendant may <ul style="list-style-type: none"> • plead guilty or “no contest” • have the case dismissed by the judge (on legal grounds) • be found “guilty” or “not guilty” by a judge or jury 	In cases that do not involve sexual assault, some schools permit mediation or similar procedures if parties agree. If there is a formal proceeding, the respondent may be found “responsible” or “not responsible” for violations of the institution’s rules. Respondents may also accept responsibility before a finding by an adjudicator.
Sanctions.	An individual found guilty may be fined, imprisoned, or both. In some courts, alternative sanctions are sometimes used.	An individual found responsible for violating college policy may be given a range of sanctions (depending on the severity of the conduct and other factors, such as prior judicial history), ranging from a warning to suspension or expulsion from the institution.

Definition of Offenses

Offenses in Campus Crime Reporting use the Federal Uniform Crime Reporting Part 1 Offenses and their related definitions and classifications. These offenses are:

Arson - Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
A Class C, B, or A felony.

Criminal Homicide - Manslaughter by Negligence
The killing of another person through gross negligence.
A Class E felony.

Criminal Homicide - Murder and Non-negligent Manslaughter - The willful (non-negligent) killing of one human being by another.
A Class A felony.

Robbery - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
All robberies are felonies.

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

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

A Class B felony.

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

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.) These are felonies.

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

Drug Abuse Violations - Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbituates, benzedrine). Are misdemeanors or felonies.

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

Hate Crime - Also known as a bias crime, a hate crime is a criminal offense committed against a person, property or society which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation or ethnicity/national origin. Are misdemeanors or felonies.

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

- a) Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- b) Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- c) Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d) Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Dating Violence – Any act of violence committed by a person who is or has been in a social relationship or a romantic or intimate nature with the survivor. The existence of such a relationship shall be determined based on the survivor’s statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.

Domestic Violence – Any violent felony or misdemeanor crime committed by a current or former spouse or intimate partner of the survivor, a person sharing a child with the survivor, or a person cohabitating with the survivor as a spouse or intimate partner.

Stalking – Means intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for his or her safety or the safety of others or cause that person to suffer substantial emotional damage. Examples include, but are not limited to , repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm him or her.

New York State Law Regarding Sex Offenses

The following represent all sections of the New York State Penal law which are sex offenses:

Sec. 120.45 Stalking in the Fourth Degree

A person is guilty of stalking in the fourth degree when he or she intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct:

- 1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person’s immediate family or a third party with whom such person is acquainted; or
- 2) causes material harm to the mental or emotional health of such person, where such conduct consists of the following: telephoning or initiating communication or contact with such person, a member of such person’s immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or
- 3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating

communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

Stalking in the fourth degree is a class B misdemeanor.

Sec. 120.50 Stalking in the Third Degree

A person is guilty of stalking in the third degree when he or she:

- 1) commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or
- 2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
- 3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or
- 4) commits the crime of stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

Stalking in the third degree is a class A misdemeanor.

Sec. 120.55 Stalking in the Second Degree

A person is guilty of stalking in the second degree when he or she:

- 1) commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense:
 - i. displays, or possesses and threatens the use of a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chukka stick, sand bag, sandclub, slingshot, slungshot, shirken, "Kung Fu Star", dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or
 - ii. displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or
- 2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or
- 3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or
- 4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or
- 5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

Stalking in the second degree is a class E felony.

Sec. 120.60 Stalking in the First Degree

A person is guilty of stalking in the first degree when he or she commits the crime of stalking in the third degree as defined in sub-division three of section 120.50 or stalking in the second degree as defined in section 120.55 of this article and, in the course and furtherance thereof, he or she:

- 1) intentionally or recklessly causes physical injury to the victim of such crime; or

2) commits a class A misdemeanor defined in article one hundred thirty of this chapter, or a class E felony defined in section 130.25, 130.40 or 130.85 of this chapter, or a class D felony defined in section 130.30 or 130.45 of this chapter.

Stalking in the first degree is a class D felony.

Sec. 130.20 Sexual Misconduct

A person is guilty of sexual misconduct when:

- 1) He or she engages in sexual intercourse with another person without such person's consent; or
- 2) He or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent; or
- 3) he or she engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

Sec. 130.25 Rape in the third degree

A person is guilty of rape in the third degree when:

- 1) he or she engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than seventeen years old; or
- 2) being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old.
- 3) he or she engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

Rape in the third degree is a class E felony.

Sec. 130.30 Rape in the second degree

A person is guilty of rape in the second degree when:

- 1) being eighteen years old or more, he or she engages in sexual intercourse with another person less than fifteen years old.
- 2) he or she engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.
It shall be an affirmative defense to the crime of rape in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.

Rape in the second degree is a class D felony.

Sec. 130.35 Rape in the first degree

A person is guilty of rape in the first degree when he engages in sexual intercourse with another person:

- 1) by forcible compulsion; or
- 2) who is incapable of consent by reason of being physically helpless; or
- 3) who is less than eleven years old.
- 4) who is less than thirteen years old and the actor is eighteen years old or more.

Rape in the first degree is a class B felony.

Sec. 130.40 Criminal Sexual Act in the third degree

A person is guilty of a criminal sexual act in the third degree when:

- 1) he or she engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old;

- 2) being twenty-one years old or more, he or she engages in oral sexual conduct or anal sexual conduct with a person less than seventeen years old; or
- 3) he or she engages in oral sexual conduct or anal sexual conduct with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

Criminal Sexual Act in the third degree is a class E felony.

Sec. 130.45 Criminal Sexual Act in the second degree

A person is guilty of a criminal sexual act in the second degree when:

- 1) being eighteen years old or more, he or she engages in oral sexual conduct or anal sexual conduct with another person less than fifteen years old; or
- 2) he or she engages in oral sexual conduct or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

It shall be an affirmative defense to the crime of criminal sexual act in the second degree as defined in subdivision one of this section that the defendant was less than for years older than the victim at the time of the act.

Criminal Sexual Act in the second degree is a class D felony.

Sec. 130.50 Criminal Sexual Act in the first degree

A person is guilty of a criminal sexual act in the first degree when he or she engages in oral sexual

conduct or anal sexual conduct with another person:

- 1) by forcible compulsion; or
- 2) who is incapable of consent by reason of being physically helpless; or
- 3) who is less than eleven years old; or
- 4) who is less than thirteen years old and the actor is eighteen years old or more.

Criminal Sexual Act in the first degree is a class B felony.

Sec. 130.52 Forcible Touching

A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. For the purpose of this section, forcible touching includes squeezing, grabbing or pinching.

Forcible touching is a Class A misdemeanor.

Sec. 130.53 Persistent Sexual Abuse

A person is guilty of persistent sexual abuse when he or she commits the crime of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree, as defined in section 130.55, or sexual abuse in the second degree, as defined in section 130.60 of this article and, within the previous ten year period, has been convicted two or more times, in separate criminal transactions for with sentence was imposed on separate occasions of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree as defined in section 130.60 of this article, or any offense defined in this article, of which the commission or attempted commission thereof is a felony.

Persistent sexual abuse is a class E felony.

Sec. 130.55 Sexual Abuse in the third degree

A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person.

Sexual abuse in the third degree is a class B misdemeanor.

Sec. 130.60 Sexual Abuse in the second degree

A person is guilty of sexual abuse in the second degree when he or she subjects another person to sexual contact and when such other person is:

- 1) incapable of consent by reason of some factor other than being less than seventeen years old; or
- 2) less than fourteen years old.

Sexual abuse in the second degree is a class A misdemeanor.

Sec. 130.65 Sexual Abuse in the first degree

A person is guilty of sexual abuse in the first degree when he or she subjects another person to sexual contact:

- 1) by forcible compulsion, or
- 2) when the other person is incapable of consent by reason of being physically helpless; or
- 3) when the other person is less than eleven years old; or
- 4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

Sexual abuse in the first degree is a class D felony.

Sec. 130.65 – a Aggravated Sexual Abuse in the fourth degree

1. A person is guilty of aggravated sexual abuse in the fourth degree when:

- (a) he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than seventeen years old; or
- (b) he or she inserts a finger in the vagina, urethra, penis or rectum of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than seventeen years old.

2. Conducts performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the fourth degree is a class E felony.

Sec. 130.66 Aggravated Sexual Abuse in the third degree

1. A person is guilty of aggravated sexual abuse in the third degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person:

- (a) by forcible compulsion; or
- (b) when the other person is incapable of consent by reason of being physically helpless; or
- (c) when the other person is less than eleven years old.

2. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

3. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the third degree is a class D felony.

Sec. 130.67 Aggravated Sexual Abuse in the second degree

1. A person is guilty of aggravated sexual abuse in the second degree when he inserts a finger in the vagina, urethra, penis, or rectum of another person causing physical injury to such person:

- (a) by forcible compulsion; or
- (b) when the other person is incapable of consent by reason of being physically helpless; or
- (c) when the other person is less than eleven years old.

2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the second degree is a class C felony.

Sec. 130.70 Aggravated Sexual Abuse in the first degree

1. A person is guilty of aggravated sexual abuse in the first degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person:

- (a) by forcible compulsion; or
- (b) when the other person is incapable of consent by reason of being physically helpless; or
- (c) when the other person is less than eleven years old

2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the first degree is a class B felony.

Sec 130.75 Course of Sexual Conduct against a child in the first degree

1. A person is guilty of course of sexual conduct against a child in the first degree when, over a period of time not less than three months in duration:

- (a) He or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual conduct, with a child less than eleven years old, or
- (b) He or she, being eighteen years or more old, engages in two or more acts of sexual conduct which include at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the first degree is a class B felony.

Sec. 130.80 Course of Sexual Conduct against a child in the second degree

1. A person is guilty of sexual conduct against a child in the second degree when, over a period of time not less than three months:

- (a) The person engages in two or more acts of sexual conduct with a child less than eleven years old; or
- (b) being eighteen years old or more, engages in two or more acts of sexual conduct with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the

same victim unless the other charged offense occurred outside of the time period charged under this section.

Course of sexual conduct against a child in the second degree is a class D felony.

Sec. 130.85 Female Genital Mutilation

1. A person is guilty of female genital mutilation when:
 - a) a person knowingly circumcises, excises, or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person who has not reached eighteen years of age; or
 - b) being a parent, guardian or other person legally responsible and charged with the care or custody of a child less than eighteen years old, he or she knowingly consents to the circumcision, excision or infibulation of whole or part of such child's labia majora or labia minora or clitoris.
2. Such circumcision, excision or infibulation is not a violation of this section if such act is:
 - a) necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or
 - b) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.
3. For the purposes of paragraph (a) of subdivision two of this section, no account shall be taken of the effect on the person on whom such procedure is to be performed of any belief on the part of that or any other person that such procedure is required as a matter of custom or ritual.
Female genital mutilation is a Class E felony.

Sec. 130.90 Facilitating a Sexual Offense with a Controlled Substance

A person is guilty of facilitating a sex offense with a controlled substance when he or she:

1. knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and
2. commits or attempts to commit such conduct constituting a felony defined in this article.
Facilitating a sexual offense with a controlled substance is a Class D felony.

Sec. 130.91 Sexually Motivated Felony

1. A person commits a sexually motivated felony when he or she commits a specified offense for the purpose, in whole or substantial part, of his or her own direct sexual gratification.
2. A "specified offense" is a felony offense defined by any of the following provisions of this chapter: assault in the second degree as defined in section 120.05, assault in the first degree as defined in section 120.10, gang assault in the second degree as defined in section 120.06, gang assault in the first degree as defined in section 120.07, stalking in the first degree as defined in section 120.60, manslaughter in the second degree as defined in subdivision one of section 125.15, manslaughter in the first degree as defined in section 125.20, murder in the second degree as defined in section 125.25, aggravated murder as defined in section 125.26, murder in the first degree as defined in section 125.27, kidnapping in the second degree as defined in section 135.20, kidnapping in the first degree as defined in section 135.25, burglary in the third degree as defined in section 140.20, burglary in the second degree as defined in section 140.25, burglary in the first degree as defined in section 140.30, arson in the second degree as defined in section 150.15, arson in the first degree as defined in section

150.20, robbery in the third degree as defined in section 160.05, robbery in the second degree as defined in section 160.10, robbery in the first degree as defined in section 160.15, promoting prostitution in the second degree as defined in section 230.30, promoting prostitution in the first degree as defined in section 230.32, compelling prostitution as defined in section 230.33, disseminating indecent material to minors in the first degree as defined in section 235.22, use of a child in a sexual performance as defined in section 263.05, promoting an obscene sexual performance by a child as defined in section 263.10, promoting a sexual performance by a child as defined in section 263.15, or any felony attempt or conspiracy to commit any of the foregoing offenses.

Sec. 130.95 Predatory Sexual Assault

A person is guilty of predatory sexual assault when he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, and when:

1. In the course of the commission of the crime or the immediate flight therefrom, he or she:
 - a) Causes serious physical injury to the victim of such crime; or
 - b) Uses or threatens the immediate use of a dangerous instrument; or
2. He or she has engaged in conduct constituting the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, against one or more additional persons; or
3. He or she has previously been subjected to a conviction for a felony defined in this article, incest as defined in section 255.25 of this chapter or use of a child in a sexual performance as defined in section 263.05 of this chapter.

Predatory sexual assault is a Class A-II felony.

Sec. 130.96 Predatory Sexual Assault Against a Child

A person is guilty of predatory sexual assault against a child when, being eighteen years old or more, he or she commits the crime of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, or course of sexual conduct against a child in the first degree, as defined in this article, and the victim is less than thirteen years old.

Predatory sexual assault against a child is a Class A-II felony.

Sec. 255.25 Incest in the Third Degree

A person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

Sec. 255.26 Incest in the Second Degree

A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, or criminal sexual act in the second degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

Sec. 255.27 Incest in the First Degree

A person is guilty of incest in the first degree when he or she commits the crime of rape in the first degree, or criminal sexual act in the first degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.

Crime and Arrest Statistics SUNY Potsdam

	2013	2014	2015
Reported Crimes			
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	6	5	10
Motor Vehicle Theft	3	0	1
Arson	0	0	0
Rape	0	6	2
Fondling	2	6	3
Incest	0	0	0
Statutory Rape	0	0	0
Dating Violence	5	4	7
Domestic Violence	0	0	1
Stalking	6	9	12
Arrests			
Weapons	1	0	0
Drugs	38	17	7
Liquor Law	25	6	12
Campus Disciplinary Referrals			
Weapons	1	4	4
Drug Law Violation	32	37	29
Liquor Law Violation	84	43	28

FBI Index Crimes (including hate crimes)

Criminal Offense	On-Campus (includes residence halls)			On-Campus Student Housing Only			Non-Campus Buildings			Public Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	5	2	0	5	1	0	1	0	0	0	0
Fondling	2	6	3	2	3	3	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	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
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	6	5	10	3	3	8	0	0	0	0	0	0
Motor Vehicle Theft	3	0	1	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0

Arrests	On-campus Arrests (includes on-campus student housing)			Arrests - On-campus Student Housing Only			Arrest - Non Campus			Arrest - Public Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Law Violations	13	5	4	2	1	2	0	0	0	12	1	8
Drug Law Violations	36	15	6	29	11	3	0	0	0	2	2	1
Illegal Weapons Possession	1	0	0	0	0	0	0	0	0	0	0	0

Campus Disciplinary Referrals	Student Conduct Referrals On Campus			Student Conduct Referrals On Campus Student Housing			Student conduct Referrals Non-Campus			Student Conduct Referrals Public Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Law Violations	84	42	28	81	40	27	0	0	0	0	1	0
Drug Law Violations	32	35	27	29	29	23	0	0	0	0	2	2
Illegal Weapons Possession	1	3	4	0	1	4	0	0	0	0	0	0

Criminal Offense	On-Campus (includes residence halls)			On-Campus Student Housing Only			Non-Campus Buildings			Public Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Dating Violence	5	4	7	5	3	7	0	0	0	0	0	0
Domestic Violence	0	0	1	0	0	1	0	0	0	0	0	0
Stalking	6	9	12	3	6	7	0	0	0	0	0	0

When a **Hate Crime** is reported, it will be labeled with the following categories of Prejudice: R=Race, G=Gender, REL=Religion, SO=Sexual Orientation, NO=National Origin, GI=Gender Identity, and/or E=Ethnicity. In addition to the criminal offenses listed on the chart, the following crimes need to be reported if they are hate crimes: larceny-theft; simple assault; intimidation; destruction, damage, vandalism of property: making graffiti; or any other crime involving bodily injury.

In 2013, there were 2 hate crimes reported. The first one was (R) Aggravated Harassment in a Residence Hall. The second one was (SO) Aggravated Harassment and was on-campus. In 2014, there were three reported hate crimes. The first was (G) Aggravated Harassment in a residence hall, second was (SO) Criminal Mischief on-campus and third was (REL) Aggravated Harassment in a residence hall. In 2015, there were 4 hate crimes reported. The first one was in residence halls (SO) harassment. The next three were on campus (R) Aggravated Harassment 2nd.



Fire Safety

The University Police at SUNY Potsdam maintains a “fire log” which is available at any time for inspection by students, faculty and staff, at the University Police office, located in the Van Housen Hall Extension, first floor. Following is a chart of fires which occurred in campus residence Hall during 2013, 2014, 2015. Please note that the crime of arson may also be reported in our criminal statistic section of this report. We define a fire as “*any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner*”.

2013 - 2015 - Residence Hall Fires Reported

Year	Location	Type/Cause	Number of Related Injuries treated at a Medical Facility	Related Deaths	Property Damaged	Value of Property Damaged
2013	None	None	None	None	None	None
2014	None	None	None	None	None	None
2015	Draime Hall	Unknown	None	None	Minor	\$40

In an effort to maintain safe and enjoyable residence halls, the following items are prohibited:

- Candles and Incense
- Space Heaters
- E-Cigarettes
- Sun/Heat Lamps
- Halogen & floor lamps with multicolored domes
- Refrigerators exceeding 4 cubic feet
- Any extension cord
- Any electrical cooking appliance such as hot pots, Foreman grills, toaster ovens
- Potpourri pots
- Electric coils
- Lava lamps
- Window Air conditioners
- Charcoal and lighter fluid
- Any flammable liquid
- Electric percolators and drip coffee pots
- Any flammable materials, chemicals including those used in campus laboratories, explosives including fireworks
- Any type of firearm including BB guns and paintball devices and other weapons
- Tapestries or wall hangings made of fabric
- Internal combustion engines

Smoking is not permitted in any Residence Hall.

Falsely activating a fire alarm or tampering in any way with any fire safety equipment is a serious crime and violation of SUNY Potsdam policy.

New York State Law Regarding Falsely Reporting an Incident
The following statutes are applicable:

PL240.50 Falsely Reporting an Incident in the third degree.

PL240.55 Falsely Reporting an Incident in the second degree.

A person is guilty of falsely reporting an incident in the second degree when, knowing the information reported, conveyed or circulated to be false or baseless, he or she;

1. Initiates or circulates a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, or the release of a hazardous substance under circumstances in which it is not unlikely that public alarm or inconvenience will result.

Falsely reporting an incident in the second degree is a Class E felony.

PL145.14 Criminal Tampering in the third degree.

A person is guilty of criminal tampering in the third degree when, having no right to do so nor any reasonable ground to believe that he has such right, he tampers with property or another person with intent to cause substantial inconvenience to such person or to a third person.

Criminal tampering in the third degree is a Class B misdemeanor.

For further information on residence hall rules and regulations, please visit:
www.potsdam.edu/studentlife/ResHalls/ that describes Residence Hall Policies.

The following offices may receive reports of fire/safety concerns on campus:

- University Police: Van Housen Extension, (315) 267-2222
- Environmental Health and Safety Officer: Service Center, (315) 267-2596
- Dean of Students: Barrington Student Union, (315) 267-2117
- Residence Life Staff: Draime Extension, (315) 267-2350
- Physical Plant: Raymond Hall, (315) 267-2135

Fire Safety Education and Training

The University Police, Residence Life Staff and Environmental Health and Safety Office work closely together to ensure safety. Fire drills are regularly conducted and coordinated with the Potsdam Volunteer Fire Department. The New York State Office of Fire Prevention and Control trains Residence Life staff each year. At the beginning of each semester, Residence Life staff also train to evacuate their buildings and manage door access. Floor meetings are held on each floor in each residence hall to review fire safety and evacuation procedures.

We maintain compliance with New York State Fire Code with respect to our drills. There is a periodic review of our fire safety procedures with Resident Assistants and Resident Directors within the residence halls. We also maintain our sprinkler, fire alarm and smoke detection systems by having trained and competent personnel inspect and test the systems. Residence Life staff periodically inspect rooms for hazardous or dangerous conditions.

We passed our New York State Office of Fire Prevention and Control inspection in 2015 and were not assessed any penalties. During scheduled significant breaks, rooms are inspected for safety. Illegal or dangerous items are confiscated and students may face penalties.

All University employees receive initial fire safety training and are expected to familiarize themselves with evacuation plans for buildings they occupy.

A number of University students join the Potsdam Volunteer Fire Department and the Potsdam Volunteer Rescue Squad. A campus Volunteer Rescue Squad also provides trained emergency medical services to the University.

Emergency Evacuation

Evacuation procedures are posted in each building. Special procedures are in place for evacuating members of the college community with disabilities.

Students residing in the residence halls are trained to leave the building immediately and not to use elevators.

Staff and students are trained to assemble at specifically designated assembly points.

Staff members are required to assist students as well as the University Police and Potsdam Volunteer Fire Department in complying with safety protocols.

In 2015, a total of 137 fire drills were held; 51 drills were held in residence halls, 26 fire drills were conducted in academic buildings, 48 drills were held in public assembly areas, and 12 drills (monthly) were held in Merritt Hall for SUNY Potsdam Childcare Center requirements.

More information can be found by contacting the University Environmental Health and Safety Office at 315-267-2596.

The following table describes fire safety systems located in the Residence Hall facilities on the SUNY Potsdam campus:

<h2 style="text-align: center;">Fire Safety Systems</h2> <h3 style="text-align: center;">Student Housing Facilities</h3>						
Building	Assembly Space	Detection Type	Sprinkler System (Y/N)	Fire Suppression System (Y/N)	Fire Alarm Sound	Strobe Lights (Y/N)
Bowman Hall	Bowman South Breezeway	Heat/Smoke	Y - West Side has sprinklers in each room. Remainder of dorm has sprinklers in trash rooms, basement storage rooms and kitchen areas only.	Y - In dining areas, over grill locations	Horn	Y - In Hallways and Common Areas. Also in Handicap Rooms.
Draime Hall	Main entrance (by the rock) facing the Student Union	Heat/Smoke	Y - Sprinklers are located in trash rooms and kitchen areas only.	N	Horn	Y - In Hallways and Common Areas. Also in Handicap Rooms.
Knowles Hall	In front of the Knowles MPR entrance inside the Quad	Heat/Smoke	Y - Sprinklers are located in trash rooms, basement store rooms and kitchen areas only.	N	Horn	Y - In Hallways and Common Areas. Also in Handicap Rooms.
Lehman Hall	Entry Way by the Dining Hall inside the Quad	Heat/Smoke	Y - Sprinklers are located in trash rooms, basement store rooms and kitchen areas only.	Y - In dining areas, over grill locations	Horn	Y - In Hallways and Common Areas. Also in Handicap Rooms.

Sisson Hall	On the sidewalk, Quad Side, between Sisson and the Student Union	Heat/Smoke	Y - Sprinklers are located in trash rooms and kitchen areas only.	N	Horn	Y - In Hallways and Common Areas. Also in Handicap Rooms.
Town House A	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Town House B	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Town House C	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Town House D	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Town House E	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Town House F	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Town House G	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Town House H	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.

Town House I	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Town House J	Town House E, by the Laundry Room	Heat/Smoke	Y - Sprinklers located in every room.	N	Horn	Y - In Hallways and Common Areas.
Van Housen Hall	Main Entrance, Quad Side, by Student Health and Counseling	Heat/Smoke	Y - Sprinklers are located in trash rooms and kitchen areas only.	N	Horn	Y - In Hallways and Common Areas. Also in Handicap Rooms.

“Whistleblower” Protection

HEOA states that nothing in the law “... shall be construed to permit an institution to take retaliatory action against anyone with respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.”

SUNY Potsdam
CRIMINAL INCIDENT REPORT

1. Prepared by:

Name _____

Title _____

Date _____

2. Was this crime reported to any Law Enforcement Agency? Yes No

If "Yes," to which agency: SUNY Potsdam University Police
 Potsdam Village Police Department
 Other

3. Does the Reporter wish to file a formal complaint? Yes No

If "Yes": Name _____

Address _____

Phone _____

4. A) The following crime was reported (please check):

- | | | |
|---|--|--|
| <input type="checkbox"/> Murder | <input type="checkbox"/> Aggravated Assault | <input type="checkbox"/> Robbery |
| <input type="checkbox"/> Non-Negligent Manslaughter | <input type="checkbox"/> Burglary | <input type="checkbox"/> Hate Crimes |
| <input type="checkbox"/> Negligent Manslaughter | <input type="checkbox"/> Motor Vehicle Theft | <input type="checkbox"/> Dating Violence |
| <input type="checkbox"/> Rape | <input type="checkbox"/> Arson | <input type="checkbox"/> Domestic Violence |
| <input type="checkbox"/> Fondling | <input type="checkbox"/> Liquor Law Violations | <input type="checkbox"/> Stalking |
| <input type="checkbox"/> Incest | <input type="checkbox"/> Drug Law Violations | |
| <input type="checkbox"/> Statutory Rape | <input type="checkbox"/> Weapon Law Violations | |

Note: Definitions for each of the above on reverse of this form.

B) Was the crime reported a hate crime? Yes No

If "Yes," identify the category of prejudice:

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

Please provide a brief explanation for this determination:

5. A) Crime occurred: Date _____ Time _____

Location _____

B) Give a brief description of the incident: _____

Please forward completed form to: Chief of University Police, Van Housen Ext., First Floor

