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Crime Awareness and Campus Security

Campus Law Enforcement

The University Police Department is the law enforcement agency for the campus. All University Police Officers are certified by the State of New York with full law enforcement responsibilities. All officers are required to attend a certified Police Academy in The State of New York in order to be certified with full law enforcement responsibilities. They also receive specialized training and in-service training in first aid, defensive tactics, legal updates and other law enforcement topics.

University Police officers are appointed by the State University of New York as defined in the 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 main emphasis is to protect the people, campus, grounds, and roadways within this area. The University Police have signed a memorandum of understanding that allows the University Police to assist the Village Police when requested.

The department forwards crime incident information to the Division of Criminal Justice Services (DCJS) for state and national distribution. Crime reports and related statistical information are entered into the SUNY Campus Crime Information System for statistical purposes. Potential criminal actions and other emergencies on campus can be reported, in person, by any faculty, student or staff member or by calling 315.-267-2222.

The University Police Department enjoys a close proximity to and a working relationship with the Potsdam Village Police, the St. Lawrence County Sheriff's Department and the New York State Police. Crimes committed and arrests made at recognized off-campus sites are reported to this department by the Potsdam Village Police Department on a daily basis.

University Police
315-267-2222

Crime Awareness and Campus Security

Alcohol and Drugs

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

There is a need to send both a consistent and strong message that illegal consumption of 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 drugs. Therefore, all 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 Counselors and Peer Educators:

- **Alcohol and drugs awareness:** Provides students with facts and statistics about alcohol and other drugs and how they can affect your life; also goes into legal issues. Provides students with alternatives to drinking and using drugs.
- **Signs of someone who is possibly abusing drugs and alcohol:** students with information on behavior 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/or counselors on campus.
- **Caution: Drugs & 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 STIs:** Provides students with an overview of various 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 health 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.

Programs Conducted by the University Police

- Personal Safety and Alcohol Use
- Alcohol and Drug Awareness
- Drinking and Driving (Beer Goggles)
- The ABC Law (Alcohol Beverage Control Law)
- Drug Identification for Resident Assistants
- 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.

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Crime Prevention Programs

Orientation programs are conducted during the summer to inform parents and new students about crime prevention and personal safety. Crime prevention tips in the student newspapers and other college publications, as well as brochures distributed throughout the residence halls and department offices, enhance the educational process. University Police Officers complete ongoing checks of blue light phones and campus lighting. The reports are submitted to appropriate personnel for review and action.

University Police services include: Operation ID (property identification), rape awareness, transmittal of crime information, monitoring the blue light phone system and red emergency phones in academic buildings, publishing crime tips in campus media and on the University Police website (www.potsdam.edu/studentlife/safety).

New employees receive a campus orientation packet and are provided with information on personal safety, crime prevention, emergency procedures and other prevention measures.

Educational programs are offered each semester in the residence halls on Crime Prevention. Listed below are some of the programs offered:

- Operation Identification
- Sexual Assault Awareness and Prevention
- Personal Safety
- Drug and Alcohol Awareness

Programming on Security and Safety

The Residence Life Department is involved in sponsoring a large number of safety and security related programs on campus during each academic year. The staff in the department is dedicated to providing a safe and secure environment within the residence halls where students live and learn. The Central Office staff is a group of seasoned professionals who have a great deal of combined experience with residential living. In addition, each hall has a professional, live-in Residence Hall Director or Area Coordinator who is responsible for the overall management of the building and available to help meet students' needs, especially for emergencies that may arise after regular business hours. Moreover, there are student staff members, called Resident Assistants, who live on every residence hall floor. These students are specially selected and trained to work with students on a variety of concerns. The entire staff works together to develop a strong sense of community within the halls and to help students make the transition to living away from home. Department planned programs and activities focusing on safety and security are a big part of residence life community building.

SUNY Potsdam offers many opportunities for campus-wide programming throughout the year. These programs, designed to inform students and employees about campus security procedures and practices include: lecture series, residence hall meetings, personal safety, counseling, health services, classroom discussions and new employee orientation.

The Physical Plant Department maintains the entire campus with a concern for safety and security. Inspections of campus facilities are conducted regularly and repairs are made as needed. All safety and security hazards should be reported to University Police at ext. 2222 and/or the Environmental Health and Safety Officer at ext. 3123.

The cooperation and involvement of all members of the campus community in a campus safety and security program is essential. Everyone must assume responsibility for his/her own personal safety and security of personal belongings by taking common sense precautions. Residence hall rooms should be locked at all times!. Students, faculty and staff should report to the University Police Department any suspicious persons who they believe do not belong in their residence halls or offices, or any unusual incidents that are observed. University Police officers will do presentations on safety and security related topics to any interested groups.

Crime Awareness and Campus Security

Keeping Informed

The college realizes the importance of having a system in place to advise students about security problems. The methods used at SUNY Potsdam are:

Timely Warning – A campus-wide notification regarding an incident or circumstance determined to present an ongoing or continuing threat to the safety of the campus community. This warning will provide the campus community the opportunity to take precautions to maximize their safety and will be issued as soon as sufficient information is available

Timely Warnings are required for all incidents which constitute Clery Act Crimes **and** which present an on-going threat. These crimes include: Criminal Homicide, Sex Offense, Robbery Aggravated Assault, Burglary, Motor Vehicle Theft and Arson.

Emergency Notification – An Emergency Notification is issued in situations requiring **immediate notification** which may include but are not limited to: weather emergencies, active shooter situations, major crimes, haz-mat incidents and other dangerous situations which present an **immediate threat** to the health or safety of students, faculty, staff or visitors on campus.

Campus Media - In addition to the alert notices, the campus may utilize the campus radio station and the student newspaper [*The Racquette*] to alert the community of security concerns.

Off-Campus Media - It is often deemed necessary to utilize off-campus media (which would include local newspapers, radio stations and television stations) as an additional method of informing and updating students and other members of the campus community of security issues and concerns.

The above represents the primary method of advising the campus community of security threats or concerns. A secondary method which is also utilized involves direct contact with resident students. As part of the program of education outside the classroom, staff members (from Residence Life, University Police, Counseling Center and other college professionals) conduct discussion and training sessions on topics such as date/acquaintance rape, women's self-defense, relationship violence, crime prevention, alcohol, drugs and other issues as needed. These programs are at various times throughout the year including:

Counseling Center

- QPR Suicide Prevention Training

Student Health

- Alcohol awareness—"Sense on Suds"
- Sex, Drugs, Rock and Roll
- National Condom Week
- Sexual Assertiveness
- Date Rape Prevention

University Police

- Rape Aggression Defense (R.A.D.)- Women's Self-Defense Course
- Sexual Assault Awareness and Prevention
- Personal Safety

Sex Offender Information

The Sex Offender Registration Act (S. O. R. A.) requires the Division of Criminal Justice Services(D.C.J.S.) to maintain a Sex Offender Registry. The Registry has classified all of the sex offenders as to their risk of re-offending: low-risk (level one), moderate risk (level two), and high-risk (level three).

University Police Department is working closely with the Potsdam Village Police Department to keep the community informed of specific offenders residing within our jurisdiction.

more information, call the Customer Contact Center at DCJS at 1-800-262-3257 or go to their website at <http://criminaljustice.state.ny.us>.

Crime Awareness and Campus Security

Monitoring Off-Campus Criminal Activity

Criminal incidents are monitored each month by the University Police Department. All offenses and arrests (which take place at recognized off-campus locations) are reported to college officials by the Village of Potsdam Police Department and are included in the crime statistics for this campus.

Only Greek letter organizations currently recognized by SUNY Potsdam would be considered off-campus student organizations.

Annual Safety and Security Report (Clery Act) can be found on the University Police Website.

NYS Law on Hate Crimes and Sexual Offenses

Definitions of Offenses

Offenses in Campus Crime Reporting use the Federal Uniform Crime Reporting Part 1 Offenses and their related definitions. 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.

Criminal Homicide - Manslaughter by Negligence - The killing of another person through gross negligence.

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

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.

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.)

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.

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.)

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.

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

Liquor Law Violations - The violation of laws or 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. (Drunkenness and driving under the influence are not included in this definition.)

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.

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.

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.

Crime Awareness and Campus Security

NYS Law on Hate Crimes and Sexual Offenses

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 age or because of his/her temporary or permanent mental incapacity.

Incest—Non-forcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

Statutory Rape—Non-forcible sexual intercourse with a person who is under the statutory age of consent.

New York State Law on Hate Crime

Sec. 485.05 Hate Crimes

A person commits a hate crime when he or she commits a specified offense and either:

- (a). intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
- (b). intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

New York State Law on Sex Offenses

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

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 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 or some factor other than being less than seventeen years old;
2. Being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old; or
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; or
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.

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 or she 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; or
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

Crime Awareness and Campus Security

NYS Law on Hate Crimes and Sexual Offenses

Sec. 130.40 Criminal sexual act in the third degree

A person is guilty of 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 or some factor other than being less than seventeen years old; or
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 with another person without the 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 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.

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 class D Felony

Sec. 130.50 Criminal sexual act in the first degree

A person is guilty of 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

Sodomy 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 part 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 which 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

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

1. 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:
2. Incapable of consent by reason of some factor other than being less than seventeen years old; or
3. Less than fourteen years old Sexual abuse in the second degree is a class A misdemeanor

Crime Awareness and Campus Security

NYS Law on Hate Crimes and Sexual Offenses

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:

By forcible compulsion; or

When the other person is incapable of consent by reason of being physically helpless; or

When the other person is less than eleven years old

Sexual abuse in the first degree is a class D Felony

Sec. 130.65-a Aggravated sexual abuse in the fourth degree

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

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 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 SECOND DEGREE: When over a period of time, not less than three months, a person: (1) Engages in two or more acts of sexual conduct with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

Crime Awareness and Campus Security

NYS Law on Hate Crimes and Sexual Offenses

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. 130.90 FACILITATING A SEX 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.

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.

Sec. 120.45 STALKING IN THE FOURTH DEGREE: When a person 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 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.

Sec. 120.50 STALKING IN THE THIRD DEGREE: When a person (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.

Crime Awareness and Campus Security

NYS Law on Hate Crimes and Sexual Offenses

Sec. 120.55 STALKING IN THE SECOND DEGREE: When a person: (1) Commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, sligshot, slungshot, shirken, “Kung Fu Star,” dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) 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.

Sec. 120.60 STALKING IN THE FIRST DEGREE: When a commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.

Penalties for Violations of New York State Law - Sex Offenses

Sex offenses which are committed in violation of the New York State Penal Law are subject to the following penalties:

Class A misdemeanor - fine of up to \$1,000 and/or imprisonment up to one year.

Class B misdemeanor - fine of up to \$500 and/or imprisonment up to three months.

Class E felony - fine of up to \$5,000 and/or imprisonment up to four years.

Class D felony - fine of up to \$5,000 and/or imprisonment up to seven years.

Class C felony - fine of up to \$5,000 and/or imprisonment up to 15 years.

Class B felony - fine of up to \$5,000 and/or imprisonment up to 25 years.

College Policies and Regulations on Sex Offenses

Sexual assault: is any physical sexual act or acts committed against a person’s will and consent or when a person is incapable of giving active consent, incapable of appraising the nature of the conduct, or incapable of declining participation in, or communicating unwillingness to engage in, a sexual act or acts. Sexual assault is an extreme form of sexual harassment. Sexual assault includes what is commonly known as “rape,” whether forcible or non-forcible, “date rape” and “acquaintance rape.”

Dating Violence: any act of violence committed by a person who is or has been in a social relationship of 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.

Sexual Harassment: any unwelcome conduct of a sexual nature that is sufficiently severe, persistent or pervasive that it unreasonable interferes with, denies, or limits someone’s ability to participate in or benefit from a program or activity. Examples & Information:

- Requests for sexual favors
- Unwelcome advances
- Sexist comments
- May occur in a single episode or be persistent behavior

Crime Awareness and Campus Security

NYS Law on Hate Crimes and Sexual Offenses

Sexual Misconduct

- Any sexual act that occurs without the consent of the survivor, or that occurs when the survivor is unable to give consent, is prohibited.
- 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.

To learn more about Potsdam's Sexual Assault and other Forms of Harassment/Discrimination Policy go to: <http://www.potsdam.edu/offices/hr/affirmativeaction.cfm>

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.

Police Log of all Reported Crimes

The University Police Department has available to the public, copies of the Daily Shift Report. This report contains all of the activities of the University Police Department for each day, which includes all reported crimes. This document is available for inspection twenty-four (24) hours per day, seven (7) days per week, at the University Police Department, which is located in Van Housen Hall. University Police also maintains a crime/fire log which is available upon request. This report only contains crimes and fires reported on campus.

Reporting Emergencies and Criminal Activity

The State University of New York at Potsdam provides to the campus community the availability of its University Police Department. The department consists of a team of people who work to create a safe environment in which to live, work and learn. The department operates 24 hours a day, 365 days a year.

Criminal acts and/or emergencies are to be reported to the University Police Department, which is located in Van Housen Hall or by calling 267-2222. Emergency telephones are available throughout campus.

An emergency "blue light" phone system is available on the campus grounds. This system provides a means for immediate contact with the University Police Department. In addition, various campus buildings have strategically located red emergency phones for emergency use.

Upon receipt of a call, appropriate University Police or emergency personnel will be dispatched to your location. Criminal offenses are investigated by the University Police for future prosecution. Further, the campus community is notified of situations that pose a threat to the safety and well-being of our community through the following methods of communication: NY-ALERT, campus alerts (emergency notifications and/or timely warnings), *The Racquette* (student newspaper), WAIH-FM (campus radio station) and a press release to area news media.

The University Police Department provides an on-campus escort service which is available to any student, employee, or visitor. The campus has a Disaster Preparedness Plan which provides for the dissemination of information and response to any critical incident or disaster.

Crime Awareness and Campus Security

Security of Buildings and Grounds

Security and access to on-campus facilities is controlled by card and key access. The University Police and the Physical Plant Department monitor all access to the campus facilities. This does not include any Greek letter organizations located off-campus. Residence halls are locked 24 hours a day. Extensive foot patrols are performed by University Police Officers through all of the campus buildings each day. A special emphasis is placed on foot patrols in the residence halls between the hours of 10:00 p.m. and 7:00 a.m. 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 the 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 owned by the college. Campus facilities are open to the public during the day and evening hours when classes are in session. The general public can attend cultural and recreational events on campus. Access is limited only to the facilities in which these 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 written permission from their professors are admitted. Campus employees with assigned offices are issued keys and are responsible for reporting missing and stolen keys.

Academic Buildings on campus are closed after 11:00 p.m. and don't open again until 6:00 a.m. If, for any reason, you need to gain access to an academic building after 11:00 p.m., you need to request this through your faculty member and the faculty member will send the request to the University Police listing the name/s of those allowed and the time frame that this permission will be allowed, otherwise you will be referred for violating the college policy on being in an academic building after 11:00 p.m. without permission.

Sexual Assault Awareness & Prevention

SUNY Potsdam is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. Any act involving sexual harassment, violence, coercion, and intimidation will not be tolerated. Specifically, SUNY Potsdam strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. These acts have a real effect on the lives of survivors. They not only violate a person's feelings of trust and safety, but they can also substantially interfere with a student's education. It is the policy of SUNY Potsdam that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation. This includes working with State and local law enforcement to bring possible criminal charges, seeking disciplinary action through the college/university, and enforcing mandatory transcript notifications so other institutions are on notice of the offense committed.

SUNY Potsdam encourages the reporting of sexual misconduct that is prompt and accurate. This allows the college/university community to quickly respond to allegations and offer immediate support to the survivor. SUNY Potsdam is committed to protecting the privacy (and confidentiality when possible) of survivors, and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct. All allegations will be investigated promptly and thoroughly, and both the survivor and the accused will be afforded equitable rights during the investigative process.

It is the collective responsibility of all members of the SUNY Potsdam community to foster a safe and secure campus environment. In an effort to promote this environment and prevent acts of sexual misconduct from occurring, the college/university engages in ongoing prevention and awareness education programs. All incoming students [and employees] are required to participate in these programs, and all members of the college/university community are required to participate throughout the year in ongoing campaigns and trainings focused on the prevention of sexual misconduct on campus.