

ANNUAL REPORT 2008

CRIME AWARENESS AND CAMPUS SECURITY



SEXUAL ASSAULT PREVENTION

ds

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CRIME
AWARENESS
AND
CAMPUS
SECURITY

**Crime and Arrest Statistics
SUNY Potsdam**

	2006	2007	2008
Reported Crimes			
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offense, forcible	9	4	1
Sex Offense, non-forcible	0	0	0
Robbery	0	0	0
Aggravated Assault	1	0	0
Burglary	22	25	15
Motor Vehicle Theft	1	0	0
Arson	1	1	1
Arrests			
Weapons	0	2	1
Drug Law	34	12	13
Liquor Law	17	24	11
Campus Disciplinary Referrals			
Weapons	0	2	2
Drug Law Violation	27	29	18
Liquor Law Violation	81	121	74

(See pages 4, 5 and 6 for further breakdown)

2006 REPORTED CRIMES

Offense	Campus		Campus (Residential)		Non-Campus (i.e., Fraternities, Sororities)		Public Property Adjacent to Campus		Total
	Non-Bias	Bias	Non-Bias	Bias	Non-Bias	Bias	Non-Bias	Bias	
<i>Murder</i>	0	0	0	0	0	0	0	0	0
<i>Sex Offense, Forcible</i>	4	0	4	0	0	0	5	0	9
<i>Sex Offense, Nonforcible</i>	0	0	0	0	0	0	0	0	0
<i>Arson</i>	1	0	1	0	0	0	0	0	1
<i>Robbery</i>	0	0	0	0	0	0	0	0	0
<i>Aggravated Assault</i>	1	0	0	0	0	0	0	0	1
<i>Burglary</i>	17	0	13	0	0	0	5	0	22
<i>Motor Vehicle Theft</i>	1	0	0	0	0	0	0	0	1
<i>Manslaughter</i>	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons	0	0	0	0	0	0	0	0	0
Drug Abuse	32	0	13	0	2	0	0	0	34
Liquor Law	11	0	9	0	6	0	0	0	17
CAMPUS DISCIPLINARY REFERRALS									
Weapons	0	0	0	0	0	0	0	0	0
Drug Abuse	27	0	0	0	0	0	0	0	27
Liquor Law	76	0	0	0	5	0	0	0	81

**Off-campus organizations officially recognized by the institution.*

Bias Category

RA-Race
E-Ethnicity

G-Gender
D-Disability

RE-Religion
SO-Sexual Orientation

2007 REPORTED CRIMES

Offense	On-Campus		Residential Facilities*		Non-Campus (i.e., Fraternities, Sororities)		Public Property Adjacent to Campus		Total
	Non-Bias	Bias	Non-Bias	Bias	Non-Bias	Bias	Non-Bias	Bias	
<i>Murder</i>	0	0	0	0	0	0	0	0	0
<i>Sex Offense, Forcible</i>	3	0	2	0	0	0	1	0	4
<i>Sex Offense, Nonforcible</i>	0	0	0	0	0	0	0	0	0
<i>Arson</i>	1	0	0	0	0	0	0	0	1
<i>Robbery</i>	0	0	0	0	0	0	0	0	0
<i>Aggravated Assault</i>	0	0	0	0	0	0	0	0	0
<i>Burglary</i>	23	0	12	0	2	0	0	0	25
<i>Motor Vehicle Theft</i>	0	0	0	0	0	0	0	0	0
<i>Manslaughter</i>	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons	2	0	0	0	0	0	0	0	2
Drug Law	13	0	12	0	0	0	2	0	15
Liquor Law	16	0	6	0	0	0	8	0	24
CAMPUS DISCIPLINARY REFERRALS									
Weapons	2	0	2	0	0	0	0	0	2
Drug Law	29	0	20	0	0	0	0	0	29
Liquor Law	116	0	98	0	5	0	0	0	121

*Crimes reported in the Residential Facilities column are included in the On-Campus category.

Bias Category

RA-Race
E-Ethnicity

G-Gender
D-Disability

RE-Religion
SO-Sexual Orientation

2008 REPORTED CRIMES

Offense	On-Campus		Residential Facilities*		Non-Campus (i.e., Fraternities, Sororities)		Public Property Adjacent to Campus		Total
	Non-Bias	Bias	Non-Bias	Bias	Non-Bias	Bias	Non-Bias	Bias	
<i>Murder/Non-Negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0
<i>Negligent Manslaughter</i>	0	0	0	0	0	0	0	0	0
<i>Sex Offense, forcible</i>	1	0	1	0	0	0	0	0	1
<i>Sex Offense, nonforcible</i>	0	0	0	0	0	0	0	0	0
<i>Robbery</i>	0	0	0	0	0	0	0	0	0
<i>Aggravated Assault</i>	0	0	0	0	0	0	0	0	0
<i>Burglary</i>	14	0	10	0	1	0	0	0	15
<i>Motor Vehicle Theft</i>	0	0	0	0	0	0	0	0	0
<i>Arson</i>	1	0	1	0	0	0	0	0	1
ARRESTS									
Weapons	0	0	0	0	0	0	1	0	1
Drug Law	7	0	3	0	6	0	0	0	13
Liquor Law	7	0	1	0	3	0	1	0	11
CAMPUS DISCIPLINARY REFERRALS									
Weapons	1	0	1	0	0	0	0	0	2
Drug Law	18	0	15	0	0	0	0	0	18
Liquor Law	74	0	67	0	0	0	0	0	74

*Crimes reported in the Residential Facilities column are included in the On-Campus category.

Bias Category

RA-Race
E-Ethnicity

G-Gender
D-Disability

RE-Religion
SO-Sexual Orientation

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 (barbituates, 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 - Forcible - Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Forcible Rape - The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the

person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. Forcible Sodomy - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault With an Object - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses - Nonforcible - Unlawful, nonforcible sexual intercourse.

A. Incest - Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape - Nonforcible sexual intercourse with a person who is under the statutory age of consent.

* * *

How the Annual Disclosure of Crime Statistics are Reported

The University Police Department prepared this report to comply with the Jeanne Cleary Disclosure of Campus Security Policy and Crime Statistics

Act. The full text of this report can be located on our website at www.potsdam.edu/police. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternative sites, Residence Life, the Director of Student Conduct and Community Standards, and Student Affairs. Each entity provides updated information on their efforts and programs to comply with the Act.

Campus crime, arrests, and referral statistics include those reported to University Police here at SUNY Potsdam, designated campus officials (including but not limited to vice presidents, directors, deans, department heads, Director of Student Conduct and Community Standards, advisors to students/student organizations, athletic coaches), and local law enforcement agencies.

Each year a postcard is sent to every enrolled student providing the web site to access this report. Faculty and staff receive a similar notification through campus mail. Copies of the report may also be obtained at the University Police Department located on the first floor of Van Housen Extension in room #S181 or by calling (315) 267-2222. Prospective students or employees may obtain a copy from the Admissions Office (315-267-2180) or Human Resources (315-267-4816), both located in Raymond Hall or through the web site listed above.

* * *

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.

How to Report a Criminal Offense

To report criminal activity contact the University Police at 315-267-2222 or use the blue light phones located throughout the campus, in parking lots and by some buildings. Any suspicious activity or person seen in the parking lots, loitering around vehicles or

around buildings or around Residential Halls should be reported to the police department. In addition, you may report a crime to the following areas:

Vice President of Student Affairs	315-267-2117 Barrington Union 214
Director of Counseling	315-267-2330 Van Housen 131
Director of Student Health	315-267-2377 Van Housen 119
Vice President of Human Resources	315-267-4816 Raymond Hall 219
Affirmative Action Office	315-267-3372 Raymond Hall 711
Director of Student Conduct	315-267-2579 Barrington Union 208
Director of Residence Life	315-267-2350 Draime Hall S191
Athletic Director	315-267-3134 Maxcy Hall P233
Center for Diversity	315-267-2184 Sisson Hall Suite S233

According to federal law, specifically The Student Right To Know and the Campus Security Act of 1990 (also known as the Clery Act), the University is required to report statistics concerning the occurrence of certain criminal offenses reported to the local police agencies. The 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.” At SUNY Potsdam, it has been determined that the following positions meet the definition of “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
- University Police Officers

The Criminal offenses that we are required to report are:

- Murder
- Manslaughter
- Non-Negligent Manslaughter
- Sex Offenses (forcible and non-forcible)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Liquor Law Violations
- Drug Law Violations
- Illegal Weapons Possession

You can report any of these criminal offenses either in person, via the University Police Web site using the Silent Witness link, anonymously by phone or by filling out a Criminal Incident Report Form that is available in many offices on 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 telephones for emergency use.

The Potsdam Taxi service will transport students with minor injuries to the Canton-Potsdam Hospital during times when the Student Health Service is not available. Emergency transport vouchers are available at University Police. In any medical emergency, the student volunteer Campus Rescue Squad is summoned to the scene, and if transportation to the hospital is needed, the Potsdam Volunteer Rescue Squad will be utilized.

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: campus alerts (text messaging, e-mail, message-boarding), *The Racquette* (student newspaper), WAIH-FM (campus radio station) and press releases 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.

* * *

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.

* * *

Campus Law Enforcement

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.

Jurisdictional limits for the University Police are set by the President of the College. The main emphasis is to protect the people, campus, grounds, and roadways within this area.

The University Police Department is the law enforcement agency for the campus. Officers are vested with full law enforcement responsibilities. Officers attend either the St. Lawrence County Police Training Academy or any other NYS approved police academy for their basic police training certification. They also receive specialized training 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) 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 by any faculty, student or staff member by dialing ext. 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 monthly basis.

* * *

Security of Buildings and Grounds

Security and access to on-campus facilities is controlled by key or card access. University Police, Physical Plant and Residence Life staff monitor all access to the campus facilities. This does not include any Greek letter organizations located off-campus.

Residence halls are locked 24 hours per day. Foot patrols are performed by University Police Officers through campus buildings each day. A special emphasis is placed on foot patrols by University

Police and Residence Life staff 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 proper identification are admitted.

Campus employees with assigned offices are issued keys and are responsible for reporting missing and stolen keys.

* * *

Crime Prevention Programs

Orientation programs are conducted during the summer and fall semesters 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. Crime Prevention Officers conduct campus security surveys on specific areas and buildings of the campus. 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, posting of

emergency phone numbers, monitoring the blue light phone system and publishing crime tips in campus media.

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 the types of programs offered:

- Operation Identification
- Rape Awareness
- Women's Safety and Self Defense
- Drug Awareness 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 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 (and Mentors in the First Year Experience areas), 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 centering around 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. 2596.

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 night or when occupied. 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.

* * *

Alcohol and Drugs

The privilege of using 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 Guide, 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.

The college follows a Zero Tolerance philosophy toward alcohol and drug violations, 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 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 Health Educator:

Prevention and Intervention Education

- *Alcohol Awareness:* Provides students with facts and statistics about alcohol and other drugs and how they can affect your life; also goes into 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 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 & 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 STDs:* Provides students with an overview of Aids and various STDs 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 Awareness
- 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.

* * *

Sexual Assault Awareness and Prevention

See Part II of this booklet which covers all aspects of sexual assault awareness and prevention.

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 the Van Housen Extension.

Sex Offender Information

The Sex Offender Registration Act (S.O.R.A.) requires the NYS 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).

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

For 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/>

SEXUAL
ASSAULT
AWARENESS
AND
PREVENTION

SUNY Potsdam has a responsibility to inform you of the potential risks of sexual assault. The college believes that you also have a responsibility to learn about sexual assault in an effort to prevent its occurrence and protect yourself.

The college follows a Zero Tolerance philosophy toward sexual assault violations, with the premise that every sexual assault violation will be met with strong and swift disciplinary action. There is a need to send both a consistent and strong message that any form of sexual assault or abuse and the resulting behavior will not be tolerated.

What is Sexual Assault?

Sexual assault is defined as forced, manipulated, or coerced sexual acts, which include but are not limited to unwanted touching of an intimate part of another person, such as a sexual organ, buttocks, or breast; sodomy; oral copulation; and rape by a foreign object.

What is the College's Position on Sexual Assault?

The college believes that the best approach to sexual assault is prevention. To enhance this concept, the college has put forth considerable resources in the areas of sexual assault education for the perpetrator, support services for the victim, crime prevention and campus law enforcement. Furthermore, the college believes that all sexual assault incidents are very serious and must be dealt with in a highly sensitive, confidential and professional manner. The college will make every effort to identify persons responsible for sexual assault offenses and will pursue arrest charges as well as campus disciplinary action.

When disciplinary action is taken, both the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding, and both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense.

* * *

Recommended Sexual Assault Preventative Measures

What can you do to avoid sexual assault?

- Avoid alcohol/drugs; be aware of the effects alcohol/drugs have on your behavior and the behavior of others.
- Be assertive; know your limits, make decisions
- Watch nonverbal cues (from yourself), dressing sexy, touching.
- Trust intuitions; feeling creepy / Uncomfortable; get out of the situation
- Previous consent doesn't imply current consent; **NO MEANS NO.**
- Be alert.
- Lock doors - car doors; also carry keys in your hand.
- Avoid dark, desolate areas.
- Ask for an ID when repair person or service person comes to your door (before entering).
- Learn self defense.
- Never walk alone. Call the University Police for an escort if you feel you need one.
- Always walk with assurance and confidence.
- Plan your evenings, your dates; go to public areas; don't put yourself in danger.

Residence Hall Safety Precautions:

- Don't let strangers in through locked outside doors.
- Sign in guests and register all overnight visitors with your Hall Director.
- Lock your room door at all times when you are napping, visiting friends on the floor or in the building, or using the bathroom.
- Report lost keys and ID cards immediately to your Hall Director and to the University Police.
- Use your peephole. Don't open the door if you do not know the person.
- Report any suspicious persons or activities to the R.A., Hall Director, or the University Police immediately.
- Don't prop outside doors.
- Hang up on "prank" or obscene phone callers.
- Should the problem persist, report it to the University Police.

* * *

Avoiding Sexual Assault

To avoid sexual assault, you need to understand the nature of the crime. Sexual Assault is an all-

encompassing term that includes rape and any unwanted sexual activity that involves touching.

The most common assumption regarding rape or sexual assault is that it is perpetrated by the monster who stalks a victim and strikes unexpectedly. This type of rape can and does occur on college campuses, including SUNY Potsdam. It should be noted, however, that the nature of this type of crime has been rare on this campus.

Time and statistics have proven that the common instances of sexual assault on this campus fall into the following categories: *Acquaintance Rape and Date Rape*.

Acquaintance Rape is a type of sexual assault in which the victim and perpetrator know one another. Quite often they are only casual acquaintances.

Date Rape is a type of Acquaintance Rape that occurs while the victim and the perpetrator are on a date. (Experts in the field of sexual assault report that this type of rape is widespread on college campuses and often goes unreported.)

Students are most likely to become victims of sexual assault during their first few weeks at college when they make the transition from the security of their parents' home to the less-restricted lifestyle of a residence hall. Another time of increased vulnerability is during the first few weeks when many make the transition from residence halls to off-campus apartments, sororities and fraternities.

Other factors which have been found to play a major role where sexual assaults have occurred include:

- Inviting your date or acquaintance to your room
- Mixed messages regarding sexual intent
- Walking unescorted on and off campus after dark
- Alcohol use/abuse
- Drug use/abuse

Knowledge and awareness of the nature and common instances of sexual assaults may assist you in making sound decisions regarding your personal safety.

* * *

Victim Assistance

What if I become a victim of sexual assault?

SUNY Potsdam has enjoyed a relatively low incidence of sexual assaults. This does not mean we can develop a false sense of security. It is imperative that the campus community work together to provide a safe environment for all. If you are a victim of any sexual assault, the following recommendations are presented for your consideration.

- The victim of a sexual assault may be male or female. You have the right to report the incident or not to report the incident. Only you can make that decision! We strongly suggest that you report the incident. The reason for this is to insure that you receive the necessary support to deal with this crisis and that we can address this situation in hopes of eliminating further occurrences.
- As a victim of a sexual assault, the institution will change your academic and living situation after an alleged sex offense and inform you of the options for those changes. The changes must be requested by you and reasonably available.
- Who can I talk to and where should I report the incident? Once again, you must make the decision who you are most comfortable talking to. Here are some suggestions:
 - Talk with a campus law enforcement official.
 - Talk with your parents or other family members.
 - Talk with a college counselor.
 - Talk to your Resident Assistant or Resident Director.
 - Talk to a friend or roommate.
 - Talk with a clergy member.

As mentioned earlier, it is important that all sexual assaults are reported. There are options available for reporting. They include:

- Report the incident to the campus law enforcement agency.
- Report the incident to any college official.

- Report the incident to a counselor (ask that the college administration be notified).

It is not uncommon for some women to be afraid of reporting a sexual assault. They anticipate embarrassment and shame. A rape victim is treated as a victim of a violent crime with special psychological and emotional needs. The only shame would be if the rapist goes free.

What should I do if I want to press charges?

In order to build a strong case against the perpetrator of a sexual assault, it is important that you take the following steps:

- Report the sexual assault immediately to the University Police.
- Do not change clothes, shower or clean up.
- Do not throw anything away.
- Do not use any medication.

In addition to the above, the following information can greatly assist the University Police:

- Vehicle license number, make and color (if the assailant used a vehicle).
- Race of assailant.
- Approximate age, weight and height.
- Color and length of hair.
- Color of eyes.
- Type of clothing.
- Any unusual marks, scars, tattoos, etc.
- Any belongings the assailant may have left at the scene.

Keep in mind that the college is concerned with your well-being. If you become a victim of a sexual assault, get help immediately from a counselor. If the reporting aspect seems complicated and scary to you, let someone (preferably a counselor or university police officer) assist you in this area by explaining all your options.

* * *

Support Services

Counseling

Counselors are special people with enduring sensitivity, trained to respond to crisis situations. Much of that training comes from working with other victims. They can understand, support, advocate, listen and clarify.

You don't bring your best skills to a crisis, but a counselor can bring his/hers.

A counselor will help you sort through all the important issues one step at a time, at a manageable pace with you leading the way. What are the issues anyway?

- Getting immediate care for physical trauma.
- Gathering medical/legal evidence.
- Prevention/treatment of STD/HIV.
- Prevention/treatment of pregnancy.
- Linking with your personal support system of family and friends.
- Legal assistance/reporting and prosecuting a rapist.
- Help dealing with any long term effects of assault, including anxiety, depression and fears.

Student Health Services

It is crucial for victims of sexual assault to obtain immediate medical care, not only for their physical well-being but also to collect necessary legal evidence to prosecute the perpetrator. Student Health Services is open to students during regularly scheduled hours. Immediate emergency care is provided directly by a well-trained staff to victims of sexual assault/rape. However, due to the specific nature of obtaining evidence for use in criminal prosecution, victims of sexual assault/rape are referred to the local hospital emergency departments. There, a thorough physical exam, lab work and photos are obtained as well as necessary precautions to prevent sexually transmitted diseases.

Student Health Services may assist by:

- making sure that physical evidence is not altered or destroyed. Remember, do not shower, wash, change clothes, comb hair, drink or eat or do anything to alter physical appearance until after a physical exam has been completed at a hospital.
- providing information to the victim on college policies and notifying the University Police, Dean of Students and parents. (All information is kept strictly confidential.)
- discussing what to expect in the hospital emergency department and what precautions will need to be followed to prevent pregnancy

and sexually transmitted diseases.

- providing follow-up post traumatic medical care.

SUNY Potsdam wants to advise you that there are a number of other support services available to victims of sexual assault. They include:

Counseling Center

Van Housen Hall, Room 131 267-2330

Student Health Services

Van Housen Hall, Room 119 267-2377

University Police

Van Housen Extension, 1st Floor..... 267-2222

Canton-Potsdam Hospital

Leroy Street, Potsdam, NY 265-3300

Reachout (24 hour crisis hotline)

Potsdam, NY 265-2422

Potsdam Rescue Squad

29 Elm Street, Potsdam, NY 265-2121

Planned Parenthood of NNY

Canton, NY 386-3426

Citizens Against Violent Acts (CAVA)

Canton, NY 386-3777

Center for Campus Life/Residence Life

Draine Hall Extension, South 191 267-2350

Student Conduct/Community Standards

208 Barrington Student Union 267-2579

Potsdam Police Department

38 Main Street, Potsdam, NY 267-2121

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College Policies and Regulations on Sex Offenses

Sexual Assault is prohibited. Sexual assault is defined as forced, manipulated, or coerced sexual acts, which include but are not limited to, unwanted touching of an intimate part of another person such as a sexual organ, buttocks, or breast; sodomy; oral copulation; and rape by a foreign object. Violations may lead to college disciplinary action and/or arrest.

Rape is prohibited. Rape is defined as sexual intercourse by a friend, acquaintance or stranger:

- which is forced, manipulated, or coerced through the use of verbal coercion, intimidation (emotional and/or physical), threats, physical restraint, and/or physical

violence; and/or

- where no consent was given due to the victim being unconscious or asleep, being unable to communicate, or the victim saying nothing; and/or
- where the victim is temporarily incapable of appraising or controlling his or her conduct owing to the influence of alcohol or other drugs consumed without his or her consent or to any other act committed upon him or her without his or her consent.

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
- submission to or rejection of such conduct by an individual is used as a basis for employment or education decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile or offensive environment.

Code of Student Conduct, Rights and Responsibilities

Prohibited Conduct

Sexual Assault is defined as any touching of a sexual nature that is without the consent of the person touched. Sexual assault may include, but is not limited to, rape, sexual abuse, sodomy (non-consensual) and sexual misconduct as defined by New York State Penal Law. Sexual assault is prohibited.

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors and/or other unwelcome physical conduct of a sexual nature which interferes with a student's performance or creates an intimidating hostile or offensive environment. Sexual harassment is prohibited.

* * *

Sanctions for Violations of College Policies and Regulations

Sex offenses which are committed in violation of the Code of Student Conduct are subject to penalties or sanctions. These penalties and sanctions vary, depending upon the severity of the violation. They are listed as follows, from the least severe penalty to the most severe:

- **Conditional Discharge:** Dismissal of charges on conditions established by the disciplinary agency.
- **Disciplinary Probation:** Probationary status for a specified length of time during which a student, if found responsible for violations of policy, will be subject to more severe sanctions.
- **Residence Hall Probation:** The loss of priority in the housing assignment process and a notification that the student's housing privilege is in jeopardy.
- **Restitution:** Compensation for damages done or payment for expenses incurred as a result of the student's behavior. In most cases, this sanction should be imposed in conjunction with another sanction.
- **Community Service:** Assignment of tasks to be carried out within a specific period of time.
- **Residence Hall or Campus Restriction:** Students may be restricted 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.
- **Disciplinary Removal from Residence:** Removes the student from college residence halls on either a permanent basis or for a stated period of time without refund.
- **Order of Protection:** A directive that the

sanctioned student shall stay away from other student(s) and shall not in any way communicate or interact with said named student(s).

- **Restraining Order:** A directive restraining the sanctioned student from certain stated acts, activity, places, people or things.
- **Disciplinary Suspension:**
 - a) **Partial Suspension** – exclusion from particular activities, academic or co-curricular for a limited period of time, and
 - b) **Full Suspension** – exclusion from all college activities for a limited period of time.
- **Disciplinary Expulsion:** Permanently separates the student from the college.

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New York State Law on Sex Offenses

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

Sec. 130.20 Sexual Misconduct

A person is guilty of sexual misconduct when:

- a) being a male, he engages in sexual intercourse with a female without her consent; or
- b) he engages in deviate sexual intercourse with another person without the latter's consent; or
- c) he 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:

- a) he or she engages in sexual intercourse with another person to whom the actor is not married who is incapable of consent by reason of some factor other than being less than seventeen years old; or
- b) being twenty-one years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than seventeen years old.

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, being eighteen years old or more, he or she

engages in sexual intercourse with another person to whom the actor is not married less than fourteen years old.

Rape in the second degree is a class D felony.

Sec. 130.35 Rape in the first degree

A male is guilty of rape in the first degree when he engages in sexual intercourse with a female:

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

Rape in the first degree is a class B felony.

Sec. 130.38 Consensual Sodomy

A person is guilty of consensual sodomy when he engages in deviate sexual intercourse with another person.

Consensual sodomy is a class B misdemeanor.

Sec. 130.40 Sodomy in the third degree

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

- a) he engages in deviate sexual intercourse with a person who is incapable of consent by reason of some factor other than being less than seventeen years old; or
- b) being twenty-one years old or more, he engages in deviate sexual intercourse with a person less than seventeen years old.

Sodomy in the third degree is a class E felony.

Sec. 130.45 Sodomy in the second degree

A person is guilty of sodomy in the second degree when, being eighteen years old or more, he engages in deviate sexual intercourse with another person less than fourteen years old.

Sodomy in the second degree is a class D felony.

Sec. 130.50 Sodomy in the first degree

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

- a) by forcible compulsion; or

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

Sec. 130.55 Sexual Abuse in the third degree

A person is guilty of sexual abuse in the third degree when he 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 the defendant was less than five years older than such other person.

Sec. 130.60 Sexual Abuse in the second degree

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

- a) incapable of consent by reason of some factor other than being less than seventeen years old; or
- b) 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 subjects another person to sexual contact:

- 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.

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

Sec. 130.66 Aggravated Sexual Abuse in the third degree

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.

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

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.

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

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

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

- a) 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, he or she engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse deviate sexual intercourse or aggravated sexual contact, with a child less than eleven years old.
- b) 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 second degree is a class D felony.

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

- a) A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration, he or she engages in two or more acts of sexual conduct with a child less than eleven years old.
- b) 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 second degree is a class D felony.

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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.

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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:

- **Alert Notices** - The campus community is notified of situations that pose a threat to the overall safety and well being of its members. The alert notices are posted throughout the campus via several methods (text-messaging, e-mails, message-boarding, posters, etc.).
- **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.

Attend Campus Programming

Campus wide programming is offered at various times throughout the year including:

<u>Lecture Series</u>	<u>Topics</u>
<i>Counseling Center</i>	Sex, Drugs, Rock and Roll National Condom Week Sexual Assertiveness Date Rape Prevention QPR Training
<i>Student Health</i>	Prevention & Intervention Educational Programs
<i>Residence Life</i>	Healthy Relationships and Acquaintance Rape Rohypnol - The Date Rape Drug Domestic Violence
<i>University Police</i>	Date Rape - Not for Strangers Only Personal Safety - Don't Take Chances on Campus

Campus committees that are directly responsible for education, prevention and providing appropriate response are the Personal Safety Committee.