

SUNY Cobleskill

**State University of New York
College of Agriculture and Technology**



2007

Campus Safety Annual Report

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The College Campus Safety Report

A copy of the State University of New York at Cobleskill's campus crime statistics as reported annually to the U.S. Department of Education will be provided upon request by the campus Personal Safety Committee. Please direct all such requests to the University Police Department at 255-5317. Information can also be obtained from the U.S. Department of Education at <http://ope.ed.gov/security> .

This report is filed as required by the federal "Crime Awareness and Campus Security Act," (hereafter referred to as the Campus Safety Act) which was last amended in 1998, at which time it was re-named the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act". The purpose of this report is to provide our faculty, staff and students with campus safety information including crime statistics and procedures to follow to report a crime. The report is prepared by the Director of Residential Life (518) 255-5215 and the Chief of the University Police Department (518) 255-5317. Any questions regarding this report should be directed to either person.

General Security Information

In 2006–2007, 2,506 students were enrolled at SUNY Cobleskill. An average of 1,500 students resides in our 10 residence halls on campus.

Students, faculty, and employees have access to academic, recreational and administrative facilities during regular hours of operation. Access to the residence halls, however, is limited to students and their guests according to the guest procedure as described in the student handbook. Access to the residence halls by college employees is on an "as needed" basis and incorporates strict key control procedures through the University Police Department and the Facilities Management Department.

The public can attend cultural and recreational events on campus with their access limited only to the facilities in which these events are held. To report any violations of

*this policy or to report suspicious persons, dial campus extension **5317** for the University Police.*

Crime Reporting

*All members of the campus community are urged to report criminal incidents, emergencies and suspicious activity. The on-campus emergency phone number is **5555** and this should be used for all fire, medical and police emergencies. All complaints are responded to and investigated thoroughly.*

*Crimes in progress and any other emergencies on campus can be reported directly by any student, faculty member, employee or guest to the University Police Department by dialing campus extension **5555**. Persons with non-emergency complaints and requests for service should dial extension **5317**. The University Police Department prepares and submits incident reports that are kept on file.*

The University Police can also be contacted by utilizing the campus blue light emergency phones. These phones are located at the following locations: the "P" parking lot, the "W"/Commuter parking lot, outside the Field House, outside the Ski Lodge, in front of Alumni Hall, the new dairy complex, Johnson Hall, the Child Care Center, the Equine Center, and near the stables. Upon receipt of the call, university police officers are dispatched immediately to the site of the complaint. Additional sites are being considered for the installation of blue light phones.

Telephones are also located in each student's room, the foyer of each residence hall, inside every elevator and throughout the buildings on campus.

Members of the campus community can also report criminal incidents to faculty/staff members that have significant responsibility for student activity, including:

<i>Vice-President of Student Affairs</i>	<i>5214</i>
<i>Director of Residential Life</i>	<i>5215</i>
<i>Counseling Center</i>	<i>5225</i>
<i>Director of Athletics</i>	<i>5127</i>
<i>Director of Student Leadership</i>	<i>5300</i>
<i>Director of Recreation</i>	<i>5821</i>
<i>Any Residence Hall Director</i>	
<i>Athletic team coach</i>	
<i>Any club or organization advisor</i>	

The persons listed above are responsible to notify the Chief of University Police who serves as the compiler of campus crime reports for the purpose of preparing this report.

Please note that these offices allow victims and witnesses to report crime on a voluntary, confidential basis. Reports of this nature are filed with the university police for statistical purposes, but there is no formal investigation of the incident. Counselors, at the college's counseling center, who are informed by persons they are counseling of the commission of a crime, may also inform that person that crimes can be reported to the Chief of University Police on a voluntary, confidential basis for inclusion in the college's crime statistics only.

Victims of a sex offense will be informed of their option to notify the University Police and will be assisted by college personnel in notifying the police if desired.

Appendix "A" of this report contains a listing of emergency and victim support phone numbers for students living on and off campus.

Timely Notification

In the event of a major emergency, or if there is an event or incident that may pose a continued threat to students, employees, or others, a “Campus Alert Bulletin” will be prepared and distributed within two hours of such determination. The “Campus Alert Bulletin” will be distributed via:

- *The campus cable television station*
- *Campus voice-mail, phone, cell phone and e-mail alerts*
- *The posting of flyers in the residence halls, dining halls, and academic buildings*

Note: SUNY Cobleskill tests its entire emergency notification system on an annual basis.

Students and employees should familiarize themselves with the emergency evacuation procedures posted in their buildings. Special attention should be given to the evacuation procedures for persons with disabilities.

University Police Department

Campus safety and security are coordinated by the University Police Department, which has a force of 10 sworn police officers with full arrest powers. As an armed police department, officers respond to all emergency and non-emergency complaints. The University Police Department serves as the primary law enforcement agency for the campus.

State University of New York police officers must meet the standards in New York State for police officers. The officers must have completed 60 credit hours of college and pass a state civil service test for consideration for appointment. The officers have completed a basic training program administered by the New York State Department

of Criminal Justice Services under the Bureau for Municipal Police, and undergo continuous training to upgrade their skills. Officers conduct foot, bicycle and vehicular patrols on the campus 24 hours a day, 365 days a year.

The objective of the University Police is to provide a safe environment for the teaching, research and social endeavors and to protect the lives and property of the students, employees and visitors of the college. This objective is pursued within the framework of the State University rules and regulations and all local, state and federal laws. The investigation of crimes committed on the campus fall under the jurisdiction of the University Police Department. Our University Police Department has close working relationships with the Village of Cobleskill Police Department, the Schoharie County Sheriff's Department and the New York State Police. This includes a Memorandum of Understanding (MOU) with these agencies in the event that a violent felony or a missing student is reported to campus authorities. Should such a report be received SUNY Cobleskill's University Police would request assistance and work in conjunction with these agencies to conduct a complete investigation.

Policy on Alcohol and Drugs

SUNY Cobleskill is committed to development and maintenance of a Drug and Alcohol Free Campus and Work Environment. In accordance with the Federal Drug Free Act of 1988, the State of New York Policy on Alcohol and Controlled Substances in the work place, and the State of New York Beverage Control Act, and the College Policy under the Student Conduct Codes which prohibits both drugs and alcoholic beverages, the College will not tolerate the presence of either alcoholic beverages or controlled substances on the campus. The only exception to this rule is students over the age of 21 and residing in Davis Hall are permitted limited amounts of alcohol in their room if all occupants of the room are 21 years of age or older.

Students are subject to enforcement through the campus judicial system and the provisions of law. Employees are subject to enforcement through applicable disciplinary procedures consistent with laws, rules, regulations and collective bargaining agreements.

The College will make every effort to maintain a drug and alcohol free campus and work place. Those who seek assistance with a problem related to one of these conditions should seek assistance from a campus resource, such as the Counseling Service, the Health Service, or consult with the Office of the Vice President for Student Affairs or the Director of Human Resources.

The Wellness Center, Residential Life staff and University Police staff offer informative programs to students regarding alcohol and other drugs, and sexual assault awareness/prevention including: Alcohol 101, Alcohol and Other Drugs, Bay Watch and Bud Frogs: The Effects of the Media on Health, the Do's and Don'ts of College Life, R.A.D. (Rape Aggression Defense) – teaches participants to aggressively defend themselves, Equalogy – Sexual assault and acquaintance rape awareness presentation, Rape Awareness for Men, and Healthy relationships.

Weapons on Campus

Possession and/or use or sale of weapons or firearms of any kind, are prohibited on campus. These include, but are not limited to: firearms, bows, arrows, archery equipment, air guns, pellet guns, dart guns, paintball guns, chukka sticks, ammunition, fireworks, firecrackers, explosives or dangerous chemicals of any kind. This applies to possession on the person, in motor vehicles, in residence rooms, and/or in other areas/facilities of the College and/or College Auxiliary Services .

Students wishing to bring legal weapons to campus must register and store them at the University Police Department in Johnson Hall immediately upon arrival on campus.

Daily Log

The University Police Department maintains a daily log of crimes that occur on campus and is available for the public to view. This information is recorded by date, time, general location, type of crime, and the disposition of the complaint. This daily

log is available at the University Police Department, located in Johnson Hall during normal business hours.

Please note that entries or updates are generally made within two business days after the event occurs. Incidents or situations deemed to pose a threat to the campus community are logged as soon as possible. While most events are logged, the Chief of the University Police, may determine that an incident be classified as “confidential” in order not to jeopardize a criminal investigation or the identity of a victim.

Crime Prevention Activities

Members of the campus community are urged to secure their valuables and be aware of their surroundings. To assist in this endeavor, the university police and residential life staff hold educational programs each semester on a variety of topics including personal safety awareness and security, rape awareness/sexual assertiveness training, Operation Identification, Rape Aggression Defense (R.A.D.) and anti-theft programs. Information on safety and security is provided on request to students and employees via seminars, videos, crime alerts, posters and brochures.

During orientation, programs are presented which address sexual assault, fire safety, and other personal safety topics. Students are also informed of many personal safety services available on campus, which include campus escort service, sexual assault counseling, mental health services, and emergency medical services.

The Facilities Management Department maintains the campus buildings and grounds with concern for safety and security. It inspects campus facilities regularly, promptly makes repairs affecting safety and security, and responds immediately to reports of potential safety and security hazards, such as broken windows and locks. If you have concerns about the physical safety of campus buildings and grounds, call the Facilities Management office Monday through Friday 8:00 A.M. to 4:00 PM, at extension 5228. For emergencies that occur during non business hours, call the University Police at extension 5317.

The college campus is well lighted, and college authorities continuously assess this situation and improvements are made as needed.

Campus Crime Statistics

In accordance with recent updates to the “Campus Safety Act,” the data in Appendix “E” is presented to review crime activity both on campus and on streets immediately adjacent to campus property. A map, which defines these areas, appears at the end of this report. Reported on-campus offenses include all offenses reported on campus property and in campus buildings. A specific breakdown on offenses occurring in university owned residence halls appears under “residence halls.”

Two other categories are presented in this chart: “non-campus buildings or property” and “public property.” The first category, non-campus buildings or property, includes properties owned by the College Auxiliary Services outside the campus boundaries. There are no off-campus properties owned by student organizations officially recognized by the college.

The second category, public property, includes thoroughfares, streets, and sidewalks immediately adjacent to the campus.

This section on campus crime statistics also includes arrests and disciplinary referral made to campus authorities for alcohol, drug and weapon possession charges that are violations of law (Appendix “G”). As defined by the Campus Safety Act, a disciplinary referral is an instance when a student is formally reported in writing to a university officer for possible sanction.

As required by the Campus Safety Act, the College is required to report hate crimes in this report (Appendix “F”). For this reporting, a hate crime occurs when a person is victimized intentionally because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity or disability. The hate crimes presented for this report are only related to those offenses that appear in Appendix “B” of this report, or

where the victim sustained physical injuries. There were no bias related crimes to report in the calendar year 2007.

The crimes presented are based on reports filed with the University Police Department, and the Director of Residential life. Formal requests for crime statistics for areas defined as “public property immediately adjacent to the campus” were made with the Cobleskill Police Department, the Schoharie County Sheriff’s Department and the New York State Police. The definitions of these offenses, which are defined in the “Uniform Crime Report” and the “Crime Awareness and Campus Security Act,” appear in Appendix “B” of this report.

Experts on campus crime warn that crime comparisons among colleges must be undertaken with caution. The crime reports do not consider the nature of the institutions (rural or urban, residential or commuter, etc.).

In addition, colleges with highly professional police departments may pursue crime more aggressively than do colleges that handle most incidents through a campus judicial system.

High numbers may not mean that a campus is less safe than others. To the contrary they may correlate to an enhanced degree of safety.

Security in Residence Halls

The College’s Office of Residential Life is committed to providing a safe environment in the residence halls. Students are made aware of safety concerns as well as tips on prevention through brochures, pamphlets, floor meetings and presentations. While there are many safeguards in place for residence hall students, each student must do his/her part to assure a safe and secure environment by adhering to the safety related policies and procedures. A residence hall director supervises each of the residence halls.

The hall director is a professional staff person who lives and works in the residence hall. Each floor also has a resident assistant. A resident assistant is an upper class

student who has received extensive training in many different aspects of residence hall living. The hall directors and resident assistants undergo training in enforcing residence hall safety and security policies as well as being aware of potential safety hazards and concerns.

Residence halls are locked 24 hours a day. Resident Assistants maintain specific office hours in each of the residence halls, and make rounds through the hall during those hours. Visitors must sign in at the Resident Assistant Office and be escorted by a resident while in the building.

Night Hosts are on duty at the entrance to each hall and permit access to authorized persons. An on-campus phone is located at the main entrance of each hall for visitors to contact students for entry. Each resident is provided with a key to the main entrance of their residence hall, their mailbox and their room.

University Police conduct foot patrols of the residence halls and are always available to assist students and the residence life staff.

Residence hall students should not be lulled into a false sense of security. Although the campus is a safe place to live, there is always the potential for crime. We all need to be aware of our environment and the possible consequences of our behavior. The College is committed to maintaining an environment in which students, faculty, staff and guests can live and work together free from all forms of harassment, exploitation and intimidation. The College will act as needed to discourage, prevent, correct and if necessary discipline behavior that violates this standard of conduct. The University Police Department will promptly investigate allegations of unlawful discrimination based on race, color, national origin, religion, age, sex, disability or martial status. Allegations of unlawful discrimination can also be discussed with the counseling center, or the Vice President of Student Affairs.

Sex Crimes Information

Rape and sexual assault, such as sexual abuse and sodomy, constitute crimes. Such behavior is prohibited by the New York State Penal Law, section 130, and is a major infraction of the Student Conduct Codes (see Appendix C). The college strongly condemns sexual harassment or assault in any form. Allegations of sexual assault or rape should be reported to the University Police Department at 5555. Allegations of sexual harassment should be reported to the University Police Department ext. 5317, or the Vice President of Student Affairs, ext. 5214. Victims of a sex crime may also choose to report the offense to any office or person that appears under Crime Reporting of this report.

Allegations of sexual assault or rape occurring off campus should be reported to the Cobleskill Police Department, the Schoharie County Sheriff's Department or the New York State Police. Telephone numbers, which include the number of the Rape Crisis Center, the County Department of Mental Health and Student Affairs are listed in Appendix "A" of this report. Efforts will be made to ensure the confidentiality of all reports, except as necessary and required to investigate the alleged offenses. College authorities may issue a safety alert to those areas of the college community affected by the crime. The issuance of this alert will depend on the particular circumstances of the crime. Victims can provide information to the University Police Department and choose either criminal prosecution and/or a referral to the on-campus judicial system.

Procedures and possible sanctions related to on-campus discipline are discussed in detail in the student handbook "On the Hill," and are excerpted in Appendix "C" of this report. Victims of sex crimes should contact the Director of Judicial Affairs ext. 5215 for additional information. It is important to note that the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding. Both the accuser and the accused will be informed of the outcome of any campus disciplinary action, including the sanction to be imposed. Such sanctions can include suspension and dismissal from the institution.

Sexual Assault Information (Aid to Victims of Violence)

If you are a victim of a sexual assault, you should immediately report the assault to the police. If the assault occurred on campus, call the University Police at ext. 5555. If it occurred off campus, contact the appropriate law enforcement agency listed in Appendix "A". Police cannot investigate the incident as a crime unless you file a formal report. Reporting a crime to the police or to another campus office does not necessarily obligate you to follow through with criminal prosecution.

- Go to the hospital emergency room as soon as possible if the assault involved a sexual penetration or other physical injuries. (Evidence can be collected several hours after an attack, but its value diminishes over time.) You should not wash, change clothing, or otherwise "clean up." Bring a full change of clothing since the clothes you were wearing at the time of the attack may be kept as evidence.*
- Your follow-up medical care is crucially important. You may need tests for sexually transmitted diseases and pregnancy.*
- No matter when or where the assault occurred, support and referral resources are available to help you. Contact at least one of the offices listed in Appendix "A".*

Statement of Victims' Rights

- 1. Victims have the right to choose counseling and/or medical treatment, and to prosecute and report their case through the college's Judicial System and/or the criminal court system. They also have the right to refuse all these options without reproach from any College personnel.*
- 2. Victims have the right to be treated with dignity and seriousness by all campus personnel.*

3. *Victims of crimes against individuals have the right to be reasonable free from intimidation and harm.*
4. *University personnel are encouraged to inform all victims that:*
 - *Victims are not responsible for crimes committed against them;*
 - *Victims are not negligent toward their own and thus do not assume to risk of crime;*
 - *Victims should always report their crime, despite the possibility of adverse publicity for the College.*
5. *Victims will be made aware of appropriate student services including counseling.*
6. *Victims are entitled to the same support opportunities available to the accused in a campus disciplinary proceeding.*
7. *If the accused is prohibited from contacting the victim or entering the victim's residence, the victim will be notified that the ban is in effect.*
8. *Any victim who does not wish to remain in his/her present residence hall or class section may be granted a transfer to other housing or another class section if available.*
9. *The victim has the right to information regarding the status of his/her case.*

Sex Offense Registry

This Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The registry contains information on sex offenders classified according to their risk of re-offending:

Level 1 – Low risk

Level 2 - Moderate Risk

Level 3 – High Risk

This Act also requires that DCJ Salso maintain a subdirectory of Level 3 sex offenders. The DCJS Sex Offender Registry site may be found at www.criminaljustice.stste.ny.us/nsor/index.htm and contains their subdirectory of Level 3 sex offenders as well as other information regarding New York State's Sex Offender Registry.

Sex offenders in New York State are required to notify the Registry of any institution of higher education at which he or she is or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education must also be reported to the Registry no later than ten (10) days after such change.

Hate Crimes and the Law

It is a New York State University Police mandate to protect all members of the Cobleskill campus community by preventing and prosecuting bias or hate crimes that occur within the campus jurisdiction.

Hate crimes, also **called bias crimes or bias-related crimes**, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York law are available from the University Police Department.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, University Police also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the University as acts of bigotry, harassment or intimidation directed at a member or group within the campus community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University's Discrimination Complaint Procedure or the campus conduct code. Bias incidents can be reported to the University Police as well as the Human Resource Office.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to University Police by calling 255-5555 in an emergency, using a Blue Light or other campus emergency telephone calling 5555, or stopping by Johnson Hall. University Police will investigate and follow the appropriate adjudication procedures.

Victims of bias crime or bias incidents can avail themselves of counseling and support services from the campus Wellness Center or by contacting the Human Resource Office.

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APPENDIXES

Appendix "A"

Emergency Contact - Victims Services Phone Numbers

On Campus:

<i>Police/Fire/Medical Emergency.....</i>	<i>5555</i>
<i>Counseling Center (crisis intervention, counseling & victim support.....</i>	<i>5225</i>
<i>Residence Life Staff Office (or individual hall staff).....</i>	<i>5215</i>

University Police Department (crisis support & prosecution assistance)..... 5317

Wellness Center (medical & crisis support) 5225

Off Campus: *(all numbers are in the 518 area code)*

Rape Crisis Center Hotline 234-4949

Planned Parenthood234-3325

Schoharie County Mental Health Center.....295-8336

Cobleskill Regional Hospital..... 254-3456

Cobleskill Police Department 234-2111

New York State Police 234-3131

Cobleskill Fire Department.....234-2222

Rural/Metro Medical Services (Ambulance)..... 234-0911

Schoharie County Sheriff's Department 295-8114

NYS Crime Victim's Compensation Board 457-8727

Schoharie County/ Alcoholism & Substance Abuse..... 800-247-8035

Schoharie County Bus Service Information..... 295-8810

Crime Victim Advocate Program 234-3581

Appendix "B"

Crime Reporting Definitions

The crimes listed in this report are defined by the Federal Bureau of Investigation's Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident Based Reporting System Edition of the Uniform Crime Reporting Handbook and are as follows:

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

Criminally Negligent 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 putting the victim in fear.

Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could 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; safe cracking; and all attempts to commit any of the aforementioned.

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

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.

Sex Offenses - Non-Forcible - Unlawful, non-forcible sexual intercourse.(incest)

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, methadone); 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 Crimes - *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.*

Appendix "C"

***New York State Penal Law Section 130
definitions of sex crimes and possible penalties***

New York State Penal Law section 130 definitions of sex crimes and possible penalties:

Section 130.20 - Sexual Misconduct

This offense includes sexual intercourse without consent and deviate sexual intercourse without consent. The penalty for violation of this section includes imprisonment for a definite period fixed by the court up to one year.

Section 130.25/.30/.35- Rape.

This series of offenses includes sexual intercourse with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes sexual intercourse with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment not to exceed 25 years.

Section 130.40/.45/.50 – Criminal Sexual Act.

This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.52 - Forcible Touching

This offense involves the forcible touching of the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. Forcible touching includes the squeezing, grabbing, or pinching of such person's sexual or intimate parts. The penalty for the violation of this section includes imprisonment for a period of up to one year in jail.

Section 130.55/.60/.65 - Sexual abuse.

This series of offenses includes sexual contact with a person by the forcible compulsion, or with a person who is incapable of consent due to physical

helplessness, or due to the person being under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed three months up to imprisonment for a period not to exceed seven years.

Section 130.65-a/.66/.67/.70 Aggravated Sexual Abuse.

This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis, or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed seven years up to imprisonment for a period not to exceed 25 years.

If you are sexually or otherwise assaulted on campus:

- *Get to a safe place as soon as you can.*
- *Try to preserve all physical evidence; do not bathe, douche, or change your clothes.*
- *Contact University Police at 255-5555 immediately.*

Remember, assaults – sexual or otherwise – are crimes; they are not the victims fault. Victims have the right to pursue adjudication of crimes that occur on the Cobleskill Campus through the criminal courts and/or through the University’s internal disciplinary process (under the Campus Code of Conduct). University Police are trained to assist with prosecution in both systems.

Disciplinary Action

Where there is probable cause to believe the college's regulations prohibiting sexual misconduct have been violated, the college will pursue strong disciplinary action through its own channels. This discipline includes the possibility of suspension or dismissal from the college.

An individual charged with sexual misconduct will be subject to college disciplinary procedures, whether or not prosecution under New York State Criminal Statutes is pending.

The college will make every effort to be responsive and sensitive to the victims of these serious crimes. Protection of the victim and prevention of continued trauma is the college's priority. When the victim and the accused live in the same residence hall, an immediate hearing with the College Judicial Officer will be held to determine the need for modifying the living arrangements.

Student Conduct Codes (from "On the Hill" student handbook)

Major infractions relating to sex offenses:

1. Any conviction of a violation of the Penal Law of the State of New York or the United States of America, classified as a "felony," a "narcotic offense," a "sex offense," or a "weapons offense," committed on campus or in the Cobleskill community.

7. Conduct which threatens or endangers the health or safety of any person.

[Note: This may also apply to actions off-campus.]

12. *Sexual misconduct or lewd, indecent, or obscene conduct or expression on College-owned or College-controlled property or at College-sponsored or supervised functions.*

Appendix "D"

Faculty-Student Judicial Board Procedure

(The entire Campus disciplinary procedure is described in full in the "On the Hill" Student Handbook)

Filing Charges: *Any member of the campus community may file charges against a student under the STUDENT CONDUCT CODES. Charges must be filed in writing in the Office of the Vice President for Student Affairs, dated and signed, using the designated multiple-copy form. Consultation regarding the filing of charges is*

available from members of the Residential Life staff, University Police officers, and the Office of the Vice President for Student Affairs.

Counselor/Advisor: All students involved in the judicial process have the right to seek counsel from a member of the full-time faculty (or professional staff) if she/he so desires. This faculty member may attend the hearing with the student and may advise the student, but may not speak for (in place of) the student. A full-time student at SUNY Cobleskill may also serve as advisor. Individuals external to the campus may not participate or be present at the judicial board hearing/process.

Witnesses: All students involved in the judicial process have the right to bring witness(es) to speak on his/her behalf and/or present pertinent evidence. Students charged have the right to question witnesses and the person bringing the charges. Students needing assistance in summoning witnesses to appear may request assistance at the Office of Vice President for Student Affairs.

Decisions by the Board: Upon completion of the hearing and deliberations by the Board, all parties involved in the case are advised by the Chief Magistrate of the outcome of the hearing.

Sanctions that may be imposed by the Judicial Board:

- *Reprimand and Warning* - an official, written notification of a violation and expected future compliance with the College Student Conduct Code;
- *Disciplinary Probation* - an official, written notification of violation(s) which require improvement in behavior; probationary status means that future violations will be viewed as more serious and could lead to Residence Relocation, Residence Banning, or College Suspension;

- *Residence Hall Relocation* - the student is relocated to another on-campus assignment at the discretion of the Director of Residential Life; Residence Hall Relocation automatically carries with it official Banning from the Hall from which the student is being removed for disciplinary reasons;
- *Residence Hall Dismissal* - means that the student's privilege to live on campus is revoked; Residence Hall Dismissal automatically carries with it additional sanctions of Disciplinary Probation and Residence Hall Banning for a stated period of time to be established by the hearing officer or board;
- *Residence Hall Banning* - requires that a student be removed from a specified area (or areas) for a stated period; the student is directed not to be present in those areas until further notice; violation may cause further disciplinary action and may subject the student to arrest;
- *Restitution* - requires that the student will repay or pay a stated amount or repair or replace either goods or services to the satisfaction of the Vice President for Student Affairs or designee;
- *Work Detail* - an assignment to an office or person to perform a specific function for a stated number of hours or project completion;
- *College Suspension Held In Abeyance* - defers a College Suspension sanction based on an agreement by the student to adhere to a special, signed "Behavioral Contract". Violation of this contract will result in immediate suspension;
- *College Suspension (for a stated period of time)* - removes a student from access to classes, activities, residence halls and the other premises of the College; the student is directed to leave the campus and not return until expressly permitted by the Vice President for Student Affairs or the President;
- *College Dismissal (No possibility of return)* - removes a student from access to classes, activities, residence halls and the other premises of the College; the student is directed to leave the campus and not return.

Appendix "E"

Campus Crime Statistics as Defined by the Clery Act

Category	Venue	2005	2006	2007
<i>Murder</i>	<i>On Campus ***</i>	<i>0</i>	<i>0</i>	<i>0</i>
	<i>In residence halls</i>	<i>0</i>	<i>0</i>	<i>0</i>
	<i>In or on a non campus building/property</i>	<i>0</i>	<i>0</i>	<i>0</i>

	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Manslaughter Non-negligent</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Manslaughter Negligent</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Sex Offenses Forcible</i>	<i>On Campus ***</i>	5	5	4
	<i>In residence halls</i>	5	5	4
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	5	5	
<i>Sex Offenses Non-forcible</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Arson</i>	<i>On Campus ***</i>	0	1	0
	<i>In residence halls</i>	0	1	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	1	0
<i>Robbery</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0

	<i>Total</i>	0	0	0
<i>Aggravated Assault</i>	<i>On Campus ***</i>	2	2	0
	<i>In residence halls</i>	2	0	0
	<i>In or on a non campus building/property</i>	0	2	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	2	2	0
<i>Burglary</i>	<i>On Campus ***</i>	14	17	23
	<i>In residence halls</i>	11	14	22
	<i>In or on a non campus building/property</i>	0	3	0
	<i>On public property</i>	4	0	1
	<i>Total</i>	15	17	23
<i>Motor Vehicle Theft</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0

* Statistics include anonymous reports made to campus offices described in this report. They, however, represent incidents believed to be made in good faith, but for which no verification has been established.

*** This category includes all on-campus incidents, including those listed "In residence halls." These categories represent a duplication and are not cumulative.

Appendix "F"

Bias Related Crimes

<i>Category</i>	<i>Venue</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<i>Murder</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0

	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Manslaughter Non-negligent</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Manslaughter Negligent</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Sex Offenses Forcible</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Sex Offenses Non-forcible</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Arson</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Robbery</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0

	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Aggravated Assault</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Burglary</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0
<i>Motor Vehicle Theft</i>	<i>On Campus ***</i>	0	0	0
	<i>In residence halls</i>	0	0	0
	<i>In or on a non campus building/property</i>	0	0	0
	<i>On public property</i>	0	0	0
	<i>Total</i>	0	0	0

Bias key: R-race, G-gender, S-sexual preference, R-religion, D-disability, E-ethnicity/national origin

** Statistics include anonymous reports made to campus offices described in this report. They, however, represent incidents believed to be made in good faith, but for which no verification has been established.*

**** This category includes all on-campus incidents, including those listed "In residence halls." These categories represent duplication and are not cumulative.*

Appendix "G"

Arrests and Disciplinary Referrals

<i>Category</i>	<i>Action Taken</i>	2005	2006	2007
<i>Liquor Law</i>	<i>Arrests - in residence halls</i>	1	3	0
	<i>Arrests - not in residence halls</i>	9	15	7
	<i>Campus Disciplinary Action - in</i>	126	125	167

	<i>residence halls</i>			
	<i>Campus Disciplinary Action - not in residence halls</i>	29	31	14
<i>Weapons Possession</i>	<i>Arrests - in residence halls</i>	0	1	0
	<i>Arrests - not in residence halls</i>	2	2	0
	<i>Campus Disciplinary Action - in residence halls</i>	0	5	1
	<i>Campus Disciplinary Action - not in residence halls</i>	1	0	2
<i>Drug Related</i>	<i>Arrests - in residence halls</i>	1	6	3
	<i>Arrests - not in residence halls</i>	10	20	25
	<i>Campus Disciplinary Action - in residence halls</i>	15	18	26
	<i>Campus Disciplinary Action - not in residence halls</i>	12	8	7

Appendix "H"

Recommended Preventative Measures

- *When you first date someone you don't know well, check them out with friends or classmates. Plan to meet someplace where there are other people - a restaurant, a movie, a mall - or better yet - go with a group of friends.*

- *Be prepared to find your own transportation home. Carry change for a phone call to your roommate or friend - and enough cash for a taxi.*
- *Don't get drunk or stoned. Remember drugs and alcohol decreases your ability to take care of yourself and make sensible decisions.*
- *Clearly and firmly, let your date know your limits before you get into a situation you can't control.*
- *Trust your instincts. If you think something's not quite right, or you feel uneasy, get to where there are other people to tell your date to leave - NOW. Be ASSERTIVE.*
- *Remember that a "no" means "no". If you think that a "no" means "maybe", perhaps the physical intimacy is not in your best interest.*
- *Be cautious of your drinking limits when meeting new friends at bars or parties.*
- *Do not accept a ride from someone you have just met; be sure to bring a friend or two along.*
- *Let your friends, roommates, resident hall staff know where you are going, who you are going with, and when you'll be home.*
- *Lock your car doors when driving.*
- *Avoid dark isolated places.*
- *Avoid walking alone after dark.*

APPENDIX "I"

