

Security Report

for Calendar Year 2011

UPSTATE

MEDICAL UNIVERSITY
State University of New York

University Police Department
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Syracuse, NY 13210

315-464-4134 Fax: 315-464-4140

www.upstate.edu/publicsafety

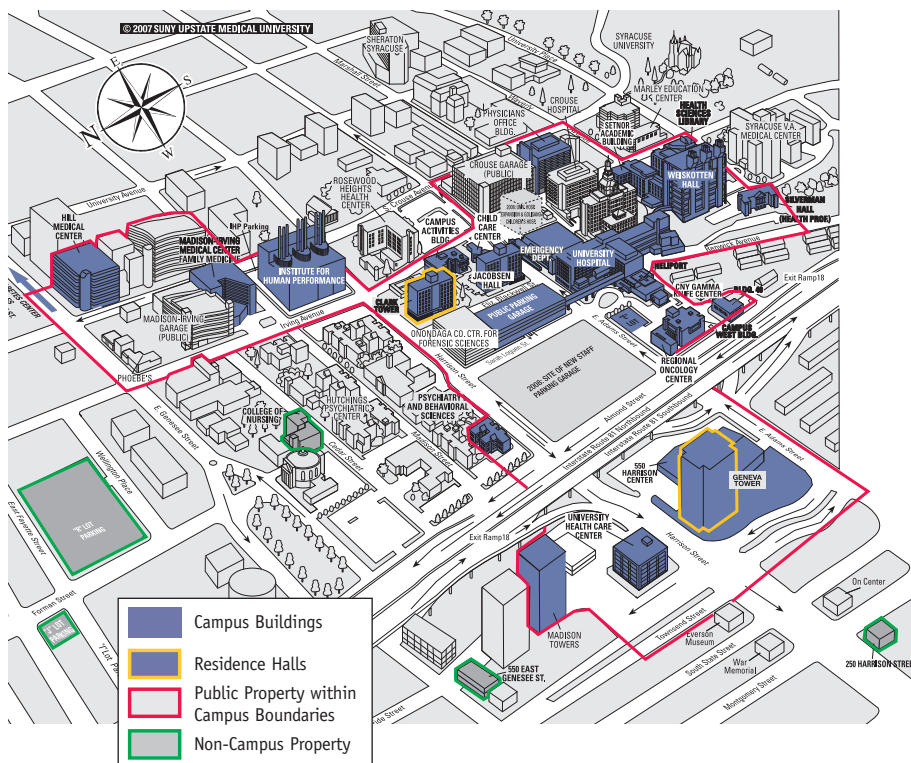


Weiskotten Hall

University Hospital



Institute for Human Performance and
Clark Tower Residence Hall



COLLEGES OF

Medicine

Health Professions

Nursing

Graduate Studies

University Hospital

The Upstate Medical University Security Report

This report is produced annually to fulfill the requirements of the federal law known as the Clery Act. It is SUNY Upstate Medical University's policy to provide this annual report of crime statistics, safety information, and procedures to follow to report crime. The report is prepared by the Office of the Chief of University Police and is electronically available at <http://www.upstate.edu/publicsafety>. Any questions regarding this report should be directed to the Chief of University Police, at SUNY Upstate Medical University, Bldg. 49, 750 East Adams Street, Syracuse, N.Y. 13210 or telephone (315) 464-4134.

General Security Information

In 2011-2012, 1567 students were enrolled at Upstate Medical University. Approximately 200 students reside in Clark Tower, the residence hall on the main campus and 200 students in Geneva Towers, just west of the campus. The university employs approx. 9,525 individuals as full-time faculty and staff at our Downtown campus and the Community Hospital Campus, just south of downtown Syracuse. The University also maintains a satellite campus in Binghamton, New York.

Students, faculty, and employees have access to academic, recreational and administrative facilities on campus during regular hours of operation. Visitors to the hospital are restricted to visiting hours and the public is restricted to normal business hours.

The public can attend cultural and recreational events on campus with their access limited to the facilities in which these events are held. To report any violations of this policy or to report suspicious persons, dial campus extension 4-4000 or 464-4000 from an off campus or cell phone, for the University Police Department. At the Community Campus the number is Extension 5511, or 492-5511 from an off campus or cell phone.

Crime Reporting

All members of the campus community are urged to report criminal incidents, emergencies and suspicious activity promptly. The campus emergency number is 4-4000 and should be used for all fire, medical and police emergencies. All reports are responded to, logged, and classified.

University Police can also be reached using campus emergency phones or call boxes located at various locations throughout the campus. The residence hall door phone may also be used for reporting emergencies by dialing 4-4000. Upon receipt of the call, Public Safety officers or a University Police Officer are dispatched immediately to the site of the complaint. An investigation is conducted and a report filed.

Members of the campus community who are uncomfortable report criminal activity to the police can also report criminal incidents to the following offices:

- Dean of Student Affairs - 464-4816
- Associate Dean of Student Affairs - 464-8855
- Director of Employee/Student Health - 464-5470
- Residence Director - 464-5106 or 464-9408
- Campus Coordinator of Judicial Affairs - 464-8855
- Director of Campus Activities - 464-5618

Please note that these offices allow victims and witnesses to report crime on a voluntary, confidential basis. Reports of this nature are filed with University Police Department for information purposes, but there is no formal investigation of the incident. Counselors at the University, 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 office of Student Affairs on a voluntary confidential basis for inclusion

in the University's crime statistics. This information is used in the creation of this report.

In the event of a major emergency or ongoing incident that poses an imminent threat to the campus community, a "SUNY NYAlert" will be issued. SUNY NYAlert is a critical incident emergency notification system that the campus community can subscribe to via the intranet. Enrollees can choose to be notified by phone, fax, email, voicemail, text message, or any combination of these methods.

If there is an event which could pose a threat to student, employees, or others, a "Campus Alert" bulletin will be prepared and distributed by:

- "Upstate Update" newsletter
- Campus e-mail service;
- Main entrance doors to Clark Tower, academic buildings, and the Campus Activities Building.

University Police Department

The University Police Department's operational offices are located in room 1326 in University Hospital. It is open 24 hours a day, every day, providing around-the-clock protection and service for the campus community. The Department aids in enforcement of federal, state and local statutes and Upstate Medical University regulations.

The administrative staff of the Department consists of the Chief, Deputy Chief, an Assistant Director, a secretary, and three staff assistants. University Police Lieutenants and University Police Officers are sworn police officers, who have attended a New York State certified Police Academy. These state employees are supplemented by a contract security force. The security officers are called Public Safety Officers and consist of four lieutenants, eight sergeants and 86 officers. The Public Safety officers are not police officers, but may exercise their citizen's arrest authority when necessary. These officers receive the state mandated training to be licensed in the State of New York as security guards, plus an additional 36 hours of training each year.

The University Police Department is responsible for initial law enforcement; security; and accident, fire, and chemical emergency responses. It is also responsible for providing support services tailored to meet the needs of the campus community. Services include assistance with building and room lockouts; escorts; accident reporting; information, and directions. Special services for University Hospital include corrections liaison and assisting at helicopter landings for Medivac patients.

A trained dispatcher is available, 24 hours a day, to respond to emergency calls. A number of emergency telephones and call boxes are located on primary buildings throughout the campus. They can be used to report a criminal incident, a fire, or any other type of emergency. Requests for non-emergency service can be made in the same manner.

Officers maintain constant patrols of the campus by vehicle and on foot. The patrols include regular checks of all campus buildings, including the resident facilities, Clark and Geneva Towers. The grounds and parking areas are also patrolled. Closed circuit television cameras monitor some areas of campus. Public Safety Officers also maintain fixed post positions at various locations on campus.

The Department maintains close working relations with the Syracuse Police Department and other appropriate law enforcement agencies and elements of the criminal justice system. Regular meetings are held with other University Hill security agencies, both on a formal and informal basis, and crime-related reports and statistics are routinely exchanged. The Department participates in the Hill Net Radio System, has direct radio communications with the County 911 Center and shares radio frequencies with the Syracuse Police Department, all of which enhances interagency cooperation.

The objective of the University Police Department is to assist in creating an environment that is conducive to teaching, research, patient care, and social endeavors and to assist in protecting the lives and property of the students, employees, and visitors to Upstate. 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. The University Police also maintains a Memorandum of Understanding with the Syracuse Police Department that outlines each department's responsibilities during the investigation of certain violent crimes. The Onondaga County Sheriff's Department and the New York State Police are also contacted when circumstances dictate, to investigate incidents that may occur on campus or off campus but involve campus staff or students.

Policy on Alcohol and Drugs

The University complies with federal, state, and local laws including those which regulate the possession, use and sale of alcoholic beverages and controlled substances.

The following represents a synopsis of the drug and alcohol policies of the SUNY Upstate Medical University. Detailed information is available in the Student Handbook, for students, and the University policy manuals, for employees.

The University permits the use of alcoholic beverages on campus by those who comply with state law and who adhere to the guidelines established by the University. Students living in the residence hall who are 21 years of age or older shall be allowed to possess and consume alcoholic beverages in their rooms in compliance with state law and consistent with University regulations pertaining to possession and consumption.

On any Upstate Medical University premises or at any University sponsored activity, the following conducts are prohibited:

- Distribution, possession or use of any illegal drug or controlled substance;
- Providing alcoholic beverages to individuals under 21 years of age, or possession of alcoholic beverages by individuals under 21 years of age;
- Illegal possession of an open container of an alcoholic beverage, driving while intoxicated, or drinking alcoholic beverages in an unlicensed public place.

The Alcohol and Drug Policy details offenses and discipline for students and others, including probation, suspension, or dismissal from the University for such acts.

The University's Assistant Dean for Student Counseling and Employee/Student Health Service provide assessment and assistance to students. The Employee Assistance Program Office provides services to faculty and staff. Educational programs addressing alcohol and drug related issues are sponsored by various campus organizations.

Weapons on Campus

Firearms and dangerous weapons, including ammunition, fireworks, explosives or any lethal weapon, are not permitted on campus. Intentional use, possession, or sale of firearms or other dangerous weapons by anyone is strictly forbidden and is a violation of state and federal law as well as a violation of the student code of rights and responsibilities.

Daily Log

University Police maintains a daily log of crimes and incidents that occur on campus that is available for the public to view. This information is recorded by date & time, summarizes what happened and gives the general location of the incident. This daily log is available at the University Police Department, Room 214, Bldg. 49. 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. They are also the subject of "Campus Alert" bulletins.

While most events are logged, the Office of the Chief or Deputy Chief of 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

We feel that almost every crime committed on campus is preventable. As part of the college's educational mission, the University Police Department attempts to teach members of the campus community how to reduce their chances of being a victim of a crime. The Administrative staff has been trained in crime prevention techniques and serves as crime prevention officers.

The University's crime prevention program is based upon the dual concepts of 1) reducing or eliminating criminal opportunities, and 2) encouraging students and employees to be responsible for their own security and the security of others.

The theft of unattended, unsecured property is the most frequent crime reported at Upstate. Individuals are encouraged to keep their vehicles, rooms, offices, and lockers secured at all times. Persons loitering or trespassing at the University are other frequent problems. When you observe individuals acting suspiciously or who are out of place, please contact the University Police so that they can be investigated and removed from the University, if warranted. These actions can help keep you and your friends from becoming victims of crime.

The following is a listing of the University's crime prevention programs and projects:

Escort Service: Available 24 hours a day, 7 days a week for anyone to any on campus location.

Personal Security: Crime prevention presentations are made available on a regular basis at new student and employee orientations. Custom presentations or surveys are made at the request of any group.

Emergency Telephone: Emergency telephones and call boxes, linked directly to the University Police, are located throughout the campus.

Architectural Design: The University Police Department has significant input into the design of all new and renovated campus facilities as related to physical and electronic security systems.

Facilities Surveys: The University Police Department and the Personal Safety Committee conduct periodic surveys of exterior lighting, exterior doors and campus grounds. Results of these surveys are forwarded to Physical Plant for prompt action.

Rape Awareness: Rape awareness education and prevention presentations are made periodically to the campus community.

Relationships with Other Police Departments Involving Off-Campus Crime

Criminal activity at off-campus property owned, leased or occupied by the University, or occupied by recognized student organizations, are monitored by the University Police Department in cooperation with the Syracuse Police and other law enforcement authorities. Students involved in off-campus situations involving alcohol/drug offenses or other criminal activities may also be referred to the campus judicial system.

Campus Crime Statistics

In accordance with recent updates to the Clery Act, data representing criminal activity is presented at the end of this report. You may also find this data on the University Police web page, at www.upstate.edu/publicsafety or at the US Department of Education web page at <http://www.ope.ed.gov/security/>. These data represent crime activity both on campus and on streets adjacent to campus property. (MAP, defining these areas on cover). Reported on campus offenses include offenses reported on campus property and in campus buildings. The total number of crimes committed on campus is reported under "On Campus Property". A specific breakdown of offenses occurring in our Resident Facilities appears under the heading "Residential Facilities" on the Chart.

Two other categories are presented in this chart: "Non Campus Property" and "Public Property." The first category, "Non-Campus

Property” includes properties owned by student organizations officially recognized by the institution and those owned by the university outside the campus boundaries that appear on the map on the cover. The offenses presented for this report include those reported to Law Enforcement agencies having jurisdiction where these properties are located.

The last category, “Public Property”, includes thoroughfares, streets, sidewalks and parking facilities immediately adjacent to the campus. The MAP fully outlines these boundaries.

This section on campus crime statistics also includes arrests and disciplinary referral made to campus authorities for alcohol, drugs, and weapons possession. 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 Clery Act, Upstate is required to report hate crimes in this report. 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 those offenses that appear in the Crime Statistics Chart, where the victim suffered bodily injury and the additional offenses of larceny, vandalism, simple assault, and intimidation.

The crimes presented are based on reports filed with the following offices: The University Police, Dean of Students Affairs, Director of Student Support Services, the Residence Director, and the Director of Employee/Student Health. Crime statistics for areas defined as “Public Property” and “Non-Campus Property” were obtained thru the County wide incident reporting system accessible by the University Police Department. The definitions of these offenses, which are defined in the FBI’s, “Uniform Crime Report” and the “Clery Act”, can be found on pages 8 & 9.

Security In Residence Halls

Upstate houses approximately 200 students in Clark Tower and another approx 200 students at Geneva Towers. Services and programs intended to enhance the quality of life and to assure the security and safety of the resident student body is a major priority for the Office of Residence Life. These Resident Facilities are served by professional, live in, residence director and resident assistants. Staff is available or on call at all times. Between the hours of 5 p.m. and 10 p.m., Sunday through Thursday, and 5p.m. and 12 midnight, Friday and Saturday, a resident assistant staffs the resident hall office.

The main entrance and side doors are locked from the outside at all times. Alarms will sound should the side doors be opened. Unlimited access is available to residents only. Guests and visitors may be admitted by the hall resident visited and must be properly escorted when in the residence hall.

The various type of housing available and the policies and procedures for housing assignments, and guest access are described more thoroughly in the Student Handbook. The Residence Life Staff discusses security and safety policies and procedures, especially regarding locking individual rooms and related precautions, with residents. Emergency phone numbers are posted at the main lobby office of the Resident Facilities. During holidays and official recess periods, the residence hall facilities remain occupied and security procedures are established for residents remaining during these periods.

Residence hall students should not be lulled into a false sense of security. We all need to be aware of our environment and the possible consequences of our behavior.

Missing Students

Upstate’s Missing Student Policy is outlined in the Student Handbook. It encourages all students to designate an emergency contact who can be notified if the student become missing. This contact person’s information will only be accessible to authorized campus officials and will only be released to law enforcement in the furtherance of a missing person investigation.

Missing students can be report to Resident Hall Staff or directly to University Police. If the student has been missing for more than 24 hours, the University Police will immediately conduct an investigation and engage local law enforcement in that effort. In an attempt to locate the missing student, the missing students designated emergency contact person will be notified, as well as any room mates, classmates or acquaints who may be able to assist in locating the student. If the missing student is under the age of 18, a parents or guardian will also be notified.

Sexual Offenses and Harassment

SUNY Upstate Medical University is committed to maintaining an environment in which students, faculty, staff, and guests can work together free from all forms of harassment, exploitation and intimidation. The University 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, ethnicity, religion, creed, age, gender, disability, veteran status, sexual orientation, or marital status. Allegations of unlawful discriminations can first be discussed with the counseling center, the Affirmative Action Office, or the Dean of Student Affairs.

SUNY Upstate Medical University views sexual assault on campus as a violent crime. The regulations governing student conduct (found in the Student Handbook) clearly state that while on campus, and while attending college sponsored activities, on or off campus, no student either singularly or in concert with others shall sexually harass, intimidate, or assault any other person. This includes rape, acquaintance rape, and sexual battery.

The University will not tolerate sexual assault or harassment in any form. Where there is probable cause to believe that the state law or college regulations have been violated, the University will pursue strong disciplinary action through its own judicial systems. This discipline may include suspension or dismissal from the University. If action is taken through the campus judicial system, both the accuser and the accused are entitled to have others present during the disciplinary proceeding and to be informed of the outcome.

Violators will be subject to prosecution under New York State criminal statutes. The University Police will assist victims in reporting incidents to the Syracuse Police Department’s Abuse Persons Unit, or other appropriate police agency. Victims are encouraged to report all such incidents even if they are unsure if they wish to prosecute the offender. This is important because evidence needed in the prosecution of the offense may be lost if reporting is delayed. A victim’s best course of action is to report the incident immediately after it occurs so that evidence may be collected and counseling sought. Victim assistance will be provided from campus resources or the Syracuse Rape Crisis Center.

Students who are the victim of an alleged sexual assault incident may request assistance in changing their academic or on campus living situation if these changes are reasonably available.

Further information is available in the pamphlet Sexual Harassment available from the Affirmative Action Office located in Jacobsen Hall.

Sexual Assault Information (Aid to Victims of Violence)

If you are a victim of sexual assault, immediately report the assault to the police. Call 4-4000 on campus or 911 off campus. Police cannot investigate the incident as a crime, unless you file a formal report.

Reporting a crime to the police or another campus office does not necessarily obligate you to follow through with criminal prosecution.

- Go to a 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 may be diminished.) Do not wash, change clothing, or otherwise “clean up.” Bring a full change of clothing because the clothes you were wearing at the time of the attack may be kept as evidence.

- Your follow-up care is crucially important. You may need tests for sexually transmitted diseases and pregnancy.
- No matter when or where your assault occurred, support and referral resources are available to help you. For help, contact on-campus counseling at 464-3120 or email to Holly Vanderhoff, vanderhh@upstate.edu or the Syracuse Rape Crisis Center at 422-7320.

Statement of Victims' Rights

Victims have rights too. These rights include:

- The right to proper medical attention.
- Advice from an attorney (not provided by the University) or adviser.
- Referral for counseling and other support services.
- Use of the University Police escort service.
- Timely modification of on-campus housing and class arrangements.

The complete list of Victim's rights can be found in the *Student Handbook*, in the Student Code of Conduct.

Offense Definitions

The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the national incident-based reporting edition of the Uniform Crime Handbook.

Murder/non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another. Note: Deaths caused by negligence, attempts to kill, suicides, accidental deaths and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

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 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; 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.)

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.

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.
1. **Forcible Rape:** The carnal knowledge of a person, forcibly and/or against the 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).

2. **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.
3. **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.
4. **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 (Non forcible):

Unlawful, non-forcible sexual intercourse.

- **Incest:** Non forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Non forcible sexual intercourse with a person is under the statutory age of consent.

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, heroine, 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, transport, furnishing, possession of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

New York State Laws

Amendment to New York State's "Megan's Law"

Effective July 1, 2002, an amendment to New York State's Sex Offender Registration Act, commonly known as "Megan's Law", directs the Division of Criminal Justice Services (DCJS) to notify State University of New York Police Departments if a registered sex offender enrolls at or is employed by the SUNY campus.

Under this law there are three levels of risk, based on an offender's risk of re-offending: Level 1 (low), Level 2 (moderate) and Level 3 (high). As a general rule, the sentencing court will determine an offender's risk level at the time of sentence (in probation cases) or when the offender is released from custody (in jail or prison cases). All sex offenders must register annually for a period of at least 10 years. Offenders who are classified as "high risk" (Level 3) must register for life unless judicially relieved of that obligation and also must personally verify their address with local law enforcement every 90 days.

If Upstate Medical University receives any such notifications from the DCJS, the campus community will be notified that a sexual offender

is on campus and the level of risk assigned to the offender by the courts. The information will be disseminated to the campus by the following means:

- announcements will be placed in the "Upstate Update"
- e-mail notices will be sent to all students, faculty and staff
- a notice will be placed on the University Police web site

Information on any DCJS notice received by the college will be available at the University Police Office, Room 1326 in University Hospital, or posted at the following URL:

<http://www.upstate.edu/publicsafety>

Additional information may be found at the following links:

New York State Sex Offender Registry:

<http://www.criminaljustice.ny.gov/nsor/index.htm>

Bias Crimes Prevention

Hate Crimes and the Law

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

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, State University of New York, Upstate Medical 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 Upstate 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 University Police as well as to the Office of Diversity and Inclusion, Rm. 711, Jacobsen Hall, or by calling x4-5234.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to University Police by calling x4-4000 in an emergency, using an emergency call box located throughout the campus, or stopping by Rm. 1326UH and the 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, for students from the Campus Counseling Service, 713 Harrison Ave, Rm. 311, or by calling x4-3120. Staff may obtain counseling thru the Employee Assistance Program, Rm. 510, Jacobsen Hall or by calling x4-5760.

For general information on Upstate Medical University security procedures, see the Public Safety web site at, <http://www.Upstate.edu/publicsafety>, or call x4-4134.

Sexual Assault Prevention

Sexual Assault and the Law

The State University of New York, Upstate Medical University has programs in place to protect all members of the Upstate community from sexual assault, including programs for prevention and prosecution of these crimes that occur within the jurisdiction of SUNY, Upstate Medical University Police.

NYS Law contains the following legal provisions defining the crimes related to sexual assault:

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 to be 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 for a period 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 a 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 other person's sexual or other intimate parts. The penalty for 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 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.

Section 130.90 – Facilitating a Sex Offense with a Controlled Substance. This offense is possessing or administering any controlled substance or compound to another person without their consent with the intent to commit a Rape, a Criminal Sexual Act, Sexual Abuse Third or Aggravated Sexual Abuse. The penalty for violating this section includes imprisonment for a period not to exceed 7 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 the Upstate Medical University Police immediately at x4-4000.

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 Upstate campus through criminal courts and/or through the University's internal disciplinary process (under the Campus Code of Conduct). SUNY, Upstate Medical 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 Assistant Director of College Housing and/or the College Judicial Officer will be held to determine the need for modifying the living arrangements.

Assistance for any other personal or academic concerns will be reviewed and options provided.

During the disciplinary process, the victim's rights are:

- To have a person or persons of the victim's choice accompany the victim throughout the disciplinary hearing.
- To remain present during the entire proceeding.
- As established in state criminal codes, to be assured that his/her irrelevant past sexual history will not be discussed during the hearing.
- To make a "victim impact statement" and to suggest an appropriate penalty if the accused is found in violation of the code.
- To be informed immediately of the outcome of the hearing.
- During the disciplinary process, the rights of the "accused" are as described under the -Due Process Procedure of the Student Code of Conduct.

Information and Support

If you are the victim of sexual assault or sexual misconduct, you may seek support services as well as the assistance by contacting the University Police at x4-4000, or by contacting Campus Counseling Service, 713 Harrison Ave, Rm. 311, or by calling x4-3120.

Educational Programs

Educational programs to promote awareness of rape, acquaintance rape, and sex offenses are presented to the campus community. University police and Student Development staff provides programs in the Residence Halls. These programs include Resident Staff orientation, resident student crime prevention presentations, and new student orientation, to name a few.

Emergency Preparedness

SUNY Upstate Medical University is committed to providing a safe environment that enhances the campus learning experience and compliments the University's education, research and patient care missions. To that end, the University has Emergency preparedness committees for the Hospital and Campus that have developed plans to address a variety of potential circumstances.

If a situation arose that threatened the health and safety of Upstate Medical University, The University Police, Environmental Health and Safety and/or Physical Plant Departments will dispatch personnel to the location to assess the incident. The existence of circumstances that could threaten the health and safety of the campus community will result in the prompt notification of the campus community, unless such notification will compromise efforts to contain the emergency. Within University Hospital, the overhead paging system would be used. University wide, a "Blast email" will be sent to all Upstate email addresses and "SUNY NYAlert" would be used.

SUNY NYAlert is a communication system that the campus community can subscribe to via the intranet. Enrollees can chose to be notified by phone, fax, email, voicemail, text message, or any combination of these methods. If circumstances warrant the issuance of a SUNY NYAlert, there are specific guidelines and templates that can be edited and then used to notify the Upstate community. If the community needs to be notified, the on site University Police Supervisor (the Chief, Deputy Chief or a Lieutenant) will initiate the notification. If it is determined that the larger community surrounding the Upstate needs to be notified, the University Police will notify the on-call member of the Public Relations Office. The University Police also has direct radio communications with other institutions in the immediate vicinity of Upstate and has direct radio communications with the County 911 Center to alert any or all county wide emergency agencies if that is necessary.

The SUNY NYAlert system is tested periodically and annually will be tested campus wide. You can sign up for SUNY NYAlert at www.upstate.edu/nyalert. Upstate also performs scheduled emergency exercises and drills at least annually throughout the Institution.

Drills are valuable learning tools that permit the Campus to test the disaster plans, identify improvement opportunities and amend the plan while allowing staff to participate in disaster/emergency situations. They also help ensure that staff and students are familiar with the Incident Command System (ICS) and that more than one person is prepared to assume each ICS role.

Drill Frequency, Reports and Communication:

- Upstate Medical University will conduct at least one drill per year.
- Emergency response and evacuation procedures will be communicated to staff and students in connection with each exercise, drill or actual event, as warranted, through:
 - o "Hot Wash" review subsequent to drills, exercises or events.
 - o Direct in-service
 - o Safety Alerts
- The records for each emergency response and evacuation test are available upon request through the Emergency Management Committee at extension 464-5782. Emergency response and evacuation records will include:
 - o A description of the test;
 - o The date and time of the test; and
 - o Whether the test was announced or unannounced.

Drill Planning/Scheduling

Drills will be developed and scheduled with Emergency Management Committee oversight to ensure the appropriate individuals and departments are involved.

- The drill plan and scenario will be forwarded to the Emergency Management Committee at least one month prior to the scheduled drill.

- During drills, the emergency management team will monitor:
 - o Security and Safety
 - o Communication
 - o Resources and Assets
 - o Staff and Student Responsibilities
 - o Utilities
 - o Event Specific Responses
 - The Designated Emergency Management Drill Coordinator will oversee all exercises.
 - Close out of the event will be made with the Emergency Management Committee.
- After Action Reports/Reviews**
- After each activation of the disaster plan or drill, a formal After Action Review will be conducted.
 - After Action Reviews will include all staff/others involved in the planning and execution of the drill or actual event and will be scheduled through the Emergency Management Committee.
- Debriefing(s) will be performed, to the extent needed, to capture issues raised during the event or drill. Areas monitored include safety and security, materials and resources, communication, staff management, Utilities and Event Specific Responses.
 - A database has been developed in order to track events, issues, follow-up actions and completion dates. The Emergency Management Committee will review all After Action Reports and track completion of all identified improvements.
 - A Disaster/Drill Issue Record Form has been developed to aid this process.
 - The goal is that a single form is prepared for each issue to aid in constructive follow up of specific issues.
 - The form is located at Section DIS L-05.
 - Each issue will have a responsible party named for its resolution.
 - There will be an annual review of the scope, objective, and performance of the Emergency Management Plan (s), to include a summary or changes made to the plan as a result of drills and exercises.

Campus Fire Safety — Fire Statistics

Campus Housing Facilities-Fire Statistics

Year	2007	2008	2009	2010	2011
Number of fires	0	0	0	0	0
Cause of fire(s)	N/A	N/A	N/A	N/A	N/A
Number of deaths related to fires	0	0	0	0	0
Injuries related to fires (resulting in treatment at a medical facility)	0	0	0	0	0
Value of property damaged as a result of fire	N/A	N/A	N/A	N/A	N/A
Number of fire drills conducted	5	6	4	5	

Campus Housing Facilities-Fire Log

The Upstate Medical University "fire log" is maintained and available by contacting Environmental Health and Safety. The following chart is a compilation of fires that occurred on campus property for 2011. Note that cases of arson would also be reported in the crime section of this document.

Definition:

FIRE: For the purposes of this report a fire is, *Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.*

The Nature of the Fire	The Date the Fire Occurred	The Time of Day the Fire Occurred	The General Location of the Fire
N/A	N/A	N/A	N/A

Fire Safety Systems Student Housing Facilities

Building	Assembly Space	Detection Type	Sprinkler or Fire Suppression (Y/N)	Fire Alarm Sound (Y/N)	Strobe Lights (Y/N)
Clark Tower	In front of CAB. In bad weather, inside CAB	Heat/ Smoke	Y *Partial sprinkler coverage in hazard areas including trash rooms on each floor and kitchen areas on floors 2, 3 and 4	(Y) Horn	(Y)
Geneva Tower	Rear Parking Lot adjacent to East Adams Street	Heat/ Smoke	Y	(Y) Horn	(Y)

Policies/Rule on Portable electrical appliances, smoking and open flames in student housing

Terms and Conditions of Clark Tower License, General Conditions of Tenancy:

#120H. **Appliances**-Appliances such as halogen lamps, washers, dryers, freezers, electrical space heaters or any other heating and cooking device, are not permitted. Mini refrigerators and small microwaves are permitted. NOTE: Appliances are also addressed in the Welcome Package under Fire Safety.

#20I. **Flammable Materials, Explosives**-possession or ignition of combustible material for the purpose of cooking, heating, lighting or display is prohibited. Examples of these items include candles, incense, oil burning lamps and sterno. Fireworks, explosives, harmful chemicals and flammable liquids (including oil based paints, turpentine, and gasoline) are not to be stored in or around the residence tower.

#26. **Smoking**- residence Halls are smoke-free buildings. There is no smoking allowed anywhere inside resident halls. Furthermore, SUNY Upstate Medical University is a "Smoke Free" Campus. NOTE: Smoking is also addressed in the Welcome Package under Fire Safety.

Fire safety education and training programs for students, faculty, and staff

Annual orientation training, "All Hall" meetings and on-line training for incoming residents presented and/ or distributed by the Upstate Medical University Fire Marshal and/ or Resident Hall Director utilizing material taken from following sources:

Upstate Medical University *Clark Tower/ Geneva Tower Resident Life Welcome Package* Fire Safety section and the applicable sections of the Upstate Medical University, On-Campus Housing Contract, General Conditions of Tenancy.

sections: 20G Cooking, 20H Appliances, 20J Fire Regulations, 20I Flammable Materials, Explosives, 20E Storage, 27 Motorbikes & Motorcycles, and 36 Smoking.

Additionally a CD ROM presentation is provided on fire codes and slides of actual student dormitory and living area fire from around the state obtained via the NYS Office of Fire Prevention and Control (OFPC).

Annual RA Fire and Safety Training provided thru the NYS Division of Homeland Security & Emergency Services Office of Fire Prevention & Control Bureau of Fire Prevention in conjunction with the Syracuse Fire Department that includes live fire training with fire extinguishers and live fire burns of buildings with and without sprinkler systems (when available); or through the Upstate Medical University Fire Marshal and Resident Hall Director using material provided through the NYS Office of Fire Prevention and Control (OFPC)

Fire drills are held a minimum of four times a year to test Clark Tower/ Geneva Tower staff, RD, RA and residents actions to an unannounced fire alarm and building evacuation times.

Procedures for Student Housing Evacuation

On-Campus Housing Contract, General Conditions of Tenancy:

#20J **Fire Regulations**-Each tenant should become familiar with the fire regulations which are posted on the back of the door of each room and apartment. During the sounding of the fire alarm, evacuation of the building is mandatory. Tampering with fire equipment and/or noncompliance with fire regulations may result in disciplinary and/or civil action. There is a \$50.00 fine for tampering with fire extinguishers.

Upstate Medical University Residence Life Welcome Package: Regulations, Evacuation Procedures: * All residents and persons in Clark Tower/ Geneva Tower must vacate the building upon the sounding of the fire alarm. The following procedures should be followed:

A. Close and lock door to your room.

B. In Clark Tower evacuate the building via the end stairwells (the middle stairwell is not a fire exit in Clark Tower). In Geneva Tower evacuate the building via either center core stairwells.

C. Do not use the elevators, as they are on a fire service.

D. Once you have evacuated, stay far enough away from the building to prevent injury and to allow fire fighters access to the building.

In the event the fire alarm sounds and you must evacuate Clark Tower/ Geneva Tower, be sure:

* To dress appropriately for the weather, including shoes and jacket.

* Not to use elevators-use the nearest END stairwell.

* To feel the door before exiting your room- if the door is hot, do not open it. Clark Tower: Open the window and call for help and drape a towel or something from the window to attract the attention of fire fighters. Geneva Tower use cell phone (call University Police at 464-4000) to identify location and wave towel from inside building to attract fire fighter attention.

* If the building is smoky, keep low to the floor to escape the smoke. A cloth or towel to cover your mouth is a good idea.

Finally, a minimum of four fire drills with building evacuations are conducted on an annual basis.

Report all fires that have occurred to:

- Upstate Medical University Fire Marshal
- Residence Hall Director
- University Police
- State of New York, Department of State Office of Fire Prevention and Control

Plans for Future Improvement in Fire Safety

The institution continues to modify and enhancement of the annual RA and student training programs.

SUNY Upstate Medical University

Offense	Year	Residential Facilities	On Campus Property*	Non Campus Property	Public Property	TOTAL
Murder / Non Negligent Manslaughter	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	0	0	0
Negligent Manslaughter	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	0	0	0
Robbery	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	1	0	1
Aggravated Assault	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	3	0	0	3
Motor Vehicle Theft	2009	0	1	0	1	2
	2010	0	1	0	0	1
	2011	0	1	0	0	1
Arson	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	0	0	0
Burglary	2009	0	1	1	0	2
	2010	0	1	1	0	2
	2011	0	0	0	0	0
Sex Offenses - Forcable	2009	0	0	0	0	0
	2010	0	1	0	0	1
	2011	0	2	0	0	2
Sex Offenses - Non Forcable	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	0	0	0
Liquor Law Arrests	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	0	0	0
Drug Law Arrests	2009	0	9	0	1	10
	2010	0	3	0	0	3
	2011	0	11	0	0	11
Drug Law Violations Referred for Disciplinary Action	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	0	0	0
Illegal Weapons Possession Arrests	2009	0	1	0	0	1
	2010	0	1	0	0	1
	2011	0	3	0	0	3
Illegal Weapons Possession Violations Referred for Disciplinary Action	2009	0	0	0	0	0
	2010	0	0	0	0	0
	2011	0	0	0	0	0

* "On Campus" totals include the number of offenses listed in the "Residential Facilities" column.

There were no reported "HATE CRIMES" in 2009, 2010 or 2011.