

Campus Security and Fire Safety Report

2009 Report - September 2010

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

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General Information

SUNY Geneseo enrolls a full-time undergraduate student population of 5387 with an additional 99 graduate students. The campus employs a full and part-time workforce (excluding undergraduate students) of approximately 900.

Crime Prevention

During annual student awareness programs and hall meetings, students are informed of safety programs such as: the campus shuttle bus program; the blue light emergency telephone system; Operation Identification; and emergency notification procedures. Guests must be escorted while inside residence halls. Students and employees should notify University Police or Residence Life staff of any person who does not appear to have legitimate business in a building or on campus grounds. Books and other personal property should be secured when left unattended. Bicycles and cars should be locked and parked in well-lighted areas and valuables removed.

Employees and students 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.

Related Web Sites

- History of the Campus Security Act:
www.campussafety.org/aboutsoc/didntknow.html
- Campus judicial procedures including student behavior expectations, violation definitions, victims rights, violators rights, hearing procedures, potential sanctions: Geneseo Update and <http://www.geneseo.edu/handbook>
- Crime alert information, crime statistics & prevention, patrol information, emergency blue light phone system, silent witness program: www.geneseo.edu/police
- Campus crime statistics—US Department of Education
<http://ope.ed.gov/security/>

The Student Right-to-Know and Campus Security Act was signed into law in November of 1990. Title II of this act was known as the Crime Awareness and Campus Security Act which was amended and renamed in 1998 as the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act. This law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occurred on campus and in adjacent areas for the current and previous two calendar years. The purpose of this report is to provide our current and prospective faculty, staff, and students with campus safety information including crime statistics and procedures to follow to report a crime. This document was compiled by the Chief of University Police after consultation with the Dean of Students and the Village of Geneseo Police Department. It is also available on the Web at www.geneseo.edu/~police. The College will not retaliate or allow any retaliation toward a person(s) who reports alleged violations of this act.

Missing Students

Students are encouraged to identify a person who College personnel should contact in the event they are determined to be "missing". This information will be kept with the students record and utilized if necessary. Missing persons should be reported directly to University Police. Do not wait if you believe a student is missing. Federal law states that the campus is required to provide missing person notification to: 1) all local police agencies pursuant to the Memorandums of Understandings; 2) the student's designated contact person if provided; and 3) parents of students under 18 years of age. University Police immediately conducts an initial investigation, and if after a reasonable period of time (not more than 24 hours) the student has not been located, University Police will proceed with the required notifications. The sooner the investigation begins, the better chance of locating the missing person.

Paper copies of this document are available at the University Police Department offices at Schrader 19 and the Admissions Office at Erwin 116.

Emergency Response

The College's leadership is trained in assessing emergency situations, appropriately responding to said emergencies, and initiating necessary communication with those immediately impacted by the event and the greater campus community.

The chief of University Police, in consultation with the vice president for Student and Campus Life, is responsible for determining the level of an incident. In the absence of the chief, the assistant chief, inspector, lieutenants, or the officer in charge, respectively, will make appropriate consults and level determination. If there were a serious, immediate threat to the health and safety of the campus community, the emergency response protocol would be enacted as appropriate to the situation. This can include activation of NY Alert telephone, email and text notification, large screen messaging system, and the SUNY Geneseo home page. Notification to the greater campus community is coordinated between University Police and the College Communications Office pursuant to policies and agreements with local law enforcement agencies and media outlets.

Subsequent to the emergency response and for other non-imminent serious incidents, a "Campus Crime Alert" or "Timely Notification Bulletin" would be prepared and distributed to campus e-mail, our large-screen messaging system, to building main entrances, the SUNY Geneseo and/or the University Police Web site. Standard notification procedures may be altered if, in the emergency response authorities determine it would compromise efforts to assist a victim, or compromise efforts to contain, respond to or otherwise mitigate the emergency.

Note that SUNY Geneseo tests its entire emergency notification system, and fire alarms on a regular basis throughout the year. Pursuant to its procedures, fire drills are not announced, and testing of the other emergency systems may be announced or unannounced. For more information on the emergency notification system, visit <http://nyalert.geneseo.edu>.

Crime statistics are gathered daily and posted on the University Police web site. See the "Sexual Offender Notification Registration Act" section later in this document for information on the New York State and campus responsibilities with regard to sexual offenders in the community.

ALL MEMBERS OF THE CAMPUS COMMUNITY ARE ADVISED TO SIGN UP WITH NY ALERT TO RECEIVE EMERGENCY NOTIFICATIONS.

GO ONLINE TO [HTTP://WWW.SUNY.EDU/SUNYALERTSEC](http://www.suny.edu/sunyalertsec) AND SELECT GENESEO FROM THE DROP-DOWN MENU.

Standard Facility Access

The mission of the Office of Campus Scheduling and Special Events is to provide professional planning support and information for every event on campus resulting in efficient space management and successful campus events. This single campus clearinghouse for all events will provide knowledgeable support and coordination so that every event will become a successful, positive reflection of the College. To schedule space or for assistance in planning your event on campus contact the Office of Campus Scheduling and Special Events in Erwin 105A or by calling 5500. Visit us online at <http://events.geneseo.edu>.

Reporting Crimes

All members of the campus community are urged to report criminal incidents, emergencies and suspicious activity. The on campus emergency number is extension 5222 or 911. These numbers should be used for all fire, medical, and police emergencies. All reports are classified, logged, and responded to thoroughly. The off-campus emergency number is 911. Crimes in progress and any other emergency on campus can be reported directly by any student, employee or visitor to University Police who can also be reached by using the campus emergency blue light phones or the residence hall door phones which have a "red" campus police emergency button. University Police officers are dispatched immediately to the site of the complaint. Incident reports are prepared and are kept on file.

People need to be aware that no matter how safe our community is, the potential for crime exists everywhere, including college campuses. Everyone in the community must do his or her part to keep themselves and others safe. Don't let your behavior put yourself or others at risk.



Descriptions of incidents are reported to University Police for the purpose of statistics, except those reported to Student Health and Counseling. Campus personnel will assist victims with the on and off-campus reporting process and provide support.

Campus Reporting Agents

These offices allow victims and witnesses to report crime on a VOLUNTARY, CONFIDENTIAL basis and there is no formal investigation of the incident unless the victim so chooses.

University Police emergency ext. 5222

University Police non emergency ext. 5651-Schrader 19

VP for Student & Campus Life ext. 5618-Erwin 221

Dean of Students ext. 5706-MacVittie College Union 354

Student Conduct & Community Standards ext. 5714-MacVittie College Union 348

Student Health & Counseling Services ext. 5736-Lauderdale

Residence Life & Housing ext. 5726-Schrader 131

Intercollegiate Athletics & Recreation ext. 5344-Merritt 213

College Union & Activities ext. 5851 MacVittie College Union 305

Greek Affairs & Off Campus Living ext.5968-MacVittie College Union 344

Safety and Security Responsibility

University Police

Campus safety and law enforcement is coordinated by the University Police Department which has a force of sworn police officers with full arrest powers. SUNY police officers must meet the highest standards in New York State for law enforcement officers. Officers have successfully completed a basic training program administered by the State University at the New York State Police Academy in Albany, New York, or a local regional academy, and undergo continuous training to upgrade their skills. Officers have been trained in emergency medical procedures and first aid. Foot, bike, and vehicle patrols are conducted on campus and in residence hall areas, 24 hours a day, 365 days a year. The Department's objective is to provide a safe environment and protect the lives and property of students, employees, and visitors, pursued within the framework of the State University of New York rules and regulations and all local, state, and federal laws. The investigation of crimes committed on campus falls under the jurisdiction of University Police. A daily log of incidents that occur on campus is kept and is available for the public to view at www.geneseo.edu/police or by request. The log includes the date, time, general location, and disposition of the complaint, and

entries are available for review (unless they are deemed "confidential" by the chief of University Police for safety and security reasons). University Police also works closely with the Geneseo Village Police, Livingston County Sheriff's Office, and the New York State Police to assist with incidents that occur off campus but may involve campus staff or students. The New York State Campus Security Act requires all public, private, and community colleges and universities in New York to have a formal plan that provides for the investigation of missing students and violent felony offenses on campus. This includes written agreements between university and college authorities and the municipal law enforcement agencies having concurrent jurisdiction. The University Police Department at SUNY Geneseo has a local Mutual Order of Understanding (MOU) with the Geneseo Village Police Department, in the event that a violent felony or a missing student is reported to campus authorities. Should such a report be received, SUNY Geneseo University Police would request assistance from law enforcement agencies and would conduct a complete investigation.

Personal Safety Committee

The committee shall review current campus security policies and procedures and make recommendations for their improvement. It shall specifically review current policies and procedures for:

- educating the campus community, and those persons who advise or supervise students, about sexual assault
- educating the campus community about personal safety and crime prevention;
- reporting sexual assaults and dealing with victims during investigations;
- referring complaints to appropriate authorities;
- counseling victims; and
- responding to inquiries from concerned persons.

The committee shall report, in writing, to the college president or chief administrative officer on its findings and recommendations at least once each academic year, and such report shall be available upon request.

Behavioral Assessment Committee

The purpose of the committee is to share information and recommend timely and effective response plans for intervening with students who have been identified as at-risk or who have been viewed as disturbing to others. The Behavioral Assessment Committee typically meets twice each month during the fall and spring semesters to ensure that there is a forum for discussing student-related behavioral concerns that leads to coordinated institutional action.

Physical Plant

University Police Department staff conducts vehicle, foot and bicycle patrols to help protect the community and campus facilities. Except for residence halls, most campus facilities are open to the public during the day and evening hours when classes are in session. The general public is welcome to attend cultural and recreational events on campus. During non-operational hours, college buildings are locked and only faculty, staff and students with proper identification are admitted. Campus employees with assigned offices are issued keys and are responsible for reporting missing and stolen keys. The Facilities Services Department inspects campus facilities and completes repairs to safety and security hazards. Facility problems can be reported to the Facilities Services Department, Monday through Friday, 8:00 a.m. to 4:15 p.m., at (585) 245-5661, after normal business hours to (585) 245-5656, or to the University Police Department at (585) 245-5651.

The campus is well lighted, and improvements on lighting are a constant consideration.



Residence hall access is restricted to residents, permitted guests, and college officials by way of the Geneseo card access system. University Police are committed to a community-policing philosophy and assist with promoting safety awareness, crime prevention, and behavioral expectations.

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Residence Life and Housing

SUNY Geneseo's residence halls are locked 24 hours a day. Residential students use their ID cards at proximity card readers to enter exterior doors. When necessary, this system allows University Police to track individuals' access to halls. Residents can access all residence halls during the day, from 7:30 a.m. until 7:30 p.m., but only their own residence halls between 7:30 p.m. and 7:30 a.m. A "guest" is anyone who is not a resident of a particular hall; all guests must be accompanied by a host—who is a resident of that hall—at all times. Student room locks may be electronic, mechanical, or brass key. Whatever form of lock, however, it is essential that students lock their rooms and suites routinely. Full time, live-in residence directors and area coordinators supervise students and facilities in each residence hall, and are responsible for residents' well being. In addition, undergraduate resident advisors, who are trained in emergency preparedness and fire safety, watch over residence halls through nightly rounds and frequent interactions with residents. During emergencies, RAs contact University Police and the RD on duty. For all serious events [such as the hospitalization of a student] the RD on duty will make appropriate notifications that may ultimately reach the Dean of Students.

Reporting Locations

Federal law requires that campuses report specific criminal activities that occur on campus property and specific areas around those properties. Crimes occur in the community beyond what is required to be reported in this document. Students are advised to exercise caution in ALL locations.

On Campus: includes all offenses reported on the main campus property and in campus buildings.

Non Campus: includes property owned by student organizations officially recognized by the institution and those owned by the University outside campus boundaries.

Public Property: includes thoroughfares, streets, sidewalks, parking facilities, and public park or park-like settings immediately adjacent to and accessible from the campus (ref. map later in this document).

Alcohol and Other Drugs

Illegal possession and/or use of marijuana, barbiturates, amphetamines, hallucinogenic compounds, narcotics and other controlled substances are violations of state and federal law and College policy. SUNY Geneseo permits the use of alcoholic beverages on campus by those who comply with state law and who adhere to the guidelines established by the College. Students living in residence halls who are at least 21 years old are allowed to possess and consume alcohol in their rooms in compliance with College regulations. Students should be aware that the campus strictly enforces its policies with regard to alcohol and other drug violations. Members of the campus community in need of assistance with a question or personal problem related to alcohol or other drugs should contact Health and Counseling, at Lauderdale. A complete description of alcohol and other drug policies and support services appears in the campus publication "Geneseo Update" and is also available at: www.geneseo.edu/handbook.

Alcohol remains the primary drug of choice among college students. Some of the more common date rape drugs are Special K (the street name for ketamine hydrochloride); Rohyponol (roofies, roopies, circles, the forget pills); and GHB (Grievous Bodily Harm, Liquid X, Liquid E. Liquid Ecstasy, Easy Lay, G, Vita-G, G-juice, Georgia Home Boy, Great Hormones, Somatomax, Bedtime Scoop, Soap, Gook Gamma 10, and Energy Drink).



Date rape drugs can be difficult or impossible to detect. Don't drink what you don't open yourself and don't share drinks. Bring your own, get your own drink or go with someone who is getting it for you. Don't leave your drink unattended, and don't drink anything that has an unusual taste or appearance (e.g., salty taste, excessive foam, unexplained residue). Don't mix alcohol with other drugs and WATCH OUT FOR YOUR FRIENDS.

Crime Definitions

The Campus Security Act delineates what violations need to be reported. The offense definitions are excerpted from the Uniform Crime Reporting Handbook. The definitions of sex offenses are excerpted from the national incident-based reporting edition of the Uniform Crime Reporting Handbook (FBI Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS) definitions.

Hate Crime: when a person is victimized intentionally because of her/his actual or perceived race, gender, sexual orientation, ethnicity or disability.

Robbery: taking or attempting to take anything of value from the care, custody, or control of a person(s) 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 to inflict severe or aggravated bodily injury. This is usually accompanied by the use of a weapon or by means likely to

THE SUNY GENESEO COMMUNITY DOES NOT TOLERATE BIAS-RELATED ACTIVITIES. CONTACT UNIVERSITY POLICE EXT. 5222, VP FOR STUDENT & CAMPUS LIFE EXT. 5618, OR MULTICULTURAL PROGRAMS EXT. 5620 FOR INFORMATION ON THE PROTOCOL FOR BIAS-RELATED INCIDENTS.

produce great bodily harm or death, although it is not necessary that injury result when a weapon is used.

Burglary: unlawful entry of a structure to commit a crime including, but not limited to, larceny, arson, sexual assault, criminal mischief, and all attempts to do so.

Motor Vehicle Theft: the taking (or attempt) or use of a motor vehicle by persons not having lawful access.

Drug Abuse Violations: violations of state and local laws related to possession, sale, use, growing or manufacturing of narcotic drugs, marijuana, or other controlled substances.

Crime Definitions Cont. . .

Liquor Law Violations: violations and attempted violations of laws or ordinances prohibiting manufacturing, selling, transporting, furnishing, or possessing intoxicating liquor including, but not limited to: maintaining unlawful drinking places; furnishing liquor to a minor or intoxicated person; and drinking on a common carrier.

Arson: willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, personal property of another, etc.

Sexual Abuse & Aggravated Sexual Abuse:

Sexual abuse is 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 in circumstances where the victim is incapable of giving consent because of his/her youth or mental defect or mental or physical incapacity. Aggravated sexual abuse is sexual abuse by use of an object that is inserted (no matter how slightly) into the genital or anal cavity of the victim forcibly or in circumstances where the victim is incapable of giving consent because of his/her youth or mental defect or mental or physical incapacity. The crime is compounded when injury occurs.

Sex Offenses (forcible): any sexual act directed against another person, forcible and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent.

Forcible Rape: the carnal knowledge of a person forcibly and/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.

Forcible Sodomy: oral or anal sexual intercourse with 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.



Weapons Policy

Firearms and dangerous weapons of any type are not permitted on campus. Intentional use, possession or sale of firearms or other dangerous weapons by anyone is a violation of state law and College policy.

Weapon Law Violations: violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as the manufacture, sale or possession of deadly weapons and all attempts to commit any of the aforementioned.

Criminal Homicide, Manslaughter by Negligence: the killing of another person through gross negligence.

Criminal Homicide, Murder and Non-Negligent Manslaughter: the willful killing of one human being

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 who is under the statutory age of consent.

Sexual Offender Registration Act

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 as follows: low risk (level 1), moderate risk (level 2), and high risk (level 3). The Act requires that DCJS also maintain a subdirectory of level 3 sex offenders. The DCJS Sex Offender Registry site may be found at www.criminaljustice.state.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 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 days after such change.



Sex Offender Registry

is available to the public at this site:
www.criminaljustice.state.ny.us/nsor/index.htm

Sexual Crimes and Assistance for Victims

Victims of sexual assault should immediately report the incident to University Police (ext. 5222) if it occurred on campus or to an off-campus police agency if it occurred off campus through the 911 emergency service.

Reporting a crime to the police or to a campus office does not obligate the victim to pursue criminal prosecution.

In addition to crime definitions, Sexual Assault and Rape are prohibited conduct specified in the SUNY Geneseo Student Code of Conduct found at www.geneseo.edu/handbook/policies_procedures



Hospital Emergency Room

If the assault involved a sexual penetration or other physical injuries, the victim should be treated as soon as possible by medical personnel. The victim should not wash, change clothing or otherwise "clean up." Evidence can be collected several hours after an attack, but its value may be diminished. Victims should bring a full

change of clothes because the clothes worn during the assault may be kept as evidence.

Support and Referral Resources

Victims should contact at least one of the reporting agents (listed previously) regardless of where the assault occurred.



Follow Up Medical Care

Victims may need tests for sexually transmitted diseases and pregnancy. This care is critically important.

IN THE EYES OF THE LAW
AND COLLEGE POLICY, A PERSON WHO IS DRUNK, DRUGGED,
OTHERWISE INCAPACITATED OR UNDERAGE CANNOT CONSENT TO
SEXUAL ACTIVITY.

Victims' Rights

Victims are encouraged to contact UPD or 911 if an assault has occurred. Refer to our list of support options for a complete list of resources. If the offender is a student, victims can also pursue campus action through the Office of Student Conduct and Community Standards regardless of where the offense occurred. Because of the sensitive nature of sex offenses, the case could be heard administratively rather than through a conduct board.

- Victims have the right to choose counseling and medical treatment and to report and pursue their case through the College's Student Code of Conduct and/or the off-campus court system. They have the right to refuse these options without reproach from any College personnel.
- Victims have the right to be treated with dignity and seriousness by campus personnel.
- Victims of personal crimes have the right to be reasonably free from intimidation and harm.
- College personnel should inform victims that they are not responsible for crimes committed against them; they should not consider themselves negligent or in any way a contributor to the crime; and that adverse publicity for the College will NOT be a factor in deciding the best course of action.
- Victims will be made aware of appropriate support services, including counseling.
- Victims are entitled to the same support opportunities as are available to the respondent in a campus Student Conduct Board proceeding including having an advisor or other support person present.
- If the respondent is prohibited from contacting the victim or entering the victim's residence, the victim will be notified as such.
- 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.
- Victims have the right to information regarding the status of their case including the final determination and sanctions imposed AND the right to provide an impact statement to the Board;
- Victims have the right to testify from another location as long as it does not infringe upon the rights of the accused student to have a fair hearing;

Due Process Rights -- Code of Student Conduct Violations

- A student has the right to a review by an unbiased code of conduct body.
- A student has the right to have an advisor present at the conduct board review. The advisor may speak privately to the advisee during the proceedings, but may not speak for or represent the principal as an attorney would in a court of law.
- A student has the right to written notice of the charges which indicates the time and place of the review. Proper written notification shall be defined as delivery of mail to a student's on-campus mailbox, hand-delivery by campus staff, or delivery by the U.S. Post Office to a student's local off-campus or permanent address. Students shall be held responsible for the contents of mail for which they have refused receipt.
- A student has the right to receive a copy of the written notice of charges stating the circumstances and allegations involved. This information shall generally be given to the student at the time that they receive notification of the time and place of the hearing.
- The review must accord a student an opportunity to hear and confront the evidence presented against them and to offer other evidence if they choose. This requirement includes the right to question witnesses who appear, to comment on any written statements or other evidence presented, and to respond to questions.
- A student has the right to written notification of the results of a review.
- A student has the right to appeal the outcome of a Student Conduct Board review, except in cases of accepted Residence Hall Director decisions. A student must be informed of their right to appeal, and the process by which to do so.

Campus penalties for students found responsible for sex offenses are determined for each individual case but have included suspension and permanent dismissal. For more information on victims rights and/or the rights of the accused, contact the Office of Student Code of Conduct or University Police.

New York State Penalties for Sex Offenses

New York State definitions for sex offenses differ slightly from those required for this report (i.e., the FBI Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS) definitions). The following is a list of sexual crimes defined in the State statutes and the associated penalties for such crimes.

Sexual Misconduct

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

A Class A misdemeanor. Punishable by up to one year in prison.

SUNY GENESEO HAS THE AUTHORITY TO PURSUE CODE OF CONDUCT ACTION FOR INCIDENTS OCCURRING OFF CAMPUS THAT VIOLATE COLLEGE POLICY INCLUDING FEDERAL, STATE AND/OR LOCAL LAWS, STATUTES, OR ORDINANCES.

Rape in the Third Degree

1. When a person engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old;
2. When a person being 21 years old or more engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

New York State Penalties for Sex Offenses

Rape in the Second Degree

1. When a person being 18 years old or more engages in sexual intercourse with another person less than fifteen years old;
2. When a person engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

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

A Class D Felony. Punishable by four to seven years in prison.

Criminal Sexual Act in the Third Degree

When a person:

1. Engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old;
2. Being 21 years old or more, he or she engages in oral or anal sexual conduct with a person less than 17 years old;
3. Engages in oral or anal sexual conduct with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

A Class E Felony. Punishable by one to three years in prison.

Forcible Touching

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

A Class A Misdemeanor. Punishable by up to one year in prison.

Sexual Abuse in the Third Degree

When a person subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old, and (b) such other person was more than 14 years old, and (c) the defendant was less than five years older than such other person.

A Class B Misdemeanor. Punishable by up to one year in prison.

Rape in the First Degree

1. When a person engages in sexual intercourse with another person:
2. By forcible compulsion; or
3. Who is incapable of consent by reason of being physically helpless; or
4. Who is less than 11 years old; or
5. Who is less than thirteen years old and the actor is eighteen years old or more.

A Class B Felony. Punishable by nine to 25 years in prison.

Criminal Sexual Act in the Second Degree

When a person:

1. 18 years old or more engages in oral or anal sexual conduct with another person less than fifteen years old; or
2. Engages in oral or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.
3. It shall be an affirmative defense to the crime of criminal sexual act in the second degree as defined in subdivision one of this section that the defendant was less than four years older than the victim at the time of the act.

A Class D Felony. Punishable by four to seven years in prison.

Sexual Abuse in the Second Degree

When a person subjects another person to sexual contact and when such other person is:

1. Incapable of consent by reason of some factor other than being less than 17 years old; or
2. Less than 14 years old.

A Class A Misdemeanor. Punishable by up to one year in prison.

Sexual Abuse in the First Degree

When a person subjects another person to sexual contact:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old.

A Class D felony. Punishable by four to seven years in prison.

Persistent Sexual Abuse

When a person stands convicted of sexual abuse in the third degree or sexual abuse in the second degree (see next definitions) and, within the previous ten-year period, has been convicted two or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of sexual abuse in the third degree or sexual abuse in the second degree (ref. next definitions).

A Class E Felony. Punishable by one to three years in prison.

**UNDERAGE OR INCAPACITATED
PERSONS
CANNOT LEGALLY CONSENT TO
SEXUAL ACTIVITY.**

Criminal Sexual Act in the First Degree

When person engages in oral or anal sexual conduct with another person:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than 11 years old; or
4. Who is less than 13 years old and the actor is 18 years old or more.

A Class B Felony. Punishable by nine to 25 years in prison.



Aggravated Sexual Abuse in the Fourth Degree

1. When a person inserts a foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or
2. When a person inserts a finger in the vagina, urethra, penis or rectum of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

A Class E Felony. Punishable by one to three years in prison.

Aggravated Sexual Abuse in the First Degree

When a person inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old.

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

A Class B Felony. Punishable by nine to 25 years in prison.

Course of Sexual Conduct Against A Child in the Second Degree

1. When over a period of time not less than three months a person:
 - Engages in two or more acts of sexual conduct with a child less than 11 years old; or
 - Being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old.
 2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.
- A Class D Felony. Punishable by four to seven years in prison.

Aggravated Sexual Abuse in the Third Degree

When a person inserts a foreign object in the vagina, urethra, penis or rectum of another person:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old.

When a person inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated. Conduct performed for a valid medical purpose does not violate the provision of this section.

A Class D felony. Punishable by four to seven years in prison

Aggravated Sexual Abuse in the Second Degree

When a person inserts a finger in the vagina, urethra, penis or rectum of another person causing physical injury to such person:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old.

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

A Class C felony. Punishable by six to 15 years in prison.



Course of Sexual Conduct Against A Child in the First Degree

1. When over a period of time not less than three months in duration a person:
 - Engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than 11 years old; or
 - Being 18 years old or more engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than 13 years old.
 2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.
- A Class B Felony. Punishable by nine to 25 years in prison.

Incest

When a person marries or engages in sexual intercourse or deviate sexual intercourse with a person whom he or she knows to be related to him or her, either legitimately or out of wedlock, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

A Class E felony. Punishable by one-three years in prison.

FBI Index Crimes (including hate crimes)

Criminal Offense	On Campus (includes residence halls)			Residence Halls Only			Non-Campus Buildings			Public Property		
	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	3	0	0	2	0	0	1	0	0	0
Non Forcible Sex Offenses (incest and statutory rape)	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	1	0	0	0	0	0	0	2	3	0
Burglary	16	12	9	10	6	5	3	3	2	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	2	2	1	1	0	1	2	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0

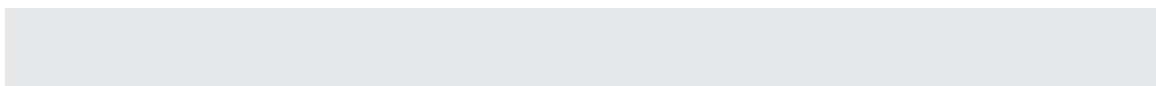
When a hate crime is reported, it will be labeled with the following categories of prejudice:
 R=race;
 G=gender; REL=religion; SO=sexual orientation; and/or E=ethnicity. In addition to the above categories, the following crimes need to be reported if they are hate crimes: larceny-theft; simple assault; intimidation; destruction, damage, vandalism of property, or any other crime involving bodily injury.



	Total Reported to University Police		
	2007	2008	2009
Bias-related crimes - categories not listed above	1-R, 2-REL, 2-SO	1-R	0

Statistics	On Campus Arrests (includes residence halls)			Arrests - Residence Halls Only			Judicial Referrals On Campus (includes residence halls)			Judicial Referrals Residence Halls			Violations - Judicial Referrals Non Campus			Violations- Judicial Referrals Public Property		
	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009
Liquor Law Violations (does not include DWI)	1	5	17	1	4	12	217	234	293	216	231	288	3	3	27	0	0	0
Drug Law Violations	28	46	37	13	14	20	24	16	15	19	9	13	12	5	8	0	3	0
Illegal Weapons Possessions	1	0	1	0	0	1	2	0	0	1	0	0	1	0	1	0	0	0

More Statistics	Arrests - Non Campus			Arrests - Public Property		
	2007	2008	2009	2007	2008	2009
Liquor Law Violations (does not include DWI)	0	0	2	27	8	20
Drug Law Violations	0	0	0	4	1	0
Illegal Weapons Possessions	0	0	0	0	0	0



Preserving Personal Safety Sexual Assault Programs Offered

At the beginning of each school year, SUNY Geneseo provides a sexual assault awareness program “When A Kiss Is Not Just A Kiss” to all incoming first year students. Workshops on workplace violence and domestic violence are offered at the college throughout the year. These programs are open to the entire campus community. The University Police Department offers self defense programs for students in the resident halls. The Coordinator of Health Promotion works with students who volunteer their time to raise awareness of sexual assault, responsible use of alcohol and safe sex practices.

Here are specific examples of what we do:

Bike Patrol — campus patrol by certified police cyclists complement the foot and vehicle patrol.

Silent Witness Program — a form on the University Police homepage where people can anonymously report a crime www.geneseo.edu/police/silent_witness.

Operation Identification — a state-wide effort to discourage burglary and theft by engraving property with an easily traced (in the US and Canada) identification number. A free service through University Police.

Self Defense Programs — offered through University Police by request. This program also stresses steps to avoid becoming a victim.

Public Safety Aides— A student association program where students tour campus on Friday and Saturday nights, provide walking escorts to fellow students and contact the University Police when concerns about public safety or criminal acts occur.

Red Watch Band program— Students, faculty and staff discuss issues around responding to medical emergencies, especially alcohol emergencies and who, when and how to call to get help

Take Back the Night March — held in the fall and in the spring, this march against sexual assault also features a “speak out” against sexual assault.

The Clothesline Project — a display of t-shirts designed by survivors of violence to increase the awareness of the impact of violence and encourage others to “break the silence” to end the vicious cycle of abuse.

Chances and Changes — a resource for victims of sexual assault/rape, domestic and other violence.

Off-Campus Jurisdiction — SUNY Geneseo policy allows the pursuit of Student Code of Conduct violations against students who are involved in off-campus incidents which also violate College policy and/or federal, state, and/or local laws, statutes, or ordinances.

Suspension/Dismissal — students who are suspended or dismissed may not be allowed to be on campus or at campus-sponsored events for any reason unless prior permission is given by the VP for Student & Campus Life.

Persona Non Grata (PNG) — an order of exclusion from campus to non-students who have demonstrated that their presence on campus would be a threat to the campus and/or campus members. Violators can be arrested for criminal trespass.

Confidentiality — students have the option of having their directory information unlisted. Details are available from the VP for Student & Campus Life.

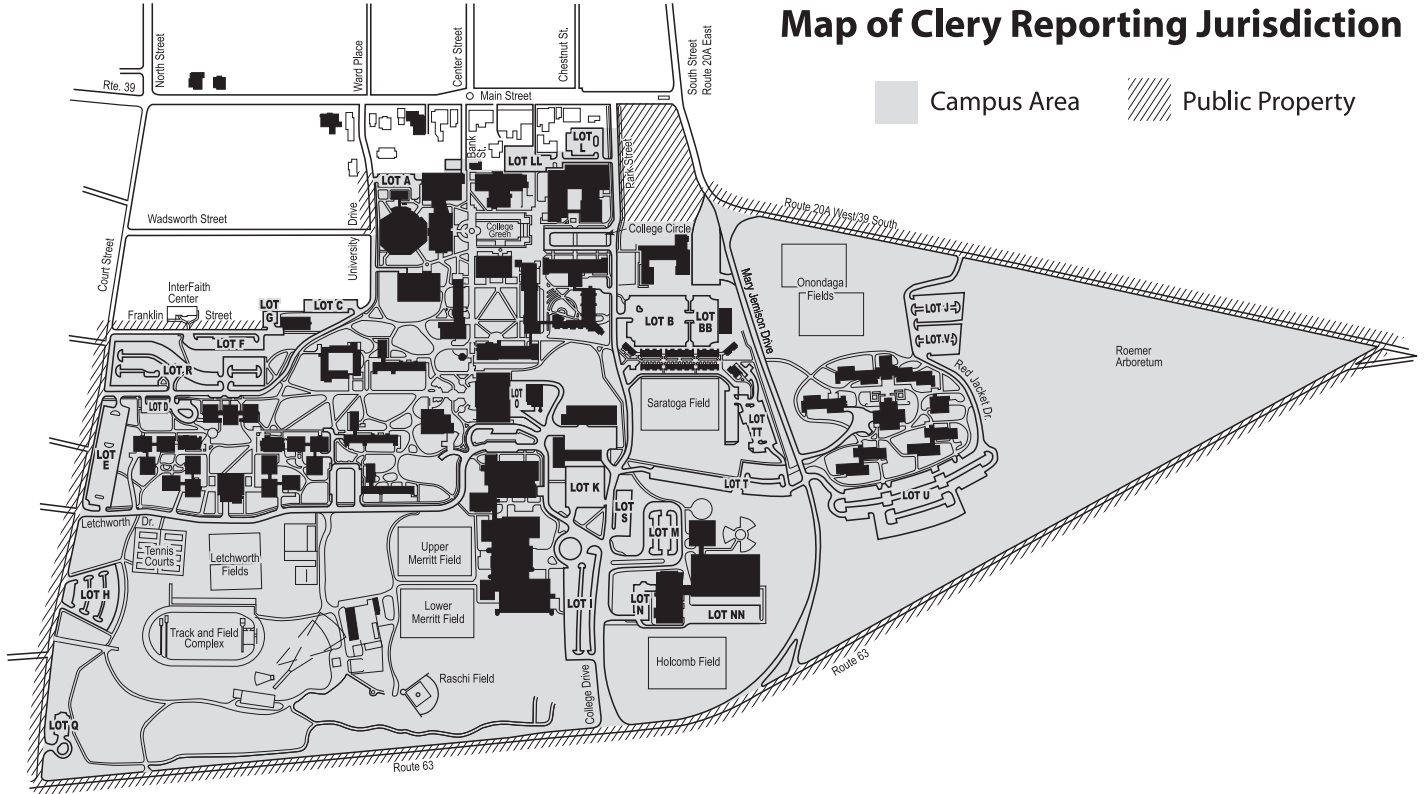
President’s Safety Walk- Annual tour of the campus by the college president, members of his cabinet and interested faculty, staff and students to look at the design of the physical campus and bring forth ideas for improvement in regard to making for a safer environment.

Bystander Intervention—Training so that students act on their concerns when they see a wrong being committed.

Bus Services— available in the morning at 7:40 am M-F, and up until 2:00 am Su-Th, with the last cycle at 2:30 am Friday and Saturday, so that students do not have to walk alone to and from many on and off campus destinations.

Additional programs and information concerning sexual assaults are available through Chances & Changes 585-658-2660 and through Health Promotion at 585-245-5747.





Map of Clery reporting jurisdiction. The map does not include Non-Campus properties. Definitions of locations that require reporting can be found on page 4.



Community Resources

- SUNY Geneseo University Police (non emergency) (585) 245-5651
- Victim Witness Assistance Coordinator (585) 243-7020
- Council on Alcohol & Substance Abuse (585) 243-9210
- Geneseo Village Police (585) 243-2420
- Livingston County Sheriff (585) 243-7100
- Rape Crisis Center 1-800 527-1757 or (585) 243-7100
- Livingston County Mental Health and Family Counseling Services (585) 243-7250
- New York State Police (585) 243-4876
- SUNY Geneseo Counseling Services (585) 245-5716
- SUNY Geneseo Lauderdale Health Services (585) 245-5736

Emergencies: Fire ... Medical... Police

University Police and Emergency Services
(585) 245-5222 or 911
Blue Light phones and residence hall door phones are connected directly to University Police.

Campus Fire Safety

SUNY Geneseo's "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 2009. Note that cases of arson are reported in the crime section of this document.

Fire Log

Location	Nature	Follow-Up	#Medical Treatment Cases	# Deaths	Property Damage (\$)
Wyoming	Washer malfunction	Repairs made	0	0	200
Onondaga North	Overcooked food	None required	0	0	0
Sturges Gazebo	Cigarette in mulch	UPD Investigation	0	0	0
Nassau	Cigarette to-mulch on fire-wall damage	UPD Investigation	0	0	25
Saratoga Apt. 16	Student burning Incense	Residence Life Follow up	0	0	0
Onondaga N Rm 402	Book cooked in microwave	UPD Investigation-No Charges	0	0	70
Milne	Electrical problem computers	Facilities repaired wires	0	0	380

Residential Fire and Safety Considerations

The following small electrical appliances are permitted for use in residential facilities:

approved refrigerator (less than 2.0 amps at 120 volts AC/3.6 cubic feet), including approved microfridge units • VCR/DVD player •electric blankets •coffee maker w/temperature control •radio •television •air popcorn maker •hair care appliances •stereo •personal computer •electric fans (window screens are not to be removed) •sewing machine •iron with automatic shut-off.

Students are prohibited from possessing the following items in residential facilities:

non-College beds •neon lights •air conditioners •halogen or multi-headed lamps •non-portable electrical appliances •cooking appliances such as toaster ovens, microwave ovens (except in townhouse or suite kitchens), immersion heaters, hot plates/pots, pop-up toasters, George Foreman-type grills •cinder or cement blocks •space heaters unless provided by the College •motorbikes, scooters and/or any gasoline-operated vehicle.

PROHIBITED FROM CAMPUS

On campus possession, use, or storage of firearms (including compressed air guns, airsoft, pellet, or BB guns), weapons, dangerous chemicals, martial arts weapons, explosive devices of any description, knives, fireworks, metal tip darts and dart boards, and live non-potted trees (holiday trees), outdoor/indoor cooking grills, lighter fluid, charcoal, propane tanks. Also prohibited: gambling and solicitation (commercial, political, and religious); possessing or using illegal drugs/ drug paraphernalia; extension cords used with more than one appliance; UL approved, electrical, polarized, grounded power strips with fuses (or circuit breakers) are acceptable; The maximum fused amperage of such devices must not exceed 15 amps.

....excerpt from the residence license 2009-2010

Responsibilities

The Environmental Health and Safety Office has the following responsibilities under Emergency Action Plans: 1) reviewing and updating the safety standards; 2) evaluating the standard's effectiveness; 3) providing or coordinating Emergency Action Plan training; 4) reporting fires, emergencies, and related issues to the appropriate agencies; 5) providing information about this standard and specific responsibilities to employees; and 6) responding to or assisting with other campus emergencies.

Students have responsibility for 1) reporting fires and other emergencies; 2) correcting or reporting unsafe conditions; and 3) observing evacuation procedures and protocol for other campus emergencies.

University Police have responsibility for 1) responding to alarms and emergency evacuations; 2) reporting fires and emergencies to the appropriate agencies; and 3) responding to or assisting with other campus emergencies.

Visitors have responsibility for observing evacuation procedures and protocol for other campus emergencies.

Employees have responsibility for 1) reporting fires and other emergencies; 2) correcting or reporting unsafe conditions; and 3) observing evacuation procedures and protocol for other campus emergencies.



Emergency Evacuation

Student Housing

Evacuation procedures are posted in each building. Special procedures are in place for evacuating students with disabilities.

In the residence halls, students are expected to leave the facility immediately after the fire alarm is activated.



Fire Safety Education and Training

All faculty, staff, and students are expected to familiarize themselves with the evacuation plan for the buildings in which they occupy including the identified assembly places. Evacuation signs are posted in the hallways at the entrance to every building.

Fire safety educational activities for students:

Fire Drills: The University Police Department conducts fire drills in campus buildings according to the following schedule:

- Residence Halls: Twice each academic semester (including summers – when occupied)
- Administrative/Academic Buildings: Twice per year.
- Daycare: Monthly

Cooking: Resident assistants provide education for cooking safety in hall kitchens. Materials are also provided for passive programming through bulletin boards, and signage in and around the kitchen facilities.

Residential students are instructed on fire safety at the beginning of each semester as well as periodically at floor and hall meetings. Fire drills and alarms are also opportunities to reinforce fire and life safety measures.

Fire safety educational activities for staff:

- During educational sessions offered each year for employees, including Residence Hall Staff, the following are addressed:

Hands-on use of Portable Fire Extinguishers utilizing a fire extinguisher training device

Limits of, and dangers associated with, use of Portable Fire Extinguishers

- Evacuation Procedures
- Locations of Designated Assembly Areas
- Email and newsletters distributed to faculty and staff, highlight common fire code violations and options for correction. In addition, the Environmental Health and Safety website is available for information.

- Review/Action Items resulting from annual OFPC Fire Inspection:

Responsible campus personnel are provided applicable sections of inspection reports and explanations of fire code violations. They are also given options that could alleviate the violations. All actions items resulting from the NYS Fire Inspection are reviewed and followed up with Facilities Management and/or EHS and corrected. If violations cannot be corrected within the mandatory time frame, a compliance plan is submitted to OFPC for approval.

Sprinkler Status

Residence Hall	Sprinklers in Storage and Trash Rooms (yes/no)	Full Sprinkler Implementation (yes/no)	Approximate Installation Date
Allegany	yes	yes	n/a
Erie	yes	yes	n/a
Genesee	yes	yes	n/a
Jones	yes	yes	n/a
Livingston	yes	yes	n/a
Monroe	yes	no	vacant
Nassau	yes	yes	n/a
Niagara	yes	yes	n/a
Onondaga	yes	yes	n/a
Ontario	yes	yes	n/a
Putnam	yes	yes	n/a
Saratoga Terrace	yes	yes	n/a
Seneca	yes	yes	n/a
Steuben	yes	yes	n/a
Suffolk	yes	yes	n/a

Open Flame Procedures in Residence Halls

ACTIVITIES PROHIBITED IN RESIDENTIAL FACILITIES

(related to open flame procedures)

- affixing anything to the ceiling, e. g. bottle caps, stars, tape, tapestries;
- tampering with fire or safety equipment, including outside doors;
- burning incense or candles; open flames of any type;
- propping open outside entrance doors or fire doors
- removing screens or windows

Smoking Policy

All residential facilities are designated smoke-free.
Smoking is not allowed in any residential facility.

**IN 2009, A TOTAL OF 149 FIRE
DRILLS WERE HELD ON CAMPUS.**

Fire Safety Systems

Student Housing Facilities

Fire and Smoke Detection and Alarm Systems Status

Residence Hall	Building Contains Fire, Smoke and Alarm System (yes/no)	Building Contains Fully Integrated System? (yes/no)	Approximate Installation Date (If Applicable)
Allegany	yes	yes	n/a
Erie	yes	yes	n/a
Genesee	yes	yes	n/a
Jones	yes	yes	n/a
Livingston	yes	yes	n/a
Monroe	yes	no	vacant
Nassau	yes	yes	n/a
Niagara	yes	yes	n/a
Onondaga	yes	yes	n/a
Ontario	yes	yes	n/a
Putnam	yes	yes	n/a
Saratoga Terrace	yes	yes	n/a
Seneca	yes	yes	n/a
Steuben	yes	yes	n/a
Suffolk	yes	yes	n/a
Wayne	yes	yes	n/a
Wyoming	yes	yes	n/a

Copies of the Emergency Action Plan and the SUNY Fire Safety Report are available through SUNY Genesee's Environmental Health and Safety Office at Clark 118.

If someone observes a fire,
they should pull the fire alarm
and evacuate the building.
All fires need to be reported to
the County 911 Center
or
University Police
(585) 245-5222