

**Safety and Security**

**Campus**

**Safety and Security**

**Report**

**Jan. 1, 2012 to Dec. 31, 2012**

 **SUNY ORANGE**

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## **EXECUTIVE SUMMARY**

A safe, welcoming and productive environment is critical to the educational mission of Orange County Community College. The purpose of the SUNY Orange Safety and Security Department is to provide security enforcement and safety services for the College. SUNY Orange Safety and Security Officers play a significant role in the College's ability to establish a collegial environment and to maintain the well-being and personal safety of all who study at, are employed by or visit the College.

This report is designed to deliver campus safety and security information to faculty, staff and students to help ensure that their experiences at SUNY Orange may be safe and enjoyable. This report is prepared by the SUNY Orange Safety and Security Department and any questions regarding it should be directed to Ed Kiely, located in Room 103 of Orange Hall (341-4934).

This report is filed as required by the federal "Crime Awareness and Campus Security Act," (hereafter referred to as the Campus Safety Act) which was last amended in 1998. This report includes statistics for the previous three years concerning reported crimes that occurred on campus or on property owned or controlled by the College, and on public property within, immediately adjacent to, or accessible from the campuses. This report also includes institutional policies concerning campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. To obtain these crime statistics, access the U.S. Department of Education website at: <http://www.ope.ed.gov/security/Search.asp>.

For general information on SUNY Orange Safety and Security procedures, contact the Safety and Security staff on either campus. To get a copy of the full report and crime statistics, contact Ed Kiely, Director of Safety & Security at 341-4934.

The Safety and Security Department also utilizes the following methods to inform students, faculty and staff about security measures on campus: College web site, the annual Campus Safety and Security Report, Student Handbook, flip charts in classrooms and offices, professional staff policies, and informational brochures issued by the Human Resources and Safety and Security departments.

## **CAMPUS LOCATIONS AND STAFFING**

SUNY Orange operates campuses in the City of Middletown located at 115 South St. Middletown New York, 10940 and in the City of Newburgh located at 1 Washington Center Drive Newburgh New York, 12550. The Security staff are licensed N.Y.S. Security Guards. The Safety & Security Dept. consists of a pool of Guards charged with meeting the safety and security needs of that campus. At the Middletown and Newburgh Campus our Safety & Security Officers enforce College parking rules and regulations and assist in all vehicle and student parking problems.

**Middletown Campus:** (28 security officers)

**Newburgh Campus:** (34 security officers)

## **DIRECTORY**

Safety & Security Emergency (Middletown)	341-4710
Safety & Security Emergency (Newburgh)	341-9533
Safety & Security Cell Phone (Middletown)	239-9497 / 551-1139
Safety & Security Cell Phone (Newburgh)	248-6662 / 248-6676
City of Middletown Police Department	343-3151
City of Middletown Fire Department	343-4169
City of Newburgh Police Department	561-3131
City of Newburgh Fire Department	562-1212

## **CAMPUS SECURITY OBJECTIVE**

The objective of Campus Security is to provide a safe environment for teaching and social endeavors and to protect the lives and property of students, employees and visitors at SUNY Orange. This objective is pursued within the framework of College's rules and regulations and all local, state and federal laws. The investigation of crimes committed on the campuses fall under the jurisdiction of either the City of Middletown or City of Newburgh Police Departments, with assistance from the Director of Safety and Security and his staff. Safety and Security maintains an excellent rapport with the local law enforcement agencies and works closely with them to maintain a safe campus.

The College upholds the rights of students and staff to know of incidents which occur on campus, measures taken to promote precautions, and swift effective responses to crises. The responsibility for maintaining personal and campus safety is shared by all students, faculty and staff of the College.

SUNY Orange and its Safety and Security Department recognize the necessity of a community which is open and intellectually stimulating, where diversity of ideas is valued and every person's safety, dignity and autonomy is respected whether that person is a student, faculty member or staff member, and regardless of race, ethnicity, age, religion, class, national origin, gender, sexual orientation or disability.

## **ACCESS TO CAMPUS FACILITIES**

SUNY Orange provides vehicle and foot patrol protection to campus properties owned by the College. Most campus facilities are open to the public during the day and evening hours when classes are in session. The general public can attend cultural and recreational events on campus with their access limited only to the facilities in which these events are held.

At night and during the times that the campus is officially closed, College buildings are locked and only faculty, staff and some authorized students with proper identification are admitted. Campus employees with assigned offices are issued keys and are responsible for reporting missing or stolen keys. SUNY Orange does not have campus residences at either Middletown or Newburgh Campuses. Members of the SUNY Orange Safety & Security Dept and Maintenance personnel regularly check to assure that all pathways are well lighted and egress lighting is working in hallways and stairwells.

## **CAMPUS SECURITY AND ITS RELATIONSHIP WITH LAW ENFORCEMENT**

The SUNY Orange Safety and Security Department enforces the Code of Conduct contained in the Students Rights and Responsibilities section of the Student Handbook, and is responsible for the investigation and documentation of incidents that occur on campus. Primary law enforcement jurisdiction on the Middletown campus is held by the City of Middletown Police Department and the Newburgh campus falls under the jurisdiction of the City of Newburgh Police Department. A Memo of Agreement is established with the city of Middletown Police Department & City of Newburgh Police Department for the investigation of alleged criminal offenses.

Faculty, Staff and Students are encouraged to promptly report all crimes to the Safety & Security Dept and to appropriate law enforcement agencies. Crimes should be reported to the Safety & Security Dept to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community.

Members of the Safety and Security Department have received all training mandated by the State of New York including First Aid, CPR and AED training. Additional education has been provided in areas including NIMS, Active Shooter, Security Dispatching and Incident Reporting. Security staffing support is as follows:

- The Safety and Security Department is staffed 24 hours a day, seven days a week by uniformed security officers
- Uniformed security staffing levels are adjusted throughout the year as appropriate. Staffing levels are highest during the Fall and Spring semesters
- Immediate response to emergencies is provided by Safety and Security Department personnel and when necessary by City of Middletown Police and Fire personnel, City of Newburgh Police and Fire personnel, and Mobile Life emergency medical personnel
- The College also arranges with the local police departments and Orange County Sheriff's Department to provide additional patrols when necessary
- Additional security personnel and local law enforcement officers may be provided as needed for special events

## **REPORTING OF ON-CAMPUS CRIME OR INCIDENT**

To report an emergency or serious incident at the Middletown campus, call 341-4710 or "77" from any campus phone. Incidents may be reported in person at the Safety and Security Office located on the 1st floor in Orange Hall. To report an emergency or serious incident at the Newburgh campus, call 341-9533/9556 or "9533 or 9556" from any campus phone. Incidents may be reported in person at the Safety and Security Desk located in the lobby areas of Kaplan Hall and the Tower Building.

Upon receipt of your call, appropriate security and/or emergency personnel will be dispatched to your location. Criminal offenses are investigated by the College Safety & Security Department and/or other appropriate authorities for future prosecution. The Safety & Security Department will issue a Timely Warning notice for situations that may pose a threat to the personal safety and well being of anyone at the college through the following methods of communication: NY-Alert system, Email, Fax, indoor and exterior Emergency Speaker System.

## **DAILY CRIME LOG**

Safety and Security maintains a daily log of crimes and incidents occurring on campus that is available for the public to view. This information is recorded by date, time, general location and disposition of the complaint. The daily log is available at the Safety and Security Office Monday through Friday from 9 a.m. to 5 p.m. at both the Middletown and Newburgh Campuses .

## **CONFIDENTIAL CRIME REPORTING**

Persons wanting to report a crime or incident can do so confidentially by contacting Ed Kiely the Director of Safety and Security 341-4934, or one of his assistants, in the Safety and Security office or by calling 341-4710. The reporting person's name will be kept confidential, but the incident may be included in the annual crime statistics report without divulging the person's name or any other information that would infringe on his/her confidentiality.

Although professional counselors at the College are exempt from disclosing reported offenses when acting in their professional capacity, SUNY Orange encourages them, if and when they deem it appropriate, to inform those who they counsel of procedures for reporting crimes on a voluntary, confidential basis for inclusion in the Campus Safety and Security Report.

## **ADVISORY COMMITTEE ON CAMPUS SECURITY**

The Campus Safety and Security Advisory Committee--composed of faculty, staff and students--addresses security/safety issues in a formal setting at regular meetings. It is the committee's charge to review campus safety, security and health issues and concerns. The committee evaluates campus security policies and procedures, recommending changes when needed.

The Director of Safety and Security may, when necessary, conduct safety forums with concerned campus groups to discuss security issues. The meetings are scheduled at mutually agreeable times.

## **CRIME PREVENTION ACTIVITIES**

The SUNY Orange campuses are safe and secure environments; however, they are public access facilities. Safety and Security cannot guarantee who is on the campus and for what purpose. Individuals should remain alert for their own safety and security. Listed below are some key safety suggestions:

- Pay careful attention to your personal belongings. Keep purses, gym bags, book bags and wallets in your view or under lock and key. Because textbooks are expensive, they may be a temptation to a thief. Put your name on each book and do not leave your books unattended.
- Lock your car doors each time you leave the car.
- Leave nothing in your car within view of a potential thief. Do not, for instance, store your books on the back seat.
- Have your car keys in hand before leaving a building.
- Evening students in particular are encouraged to walk in groups to cars after leaving class or the Library. The Safety and Security Department will provide an escort service to anyone requesting assistance when going to their vehicle.
- Members of the college community are urged to secure their valuables and be aware of their surroundings.

Additionally, the following security measures are in place for your safety:

- The College regularly holds educational programs on a variety of topics including personal safety awareness, rape awareness and sexual assault prevention training.
- Information on safety and security is provided to students and employees upon request via seminars, crime alerts, campus e-mail, posters and other communication vehicles.
- During orientation, students are informed of safety programs and the safety services available on campus.
- Telephones are provided in the hallways of classroom buildings.
- There are exterior Emergency Blue Light Phones strategically located throughout both campuses that connect directly with the Safety and Security Office (without having to dial). These phones are for emergencies requiring assistance.
- Red "Campus Emergency Phones" are located on each floor in each building. You must dial "77" from these red phones to reach the Middletown Safety and Security office. In Newburgh Pick up Red Emergency phones located in the hallways for Security assistance.
- If you need to contact Safety and Security from a cell phone, dial (845) 341-4710 in Middletown or (845) 341-9533/9556 in Newburgh.
- The Security Department will assist students and staff in obtaining and enforcing Orders of Protection when necessary.

## **EMERGENCY RESPONSE AND NOTIFICATION PROCEDURE**

In the event that a report of a significant emergency or dangerous situation is received, Security will respond to assess and evaluate the situation. If it is determined that there is a situation which poses a risk to the campus population, the appropriate outside agencies will be notified and the College president, or his/her designee, will without delay initiate the College's notification process through the Office of Communications. The notification will include key information related to the incident and provide appropriate directives to safeguard the health and safety of the campus community. The College's Communications Office will disseminate information regarding the emergency to the larger community as necessary

It is the policy of SUNY Orange to utilize SUNY NY-Alert as the primary method of contacting the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus unless issuing a notification will

compromise efforts to contain the emergency. More information can be found at the SUNY NY ALERT website. The College generally will conduct a NY-Alert test at least once each academic year

SUNY NY-Alert is a system that enables SUNY campuses to warn the campus community of an impending emergency and provide timely information to protect lives and minimize campus disruption. Messages can be received via cell phone (text and/or voice), telephone, email and fax. All members of the college community are strongly urged to register to receive alerts through Banner (available at MySUNYOrange) or by registering at <http://www.suny.edu/sunyalert> .

## **INVESTIGATION OF VIOLENT FELONY OFFENSES & MISSING STUDENTS**

Article 129-A of the New York State Education Law requires all public, private, community colleges and universities in New York State to adopt and implement rules and a plan for investigating violent felony offenses committed on campus and also for the investigation of any report received of a missing student who resides on campus. Furthermore, the law requires that the plan shall provide for coordination with local enforcement agencies, and shall include written agreements with these agencies for the prompt investigation of these crimes. In compliance with this requirement, SUNY Orange has understandings with the City of Middletown and City of Newburgh police departments establishing guidelines for the coordination of law enforcement efforts on the campus and the investigation of crimes, including those listed above.

SUNY Orange will, upon written request, disclose to the alleged victim of a crime of violence (As that term is defined in Section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

## **BIAS CRIMES INFORMATION**

It is a SUNY Orange Safety and Security mandate to protect all members of the college community by preventing and prosecuting bias or hate crimes that occur within the campus' jurisdiction. Hate crimes, also called bias crimes or bias-related crimes, are criminal activities 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 Director of Safety and Security (341-4934).

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, the SUNY Orange Safety and Security Department also assists 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 College as acts of bigotry, harassment, or intimidation directed at a member or group within the SUNY Orange community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University's Discrimination Complaint Procedure or the campus conduct code. Bias incidents can be reported to the Safety and Security Department as well as to Human Resources Department.

If you are a victim of, or witness to, a hate/bias crime on the Middletown campus, report it to the Department of Safety and Security by calling 341-4710, or in an emergency, by using a Blue Light or other campus emergency telephone, dialing the emergency reporting number "77", or stopping by the Safety and Security Office located on the first floor of Orange Hall. The Department of Safety and Security will investigate and follow the

appropriate adjudication procedures. In Newburgh, call 341-9533 or 341-9556--or “9533” or “9556” from a campus phone. Victims of bias crime or bias incidents can avail themselves of counseling and support services from the campus as follows: after notifying the Safety and Security Department, they will be escorted to the Advising and Counseling Office. More information about bias-related incidents and bias-crimes, including up to date statistics on bias crimes is available from the Director of Safety and Security, 341-4934. All inquires will be handled in a strictly confidential manner.

### **THE CAMPUS SEX CRIMES PREVENTION ACT**

The Campus Sex Crimes Prevention Act (section 106 of Public Law 106-39) is a federal law enacted on October 28, 2000, that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. This law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State, concerning registered sex offenders, may be obtained. In New York, you can obtain this information by contacting the Division of Criminal Justice Services at 1-800-262-3257 or visiting <http://www.criminaljustice.state.ny.us> .

### **SEXUAL CRIMES INFORMATION**

If you witness a sexual assault on campus or encounter a potential victim, contact Safety & Security immediately. If immediate medical attention is needed, dial 911 or contact Health Services (341-4870).

If you are sexually 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 SUNY Orange Department of Safety and Security in Middletown by dialing “77” from a campus phone or calling 341-4710, and in Newburgh by dialing “9533” from a campus phone or calling 341-9533. You may also use one of the Blue Light emergency phones, or any of the red or yellow phones located throughout the campus.
- Safety and Security will assist the victim, if requested, in notifying the local authorities.
- The Orange County Rape Hotline is available 24 hours a day at 1-800-832-1200 or (845) 342-2400. The Rape Crisis Center will provide a specially trained advocate who will meet you at the hospital, and remain with you throughout the examination and reporting procedures. In addition, this program which is a service of the Mental Health Association in Orange County can provide ongoing counseling and sexual assault survivor support groups.

Remember, assaults—sexual or otherwise—are crimes; they are not the victim’s fault. Victims have the right to pursue adjudication of crimes that occur on our campus through criminal courts and/or through the college’s internal disciplinary process (under the Student Code of Conduct). SUNY Orange Safety and Security Department officers are trained to assist victims throughout this process.

### **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 the 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.

The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding. Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense.

### **Information and Support**

If you are the survivor of a sexual assault or sexual misconduct, you may seek advice and support services from any member of the Sexual Assault Response Team (SART), which includes the Director of Safety and Security, the Coordinator of Health Services and a counselor from the Advising & Counseling staff. Members of the team will assist sexual assault victims and can provide referral to county sexual assault resources and support. Survivors of sexual assault and violence are encouraged to use these services, regardless of whether the incident happened on or off campus. SUNY Orange is obligated to comply with a student's request for an academic situation change following an alleged sex offense.

### **Educational Programs**

In cooperation with the Rape Crisis Services provided by the Mental Health Association in Orange County, educational programs to promote awareness of rape, acquaintance rape, and sex offenses are presented to the campus community. The Sexual Assault Response Team connects with county resources to provide in-service training for various professional audiences including Safety and Security, Advising and Counseling, and Health Services personnel who come in contact with sexual assault survivors. Sexual assault prevention and other safety tip brochures, which include the annual Safety Committee report and campus crime statistics for the past three years, are distributed each semester by the Safety and Security Department. The College offers additional information, support and related programs throughout the year.

### **Applicable Laws & Penalties**

New York State laws applicable to sexual assault are found in Article 130 of the New York State Penal Code. The laws provide the legal definitions of sex offenses. One significant element of every sex offense is the lack of consent.

Forcing or coercing someone to have sexual intercourse or engage in other sexual behavior is against the law.

Specifically, in New York State, if a person has sexual intercourse because they are fearful for their life or safety, or if they are unable to consent, the behavior of the perpetrator is considered rape. The perpetrator does not need to use a weapon or beat them to make them fearful for their safety.

In part, the law defines various offenses and applicable penalties as follows:

- Sexual Misconduct, a class A misdemeanor, up to 1 year imprisonment
- Rape in the Third Degree, a class E felony, up to 3 years imprisonment
- Rape in the Second Degree, a class D felony, up to 19 years imprisonment
- Rape in the First Degree, a class B felony, up to 25 years imprisonment
- Sodomy in the Third Degree, a class E felony, up to 3 years imprisonment
- Sodomy in the Second Degree, a class D felony, up to 10 years imprisonment
- Sodomy in the First Degree, a class B felony, up to 25 years imprisonment
- Sexual Abuse in the Second Degree, a class A misdemeanor, up to 1 year imprisonment
- Sexual Abuse in the First Degree, a class D felony, up to 10 years imprisonment.
- Stalking in the Fourth Degree, a class B misdemeanor, up to 6 months imprisonment and a fine.
- Stalking in the Third Degree, a class A misdemeanor.
- Stalking in the Second Degree, a class E Felony.
- Stalking in the First Degree, a class D Felony.

### **Substance Abuse and Sexual Assault**

Following are some basic facts on the criminal use of sedating substances to facilitate sexual assault:

- For centuries alcohol has been used to facilitate sexual assault. Today it remains the substance most frequently associated with date rape, and the most accessible sedating substance. Other sedating drugs are increasingly being misused to commit sexual assault by spiking victims' beverages. These are referred to by a number of street names of which you should be aware. These include Liquid Ecstasy,

Liquid X, Grievous Bodily Harm and Easy Lay for GHB, and Special K for ketamine. Common street names for Rohypnol include Roofies, Roachies, La Rocha and the forget pill.

- The physical effects of alcohol and sedating drugs are very similar and include impaired judgment and motor coordination, dizziness, confusion and extreme drowsiness. If enough alcohol or sedating substances are consumed, an individual may fall unconscious or may not remember the details of what occurred. *Depending on the substance and the presence of alcohol and other drugs in the person's system, more dangerous and sometimes life-threatening side effects may occur.*

#### **How to reduce the risk of being drugged and sexually assaulted:**

- Do not leave beverages unattended.
- Do not take any beverages, including alcohol, from someone you do not know well and trust.
- At a bar or club, accept drinks only from the bartender or server.
- At parties, do not accept open-container drinks from anyone.
- Be alert to the behavior of friends and ask them to watch out for you. Anyone extremely intoxicated after consuming only a small amount of alcohol may be in danger.
- Limit alcohol consumption so you are better able to assess your surroundings and eat substantive food before drinking to help curb its sedating effects.
- When drinking in social settings, make arrangements with a friend so that you can leave together. Most importantly, remember that whether you follow these tips or not, if someone sexually assaults you, it is *not* your fault. You are *never* to blame for someone else's actions.

#### **Precautions**

Even the best self-defense program cannot completely prevent sexual assault.

Be aware that everyone is a potential victim of sexual assault. The most vulnerable target is a woman alone. It is a myth that assault is provoked by a woman's dress or mannerisms. Opportunity and vulnerability are the key factors. Over 80 percent of all sexual assaults are committed by an acquaintance of the victim, but almost half of these victims tell no one about the attack. Many attacks begin with casual conversation. If your gut-level response to a stranger or friend is uneasiness, try and get out of the situation as quickly as possible, even if it means being rude or making a scene. The keys to prevention are awareness, trusting your intuition, and assertive behavior. Take the time to think ahead what you might do in the event of an attack.

The following tips are designed to increase your awareness of personal safety and to encourage you to think ahead about how you would react if assaulted:

- **Be alert to your surroundings**
  - Know your route and stay in well-lighted areas. Walk confidently.
  - Walk with other people whenever possible.
  - Consider carrying a whistle on your key chain and use it if you find yourself in danger.
  - Know the locations of public and blue light telephones, and keep change handy.
  - If you are walking alone, don't use headphones; they distract you and prevent you from being alert.
- **If you travel by car**
  - Always keep your car locked, while you are riding and when it is parked.
  - When returning to your car, do so with your keys in your hand.
  - Check the back seat before you get in.
  - After you get in, re-lock the car immediately and keep the windows up.
  - Do not stop to assist stalled drivers. Drive on and call the police.
  - Do not accept assistance if your car is stalled. Tell anyone who offers help to call the police.
  - Do not pick up hitchhikers.
- **If you travel by bus**
  - Go to the bus stop with other people whenever possible, particularly at night.
  - Don't accept rides from strangers.

- **If you feel you are being followed**
  - Walk to the nearest occupied or well-lighted building, *not* to your car or a bus stop. If on campus, contact campus security for assistance; if off-campus, call the police. Note the appearance of the person or persons; note the license plate number of the car. Your personal safety should come before the security of belongings, such as books, bags, etc. When in doubt, leave them behind.
- **If you feel threatened**
  - Shout “Leave me alone.” Others may hear you and/or the potential criminal may be frightened away.
  - Trust your instincts. If you feel in danger, you probably are; don't be embarrassed to seek assistance.
- **Blue light phones**
  - There are strategically located emergency blue light phones on each campus that connect directly with the Safety and Security Office without having to dial. These phones are for emergencies requiring immediate assistance.
- **At home**, keep the doors and windows locked. Ask repair, service or delivery persons for identification or have them wait outside while you call to verify their employment.
- Learn to **defend yourself**.
- **Teach children** about the potential for sexual assault and what to do if they are ever approached inappropriately. Children should be told that they are never responsible for sexual assault and to tell a trusted adult if an assault should ever occur.

*Report all incidents* to Safety and Security if on campus, to the police if off campus.

## SEXUAL HARASSMENT

### Introduction

SUNY Orange has the responsibility for preventing sexual harassment of our workforce and of our student body. The Equal [Employment Opportunity](#) Commission enforces sexual harassment guidelines. Sexual harassment is a violation of federal law under Section 703 of Title VII of the 1964 Civil Rights Act, as amended by the Equal Employment opportunity Act of 1972; under the Title IX of the Education Amendments of 1972; and other human rights and equal opportunity laws.

### What is the Law?

#### Employees

In 1980, the Equal [Employment](#) Opportunity Commission issued guidelines under Title VII which state that unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; or submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

#### Students

Sexual harassment of students is a violation of Title IX of the Education Amendments of 1972, which prohibits sex discrimination in education. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where grades or educational progress are made contingent upon submission to such conduct, or where the conduct has the purpose or effect of interfering with

the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.

### **What Can You Do?**

1. Indicate that the conduct is unwelcome. Be firm.
2. Keep a record of what happened and when. Include dates, times, places, names of persons involved and witnesses, and who said what to whom.
3. Notify the Affirmative Action Officer or the Vice President for Student Services, who will offer supportive counseling and inform you of your options, and/or
4. Use the college's Affirmative Action internal complaint procedure.

### **Sexually Harassing Behaviors**

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment in the following circumstances:

1. Submission to such behavior is made a term or condition of employment, academic advancement or academic grade.
  - Examples:
    - Cindy is a student in Professor X's class. After class, Professor X tells her that he will give her a failing grade unless she has sex with him.
    - Mary is a clerical worker on campus. Her supervisor, Bob, often massages her neck, tries to fondle her breasts and asks about her sex life. When Mary said she would report him to his supervisor unless he stopped the behaviors to which she objected, Bob told her that he would make sure she was fired if she complained about him.
    - Kevin has felt uncomfortable for some time about the way Mr. Z, a young instructor, and looks at him. When Kevin wishes to make an appointment to discuss his term project, Mr. Z says the only time he can see Kevin is some evening at an off-campus lounge/restaurant.
    - In its more blatant forms this type of behavior can be prosecuted as a criminal act. Even banter along this vein may cause harm.

Such behavior negatively interferes with a person's work or academic performance or creates an intimidating, hostile or offensive working or academic environment.

- Examples:
  - Debbie is a student in a class where most of the students are men. The professor often makes sexist references and comments on the novelty of women in this field. Once when Debbie asks a question just before the class ends, the professor says he would discuss the matter with her after class. He uses a tone of voice that causes most of the men in the class to snicker. Debbie decides to drop the class.
  - Paula is a secretary at the college. Her male co-workers tell dirty jokes near her desk, display sexist cartoons on the office bulletin board and describe the scenes in X-rated movies to Paula. They comment to Paula and each other about Paula's clothes, rating them on their "sex appeal." She feels upset and ill every day when she comes to work

anticipating the remarks they make. When she complains to her supervisor, he says that “boys will be boys” and she should just go along with the jokes.

## **Frequently Asked Questions on Sexual Harassment**

### **Can I be engaging in sexually harassing behavior even if I have no intention of sexually harassing?**

Yes. The law says that behavior can be sexually harassing if it has the purpose or effect of substantially interfering with an individual’s work or academic performance or creating an intimidating, hostile, or offensive working environment. In cases where the alleged harasser did not intend harm, the courts have decided that it is not the intent of the doer that matters, but the impact (i.e., the effect) of the behavior on the person being harassed, or more specifically, on any reasonable person standing in that person’s shoes. If any reasonable person, standing in the shoes of the recipient, would find the behavior to be sexual harassment, then it is sexual harassment. Recognizing that men and women often have different life experiences and views as to what constitutes sexual harassment, some courts apply the reasonable woman standard when the harassed person is a woman, and the reasonable man standard when the harassed person is a man. See, e.g., *Ellison v. Brady*, 924 F.2d 872 (9th Cir. 1991).

### **Can I assume that my behavior is welcome, and thus not sexual harassment, if the recipient does not object?**

No. While this is particularly true for supervisors, everyone should be cautious about assuming that silence implies consent. In the *Meritor* case, decided in 1986 by the U.S. Supreme Court, the Court found that a supervisor’s sexual advances to a subordinate were unwelcome and were sexual harassment, even though the subordinate’s response to those advances was to have sexual intercourse with the supervisor on several occasions. *Meritor Savings Bank v. Vinson*. 477 U.S. 57 (1986). The court said, in essence, that the critical question was not, “How did the recipient of the advances respond?” but “Were the advances unwelcome?” It found that the advances were unwelcome and noted that the employee felt that decisions affecting her career might be affected by her response to the advances. It found that any reasonable person standing in her shoes would have found the advances to be unwelcome and that they constituted sexual harassment.

### **Do men and women have different perceptions of what constitutes sexual harassment?**

Of course, generalizations can be misleading and do not apply to everyone. However, several studies suggest that many men and women do see things differently, and that their experiences are quite different. According to a study cited in *Sexual Harassment on the Job*, by attorneys William Petrocelli and Barbara Kate Repa, Nolo Press, 1994, 15% of the men said they would be offended by sexual advances at work, while 75% said they would be flattered. Over 75% of the women said they would be offended by sexual advances at work.

### **Are there hypotheses for why many men and women have significantly different experiences?**

Socialization probably explains most of the difference. Over the years, our society seems to have developed different standards of behavior for men and women. We have accepted a “boys will be boys” mentality, excusing those boys and men who harass girls and women because it’s “natural” for boys and men to behave that way. Instead, it is probably learned behavior, and as such it is behavior that can be unlearned.

### **Can faculty and staff be guilty of sexually harassing students?**

Yes. According to a 1984 study, 30% of undergraduate women experienced one or more levels of sexual harassment from a professor during their undergraduate years. Dzeich and Weiner, 1984, cited in *Educator's Guide to Controlling Sexual Harassment*, Thompson Publishing Group, June 1994.

### **Can students be guilty of sexually harassing faculty and staff?**

Yes. Students can create a sexually hostile work environment for faculty and staff. Some of the literature refers to this type of harassment as contra-power sexual harassment, since we often think of harassers as people who are in positions of power. However, people who are not in positions of power can be found guilty of sexual harassment.

### **Can an employee be guilty of sexually harassing another co-worker?**

Yes, co-workers may have been in a workplace longer or have more influence with other co-workers or the supervisor. A co-worker making sexual comments, touching or intimidating another worker is engaging in sexually harassing behavior.

### **What about my right to freedom of speech?**

The law makes it clear that we do not have an absolute right to say whatever we want whenever we want without regard to the impact of our comments on the recipients of our speech. But we have never had an absolute right to free speech. We have no right to yell "Fire!" in a crowded movie theater when there is no fire. Nor do we have the right to spread damaging lies about others; we'll be sued for libel or slander if we do.

Yes, the rules regarding sexual harassment place consequences on us if we subject others to unwelcome behavior of a sexual nature. Indeed, we may not speak freely about sexual matters and ignore the impact our conversation is having on others. Nor may we display sexually explicit material in our work space if it is having the impact of being sexually harassing on others. *Robinson v. Jacksonville Shipyards*, 760 F. Supp. 1486 (1991). The rules say that unwelcome behavior or comments of a sexual nature must stop. Those rules are actually just prodding us to behave professionally and respectfully.

### **How can I avoid sexually harassing coworkers and students?**

Here are a variety of suggestions, which come from a variety of perspectives:

- Observe the "platinum rule"—treat people the way they want to be treated.
- Ask yourself if you would want your parent, spouse, sibling, or child subjected to the kind of behavior you are considering. Or, ask how you would feel if any of those people were to see you behave the way you are considering behaving.
- Ask how you would feel about having your behavior published in the newspaper.
- Become more keyed in to how people respond to your comments. If people wince when you talk about certain things, or if you are the only one initiating conversations on certain topics, then perhaps those topics are not welcome and you should drop them.
- You might consider talking only about work when at work. Remind yourself when you enter your place of employment that the standards for the appropriateness of dialogue are not the same at work as they might be among good friends or in other social settings.

- You might consider adding sex to the list of things one doesn't discuss in certain settings, along with politics, religion, and sports.
- Always keep in mind the potential costs to your finances, to your reputation, and to your career that a lawsuit for sexual harassment would entail.

### **How do I avoid even the appearance of impropriety?**

To avoid even the appearance of impropriety, keep office and work area doors open whenever possible. Avoid sexist remarks, off-color stories, or lewd jokes. Ask someone to accompany you if you suspect that a meeting you are planning will be uncomfortable for you or for the other party. Make it plain that your intentions are not sexual in nature. Focus on the business at hand. Make it clear, through your behavior, conversation, and actions, that you find sexual harassment offensive and inappropriate. Treat others respectfully and professionally.

### **Methods for Dealing with Sexual Harassment**

(Not listed in order of preference or importance)

- Handle the situation yourself:
- Say "NO"; say it firmly, without smiling, without apologizing.
- Keep a diary or log. Write down what is happening to you. Include direct quotes, any witnesses, or patterns to the harassment. Have your log witnessed periodically. Save any letters, cards, or notes sent to you. Keep both the log and notes in a secure place, preferably at home.
- Tell the harasser, in writing, that you object to this behavior. Describe the specific things which offend or upset you. Give the letter to the harasser in front of a witness. Keep a copy of this letter.
- Discuss the harassment with others: friends, fellow students, colleagues, support groups.
- Report incidents to your department chairperson, supervisor, or the Affirmative Action Officer, Orange Hall, 341-4662.
- File a written complaint. Contact the Affirmative Action Officer, Orange Hall 341-4662, who is a resource for people who believe they have been subjected to discrimination. While identifying yourself generally helps us investigate your concern most effectively, if you prefer, leave an anonymous message.
- Employees may also seek relief through the Equal Employment Opportunity Commission, NY Regional Office, Room 1615, 26 Federal Plaza, New York, NY 10007; or through court action.

Students may also seek relief through the Office of Civil Rights, U.S. Department of Education, 75 Park Place, 14th Floor, New York, NY 10007 or through court action.

Further information concerning SUNY Orange's commitment to non-discrimination is available from the Affirmative Action Officer in Human Resources, Orange Hall.

### **Internal Resources**

The Affirmative Action Office is always available to discuss alleged incidents or problems associated with sexual harassment. Employees and students may simply inquire in confidence about their options or they may choose to file an internal complaint using Grievance Procedure for the Review of Allegations of Sexual Harassment. For further information, contact: (845) 341-4660.

## **Confidentiality**

Because of the sensitive nature and potential consequences of a sexual harassment complaint, every effort will be made to maintain confidentiality within the limits of the law. All participants in a complaint must maintain due regard to confidentiality.

## **External Resources**

### **Equal Employment Opportunity Commission**

90 Church Street  
New York, NY 10007

### **Office of Sexual Harassment Issues**

NYS Division of Human Rights  
55 Hanson Place, Suite 307  
Brooklyn, NY 11217 1-800-427-2773

## **ALCOHOL AND DRUG REGULATIONS**

### **Employee and Student Regulations on Alcohol and Drug Use**

in compliance with "the Drug-Free Schools and Communities Amendments of 1989" as mandated by section 22 of public law 101-226, and the Drug-free Workplace act of 1988, SUNY Orange will make the following information available to all its students and employees annually:

#### **Employees**

As an employee of SUNY Orange, a Unit of the State University of New York, one should be aware of the following policy which must be adhered to as a condition of employment:

**The unlawful use, possession, manufacture, dispensation, or distribution of controlled substances at all work locations is prohibited.**

Advance written approval and authorization is required from the President of the College for the consumption of alcohol at faculty functions.

Employees who unlawfully manufacture, distribute, possess, or use a controlled substance will be subject to disciplinary procedures consistent with applicable and collective sanctions outlined in section II, Disciplinary Sanctions.

Employees must notify the Human Resource Office of any criminal drug statute conviction for a violation occurring in the workplace, or at a work site, no later than five (5) working days after such a conviction.

#### **Students**

In accordance with the SUNY Orange Student Code of Conduct:

The unlawful purchase, manufacture, possession, use, distribution, or consumption of alcohol and other drugs on all campus sites or college-sponsored events is prohibited.

No alcoholic beverages may be bought, manufactured, possessed, used, distributed, or consumed on campus or elsewhere as part of college activities unless written approval is received in advance by the President of the College.

As of December 1, 1985, the legal minimum age to purchase alcoholic beverages in New York State was changed to 21. Under the law, no person can sell, deliver, or give away any alcoholic beverage to any person under the age of 21. Visitors of all SUNY Orange campus sites are expected to adhere to the Standards of conduct regarding alcohol and other drugs required of employees and students.

### **Disciplinary Sanctions of the College**

Local, state and federal laws stipulate mandatory fines and imprisonment of individuals convicted of possessing, using or distributing illicit drugs or alcohol on campus and at all college sponsored events. SUNY Orange will strictly enforce the Code of Conduct which specifies the disciplinary measures for students who have been found to have possessed, used or distributed drugs or alcohol on college property and at all college sponsored events. The disciplinary measures specified for students in the Code of Conduct include: written reprimand from the Vice President for Student Services placed in the student file; non-academic probation which specifies the terms of continued attendance at the College; suspension from the College; dismissal from the College. Disciplinary measures and sanctions are determined following a hearing by the Board of Inquiry.

The written findings of fact and recommendations shall be forwarded to the Vice President for Student Services for action within two business days after the end of the hearing under normal circumstances.

The Vice President for Student Services may accept, reject, or modify the recommended sanction. The sanctions, as determined by the Vice President for Student Services, shall be implemented unless an appeal is filed.

The Vice President for Student Services shall communicate his/her decision in writing to the Respondent, the Board of Inquiry, the Judicial Advisor, the Complainant (as appropriate with concern to the Respondent's privacy rights) and any other appropriate College authorities. Under normal circumstances, the Vice President for Student Services shall communicate their decision within five business days after receipt of the Board of Inquiry's recommendation. Any appeal of this decision will be forwarded to the President who will make final disposition.

The disciplinary measures specified for employees include: completion of an appropriate rehabilitation program; sanctions resulting from a hearing pursuant to Section 75 of the New York State Civil Service Law. These sanctions include one of the following; a reprimand, a fine, suspension without pay, demotion, or dismissal.

In addition to disciplinary action and college sanctions, students and employees found possessing, using, or distributing illegal drugs and alcohol on college property may be referred to local authorities for prosecution.

### **Health Risks from Alcohol and Drugs**

There are both physical and emotional risks associated with the excessive use of alcohol and the use of illegal drugs. A partial list of these risks includes:

- Alcohol - cirrhosis of the liver, toxic psychosis, neurological damage, physical and emotional dependency. Alcohol use is also a factor in 40-60 percent of all personal injury auto accidents.
- Illegal Drugs - physical and emotional dependency, depression, convulsions (possibly resulting in death), toxic psychosis.

- Any hallucinogenic drug may intensify an existing psychosis.

### **Counseling/Information/Rehabilitation**

Assistance is available for any student or employee who believes he or she has a drug or alcohol related problem. In addition, assistance may be available for immediate family members of employees. One is encouraged, and in some situations may be required, to seek assistance from professional services either on or off campus based on professional recommendation(s). All inquiries will be kept confidential.

On campus, the office of Student Health Services (located in the George Shepard Building, 2nd floor ext. 4870) serves as a referral agent. Professionals who deal with individual drug users in a patient/client relationship may keep records; such records are protected by professional ethics of confidentiality.

### **SUNY Orange Wellness Center**

(George F. Shepard Student Center 341-4870)

### **Employee Assistance Program (EAP)**

1-800-962-7487

### **ADDITIONAL SERVICES MAY BE FOUND BY CONTACTING:**

#### **Alcoholics Anonymous – 845-534-8525**

Group support and informational services.

#### **National Institute on Drug Abuse Hotline**

1-800-378-4435

An information and referral line that directs caller to treatment centers in the community.

### **SUBSTANCE ABUSE RESOURCES DIRECTORY**

#### *Alcohol Services*

#### **New York State Hot Line 1-800-522-5353 (Monday-Friday)**

8:00 a.m. to 12:00 midnight

#### **AA (Alcoholics Anonymous)**

Telephone: (845) 534-8525

#### **Alcoholism & Drug Abuse Council of Orange County**

244A Main Street

Goshen, NY 10924

Telephone: (845) 294-9000

#### **Orange County Drinking Driver Program**

Telephone: (845) 341-4892

#### **Orange County Stop DWI**

Telephone: (845) 294-9000

**Pius XII**

Telephone: (845) 294-5124

**Warwick Community Bandwagon**

PO Box 21 Hamilton Avenue

Warwick, NY

Telephone: (845) 986-6422

**COUNSELORS****Middletown Alcohol Clinic**

OC Dept. of Mental Health

21 Center Street

Middletown, NY 10940

Telephone: (845) 346-1130

**Newburgh Alcohol Clinic**

OC Dept of Mental Health

104 Second Street

Newburgh, NY 12550

Telephone: (845) 568-5200

**PIUS XII Chemical Dependency Program**

10 Orchard St, Middletown

(845) 343-7675

520 Rt. 17M, Monroe

(845) 782-0295

62 Grand Street, Newburgh

(845) 562-8255

**Pius XII Cocaine Clinic**

224 Main Street, Goshen, NY

(845) 294-5888

**ALCOHOL DETOX PROGRAMS****Alcohol Crisis Center**

(Non-Medical)

(845) 343-1443

**Cornwall Hospital**

Main St. Cornwall

(845) 534-7711

**St. Lukes Methadone**

70 Dubois St., Newburgh

(845) 561-4400, (ext. 233)

**RECAP Day Treatment**

PO Box 886, Middletown  
(845) 342-5380

**Mercy Comm. Hospital**

160 E. Main St. Port Jervis  
(845) 856-5351

**ANTI-HAZING LAW**

Reckless or intentional acts that endanger mental or physical health or involve the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization are strictly forbidden. Violation of the anti-hazing law will result in the expulsion, suspension, or other disciplinary proceeding or, if the violation is an organization, rescission of permission of the organization to operate on campus. A violator or organization may be subject to any applicable provision of the Penal Law in addition to any College disciplinary proceedings.

**LOITERING**

All visitors to the College not having an acceptable, legitimate reason for being on campus are subject to prosecution for loitering under the provisions of Section 240.35 of the New York State Penal Law.

**POLICY ON SELLING WARES ON CAMPUS**

College regulations prevent the use of the campus for private or individual commercial purposes. Students may, of course, sell their texts or other personal belongings to students and may use designated areas to advertise such selling, upon approval at Student Activities Information Desk. A student may request permission from the Vice President for Student Services to sell handicrafts and other personal wares on campus. Students may arrange with the College Bookstore manager to concession personally produced wares for sale in the Bookstore.

**WEAPONS AND OTHER PROHIBITED ITEMS ON CAMPUS**

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 strictly forbidden and is a violation of state and federal law. Other prohibited items include:

- Smoking is prohibited in all college buildings and offices.
- Smoking is prohibited within 20 feet of all college buildings.
- Use of alcoholic beverages is prohibited anywhere on campus.
- The College works within the framework of civil law regarding the use or abuse of narcotics.
- Pets are not permitted on campus.
- The campus cannot be used for private or individual commercial purposes.
- Firearms are strictly prohibited on campus unless approved by the President.

**CAMPUS PARKING REGULATIONS**

Violators of campus parking regulations are subject to prosecution.

- Parking is restricted to College-registered vehicles and guests of the College. All student, faculty, staff and Trustee vehicles are to be registered. A numbered tag provided free of charge is to be displayed in an easily visible area on all vehicles. Registration of vehicles after College registration for classes is completed is done through the Student Activities Office. If the tag is lost or mutilated, a replacement must be secured. There is a replacement charge of \$5.
- During the day, students are permitted to park only in the George Shepard Student Center Parking lots #7 & #7B, Mills Avenue lot #9 , Morrison lot #5, South Street lot #14, Orange Hall lot #1, Benjamin Avenue lot #13 , Bennett Street lot #8 and the lower end of Lot #4 Tennis Court Drive, and the Parking Garage. The George Shepard Student Center lot#6, and the upper

parking area lot #4 located at the rear of the Physical Education Building are reserved for faculty and staff. In the evening, all lots are open on a first-come basis for students and staff. Bikes and motorcycles must park in designated areas only.

- Parking in the lots is permitted only within the stalls. Drivers should be careful to park within the painted lines. Parking is prohibited adjacent to curbing or lanes painted yellow.
- Overnight or weekend parking is not permitted. Parking lots are closed after the last evening class and/or college function.
- A 5 mile per hour speed limit shall be observed in all parking lots and garage.
- Please consult bulletin boards for additional information throughout the year.

Middletown Inner Campus - Vehicles should not be driven onto the inner campus (Alumni Green area) on the Middletown campus without permission. No parking is permitted in the areas adjacent to Morrison Hall, Hudson Hall, Horton Hall, Harriman Hall, Orange Hall and the Library).

Off-Campus Parking - Off-campus parking on streets adjacent to and in the area of the College is subject to regulations imposed by local municipalities. Violators will be prosecuted by the local police.

- Students with a temporary or permanent disability or medical condition will need to contact their local police department or county office to receive a state handicapped parking permit.

### **Violations and Parking Security**

Safety and Security officers will provide security. Violators of college parking regulations are subject to fines. Cars, where necessary, may be towed away at the owner's expense.

### **LOST & FOUND**

Campus Lost and Found is located at the Student Activities Office.

### **COLLEGE IDENTIFICATION CARDS**

All full and part-time credit students receive an I.D. card free of charge when registering. This is the final step of the registration process. Your I.D. card must be validated each semester. The I.D. card also serves as a library card and a student activity pass which enables you to gain free admission or a special student rate to the various activities. Loss of a card must be reported to the Student Activities Office. A replacement can be obtained from that office at a cost of \$15. All students are required to obtain an I.D. and are strongly encouraged to wear it when on campus.

### **EMERGENCIES ON CAMPUS**

To report an emergency, dial 911 or contact SUNY Orange Safety and Security at (845-341-4710) in the Middletown Campus and (845-341-9533) in the Newburgh Campus. In order to assist the operator in processing the call quickly and efficiently, please be prepared to give the following information:

- What you saw, heard or found
- The exact location of the incident
- The phone number you are calling from
- Details of the situation
- Your name and address
- **Stay on the line** until you are told to hang up

In the event of a medical emergency, the College's Health Services Office is staffed by a Registered Nurse (RN). The Health Services hours of operation are 8:30 a.m. to 4:30 p.m. Monday through Friday.

In the event of any accident or medical emergency on campus:

- Dial 911 immediately and/or contact Safety & Security
- Provide the following information:
  - Immediately notify emergency personnel if the victim is unconscious or not breathing.
  - Describe the type of emergency and assistance needed to the best of your ability.
  - Give your name and extension from which you are calling.
  - Give name of victim if known, and their exact location.
  - Hang up last to insure that emergency personnel have no further questions.
- Be prepared to handle an emergency with the following advance planning:
  - Know the location of nearest first aid kit in your building.
  - Have someone meet the nurse or ambulance attendants at a specified location.
  - Be ready to give as much detail as possible regarding the situation (time of occurrence, potential injuries and possible causes).
- Following are additional emergency phone numbers:
  - Health Services Office (341-4870)
  - Safety & Security (Middletown: 341-4710; Newburgh: 341-9533)
  - Safety & Security on-campus (Middletown: dial “77”; Newburgh: dial “9533”)
  - Mobile Life ambulance (Middletown: 343-1212; Newburgh: 562-4357)
- Please be aware that an incident report must be filled out by the campus nurse for insurance claims purposes on all accidents involving staff or students

## **EMERGENCY EVACUATIONS**

**BUILDING EVACUATIONS-** All buildings evacuations will occur when a building alarm (fire alarm) sounds and/or upon notification by SUNY Orange Safety & Security personnel, local police or local fire officers. When the building evacuation alarm is activated during an emergency, leave by the nearest marked exit and alert others to do the same. Safety & Security personnel have studied and mapped out specific evacuation routes based upon many variables that may arise during an emergency. Safety & Security personnel will direct you along the safest evacuation route.

Once outside, proceed to a clear area that is at least 500 feet away from affected building. Keep streets, fire lanes, hydrants, lawns and walkways clear for emergency vehicles and personnel. **DO NOT** return to an evacuated building unless told to do so by SUNY Orange Safety & Security personnel.

**CAMPUS EVACUATION-** Evacuation of all or part of the campus grounds will be announced by Safety & Security Office. All persons (students, faculty and staff) are to evacuate the area of campus in question immediately and relocate to an off-campus location or another part of the campus grounds as directed.

# SUNY ORANGE CRIME STATISTICS

**OFFENSE DEFINITIONS:** The following definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapons 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 Reporting Handbook.

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, suicide, accidental deaths, and justifiable homicides are excluded.

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

**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.

- Forcible Rape is the carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly 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 is 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.
- Sexual Assault With An Object is 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 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.
- Forcible Fondling 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, not forcibly or against the person's will where the victim in 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 limited to Incest and Statutory Rape.

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

**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 inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: Unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit larceny; house-breaking; safe-cracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. This includes cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.

**Arson:** The willful or malicious burning or attempt to burn with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

**Weapons 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: All attempts to commit any of the aforementioned.

**Liquor Law Violations:** The violation of laws or ordinance prohibiting: The manufacture, sale, transportation, furnishing, possessing of intoxicating liquor: Maintaining unlawful drinking places: Bootlegging: Operating a still: Furnishing liquor to a minor or intemperate person: Using a vehicle for illegal transportation of liquor: Drinking on a train or public conveyance: All attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, manufacturing, and making of narcotic drugs. The relevant substances include: Opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, Methadone); and dangerous non narcotic drugs (Barbiturates, Benzedrine.)

**Hate Crime:** A Hate Crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias.

**Orange County Community College  
 Middletown Campus  
 Criminal Offenses on Campus**

	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	1	0
Sex Offenses-Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	1	0	1
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Fires reported /confirmed / injury or death	0	0	0

**Orange County Community College  
 Middletown Campus  
 Criminal Offenses Public Property**

	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	0
Sex Offenses-Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	1
Arson	0	0	0

**Orange County Community College  
Middletown Campus  
Hate Crimes on Campus**

	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	0
Sex Offenses-Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny Theft	0	0	0
Intimidation	0	1	0
Destruction/Damage/Vandalism of Property	0	0	0

**Orange County Community College  
Middletown Campus  
Hate Crimes Public Property**

	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	0
Sex Offenses-Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny Theft	0	0	0
Intimidation	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0

## Orange County Community College Middletown Campus

### Arrests on Campus

	2010	2011	2012
Weapons: Carrying, possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

### Arrests Public Property

	2010	2011	2012
Weapons: Carrying, possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

### Disciplinary Actions on Campus

	2010	2011	2012
Weapons: Carrying, possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	2	0	0

### Disciplinary Actions Public Property

	2010	2011	2012
Weapons: Carrying, possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

**Orange County Community College  
Newburgh Campus  
Criminal Offenses on Campus**

	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	1
Sex Offenses-Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	1	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	1	0	0
Fires reported / confirmed / injury or death	0	0	0

**Orange County Community College  
Newburgh Campus  
Criminal Offenses Public Property**

	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	0
Sex Offenses-Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

**Orange County Community College  
Newburgh Campus  
Hate Crimes on Campus**

	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	0
Sex Offenses-Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny Theft	0	0	0
Intimidation	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0

**Orange County Community College  
Newburgh Campus  
Hate Crimes Public Property**

	2010	2011	2012
Murder/Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses-Forcible	0	0	0
Sex Offenses-Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny Theft	0	0	0
Intimidation	0	0	0

Destruction/Damage/Vandalism of Property	0	0	0
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**Orange County Community College  
Newburgh Campus**

**Arrests on Campus**

	2010	2011	2012
Weapons: Carrying, possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

**Arrests Public Property**

	2010	2011	2012
Weapons: Carrying, possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

**Disciplinary Actions on Campus**

	2010	2011	2012
Weapons: Carrying, possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

**Disciplinary Actions Public Property**

	2010	2011	2012
Weapons: Carrying, possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0