



# **2021 Annual Security and Fire Safety Report**

Statistics for 2018, 2019, and 2020



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## ANNUAL SECURITY REPORT

The Student Right-to-Know and Campus Security Action (Public Law 101-542), was signed into law in November 1990 and amended several times in subsequent years. Title II of this act, was known as the Crime Awareness and Campus Security Act of 1990. The 1998 amendments renamed this subsection of the Higher Education Act, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This act requires institutions to disclose information about campus safety policies and procedures and to provide statistics concerning whether certain crimes took place on campus. The College is responsible for preparing, publishing, and distributing the Annual Security and Fire Safety Report by October 1 of each year for the purpose of disclosing and disseminating certain information regarding campus crime statistics, campus law enforcement, and campus safety and security policies and procedures. Information mandated by this act includes statements about fire safety, emergency response and evacuation procedures, missing student notification, campus law enforcement policies, campus security education and prevention programs, alcohol and drug policies, sexual assault education and prevention programs, procedures for reporting sexual assaults, and procedures for handling reports of sexual assault.

The purpose of this report is to provide our students, faculty, staff and prospective students and employees with campus safety information including crime and fire statistics and security and fire safety policies and procedures. The report, is prepared by the Chief of University Police and the Title IX Coordinator, in conjunction with members of the Clery Committee, and made available as required by Title 20 U.S.C. Section 1092 the Federal "Crime Awareness and Campus Security Act". Any questions regarding this report, should be directed to University Police (718) 409-7305. This information must be published annually and is disseminated to all students via campus E-Mail. It is also available on the campus web site under [University Police Department - Campus Safety Report](#) and in hard copy on request from the University Police Department. Campus Crime Statistics are also available from the [U.S. Department of Education](#) (enter SUNY Maritime as Institution).

While Maritime College has developed policies and procedures to ensure that students and their possessions are protected as much as possible, it is primarily the responsibility of the student, faculty or staff member to provide for his or her own safety and security by taking simple, common sense precautions, and by reporting information to the University Police Department or other campus security authorities, including the Office of the Dean of Students, the Office of the Commandant of Cadets, the Department of Residential Life, Director of Human Resources, and the Title IX Coordinator.

Maritime College strives to maintain a campus environment conducive to academic achievement. A safe campus can only be achieved through the cooperation of the entire campus community.

Sincerely,

Chief of Police, Title IX Coordinator, and the Clery Committee

## GENERAL INFORMATION

SUNY Maritime College is a 52-acre specialty college, located on the Throggs Neck peninsula in the northeastern part of the borough of Bronx, within the City of New York. In the Fall 2020 semester, SUNY Maritime College enrolled 1,671 students (1511 undergraduates and 160 graduates), including 1,034 members of the Regiment of Cadets, and employed 487 teaching faculty and staff. 1,170 students lived on the campus. Maritime's TS Empire State VI is considered a non-campus location for Clery reporting purposes. There are none non-campus locations of student housing facilities or student organizations officially recognized by Maritime College.

### University Police Department

Campus safety and security issues are coordinated by the University Police Department, which has a sworn force of New York State certified police officers with full arrest powers. As a police department, patrol members respond to all emergencies. New York State University Police Officers must meet the highest standards in New York State for law enforcement officers. The officers have passed a basic police training program certified by the New York State Division of Criminal Justice Services. Officers receive regular in-service training to maintain or upgrade their skill sets and form additional specialized areas of expertise. Officers have been trained in emergency medical procedures and CPR/AED. They conduct foot, and vehicular patrols on the campus and residence hall areas 24-hours a day, 365 days a year. Other services available through the University Police department include motorist assistance, lost and found, and educational training on safety/security topics.

The objective of the University Police Department is to provide a safe environment for teaching, research, social endeavors, and to protect the lives and property of the students, employees, and visitors of the College. This objective is pursued within the framework of the State University rules and regulations and all local, state, and federal laws. The investigation of crimes committed on the campus fall under the jurisdiction of the University Police Department although the New York City Police Department has concurrent jurisdiction.

The primary police jurisdiction of the University Police Department includes all of the Maritime campus, and any roadways which abut or adjoin these properties. The jurisdiction extends to any property under ownership or control of the State University of New York.

### Relationships with Other Police Departments

Maritime College has a close working relationship with local, state, and federal police agencies that have direct access to national and statewide computer databases for accessing criminal history data, nationwide police records, driver/vehicle identification information, and other law enforcement information. The University Police Department has a Memorandum of Understanding with the New York Police Department. In certain circumstances, such as a case involving sexual violence, the University Police will collaborate closely with NYPD and utilize their knowledge, expertise, and resources.



Students involved in off-campus situations involving serious violations of the Maritime's Student Code of Conduct including alcohol/drug offenses or other criminal activities may be referred to the campus judicial system.

### **Monitoring and Recording Off-Campus Criminal Activity**

When a Maritime College student is involved in an off-campus offense, officers may be requested to assist with the investigation in cooperation with local, state, or federal law enforcement. The New York City Police Department and New York State Police routinely work and communicate with campus officers on any serious incidents occurring on campus or in the immediate neighborhood. Maritime College operates no off-campus housing or off-campus student organization facilities. However, many undergraduate students and some graduate students live in the neighborhoods surrounding the college.

Officers from University Police have primary jurisdiction in all areas on campus but do not have jurisdiction in off-campus areas. Maritime College University Police officers respond to student-related incidents that occur in close proximity off campus only when specifically requested by the local law enforcement agencies that record and monitor criminal activity off campus. University Police have direct radio communications with the city police to facilitate rapid response in any emergency situation.

### **Daily Crime Log**

In compliance with federal law, University Police maintains a daily crime log listing all crimes reported to University Police that occurred on campus, in or on non-campus buildings or property, or on public property immediately adjacent to and accessible from the campus or within the patrol jurisdiction of public safety. The log lists the date and time reported, date and time the crime occurred, nature of the crime, general location, and disposition of the complaint if this information is known at the time the log is created. If there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until that damage is no longer likely to occur from the release of such information. The daily crime and fire log is available for public inspection during normal business hours at University Police.

### **PREPARATION AND DISCLOSURE OF CAMPUS CRIME STATISTICS**

The Chief of Police and Title IX Coordinator prepare this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Chief of Police requests statistics of reported criminal offenses and violations from the Clery Committee, Campus Security Authorities, the Office of Housing and Residential Life, the Office of the Commandant of Cadets, the Office of Student Affairs, the Office of Human Resource Services, the 45<sup>th</sup> Precinct of the New York City Police Department, the Naval Operations Support Center, and local law enforcement agencies. Campus crime, arrests, and referral statistics include those reported to University Police, those reported to Campus Security Authorities, and those reported to other law enforcement agencies.



The Title IX Coordinator, Internal Controls, Division of Student Affairs, and Chief of Police review the compiled statistics and confirm whether or not the reported criminal offenses and violations must be disclosed under statutory guidelines. The criminal offenses for which we are required to disclose statistics are as follows: murder and non-negligent manslaughter, manslaughter, rape, fondling, incest, statutory rape, dating violence, domestic violence, stalking, robbery, aggravated assault, motor vehicle theft, arson, burglary and hate crimes (in accordance with Clery (federal) reporting categories for prejudice); and, arrests and disciplinary actions for weapons (carrying, possession, etc.); drug abuse violations; and, liquor law violations, as outlined in our crime statistical charts contained within this publication. Additionally, we are required to disclose statistics for offenses that occur on campus, in campus residential facilities, in or on non-campus buildings or property owned or controlled by our school, and on public property within or immediately adjacent to our campus.

Internal Controls will also review internal records, existing databases, and external records to ensure consistency and accuracy. In order to ensure compliance and transparency, the Chief of Police consults with the external organizations that review and comment on prior Annual Security Reports. The Chief of Police and Title IX Coordinator prepare the Annual Security Report using the statistics and incorporate internal and external guidance to comply fully with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

When disclosing the statistics, four categories are used: on campus, in residence halls, non-campus buildings and property, and public property.

Reported offenses listed “**on-campus**” include all offenses reported on campus property and in campus buildings (and will include those also listed in residence halls).

Reported offenses listed in “**on campus student housing**” include all offenses occurring in College-owned or controlled residence halls.

Reported offenses listed as “**non-campus buildings or property**” include properties owned or controlled by recognized student organizations or the College.

Reported offenses listed as “**public property**” includes property such as thoroughfares, streets, sidewalks immediately adjacent to the campuses. This is essentially a “sidewalk, street, sidewalk” distance from our boundary.

The section on campus crime statistics also includes arrests and disciplinary referrals made to campus authorities for alcohol, drugs and weapons possession. A disciplinary referral is any instance when a student is formally reported in writing to a university official for possible sanction for a reportable category.

Each year, an email notification is sent to all faculty/staff and students the web site link to access this report. A printed copy of this report may also be obtained at the University Police Department, or by calling (718) 409-7305. Prospective employees may obtain a copy of this report from the link provided on the Human Resources website or by requesting one from their office.

### **Campus Crime Statistics and Geographic Locations Under the Clery Act**

As articulated by the Crime Awareness and Campus Security Act, this Annual Security Report includes crime statistics and referral statistics for the last three calendar years and these statistics are categorized as required by law. These statistics are further classified as occurring on-campus, in residence halls, in or on off-campus buildings/property of the school, and on public property.

SUNY Maritime College has no public property on or adjacent to the campus except the waters of Long Island Sound and the East River within one mile of the College's shoreline. The College also has two off-campus facilities for reporting purposes. The U.S. Navy Operational Support Center N.Y.C. which is a federal military facility located within the College boundaries. The College also operates a training ship, the Empire State VI, which is owned by the U.S. Maritime Administration and operated under agreement with the Maritime Administration as a classroom and hands-on training facility of the College. The ship is moored at the College pier, except when departed for emergency relief efforts and the annual training cruise period.

**For further information on this data collection, please contact the University Police Department at (718) 409-7305.**

### **Campus Security Authorities**

A Campus Security Authority (CSA) is a campus police or security official or other official with significant responsibility for campus and student activities. The College has designated certain administrators and staff as "campus security authorities" (CSA). Campus Security Authorities include all members of the University Police Department, but also all College employees who have significant responsibility for student and campus activities in recognition that many students, faculty and staff may be hesitant about reporting crimes to UPD, and may be more inclined to report incidents to non-law enforcement administrators and staff instead. Examples of non-police CSAs include Residential Life Staff, Residential Advisors, Faculty or Staff Advisors to student groups, Athletic Department Staff, Student Affairs Staff, Regimental Staff, and Title IX Team Members.

The College provides training and notification to those offices/officials that have been identified as CSAs, with emphasis on their obligation to immediately report crime to University Police. A CSA is required to report all allegations for inclusion in this Annual Security Report, even if the CSA was told of a crime in the context of providing emotional support or health care support. The allegations will be reported whether or not the victim chooses to file a report with law enforcement or press charges. A CSA will also provide a victim or witness with assistance in reporting a crime to University Police or local police if the victim or witness chooses to do so.

CSAs are charged with documenting the incident for inclusion in this Annual Security Report (only the offense and general location information are included in the report) and to report immediately any issue that may present a serious or continuing threat to the safety of the campus community. A campus security authority is not responsible for determining whether a crime took place.

## PROCEDURES FOR REPORTING A CRIME OR EMERGENCY

Immediately report all on-campus crime and unusual or suspicious activity to University Police by calling 9-1-1 from any Maritime College campus phone or 718-409-7311. You can also activate any blue-light telephone or indoor emergency telephone, which puts callers in direct two-way contact with University Police dispatch 24 hours a day, seven days a week, year round. These phones are strategically located throughout campus and can be used in any emergency situation.

University Police is responsible for acting on information received, whether criminal or noncriminal in nature, including responding and/or investigating, based on the information provided. In addition, the 45th Precinct of the NYPD will be notified within 24 hours after receipt of a report of any violent felonies as defined by New York State Law. The University Police Department is located at the entrance to the campus. This facility is available to students and others to report criminal incidents and other emergencies on campus.

Although every institution wants its campus community to report crime to campus law enforcement, we know that this doesn't always happen. We strongly encourage all individuals to immediately report crimes and other dangerous conditions so that they can be documented, addressed and investigated; however, we do so with the understanding that an investigation will occur only if the victim chooses. All members of the campus community, students, faculty, staff and guests are ***urged and strongly encouraged*** to provide a prompt and accurate report of criminal incidents, emergencies, suspicious activity, and public safety related matters to the University Police Department (UPD). Prompt reporting allows UPD to document, address and investigate crimes and other dangerous conditions.

The victim of a crime on campus can make a voluntary, confidential report to University Police about the crime and choose not to have it further investigated. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the immediate and long-term safety of the victim as well as the campus community. When crimes are reported to University Police, the College can keep accurate records of the number of incidents occurring on and near the campus, determine where there is a pattern of crime with regard to a particular location, method, or perpetrator, and alert the campus community to potential danger and actions for safeguarding against same. Reports filed in this manner are counted and disclosed in the annual crime statistics for the College.

**To Report a Police, Fire or Medical Emergency on Campus****DIAL 911****From Any Campus Phone**

**Although most routine calls for assistance should be directed to the University Police Department at 7311, the campus emergency number is 911.**

**Calling from outside the campus or on a cell phone, UPD can be reached by dialing (718) 409-7311.**

**It should be noted that by calling 911 from a cell phone will result in connection to the New York City 911 Emergency System.**

**University Police can also be contacted by using a blue light emergency phone located: at the entrances to each of the four Residence Halls, in Parking Lot 11 near the Jetty, Parking Lot 8 under the Throggs Neck Bridge, walkway near Marvin Tode Hall and the Naval Reserve Center, the walkway behind the Maritime Academic Center building, and the waterfront area at McMurray Hall.**

Once reported, the University Police Dispatcher will dispatch State University Police Officers to respond to the incident and/or emergency and will notify any additional agencies such as FDNY or EMS as appropriate. Reported crimes handled by UPD may also be forwarded to Dean of Students and/or Commandant of Cadets as deemed appropriate for potential judicial action. Crimes should be reported to UPD to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

**Silent Witness Program: Voluntary Anonymous Reporting Procedures**

The College encourages all members of its community to report crimes to University Police or other Campus Security Authorities, whether they are a victim or a witness.

Anonymous reports can be made to University Police by calling (718) 409 - 7311 or online through the department's Silent Witness Website. University Police maintains an electronic anonymous reporting system on its website <http://www.sunymaritime.edu/silent-witness>. Complete the form, providing as much information and specificity as possible as doing so will assist us in addressing the matter. A victim or a witness to a crime who *does not* want to pursue action within the College's discipline system or the criminal justice system can make an anonymous report through the Silent Witness Program. Anonymous reports involving sexual assault, sexual violence, domestic violence, dating violence, stalking, and/or sexual discrimination will also be forwarded to the Title IX Coordinator. In cases involving sexual assault, sexual violence, domestic violence, dating violence, stalking, and/or sexual discrimination, anonymous reports can also be made to the Title IX Coordinator by calling 718-319-1151.

This electronic reporting system will not retain email addresses, IP addresses or other identifying information unless the reporting person voluntarily includes identification information.

The purpose of an anonymous report is to keep the matter confidential, while taking steps to ensure the safety of the identified individuals and the campus community. With this information, the College can keep an accurate record of the number of incidents involving students, faculty and staff, determine where there is a pattern of crime relative to location, method, and assailant and alert the campus community to potential harm. Anonymous reports are counted and disclosed in the annual crime statistics for the campus. Please understand while the crime is counted for statistical purposes, confidential reporting of a crime may impede a speedy investigation and/or a thorough investigation, or it may prohibit an investigation in its entirety.

### Private & Limited Confidential Reporting

Allegations of sexual harassment including sexual assault, stalking, or domestic and intimate partner violence perpetrated by another SUNY student, faculty or staff member may be reported to one of the below listed parties. Anyone who reasonably believes that such an incident has taken place, whether on campus or not, between SUNY students, faculty or staff should inform one of the persons listed below:

- Title IX Coordinator (718) 319-1151
- University Police (718) 409-7311\*
- Commandant of Cadets (718) 409-7442
- Deputy Commandant of Cadets (718) 409-1144
- AVP of Human Resources (718) 409-7302
- Director of Housing & Residential Life (718) 409-7452
- Housing Area Coordinator (718) 409-5566
- Head Women's Soccer Coach (718) 409-7336

\*Note that victims and witnesses can report crime on a voluntary, confidential basis to the University Police Department at 718-409-7311. Individuals should request to speak directly to University Police Supervisory Staff and specify that they would like to make a "Confidential Report." The Reporting Individual should specify whether they want to move forward with a criminal investigations and/or the College's administrative Title IX investigation. Reports of this nature are filed with the University Police Department for informational purposes, but there is no formal *criminal* investigation of the incident unless there is a request to do so. The Confidential Report may be redacted as necessary. Note that this is not a true confidential report, as the Title IX Coordinator and other college officials may be consulted.

### Confidential Reporting: Exemptions for Pastoral and Professional Counselors

Although they have significant responsibility for student and campus activities, pastoral and medical staff are not campus security authorities. In the same way that doctors, counselors and attorneys preserve confidentiality, the College's pastoral and medical staff are considered confidential resources. They have legally protected privileges that allows them to preserve confidentiality even when they learn of crimes from patients or clients. This exemption is intended to protect the counselor-client relationship. However, these

legally recognized privileges have some exemptions. There may be situations where counselors may be obligated to report a crime, as is the case where there is imminent danger of harm to a student or the campus community.

The following offices/individuals fall under the aforementioned exemption:

- Campus Ministries staff
- Health Services staff
- Mental Health Counselor

#### Campus Security Authority Exemptions:

**Pastoral counselor:** *A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.*

**Professional counselor:** *A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.*

To be exempt from the Clery Act reporting requirements, the counselor must be acting in their professional role of pastoral or mental health counselors at the College. For example, a Dean who has PhD in psychology is not acting in the counseling role, but rather as a Dean; and a PhD student in psychology working in the counseling center as part of their education and training is acting in the counseling role. Pastoral counselors and mental health counselors are trained in the procedures for reporting crimes and the procedures for reporting crimes confidentially. The College encourages them to inform their clients of the procedures in accordance with their professional judgment, given the individual victim and circumstances before them.

Note: Counseling Services, Health Services, and Campus Ministries are encouraged, if and when deemed appropriate, to inform students that they may choose to make a confidential report of a crime to the University Police or a Campus Security Authority.

## GENERAL CAMPUS SECURITY AND ACCESS POLICY

Access to the College by land is through a single entrance controlled by a guard booth manned at all times by a University Police Security Officer. The entrance employs a security gate activated by a bar code reader on vehicles with campus parking privileges, or manually by the Security Officer. It is under constant video surveillance as well. Vehicles may be stopped during business hours and asked to secure a temporary parking pass before entry. After normal business hours, all vehicles are stopped and checked by the University Police Security Personnel before admittance.



During business hours, the College (excluding housing facilities) is open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to College buildings is controlled through key control, keypads, card swipes, or by admittance by University Police, Housing, Student Affairs, Facilities, or the Regiment. On campus access to student residences is by swipe card using the student's College I.D. card while access to individual student rooms is by key or swipe card. In the case of periods of extended closing, the College will admit only those with prior written approval to all facilities.

The entrance to student residence halls has video surveillance with cameras monitored at University Police Headquarters. A student worker may be located at the watch desk located in the lobby of all residence hall entrances and Vander Clute Hall from 2000 to 2200 from Sunday to Thursday and 2000 to 2400 from Friday to Saturday. During these time frames, the student workers also conduct periodic checks of the building. Additional security and student support is provided by residence hall staff. The campus is well lit with lighting on campus roads and walkways, and as previously noted, emergency phones are located outside every residence hall and in selected remote locations.

University Police patrols all campus buildings including residence halls on a regular basis.

All campus buildings used by students contain modern fire alarm systems, and critical facilities have intrusion and environmental alarms, both of which report to and are monitored by the University Police Department at the main entrance to the campus. The Campus Facilities Department assigns facilities superintendents to all major campus buildings with responsibility to regularly check and ensure that all safety and lighting systems are operational.

### **Visitor Policy**

Guests of students are welcome at the College from Sunday through Thursday between the hours of 0800 and 2200 and on Fridays and Saturday from the hours of 0800 and 2400. Visitors require permission and a student escort to visit other areas in the dormitories. A student's guest must be accompanied by that student for a visiting tour or arrangements should be made for another student to assist. The student to be visited is held responsible for their visitor's actions and must adhere to College regulations including leaving campus before visiting hours are over. All visitors should exit campus at the prescribed hours as stipulated by this policy, or closing hour at an authorized function. Overnight visitors require advance written authorization.

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

To report any violations of this policy or to report suspicious persons, dial University Police at extension 7311 from an on campus phone or by dialing 718-409-7311.

### **Security in Residence Halls**

The Office of Student Affairs the Office of Housing & Residence Life, and University Police are committed to providing a safe environment in the residence halls. Students are made aware of safety concerns as well as tips on crime prevention through brochures, pamphlets, floor meetings, and presentations. While there are many

safeguards in place for residence hall students, each student must do his/her part by adhering to the safety related policies and procedures.

There are a Resident Advisors (RA) who are students assigned to provide oversight for each floor in all residence halls. Each residence hall also has a Building Manager (BM); which is a student who lives in the residence hall and provides additional support to the RAs and students. In addition to the BMs and RAs, there is are Resident Directors (RD), who are part-time employees, that supervise each residence hall.

Each semester, Building Managers and Resident Advisors undergo extensive training that covers various aspects of residential living, such as enforcing residence hall safety and security policies, as well as being aware of potential safety hazards and concerns. Each residence hall has a Resident Advisor on duty 24 hours a day and one Building Manager serves as the “on-call” person for the campus On a rotating weekly schedule. Additionally, a professional staff member from the Office of Housing and Residential Life participate in a rotating on-call schedule and serve as a resource for the BMs and RAs. The professional staff on-call schedule consists of the Assistant Director, Area Coordinator, and Resident Directors.

All residence hall students are issued a key to their room. Resident Advisors, when on duty, are responsible for the enforcement of campus housing policy. They also report any unusual circumstances or situations in the residence hall.

Residence hall students should be aware of their environment and the possible consequences of their behavior. Maritime College is committed to maintaining an environment in which students, faculty, staff and guests can work together free from all forms of harassment, exploitation and intimidation. Maritime College will act as needed to discourage, prevent, correct and if necessary discipline behavior that violates this standard of conduct.

### **Health and Safety**

The Facilities Department and the University Police Department maintain and patrol the campus buildings and grounds with a concern for safety. Facilities staff inspects campus facilities regularly, promptly makes repairs affecting safety and security, and responds immediately to reports of potential safety and security hazards, such as broken windows and locks. If you have concerns about the physical safety of campus buildings and grounds, call the Facilities Department, Monday through Friday, 7:30 a.m. to 4 p.m., at extension 7321. For emergencies that occur during non-business hours, call the University Police Department.

The Maritime College walkways and parking areas are under lighting. This includes high intensity sodium vapor lights on buildings, parking lots, and the grounds with landscaping and trees.

There are several outdoor blue-light emergency telephones strategically located throughout the main campus. These are connected directly to the University Police through the wireless radio system.

The College also maintains the Campus Safety Advisory Committee, which reviews safety issues on campus.

### **Protect Yourself and other Members of the Community**

University Police should be notified if there are any defective or missing campus fire protection and safety equipment or any fire extinguisher which has been discharged.

False alarms create a complacent attitude about the alarm system which can result in injury or loss of life in a real fire.

### **Escort Services**

The University Police Department provides escort services from dusk to dawn for the safety of anyone walking alone on the campus at night. Call 718-409-7311 for an escort to or from any campus building or parking lot.

## **EMERGENCY RESPONSE PROCEDURES AND NOTIFICATIONS**

### **Timely Warnings & Emergency Notifications to the Campus Community**

Members of the campus community, including students and employees, who learn of information which may warrant the issuance of a timely warning or an emergency notification should notify University Police at (718) 409-7311, as soon as possible. University Police personnel will *immediately confirm the report*, determine the scope of the emergency, and determine whether the situation falls under the College's emergency notification or timely warning guidelines.

- **Issuance of Emergency Notifications**

The Chief of University Police or designee and other campus senior leadership have the authority to make the decision to issue an emergency notification. An emergency notification will be issued to the campus community immediately upon confirmation of a significant emergency or dangerous situation occurring on campus that involves an immediate or imminent threat to the health or safety of students or employees.

Examples of a significant emergency or dangerous situation include also an outbreak of a serious illness, a tornado, a gas leak, an armed intruder, or a chemical spill.

Safety related issues may include an incident that occurs ON campus that affects the personal safety or security of our college population or an incident that occurs in close proximity to Maritime's campus that may potentially affect the personal safety and security of our college population, including students, faculty, and staff.

Health related issues may include a situation where a member of our population is diagnosed with a serious or life threatening communicable or infectious disease or where there is evidence of bioterrorism.

Chief of Police and the Vice President for Finance and Administration, have the authority to choose the mode of dissemination, the content of the notification, and the intended targets of the notification. Other appropriate representatives of the College are consulted as necessary. These decisions are made on a case-by-case basis taking in account the nature of the situation, the individuals that may be affected, other risk factors, and the totality of the circumstances. Given the size of the campus, notifications are generally distributed to the larger college community.

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief of Police or his/her designee, constitutes a significant emergency or dangerous situation involving an immediate threat to the health

or safety of the university community, an Emergency Mass Notification, or EMN, is written and distributed, *without delay*, to the entire university community using one or many of the campus EMN systems. An emergency mass notification would not be distributed only if it could compromise efforts to contain the emergency. Notification will be sent via Voice and SMS (text) messaging to community members who have opted into the university voice and SMS (text) messaging systems. Sirens/public address messages will be activated to the four towers on campus, and email notification will be sent. All messages will contain a brief description of the incident and precautions to take. Following the immediate notification from any of these systems, the campus community is advised to go to a safe location and monitor <http://www.sunymaritime.edu/> for additional information and instructions.

Generally, emergency notifications will be issued without delay unless doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Chief of Police and the Vice President for Finance and Administration determine whether the notification would compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency, an emergency notification may not be possible. Other appropriate representatives of the College are consulted as necessary. University Police and other campus senior leadership will coordinate for additional notifications that may be necessary to update the campus community about what steps they can take for their safety and to confirm when the campus has returned to normal operation.

- **Issuance of Timely Warning**

Upon receipt of a report of a crime, University Police personnel will immediately confirm the report, determine the scope of the emergency, and determine whether the situation falls under the College's timely warning guidelines. The Chief of University Police or designee determined whether a qualifying Clery crime has been reported. The Chief of University Police or designee have the authority to make the decision to issue a timely warning.

A timely warning will be issued to the campus community immediately upon receipt and confirmation of a report of a Clery crime that pose a *serious or continuing threat* to the campus community and where said Clery crime occurred within the College's Clery geography, whether on or immediately near the campus.

These decisions are made on a case-by-case basis taking in account the nature of the situation, the individuals that may be affected, other risk factors, and the totality of the circumstances. Given the size of the campus, notifications are generally distributed to the larger college community.

University Police may temporarily withhold information where releasing information would compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency. Personally identifiable information is generally excluded from disclosure but may be released in an emergency situation. The Family Educational Rights and Privacy Act (FERPA) recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others.

- **Dissemination of Emergency Information to Larger Community.**

Once college officials determine the type of notification (emergency notification versus timely warning), the content of the notification, and the target audience, *the process of disseminating* the notification to the larger community is the *same* for both emergency notifications and timely warnings.

Timely warnings and emergency notifications may be disseminated using one or a combination of the following communications methods depending upon the situation and what segments of the community will be targeted: RAVE Alert system, email distribution lists, text messages, phone calls, posting to the campus web pages, digital message board notifications, social media posts, audible broadcasts over outdoor public address warning systems, as well as dissemination to the larger community through local and regional news media outlets.

University Police is ultimately responsible for issuing the timely warnings and emergency notifications. University Police may also collaborate with the Office of Communications, Office of Housing & Residential Life, and other campus officials to distribute the timely warnings and emergency notifications.

Under the direction of University Police, the College manages the campus emergency operation plans and publicizes emergency response and evacuation procedures on an annual basis. They are distributed in a manner designed to reach students, faculty and staff through the campus website, online guides for faculty and instructors, detailed policies related to fire alarm evacuation and shelter in place policies located in the SUNY Maritime Campus Handbook, email notifications, emergency preparedness day trainings, tabletop exercises, and publications distributed throughout campus community. A test transmission of both the RAVE and OWS systems is conducted early in both the fall and spring semesters.

***RAVE Alert.***

SUNY Maritime uses the RAVE emergency notification system. RAVE can send alerts through SUNY Maritime email and college social media, as well as cell phones, via text and voice message, phone calls with automated verbal messages, and hard line phone calls.

Everyone with a SUNY Maritime email address has been automatically signed up to receive email notifications. Alerts will be sent to notify the campus community of weather-related delays and closures, and other emergencies that affect most of campus.

University Police is ultimately responsible for issuing the timely warnings and emergency notifications through the RAVE Alert system. University Police strongly encourages all members of the campus community to take advantage of the opportunity to provide multiple contact options. For more information on the College's Rave Alert please visit <http://www.sunymaritime.edu/nyalert>.

***Outdoor Warning System (OWS).***

In addition to RAVE, the College has installed an outdoor public address warning system. The system features two siren towers, with one located on the roof of the Vander Clute Hall and the other situated on the Fort. In the

event of an emergency, and depending on the circumstances, a siren tone may be used to alert the campus community, followed by a loudspeaker message giving information and instructions on how to respond.

University Police is ultimately responsible for issuing the timely warnings and emergency notifications through the Outdoor Warning System. The OWS is another component of the College's comprehensive emergency response plan.

The spring and fall semester tests were successful for siren/PA systems, voice, and text messaging.

### Missing Persons Notification Policy and Procedures

If a student, employee, or other individual has reason to believe that a student who resides on campus is missing, they should immediately notify University Police at 718-409-7311 or dial 911. In compliance with HEA Title IV, Section 485(j) the following notification policy and procedures for students residing in on-campus housing are adhered to by Maritime College and University Police concerning missing persons:

Students who reside in on-campus housing may, but are not required to, identify an individual or individuals who shall be contacted by Maritime College immediately after the student is determined missing by University Police. The College has created a convenient webpage for students to register confidential contact information that will be accessible only to authorized campus officials, and it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

Students who reside in on-campus housing that are non-emancipated and under 18 years of age are advised that a custodial parent or guardian (and any additional contact person(s) designated by the student) will be notified immediately after the student is determined missing in accordance with the procedures herein.

1. When the College receives a missing person report on a student, the report will be forwarded immediately to University Police. Although federal law requires action once a student is missing over 24-hours, New York State Law and department policy require immediate action once credible concern is raised about a potential missing student.
2. If University Police receives a report of a missing student and upon investigation determines that a student has been missing for more than 24 hours, then University Police will do the following:
  - a. Notify all individuals identified by the student to be contacted in this circumstance;
  - b. If the student is under 18 years of age and not emancipated, notify a custodial parent or guardian (and any additional contact person(s) designated by the student); and

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, inform the local law enforcement agency that has jurisdiction in the area.

University Police employs the following procedures any time a student is reported missing:

- ✓ The responding police officer assesses situation based on his or her initial observations and findings.
- ✓ If abduction has occurred, a thorough and aggressive investigation commences immediately. This involves obtaining assistance from several other regional agencies and ensuring that efforts are well coordinated.



- ✓ If abduction is not suspected, officers can take appropriate action to resolve the matter.
- ✓ The initial assessment of a missing student cases includes a host of considerations that are investigated such as the presence of witnesses, whether the student is despondent or mentally/physically disabled, has experienced academic/personal/financial problems, has disappeared before, has a known drug and/or alcohol problem, has received any threats or warnings, has a unique or unusual lifestyle, has a criminal record, has left a note, or whether there have been similar incidents been reported within the area (e.g., attempted abductions, prowlers, suspicious persons).
- ✓ The responding officer, after assessing the initial report details, determines what level of response will be required. If the chance exists that the case is a missing student case (or missing child case), the responding officer will contact a supervisor immediately.
- ✓ University Police will contact college administration to alert them to the case as needed, in accordance with the college emergency management plan, in order to make notification and preparation for appropriate media releases.

- **“Suzanne’s Law” (Missing Persons)**

Signed into law by President George W. Bush as part of the national “Amber Alert” bill, this federal law requires law enforcement to notify the National Crime Information Center (NCIC) any time a person under age 21 is reported missing. Previously police were only required to report missing persons under the age of 18. The law is named after Suzanne Lyall, a 19-year-old State University of New York at Albany student who went missing in March 1998. The law is intended to impel police to initiate prompt investigations of young persons who have gone missing. University Police at Maritime College complies with this law. For further information go to: [www.criminaljustice.ny.gov/missing/aware/campus.htm](http://www.criminaljustice.ny.gov/missing/aware/campus.htm).

### **Emergency Response Planning Team (ERPT)**

The Emergency Response Planning Team (ERPT) is a group of appointed Maritime College administrators and staff who are responsible for making decisions regarding crisis situations that affect Maritime College community members. ERPT follows the National Incident Management Systems’ guidelines created by the Federal Emergency Management Agency as outlined in the college’s Emergency Response Plan. The college’s Plan applies an “All Hazards Approach” to event readiness, response and recovery.

Depending on the seriousness of the crime or condition as determined by ERPT – and in situations that pose an immediate or ongoing threat to the campus community thereby requiring more immediate notification as determined by University Police – ERPT and/or University Police will coordinate with the Office of Communications to determine what information is appropriate to disseminate at different points in time and to provide multiple methods of dissemination of that pertinent information. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole.

The ERPT utilizes the communications methods noted in the “Timely Warnings and Emergency Notifications to the Campus Community” section below. The RAVE Alert system is the primary communications method. The system is tested bi-annually during the fall and spring semester. In addition, multilayered communication

methods may be utilized, including the campus-wide emergency notification system (ENS) and/or outdoor warning system (OWS), Intercom, the College's website home page, and a recorded message at 718-409-7200.

### **Emergency Communications, Preparedness, and Response**

The Emergency Response Planning Team (ERPT) meets to plan and participate in crisis simulations. Crisis response plans and procedures are regularly updated to reflect the latest industry best practices. Debrief meetings are held after all incidents to evaluate the campus's response and provide updates.

As part of the College's overall emergency planning efforts and as a member of the Emergency Response Planning Team (ERPT) at Maritime College, University Police publishes the *Emergency Response Guidelines*, which contains important information on what to do and where to go for instruction and guidance in an emergency. The publication includes policies and protocols related to emergency management, including the following: reporting emergencies; Emergency Notification System (ENS); outdoor warning system; timely warning notifications and public safety alerts; definitions/guidelines for action specific to emergency conditions, evacuation, and sheltering in place; and how and where to sign up for the college's ENS. The *Emergency Response Guidelines*, is available at University Police.

- **Reporting Emergencies**

Timely information sharing is absolutely critical to our success in protecting our community.

For emergency conditions occurring on and immediately surrounding the campus, Maritime College University Police is the best point of contact because we can respond quickest and are available 24 hours a day, seven days a week, year round. When you contact Maritime College University Police, the on-duty dispatcher will initiate contact with appropriate authorities and/or emergency care providers as needed, to include police, fire, or emergency medical responders.

Any dangerous conditions, safety hazards, and unusual/suspicious persons, vehicles, or packages should be reported to the Maritime College University Police by dialing 911 from any Maritime College campus phone or 718-409-7311 from any other phone.

- **Emergency Readiness and Response**

In the event of an emergency situation or condition on campus that requires immediate action for the protection of persons or property, it is important for community members to be familiar with the instructions and guidance provided in our *Emergency Response Guidelines* which can be acquired at the Office of University Police. In particular, it is critical that campus community members understand what actions to take when instructed to either evacuate or shelter, which are outlined below; however, all students, faculty and staff are strongly encouraged to view the *Emergency Response Guidelines* for a more comprehensive and detailed explanation of each:

- **Shelter in Place**

#### What It Means to Shelter in Place

One of the instructions you may be given in an emergency situation is to “shelter in place” due to an imminent or developing dangerous condition. Seeking shelter (going inside) or sheltering (staying inside) means to immediately move to the nearest building and await further instruction. Sheltering in place is used when there is not time to evacuate or when certain conditions may render it unsafe to do so. If you are asked to shelter in place, select a small, interior room if possible, with no or few windows. Stay away from doors and windows and limit movement.

### Why You May Need to Shelter in Place

For emergencies whereby guidelines for shelter in place are appropriate, information will be provided by College authorities via the ENS and/or OWS. It is important to take actions to maximize personal safety by knowing what to do if advised to shelter in place.

### Examples of Conditions That Render Sheltering in Place the Potentially Best Option

- Severe weather (e.g., lightning, tornado, high winds)
- Active shooter/sniper
- Riot or civil disturbance
- Hostage situation
- Road, traffic, and/or transportation shutdown
- Special events/demonstrations
- Influenza pandemic or other infectious disease (i.e., isolating an immediate area and potentially exposed persons)
- Hazardous materials or conditions outdoors (e.g., chemical spill, pipeline rupture)

### Guidelines for Sheltering in Place

Upon receiving a message to shelter in place, remain calm and begin assessing your surroundings. Action steps must be quick and immediate:

- Stop what you are doing right away (i.e., classes, work, and business operations).
- Stop where you are and look for the best accessible space for sheltering. Do not risk exposure by moving to another building whether by foot or by vehicle.
- Select interior room(s) with the fewest windows or vents. If the emergency involves severe weather, choose a location on the lowest floor possible. The room(s) should have adequate space for everyone to be able to sit in. Avoid overcrowding by selecting several rooms if necessary. Large storage closets, utility rooms, and copy and conference rooms without exterior windows work well.
- Avoid selecting a room with mechanical equipment like ventilation blowers or pipes.
- It is ideal to have a hard-wired telephone in the room(s) you select.
- Close and lock all windows, exterior doors, and any other openings to the outside, where possible. If advised there is danger of an explosion, close the window shades, blinds, or curtains.
- Have the phone available if you need to report a life-threatening condition. Be mindful that cellular telephone equipment may be overwhelmed or damaged during an emergency.

- Bring everyone into the room(s). Shut and lock the door(s). Be alert for ENS updates until you are told all is safe or you are told to evacuate. These updates may call for evacuation of specific areas.

#### Sheltering in the Event of an Active Shooter Situation

Without placing yourself in harm's way and when safe to do so:

- Lock and barricade doors
- Turn off lights
- Close blinds
- Block windows
- Turn off radios and computer monitors
- Silence cell phones
- Keep occupants calm, quiet, and out of sight
- Keep yourself out of sight and take adequate cover/protection See Active Shooter section for more information.

#### Supplies for Sheltering in Place

For the workplace, where you may potentially be confined for several hours, the following supplies are suggested:

- Flashlight
- Battery-powered radio
- Emergency Readiness and Response Guide
- Water
- Food (e.g., high-energy foods such as protein or granola bars; packed/prepared foods such as crackers, dry cereals, and canned food)
- Medications (if you use prescription medications, keep a small supply available)

For more information on emergency preparedness, consider the following websites: U.S. Department of Homeland Security at [www.ready.gov](http://www.ready.gov) and [www.dhs.gov/files/prepresprecovery.shtm](http://www.dhs.gov/files/prepresprecovery.shtm) American Red Cross at [www.redcross.org](http://www.redcross.org)

- **Evacuation**

#### What It Means to Evacuate

Evacuate means leave the indicated location (whether it is indoors or outdoors) at once. Evacuation requires all community members to exit a building or area and in some instances the campus. Depending on the situation, evacuation may mean moving offsite but within the vicinity of the campus (such as the opposite side of the street), or moving to a remote location not immediately contiguous to the campus (such as a neighboring facility). Evacuation is more commonly the case in the instance of a fire, for example. One primary factor in determining evacuation (versus sheltering in place) is whether a backup building (emergency shelter) or safe space (secure room) is readily available, and whether evacuation can be facilitated without jeopardizing the life and safety of the masses. However, there may be cases where evacuation is not an option. Rather, circumstances

may arise where there is a campus-wide or community-wide disaster of such magnitude that evacuation is rendered unsafe and sheltering in place is a better option, or even a requirement.

Examples of conditions that render evacuation the potentially best option:

- Severe weather (e.g., flooding, loss of power supply)
- Damage or dangerous conditions posed by the facility rendering it unsafe for occupancy
- Fire
- Explosion
- Chemical spill (isolating an immediate area and potentially exposed persons)
- Loss of utilities/power failure (HVAC)
- Water supply failure
- Radiological and hazmat incidents
- Nuclear attack, bombing, or other assaults by air
- Airborne biological/environmental contaminants present
- Mass casualty events

#### Guidelines for Evacuation

- Elevators should not be used; occupants should exit by way of accessible stairwells.
- Landings and stairwells should be checked for individuals who may need assistance due to a mobility impairment or a disability.
- Evacuation must be timely and orderly; don't stop or stay in the area in order to retrieve personal belongings.
- Move quickly and calmly; if a relocation site is indicated, go there and await further instruction.

If you cannot evacuate, move to the nearest window and signal for help and contact University Police at 718-409-7311.

## **CRIMES OF VIOLENCE**

Any criminal acts committed on campus resulting in serious physical injury or death will be turned over to the NYPD in accordance with our Memorandum of Understanding for investigation. Prosecution will be vigorously pursued.

### **Property Crimes**

The willful destruction or theft of public or private property on campus, and the unauthorized opening or entering of locked or otherwise secured areas of the campus are criminal acts under New York State law and will be dealt with accordingly by the University Police.

### **Hate Crimes**

As required by the Campus Safety Act, Maritime College is required to report hate crimes as part of this Annual Security Report. For this reporting, a hate crime occurs when a person is victimized intentionally because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.

SUNY Maritime College strives to protect all members of the college community by prosecuting bias or hate crimes that occur within the campus jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as race, religion, sexual orientation, gender, gender identity, disability, ethnicity or national origin. 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 (New York State Penal Law Article 485). Copies of the New York State law may be accessed electronically at <http://assembly.state.ny.us/leg/?c1=82&a+81>.

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 the Maritime's Student Code of Conduct disciplinary procedure where possible sanctions include but are not limited to fixed term suspension from the College or from Residence Halls, Expulsion from the Residence Halls, and Expulsion from the College.

- **Procedures to Initiate a Formal Complaint**

If you are a victim of or witness to a hate/bias crime or incident on campus, report it to any or all of the following:

- University Police at (718) 409-7311
- Dean of Students (718) 409-5879
- Commandant of Cadets (718) 409-7442
- Assistant Vice President of Human Resources (718) 409-7302
- Title IX Coordinator (718) 319-1151

An investigation and appropriate adjudication will follow.

### **Sex-related Crimes**

Sexual assault is a crime. Under Article 130 of the New York State Penal Law, it is a sex offense to engage in sexual contact or to engage in sexual intercourse, or sexual abuse by contact without the consent of the victim or where the victim is incapable of giving consent. Criminal sex offenses are classified in degree according to the seriousness of sexual activity, the degree of force used, the age of the victim and the physical and mental capacity of the offender and victim.

See chart below for a list of some of the major sex offenses and their maximum penalties under New York State Law.



Sexual assault is a crime of power, aggression and violence. Terms such as "date rape" and "acquaintance rape" tend to minimize the fact that the act of rape, or any sexual assault, is a serious crime. There is never an excuse or a reason for a person to rape, assault or even touch another person's private parts without consent. The impact on survivors of such an attack can cause severe and lasting physical, mental and emotional damage.

**SEXUAL ASSAULT can be defined as one or more of the following:**

**RAPE (NYS Penal Law section 130.25)** is forcing or coercing someone to have sexual intercourse. Rape most often involves the use of threat of force, violence or immediate and unlawful bodily injury. The perpetrator does not need to use a weapon or produce physical harm; threat of force itself is sufficient to categorize the act as rape.

RAPE also occurs when the victim is incapable of giving legal consent because the victim is:

- a. less than 17 years of age;
- b. mentally incapacitated;
- c. physically helpless, including drug or alcohol consumption;
- d. mentally "incompetent";
- e. asleep.
- Rape 3<sup>rd</sup> degree is a class A felony
- Rape 2<sup>nd</sup> degree is a class D felony
- Rape 1<sup>st</sup> degree is a class B felony

**CRIMINAL SEXUAL ACT (section 130.40)** - same definition as rape but engages in anal or oral sexual conduct.

- Criminal Sexual Act 3<sup>rd</sup> is a class E felony
- Criminal Sexual Act 2<sup>nd</sup> is a class D felony
- Criminal Sexual Act 1<sup>st</sup> is a class B felony

**ACQUAINTANCE RAPE (or DATE RAPE)** is sexual intercourse undertaken by a friend, date or acquaintance without consent. Acquaintance Rape includes sexual intercourse that occurs through force, as a result of threats, physical restraint or physical violence, or without consent.

**SEXUAL ABUSE (section 130.55)** is forcing or coercing a man or woman to engage in any sexual contact other than intercourse under the circumstances mentioned above.

- Sexual Abuse 3<sup>rd</sup> is a class B misdemeanor
- Sexual Abuse 2<sup>nd</sup> is a class A misdemeanor
- Sexual Abuse 1<sup>st</sup> is a class D felony

**PREDATORY SEXUAL ASSAULT** is committing rape, criminal sexual act, aggravated sexual abuse or sexual conduct against a child in the first degree.

- Predatory Sexual Assault is a class A-II felony

PREDATORY SEXUAL ASSAULT and the victim is less than 13yrs old.

- Predatory Sexual Act against a child is a class A-II felony

SEXUAL HARASSMENT is defined as unwelcome sexual advances, request for sexual favors, or other sexually degrading verbal or physical conduct.

FORCIBLE TOUCHING (section 130.52)-squeezing, pinching or grabbing the sexual or other intimate parts of another person.

- Forcible touching is a class A misdemeanor

SEXUAL MISCONDUCT (section 130.20) is engaging in sexual intercourse without consent, including oral or anal sexual conduct.

- Sexual misconduct is a class A misdemeanor.

STALKING is when he or she intentionally engages in conduct directed at a specific person that is likely to cause reasonable fear.

- Stalking 4<sup>th</sup> degree is a class B misdemeanor
- Stalking 3<sup>rd</sup> degree is a class A misdemeanor
- Stalking 2<sup>nd</sup> degree is a class E Felony
- Stalking 1<sup>st</sup> degree is a class D felony

DOMESTIC VIOLENCE occurs when an intimate partner, family, or household member commits or attempts to commit:

- Harassment 1<sup>st</sup> and 2<sup>nd</sup> degree- (section 240.25 and 240.26) means to intentionally to harass, annoy or alarm another person.
  - Harassment 1<sup>st</sup> degree is a class B misdemeanor
  - Harassment 2<sup>nd</sup> degree is a violation
- Aggravated harassment 2<sup>nd</sup>- is to convene a form of communication which serves no legitimate purpose or to harass as a hate crime.
  - Aggravated harassment is a class A misdemeanor.
- Stalking 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> degrees (section 120.00). See prior classifications
- Criminal Mischief (section 145.00) is to intentionally damage another's property
  - Criminal Mischief 1<sup>st</sup> is a class B felony
  - Criminal Mischief 2<sup>nd</sup> is a class D felony
  - Criminal Mischief 3<sup>rd</sup> is a class E felony
  - Criminal Mischief 4<sup>th</sup> is a class A misdemeanor

- Menacing (section 120.00) is to intentionally places or attempts to place another person in fear of death for serious physical injury.
  - Menacing 2<sup>nd</sup> is a class A misdemeanor
  - Menacing 3<sup>rd</sup> is a class B misdemeanor
- Reckless Endangerment (section 120.20) is engaging in conduct creating a substantial risk of serious physical injury to another.
  - Reckless Endangerment 1<sup>st</sup> is a class D felony
  - Reckless Endangerment 2<sup>nd</sup> is a class A misdemeanor
- Assault (section 120.00) is recklessly or intentionally causing physical injury to another
  - Assault 2<sup>nd</sup> is a class D felony
  - Assault 3<sup>rd</sup> is a class A misdemeanor
- Sexual Misconduct (section 130.20)- see prior definitions
- Forcible Touching (section 130.52)- see prior definitions
- Sexual Abuse (section 130.55)- see prior definitions

• **Sex-related Crimes & Criminal Sanctions Under New York State Penal and Criminal Procedure Laws**

Crime	Illegal Conduct	Criminal Sanctions
<u>Rape in the first degree (PL § 130.35)</u>	A person is guilty when he or she engages in sexual intercourse with another person by forcible compulsion, with a person who is incapable of consent by reason of being physically helpless (e.g. being asleep, unconscious or due to alcohol or drug consumption), who is less than 11 years old or less than 13 and the actor is 18 or older.	Is a class B felony, with penalties up to 25 years in prison.
<u>Rape in the second degree (PL § 130.30)</u>	A person is guilty when being 18 years old or more, he or she engages in sexual intercourse with another person less than 15, or with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated	Is a class D felony, with penalties up to 7 years in prison.

<b>Crime</b>	<b>Illegal Conduct</b>	<b>Criminal Sanctions</b>
<u>Criminal sexual act in the first degree (PL § 130.50)</u>	A person is guilty when he or she engages in oral sexual contact or anal sexual contact with another person by forcible compulsion, or with someone who is incapable of consent by reason of being physically helpless, or with someone less than 11 or with someone less than 13 and the actor is 18 or older.	Is a class B felony, with penalties up to 25 years in prison.
<u>Forcible touching (PL § 130.52)</u>	A person is guilty when he or she 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	Is a class A misdemeanor, with penalties up to 1 year in jail.
<u>Sexual abuse in the first degree (PL § 130.65)</u>	A person is guilty when he or she subjects another person to sexual contact: by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the person is less than 11 years old.	Is a class D felony, with penalties up to 7 years in prison.
<u>Aggravated sexual abuse in the first degree (PL § 130.70)</u>	A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11.	Is a class B felony, with penalties up to 25 years in prison.
<u>Aggravated sexual abuse in the third degree (PL § 130.66)</u>	A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11.	Is a class D felony, with penalties up to 7 years in prison.
<u>Facilitating a sex offense with a controlled substance (PL § 130.90)</u>	A person is guilty when he or she knowingly and unlawfully possesses a controlled substance or any substance that requires a prescription to obtain to another person, without such person's consent and with intent to commit against such person conduct constituting a felony, and commits or attempts to commit such conduct constituting a felony defined in Article 30.	Is a class D felony, with penalties up to 7 years in prison.

## Penalty & Sentencing

<b>PENALTY CLASSIFICATION</b>	<b>SENTENCE/FINE</b>
Class A-I Felony	15 yrs to life in prison/\$100,000 fine
Class A-II Felony	10 yrs to life in prison/\$50,000 fine
Class B Felony	5 yrs-25yrs / \$30,000 fine
Class C Felony	3 ½ yrs – 15 yrs / \$15,000 fine
Class D Felony	2 yrs – 7 yrs
Class E Felony	1 ½ yrs – 4 yrs
Class A Misdemeanor	Max of 1 year / \$1,000 fine
Class B Misdemeanor	Max of 3 months / \$500 fine

## Sex Offender Community Notification

Consistent with Federal law (Campus Sex Crimes Prevention Act of 2000) and New York State's amendment (2002) to Megan's Law, "the names and other relevant data related to registered sex offenders who are employed by, enrolled at or attending the College is available through the office of the Maritime College University Police. The New York State Division of Criminal Justice Services (DCJS) provides this information to the College. The information can be viewed by stopping in and requesting such information at the University Police Department.

Sex offender registry information is available for the College and the surrounding area by accessing <http://www.criminaljustice.ny.gov/nsor/> on the Internet and entering the College's address and zip code. (6 Pennyfield Avenue, Throggs Neck, NY, 10465)

## CRIMES OF VIOLENCE AGAINST WOMEN

The Violence Against Women Reauthorization Act of 2013 ("VAWA"), added additional categories of crimes to the Clery Act that SUNY's schools are now required to report. SUNY Maritime College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking.

### **Domestic Violence**

"Domestic violence" includes felony or misdemeanor crimes of violence committed by an intimate partner or former intimate partner of the victim.

Intimate partner includes persons legally married to one another, persons formerly married to one another, persons who have a child in common, regardless of whether such persons are married or have lived together any time, couples who live together or have lived together, or persons who are dating or who have dated in the past, including same sex couples.

New York State has multiple laws addressing domestic violence, and the definition is broad. Generally, domestic and intimate partner violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic and intimate partner violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

### **Dating Violence**

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Like domestic violence, dating violence includes a pattern of abusive behavior that one person intentionally uses to gain or maintain power and control over another person. Dating violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

The length of the relationship, the type of relationship and the frequency of contact, whether in person or by other forms of communication, are factors that help determine whether a dating relationship exists.

### **Stalking**

"Stalking" is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear or emotional distress.

Stalking generally refers to repeated behaviors that harass or threaten the victim, such as following a person, appearing at a person's home or place of business, making repeated and/or harassing calls, leaving written messages or objects, or contacting someone repeatedly via electronic means (i.e. the internet or text messaging).

Unlike other crimes, which normally consist of a single illegal act, stalking is a series of actions that, when taken individually, may be perfectly legal. For instance, sending a birthday card or flowers or standing across the street from someone's house is not a crime. When these actions are part of a course of conduct that would cause a reasonable person to be afraid or to feel emotional distress, they are illegal.

- Who is a perpetrator?



Many people think that sexual assaults are only perpetrated by vicious strangers on dark, deserted streets. Data from the Bureau of Justice Statistics' National Crime Victimization Survey (2015) indicates that around 78 percent of all people who have been raped know their perpetrator(s). This is called "date rape" or "acquaintance rape." "Date rape" is not a legally distinct or lesser category of rape. It refers to a relationship and situational context in which rape occurs on a date. Rape or any sexual offense, whether on a date or not, is the same criminal offense involving the same elements of force, exploited helplessness or underage participation. With sexual assaults where the victim knows the perpetrator, alcohol use is often involved on the part of either the victim or the perpetrator. However, a sexual assault is still a crime regardless of the intoxication of the perpetrator or the victim.

- Who is a victim?

Anyone can be a victim, regardless of sex, gender, age, race, sexual orientation, religion, ethnicity, class or national origin. Though women and girls are primary targets of these crimes, men and boys are sexually victimized too, and have been found to suffer the same aftermath as women. Regardless of whether the victim was abusing alcohol and/or underage, she or he is still the victim of the sex offense.

- When is there lack of consent?

Under New York law, lack of consent to a sexual contact may be demonstrated in the following ways: (1) forcible compulsion including the use of physical force or threat (express or implied) which places the person in fear of physical injury to self or another; (2) incapacity to consent on the part of the victim; (3) circumstances in which the victim does not expressly or impliedly acquiesce in the actor's conduct; or (4) circumstances in which the victim clearly expressed by words or actions that he or she did not consent to engage in such sexual act and a reasonable person would have understood such person's words or actions as an expression of lack of consent to such conduct.

A person is deemed incapable of giving consent if she/he is (a) under the age of 17, (b) mentally incapacitated (which may include incapacity due to the victim's ingestion of alcohol or drugs), (c) physically disabled or (d) physically helpless (asleep, unconscious or for any other reason physically unable to communicate unwillingness to act, which may also include incapacity due to the victim's ingestion of alcohol or drugs).

- Who is responsible for a sexual attack?

In the absence of consent, the attacker is *always* responsible for having committed the sexual assault regardless of the victim's appearance, behavior, or conduct on previous occasions. An attacker cannot assume that the way a person dresses or acts is an invitation for sexual advances. A person may welcome some forms of sexual contact and be opposed to others. The more impaired a person is from alcohol or drugs, the less likely she/he can give consent; having sex with someone who is "passed out" or sleeping is rape. And regardless of previous sexual activity, if someone refuses sexual contact, the failure to respect that limit constitutes non-consensual sex.

## **CRIME PREVENTION AND SECURITY AWARENESS ACTIVITIES**

Members of the campus community are urged to secure their valuables and be aware of their surroundings. To assist in this endeavor, University Police staff, Student Affairs, and Health Services staff conduct educational programs. A variety of topics are available. Information on safety and security is provided upon request to students and employees via seminars, videos, crime alerts, posters, brochures and college publications.

During the new student orientation and indoctrination period each semester, University Police Department, Office of the Commandant, the Title IX Coordinator, Office of Student Affairs, and any other appropriate officers provide training to the students on the following topics: sexual assault, fire safety, reporting of fires and building evacuations, hate/bias related crimes, alcohol and drug abuse, domestic violence/stalking, and other personal safety topics. Students are also informed of the personal safety services available on campus, mental health services, and emergency medical services.

A variety of security measures are employed in the college's residence halls. These include a 24-hour locked door policy, key access systems, a phone system and for monitoring student safety within the residence halls at night. Security systems at off-campus residences which are not owned by the college vary considerably. Be sure to obtain complete information from the landlord concerning locking systems, fire detection and/or suppression systems, and any other security services which may be available. For security systems to be effective, the cooperation of all students is necessary.

### **Safety Education.**

SUNY Maritime College strongly encourages the campus community to take full advantage of the safety programs and initiatives designed to increase awareness and to protect your person and property.

- **EverFi**

Maritime College contracted with EverFi to provide online training to incoming undergraduate and graduate students. Sexual Assault Prevention for Undergraduates and Sexual Assault Prevention for Graduate Students are online programs that address issues of sexual assault, relationship violence, stalking, and sexual harassment. In addition, EverFi offers AlcoholEdu for incoming students and sanctions version of AlcoholEdu. AlcoholEdu is an interactive, online program designed to inform students about how alcohol affects the body, mind, perceptions, and behaviors.

- **RAD**

The College also offers an elective physical education course open to all female students called RAD (Rape Aggression Defense) which teaches defensive techniques for women against sexual assaults.

- **Active Shooter**

Active Shooter Awareness teaches strategies for dealing with an active shooter on campus, before and after police arrive on the scene.

- **Operation Identification**

Engraving your property means that it will more likely find its way back to you, should it be lost or stolen. Through the Operation ID program, University Police and other law-enforcement agencies can return recovered personal property. You'll be assigned a lifetime personal identification number, which you then engrave—using equipment loaned to you by University Police—on valuable possessions. The Operation ID program is recognized throughout the United States and Canada, so any marked item recovered within those boundaries can be traced to its owner. Your participation in this program continues indefinitely, and you can engrave your ID number on possessions you acquire after you leave Maritime.

Anything worth keeping is worth engraving. Clothing and other non-engrable items can be labeled with a laundry marker. Marking your property can also be a deterrent. For the thief, marked property is harder to fence, generally brings a lower price, and is too easily traced to the rightful owner. Report to University Police 0800 to 1600, Monday to Friday, and register in the Operation ID program. University Police can lend you an engraving tool, and answer questions you have regarding Operation ID or other crime prevention-related matters. The program is open to all Maritime community members at no charge.

- **Campus Security Authority Training**

Annually, University Police notifies student and staff Campus Security Authorities (CSAs) of their responsibilities under the Clery Act to make crime reports and provides resources to assist CSAs in carrying out these duties. The College also provides an online training module for CSAs to better understand the purpose of the Clery Act and their role in crime reporting through an online training program.

- **Fire Safety and Evacuation Training**

The College conducts emergency preparedness training for students and staff, and those that would be assisting and/or responding to an incident. Educational efforts include distribution of a fire safety brochure entitled “Campus Fire Safety Bulletin” on bulletin boards. RAs and RDs receive fire safety training during their annual training week prior to the beginning of the fall semester.

### **General Safety Tips**

The safety of members of the college community is of vital concern to the University Police Department. While Maritime is a relatively safe place, crimes do occur both on and off campus. Students must actively accept responsibility for doing their part to maintain a safe environment. Here are some steps you can take to keep yourself as safe as possible, both in your off-campus residence and when you are on campus:

**Know the residence hall security policy.** If you take any action that could undermine the security of a residence hall or its occupants, you will be violating college policy and may be banned from the residence hall system. Security violations include, but are not limited to, borrowing keys, allowing other persons who are not the specifically invited guests of a resident to enter a residence hall, propping doors open, committing acts of vandalism which jeopardize building security and tampering with security devices.

**Do not prop doors open.** Propped doors are an open invitation to unauthorized persons, some of whom may enter buildings for the purpose of committing crimes. If you see a propped door anywhere on campus, close it.

**Never lend your key or identification card to anyone else.** Non-students, even your friends, may lack concern for the security of the campus.

**Lock the door to your residence hall room at all times.** Locking your door, wherever you reside, is an effective way to reduce theft and enhance personal safety.

**Be careful about leaving windows open in first floor residence.** Theft can occur through open windows. Balcony doors on upper floors should also be secured. Before leaving for breaks, make sure that all windows are closed and locked.

**Report all security-related maintenance problems.** Locks, doors, windows, and lights that are in need of repair or replacement or shrubbery in need of trimming should be reported to your Residence Hall Director or RA immediately. If you should notice any such security-related maintenance problems while on campus, call University Police at 718-409-7311, on campus x7311.

**Contact the appropriate local police agency (on campus call university police x7311) if you receive an obscene or harassing phone call.** Harassing calls should be reported immediately. The police will investigate these incidents and, as patterns develop, work closely with the telephone company to apprehend offenders.

**Attend security programs.** Learn more about protecting yourself. University Police conducts frequent programs which promote crime-resistance skills. For information on specific topics, call University Police at 718-409-7311.

**Be aware of campus crime trends.** Read and make note of any offenses which have been reported on campus or in the vicinity of your residence.

**Report suspicious activity to the police immediately.** If you are on campus, use one of the **"BLUE LIGHT"** emergency telephones to contact University Police or call x7311. If you are off campus, call the local police. Individuals who do not have legitimate reasons for being on campus or in a college building and who refuse to comply with a request to leave may be subject to arrest under the criminal trespass penal code of New York State.

### **Security Around Campus**

**Be Alert.** Your safety depends mostly on your own attitude and actions.

**Avoid walking alone at night.** If you have a night class, make arrangements to walk back and forth with several other class members or with fellow residents who may have classes in nearby buildings. If you absolutely must travel alone at night, be sure to stay on well-traveled and well-lit paths and sidewalks. The campus has installed emergency telephones to provide rapid communication to University Police. Outdoor telephones have blue lights above them. If you need assistance or wish to report a crime, simply use the device.

**Protect your personal property.** The University Police Department provides engraving equipment to identify your valuables. You may call x7311 to arrange to borrow an engraver. In addition, you should make a record of any valuable property which has unique serial numbers, such as computer, stereo or television equipment. Marking and recording your property in this way will aid in recovery in case of loss or theft. University Police

can advise you on securing your bike and will help you select a sturdy lock. Bikes properly secured with good locks are rarely stolen. Park your car in a well-lit area and keep it locked at all times. Don't leave valuables where they can be seen in your vehicle; lock them in your trunk. The college assumes no responsibility for loss of or damage to personal property.

**Report crime.** Report any on-campus criminal act to University Police immediately at x7311. The University Police officers are law enforcement officers of the State of New York and have full investigative and arrest authority on the campus and contiguous streets and highways. They work closely with federal, state, county and municipal law enforcement agencies. All crimes reported to University Police are documented and crime statistics are submitted to the FBI. These crime statistics along with a three-year summary of selected arrest statistics are included in this report. Timely notice of crimes which may be of interest to the members of the college community is provided through the college news releases and Crime Alerts. This information is intended to aid in the prevention of similar occurrences and to reinforce the fact that students must assume the responsibility for their own security and the security of others.

Victims of sexual crimes can receive confidential assistance from Counseling/Health/Wellness Center. Please be aware that many sexual assaults/rapes involving college students are "acquaintance rapes" or "date rapes." Victims of on-campus crimes have the right to choose counseling, medical treatment, prosecution and reporting of their case, through the college judicial system and/or the off campus court system, as well as the right to refuse all of the above without reproach from any college personnel. For more information see the SUNY Maritime Student Handbook, Article 27 – Sexual Misconduct and Violence Reporting, Policies and Response.

### **Weapons on Campus**

Firearms, ammunition, knives, and dangerous weapons of any type are not allowed at Maritime College at any time. This regulation is in compliance with NYS Law, covered under Section 265 of the Penal Law and regulations passed by the NYS Legislature. Firearms include, but are not limited to, any pistol, revolver, shotgun, or rifle. Knives and dangerous weapons include, but are not limited to, illegal knives, num-chuks, stun-guns, and billy clubs. *No more than two pocket knives, (not exceeding a three inch blade), are permitted; however, these may be confiscated by authorized College officials if deemed necessary.*

The College also considers air guns, paintball guns, B-B guns, and sling shots to be dangerous, and they are prohibited. This article is inclusive of all instruments banned under Sections 265 of the NYS Penal Law. Offenders will be subject to campus disciplinary action and/or criminal prosecution and liable to civil prosecution.

## **REPORTING INCIDENTS OF SEXUAL HARASSMENT, INCLUDING SEXUAL ASSAULT AND SEXUAL MISCONDUCT, STALKING AND DATING/INTIMATE PARTNER/DOMESTIC VIOLENCE, TITLE IX.**

### **Title IX**

Title IX is the federal anti-discrimination law that states: "No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal aid." (Title IX 1972 Education Amendments).

Title IX bans discrimination throughout our University and campus community in all programs and activities including, but not limited to, academic and athletic programs, financial aid and student records and accounts, health and counseling services, and housing and residence life programs.

Title IX also prohibits sexual harassment, including sexual violence, which is a crime. Additional Title IX information and contacts may be found at the following link: <http://www.sunymaritime.edu/TitleIX>.

### **Policy, Prevention and Reporting of Sex Offenses**

The State University of New York Maritime College is committed to maintaining an environment in which students, faculty, staff and visitors can work together free from all forms of harassment, exploitation and intimidation. Sexual harassment is any unwanted verbal or physical sexual advance or sexually-explicit derogatory statement made by someone in the classroom or workplace that is offensive or that causes the recipient discomfort or humiliation or that interferes with the recipient's education or job performance.

Sexual harassment is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 and of the State University of New York Maritime College campus policy. The College strongly prohibits sexual harassment in any form, sexual assault, rape and any other conduct that constitutes a criminal offense. The College will take action as needed to discourage, prevent and correct any behavior that violates this standard of conduct. More information for students regarding sexual misconduct and violence reporting can be found in the Discrimination and Sexual Violence Policy available at the following link: <http://www.sunymaritime.edu/TitleIX>

Amendments to sections 6431 and 6432 of the NYS Education Law went into effect on April 7, 2009. These amendments require campuses, including SUNY colleges and universities, to provide incoming students with information about domestic violence and stalking prevention, in addition to the already required information regarding sexual assault.

### **Information and Assistance**

If you believe you have been a victim of sexual assault, sexual violence, dating violence, domestic violence, and/or stalking, you may choose to seek support from University Police Department, the Title IX Coordinator, your RA, or Residence Hall Director, and other Campus Security Authorities. These individuals can assist you in notifying law enforcement authorities if so you choose. If you are in continuing danger, call University Police immediately at 718-409-7311.



If you believe you have been sexually assaulted in any way, you should seek assistance. If you are in continuing danger, call University Police immediately at x7311. It is important not to destroy any physical evidence that might be present. If there is any possibility that you will report the crime, you don't want to destroy the evidence. You may choose to seek support from the Title IX Coordinator, your RA, Residence Hall Director, or you may wish to contact the **NYS Domestic and Sexual Violence Unit**, which maintains a 24/7 Hotline, at 1-800-942-6906. A hotline worker will guide you through your choices, which include seeking medical attention, reporting the crime, and finding a safe place to spend the night. The hotline worker is also a trained rape crisis and relationship violence counselor who can help you through this time. Additional resources are listed online via <http://www.sunymaritime.edu/TitleIX>.

University Police is available to assist you as well. University Police Officers have your well-being as their primary concern. They have been trained to treat you with respect and sensitivity. The officer will ensure that you are promptly taken to a physician for medical care and, if appropriate, for collection of evidence. At your request, University Police will contact a victim advocate to provide immediate support and advocacy. If you wish to file charges, University Police will assist you. You have the option of reporting the crime to the local police and assistance in this matter will be provided at your request.

### **Discrimination Complaint**

Maritime College has adopted a complaint procedure, outlined in the State University of New York Discrimination Complaint Procedures, for the prompt and equitable investigation and resolution of allegations of unlawful discrimination on the basis of race, color, national origin, religion, creed, age, sex, sexual orientation, disability, gender identity, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Harassment is one form of unlawful discrimination on the basis of the above protected categories.

The College will take steps to prevent discrimination and harassment, to prevent the recurrence of discrimination and harassment, and to remedy its discriminatory effects on the victim(s) and others, if appropriate. Sex discrimination includes sexual harassment and sexual violence. Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure is strictly prohibited and may result in disciplinary action.

This procedure may be used by any student or employee of SUNY Maritime College, as well as third-parties who are participating in a SUNY Maritime sponsored program or affiliated activity. Employee grievance procedures established through negotiated contracts, academic grievance review committees, student disciplinary grievance boards, and any other procedures defined by contract will continue to operate as before.

Furthermore, this procedure does not in any way deprive a complainant of the right to file with outside enforcement agencies, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office for Civil Rights of the United States Department of Education, and the Office of Federal Contract Compliance of the United States Department of Labor. However, after filing with one of these outside enforcement agencies, or upon the initiation of litigation, the complaint will be referred to the campus Affirmative Action Officer, or in the case of sex discrimination, the Title IX Coordinator

(hereinafter “AAO” will refer to both the Affirmative Action Officer and Title IX Coordinator), for investigation with the Office of General Counsel.

**More detailed information may be obtained by contacting:**

Department	Phone Number
AVP of Human Resources	(718) 409-7302
Title IX Coordinator	(718) 319-1151
Affirmative Action Officer	(718) 409-7328

## Confidentiality and Privacy

### • What is the difference between Confidentiality and Privacy?

Confidentiality and privacy are uniquely different. Confidentiality is limited to individuals who, by law, can keep information confidential (i.e., licensed counselors, medical professionals). Information communicated to other college professionals (i.e., the Title IX Coordinator, all faculty members, and most staff members), will be kept private, but not confidential, and is shared only with College employees who need to be involved in responding to or addressing a report. Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without express permission of the individual or as otherwise permitted or required by law. Maritime College is committed to protecting the confidentiality of Reporting Individuals, and will work closely with Reporting Individuals to obtain confidential assistance regarding any incident of prohibited conduct as outlined in the Discrimination and Sexual Violence Policy and the Discrimination and Sexual Violence Policy. Privacy means that information related to a report of prohibited conduct will only be shared with those College employees who “need to know” in order to assist in the active review, investigation, or resolution of the report, including the issuance of interim measures. Maritime College will determine which employees have a legitimate need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA) and will share information accordingly. Maritime College will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored. Even Maritime College offices and employees who cannot guarantee confidentiality will maintain privacy to the greatest extent possible.

Maritime College may notify the parents or guardians of any dependent students who are Respondents regarding conduct charges or sanctions, particularly disciplinary probation, loss of housing, suspension and dismissal.

### • Confidential Reporting to the College- Privileged and Confidential Reporting

As articulated below in “Reporting to the College: Privileged and Confidential Reporting,” a victim may confidentially disclose an incident of sexual assault, sexual violence, domestic violence, dating violence, and/or

stalking to designated college officials. These college officials by law may maintain confidentiality, and can assist in obtaining services. These college officials have an obligation to share with the Title IX Coordinator anonymized aggregate data, which may include the nature, date, time, and general location of an incident. This aggregate data will be used to assess any climate issues and will be included in the annual safety and security report.

<b>Department</b>	<b>Phone Number</b>
Mental Health Counselor	(718) 409-3916
Maritime College Health Services	(718) 409-7347
Director of Campus Ministries	(917) 601-3421

• **Private Reporting to the College- Private, Limited Confidential Reporting**

As articulated below in “Reporting to the College: Private, Limited Confidential Reporting,” a victim is ensured privacy when they disclose an incident of sexual assault, sexual violence, domestic violence, dating violence, and/or stalking to College officials. College officials who are not considered private and confidential resources have an obligation to share disclosures with the Title IX Coordinator. However, they will take necessary measures to preserve your privacy and confidentiality and disclose information on a “need to know” basis.

<b>Department</b>	<b>Phone Number</b>
Title IX Coordinator	(718) 319-1151
Commandant of Cadets	(718) 409 7442
Deputy Commandant of Cadets	(718) 319-1144
Head Women’s Soccer Coach	(718) 409-7336
Housing Area Coordinator	(718) 409-5566
Director of Housing & Residential Life	(718) 409-7452
Maritime College University Police*	(718) 409-7311
AVP of Human Resources	(718) 409-7302

• **Requesting Confidentiality from the College**

The Title IX Coordinator may seek consent from the Reporting Individual prior to commencing an investigation. A Reporting Individual may disclose an incident but wish to maintain confidentiality or they may not consent to Maritime’s request to initiate an investigation. Further, a

Reporting Individual may change their mind about participating in an investigation or a judicial or disciplinary

proceeding at any time. The Title IX Coordinator must weigh any request for confidentiality against Maritime's obligation to provide a safe, non-discriminatory environment for all members of our community, including the Reporting Individual.

Should a Reporting Individual request confidentiality, decline consent to investigate, or choose not to participate, the Title IX Coordinator will assess whether or not to honor that request and determine appropriate next steps based on the totality of the circumstances. In balancing the Reporting Individual's request to maintain confidentiality against the risk of harm and Maritime's obligations under the law, the Title IX Coordinator will consider a variety of factors including but not limited to:

- Whether the Reporting Individual provided sufficient information to afford the Accused Individual due process (date, time, location, details of incident, parties involved);
- Whether the Accused Individual has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking, the increased risk that the accused will commit additional acts of violence;
- Whether the Accused Individual used a weapon or force;
- Whether the Reporting Individual is a minor; and,
- Whether Maritime College possesses other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

Maritime College will generally honor requests for confidentiality. Honoring these requests may limit Maritime's ability to meaningfully investigate and pursue conduct action against an Accused Individual. Coordinators may proceed with an investigation absent the Reporting Individual's consent where further action is needed to adequately mitigate the risk of harm to the Reporting Individual or to other members of the Maritime College community. If Maritime College determines that it must move forward with an investigation, the Reporting Individual will be notified and Maritime College will take immediate action as necessary to protect and assist them.

- **Requesting Confidentiality from University Police**

Victims and witnesses can report crime on a voluntary, confidential basis to the University Police Department at 718-409-7311. Individuals should request to speak directly to University Police Supervisory Staff and specify that they would like to make a "Confidential Report." The Reporting Individual should specify whether they want to move forward with a criminal investigations and/or the College's administrative Title IX investigation. Reports of this nature are filed with the University Police Department for informational purposes, but there is no formal *criminal* investigation of the incident unless there is a request to do so. The Confidential Report may be redacted as necessary. Note that this is not a true confidential report, as the Title IX Coordinator and other college officials may be consulted.

- **Confidentiality and FERPA**

The Family Educational Rights & Privacy Act (FERPA), also known as the Buckley Amendment, grants certain

rights, privileges and protection related to students' educational records maintained by the college. Students' educational records maintained by the college will NOT be released to third parties (including parents) outside of the College, except with written consent of the student. FERPA rights began when the student is accepted, even if they are a minor. For more information on FERPA, and Maritime College specific policies on student records, please contact the Office of the Registrar. Additionally, the College and its faculty/staff will not discuss matters related to a student with a third party without the prior authorization and consent of the student. The Family Educational Rights and Privacy Act (FERPA) afford students certain rights with respect to their education records.

***Disclosures under FERPA without Consent.***

FERPA permits College employees to have access to student education records in which they have "legitimate educational interest." Such access does not require prior written consent of the student. Legitimate educational interest is necessary for employees to carry out their responsibilities in support of Maritime's educational mission and a "need to know" that is essential to carrying out essential responsibilities related to education.

FERPA also permits College officials to disclose information without consent to appropriate parties in a health or safety emergency in order to protect the student or others.

- **Confidentiality and Disclosure of Data for Clery**

When statistics are compiled and disclosed in the Annual Security Report, Maritime College takes necessary steps to protect the confidentiality and privacy of victims. The statistics reflected in the Annual Security Report do not include any personally identifiable information and represent anonymized, aggregate data.

- **Confidentiality and Emergency Notifications and Timely Warnings**

University Police is not required to provide a timely warning for non-Clery Act crimes or for crimes reported to on-campus confidential resources (i.e. privileged, confidential reporting to Health Services, Mental Health Counselor, or Campus Ministries). Under certain circumstances, the College may include personally identifiable information in a timely warning and/or an emergency notification. Although personally identifiable information is generally protected from disclosure under FERPA, such information may be released in an emergency situation. When crimes are reported to University Police, the College keeps accurate records of the number of incidents occurring on and near the campus, determines where there is a pattern of crime with regard to a particular location, method, or perpetrator, and alerts the campus community to potential danger and actions for safeguarding against same.

**Confidentiality of Accommodations or Protective Measures**

All accommodations or interim measures will be treated as confidential to the extent possible without impairing implementation. Maritime College will determine which employees have a legitimate need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA) and will share information accordingly.

### Reporting an Incident: Private and Confidential Reporting

Victims of sexual assault, sexual violence, domestic violence, dating violence, and/or stalking who are in immediate danger, should get to a safe place and call **University Police** immediately at **718-409-7311**.

University Police is available 24 hours a day.

Victims of sexual assault, should take the appropriate steps to preserve evidence:

- Don't bathe or brush your teeth, drink, or smoke before evidence collection.
- If you have already changed your clothes, place them in a paper bag (NOT plastic) to preserve them.
- To collect evidence, ask the hospital to conduct a rape kit exam. If you suspect that you may have been drugged, ask for a urine sample to be collected and try not to urinate before the sample is collected.

As per Title IX of the Federal Office of Civil Rights with the Reporting Individual's consent University Police will report sexual assault, sexual violence, domestic violence, dating violence, and/or stalking to the Title IX Coordinator who will then do a separate investigation. If a Reporting Individual declines to consent to an investigation, Maritime College will honor that decision unless failure to act does not adequately mitigate the risk of harm to the complainant or other members of the Maritime College community.

In all cases of sexual assault, sexual violence, domestic violence, dating violence, and/or stalking, regardless if the victim is a student, faculty, staff, visitor, or a third party, *victims will be provided with a written copy of our Title IX Grievance Policy and Discrimination and Sexual Violence Policy*, which includes the following information:

- Options for medical care, advocacy, support, and university offered interim measures and accommodations. Available on campus and off campus resources, which includes counseling, legal assistance, victim financial assistance.
- Information regarding confidentiality and privacy.
- Options for confidential reporting, reporting to the local and/or state police, confidential reports to University Police, and private, limited confidential reporting with a university official.
- The rights described in the Students' Bill of Rights generally apply to all victims.
- Information regarding disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking. An explanation of the investigative process, the disciplinary process, and possible sanctions as it relates to alleged dating violence, domestic violence, sexual assault, or stalking.
- Information regarding the standards of proof and evidence for the criminal process and internal procedures. Victims will be provided with the above written materials regardless of the reporting option that they select or if they choose not to move forward with a report.

Victims may also be provided with a written copy of the Student Handbook, the Students' Bill of Rights, the EAP Pamphlet (if applicable), New York State Office for the Prevention of Domestic Violence materials, New York State Office of Victim Services materials, New York State Victims Compensation



Board materials, and additional written resources.

Individuals are encouraged to report all incidents of sexual assault, sexual violence, domestic violence, dating violence, and/or stalking to the police or a member of the University in order to receive help in accessing support services and in referring the perpetrator, if a student, to the on-campus student conduct system. The decision to report must be made by the victim and shall be respected by all members of the College. Reports will be investigated in accordance with Maritime College's policy.

The College will take reasonable measures to maintain the privacy rights of the Reporting Individual if they wish to maintain privacy. In accordance with the Maritime's Student's Bill of Rights, Reporting Individuals have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below.

- **Reporting to Law Enforcement**

Students, faculty, staff, and visitors may report to the University Police, local and/or state law enforcement to initiate a criminal process. To report a crime:

Department	Phone Number
Maritime College University Police	Dial 911 (emergency) (718) 409-7311
NYPD 45 <sup>th</sup> Precinct	(718) 822-5411
NYS Police 24hr hotline	(844) 845-7269

***Voluntary, Confidential Report to University Police Department***

Victims and witnesses can report crime on a voluntary, confidential basis to the University Police Department at 718-409-7311. Individuals should request to speak directly to University Police Supervisory Staff and specify that they would like to make a "Confidential Report." The Reporting Individual should specify whether they want to move forward with a criminal investigations and/or the College's administrative Title IX investigation. Reports of this nature are filed with the University Police Department for informational purposes, but there is no formal *criminal* investigation of the incident unless there is a request to do so. The Confidential Report may be redacted as necessary. Note that this is not a true confidential report, as the Title IX Coordinator and other college officials may be consulted.

***Silent Witness Program: Voluntary Anonymous Reporting***

A victim or a witness to a crime who does not want to pursue action within the College's discipline system or the criminal justice system can make an anonymous report through the Silent Witness Program. University of

Policy maintains an electronic anonymous reporting system on its website <http://www.sunymaritime.edu/silent-witness>. Please refer to this report's section on Silent Witness Program for additional information.

- **Reporting to the College**

Allegations of sexual harassment including sexual assault, stalking, or domestic and intimate partner violence perpetrated by another SUNY student, faculty or staff member may be reported to one of the below listed parties. Anyone who reasonably believes that such an incident has taken place, whether on campus or not, between SUNY students, faculty or staff should inform one of the persons listed below.

Students, faculty, staff, and visitors may report to Maritime College to initiate an administrative process. Reporting Individuals have the right to report an incident of sexual assault, sexual violence, dating violence, domestic violence, and/or stalking to college officials who can offer privacy and can provide information about remedies, accommodations, evidence preservation, and how to obtain resources. An official who can offer privacy may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator.

**Private, Limited Confidential Resources.** Individuals may report to these private, limited confidential resources to initiate an administrative process.

Department	Phone Number
Title IX Coordinator	(718) 319-1151
Commandant of Cadets	(718) 409-7442
Deputy Commandant of Cadets	(718) 319-1144
Head Women's Soccer Coach	(718) 409-7336
Housing Area Coordinator	(718) 409-5566
Director of Housing & Residential Life	(718) 409-7452
Maritime College University Police*	(718) 409-7311
AVP of Human Resources	(718) 409-7302

The above representatives are trained annually in interviewing victims of sexual assault, sexual violence, dating violence, domestic violence, and/or stalking. Upon disclosure by a Reporting Individual, the above representatives will provide the Reporting Individual with written information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic or other

medical examination as soon as possible. These representatives can also provide information about an administrative investigation by the University and the criminal justice process and will inform the individual about the different standards of proof utilized by each process. The above representatives will refer a Reporting Individual to law enforcement if there are questions about whether a specific incident violated the law.

\*Note that victims and witnesses can report crime on a voluntary, confidential basis to the University Police Department at 718-409-7311. Individuals should request to speak directly to University Police Supervisory Staff and specify that they would like to make a “Confidential Report.” The Reporting Individual should specify whether they want to move forward with a criminal investigations and/or the College’s administrative Title IX investigation. Reports of this nature are filed with the University Police Department for informational purposes, but there is no formal *criminal* investigation of the incident unless there is a request to do so. The Confidential Report may be redacted as necessary. Note that this is not a true confidential report, as the Title IX Coordinator and other college officials may be consulted.

***On Campus Privileged and Confidential Reporting.*** Individuals may also report to these confidential resources to initiate an administrative process. Individuals who are confidential resources will not report crimes to law enforcement or college officials without your permission. Even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

Department	Phone Number
Mental Health Counselor	(718) 409-3916
Maritime College Health Services	(718) 409-7347
Director of Campus Ministries *	(917) 601-3421

\*Note: Counseling Services, Health Services, and Campus Ministries are considered privileged and confidential resources. They are encouraged, if and when deemed appropriate, to inform students that they may choose to make a confidential report of a crime to the University Police or a Campus Security Authority.

- **Off Campus Privileged and Confidential Reporting**

Individuals who are confidential resources will not report crimes to law enforcement or college officials without your permission. Even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse. Off-campus privileged and confidential resources include:

- Counselors and advocates. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
- New York State Hotline for Sexual Assault and Domestic Violence 1-800-942-6906
- Local SANE hospitals and programs
- Off-campus healthcare providers\*

Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: <https://ovs.ny.gov/>, or by calling 1-800-247-8035. Options are explained here: <https://ovs.ny.gov/help-crime-victims>.

#### • Reporting to Human Resources

When the accused is an employee, a Reporting Individual may also report the incident to the Office of Human Resource Services or may request that one of the above referenced private, limited confidential or confidential employees assist in reporting to Human Resources or Title IX Coordinator. Any investigation and associated disciplinary action will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting party, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy. Individuals may also report to these private, limited confidential resources for assistance.

Department	Phone Number
AVP of Human Resources	(718) 409-7302
Title IX Coordinator	(718) 319-1151

#### Students' Bill of Rights

Maritime College, through its Title IX Coordinator, will provide a written copy of the Students' Bill of Rights to a Reporting Individual and the accused individual, whether or not the crime is that of sexual assault, sexual violence, domestic violence, dating violence, and/or stalking and whether or not the Reporting Individual is a student, faculty, staff, or visitor. Reporting individuals and accused individuals shall have access to needed resources, services, and information including:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure from the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the Reporting Individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident.
8. Be free from retaliation by the institution, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a Reporting Individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process;
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the college.

**Alcohol and/or Drug Use Amnesty.** A bystander or Reporting Individual that discloses in good faith any incident of sexual misconduct will not be subject to Maritime's Student Code of Conduct for alcohol and/or drug use occurring at/around the time of the incident.

**Retaliation is Prohibited.** Maritime will not tolerate retaliation against the Reporting Individual or anyone involved in the investigation. Every effort will be made to protect your privacy.

### **Interim Measures, Accommodations, & Protective Measures**

Maritime College, through the Title IX Coordinator and other College officials, will provide the Reporting Individual and accused individual information in writing of the available interim measures and accommodations. Accommodations are available to all victims of sexual violence, sexual assault, dating violence, domestic violence and stalking, whether the Reporting Individual is a student, staff, faculty, or visitor. Whether or not the victim cannot or chooses not to report the crime to University Police or local law enforcement and whether not the incident occurred on or off campus, all Reporting Individuals and victims are entitled to receive written notification of available resources and to receive reasonable and available accommodations upon request.

As part of the College's response to a report of sexual misconduct, and regardless of whether there has been a request for formal disciplinary or law enforcement action, the College may impose interim measures or offer accommodations. Interim measures include, but are not limited to, changes in academic and employment schedules, changes in housing and transportation, and other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment.

The Title IX Coordinator and/or the Judicial Officer may also provide additional temporary accommodations to ensure the safety of college at large and the safety of the individuals involved in the investigation, the subsequent disciplinary process, and the college at large.

Individuals have the right:

- When the accused is a student, to have the college issue a "No Contact Order," consistent with college policy and procedure, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and Reporting Individual may request a prompt review of the need for and terms of a No Contact Order, consistent with campus policy. Parties may submit evidence in support of their request.
- To have assistance from University Police or other college officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from University Police in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of University Police or, if outside of the jurisdiction.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for and terms of an interim suspension.
- When the accused is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and campus policies and rules.



- When the accused is not a member of the college community, to have assistance from University Police or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. Reporting individuals may request accommodations through designated college officials.

- **Protective Measures: No Contact Order, Persona Non Grata & Orders of Protection**

Victims of sexual violence, sexual assault, dating violence, domestic violence and stalking, whether a student, faculty/ staff, or outside visitor, may request assistance from the Title IX and University Police Department in requesting an appropriate protective measure in the form of either an administrative No Contact Order or Persona Non Grata or a court-issued Order of Protection.

Title IX Coordinator and University Police Department will determine what protective measure is available, facilitate contact with the issuing party or Court, and assist the victim in obtaining said protective measure. An Order of Protection may be available to all victims, whether a student, faculty/staff, or visitor. A Persona Non Grata is available to student and faculty/staff where the Accused is not part of the campus community.

University Police will enforce any and all below mentioned orders regardless if the underlying crime is that of sexual violence, sexual assault, dating violence, domestic violence, and/or stalking, and whether or not the protected individual is a student, faculty, staff, or visitor.

- **No Contact Order**

A No Contact Order is a written directive prohibiting contact with a protected individual, either directly or through a third party. If the accused or Respondent and a protected person observe each other in a public place, it is the responsibility of the accused or Respondent to leave the area immediately and without directly contacting the protected person. When the accused is a student, University Police, the Title IX Coordinator, other college officials may assist a Reporting Individual in obtaining a No Contact Order. The Office of Student Affairs, the Office of the Commandant, and other designated college officials may issue a “No Contact Order”, which is distinct from a criminal or family court order of protection. The Discrimination and Sexual Violence Policy outlines the rights and responsibilities of individuals subjected to a “No Contact Order”. Both the accused individual/respondent and Reporting Individual/complainant may request a prompt review of the need for and terms of a “No Contact Order”. Maritime College, through the Title IX Coordinator, other necessary parties, and the University Police will enforce the “No Contact Order.” Upon notification from designated college officials or the protected individual, University Police may assist in removing or detaining an individual name in the No Contact Order where a violation of said Order appears to have occurred.

### **Persona Non Grata**

A Persona Non Grata is a written directive communicating to an individual that they are no longer permitted to be present on Maritime College's owned, -leased, -operated, or – controlled property.

When the accused is not a member of the college community, University Police, the Title IX Coordinator, other college officials may assist a Reporting Individual in obtaining a persona non grata letter, subject to legal requirements and college policy. In consultation with other college officials, Vice President of Operations issues the Persona Non Grata.

University Police will enforce any College-issued persona non-grata letters, whether temporary or permanent. Individuals found in violation of a Persona Non Grata may be escorted off campus by University Police or arrested for failure to comply and issued a summons for trespassing returnable to Bronx County Criminal Court.

### **Order of Protection**

An Order of Protection is a written directive from a Court of Law which protects a Reporting Individual and restricts the behavior and actions of an Accused Individual. An Order of Protection may be obtained through Criminal Court and/or Family Court.

The University Police Department, the Title IX Coordinator, or other college officials may assist all Reporting Individuals in obtaining an Order of Protection. In addition, college officials may assist Reporting Individuals in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.

The protected individual and Accused Individual have the right to receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information about the accused's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).

University Police will enforce any Court- issued Order of Protection, whether temporary or permanent, any and all restraining orders. Individuals found in violation of a Court-issued order may be escorted off campus by University Police, arrested for failure to comply and issued a summons for trespassing returnable to Bronx County Criminal Court, and/or arrested for failure to comply with a Court Order and issued a summons returnable to Bronx County Criminal Court or Bronx Family Court.

University Police will enforce any and all aforementioned orders regardless if the underlying crime is that of sexual violence, sexual assault, dating violence, domestic violence, and/or stalking, and whether or not the protected individual is a student, faculty, staff, or visitor.

### **Investigation & Disciplinary Action**

Maritime College prohibits all forms of sexual violence, sexual assault, dating violence, domestic violence, and stalking and when requested or required, will initiate an investigation and disciplinary proceedings against any member of our community who has been accused of committing an act of sexual assault, sexual violence,

domestic violence, dating violence, and/or stalking. Upon disclosure by a Reporting Individual, whether a student, faculty, staff, or visitor, Maritime College, through its Title IX Committee members, will provide the Reporting Individual with written information regarding options to proceed, and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic or other medical examination as soon as possible.

The policies and procedures that prohibit these acts and that guide the investigation and the disciplinary process differ depending on the institutional identity of the alleged perpetrator. When the alleged perpetrator is a student, the investigation and disciplinary proceedings are governed by the procedures set forth in Maritime's Student Code of Conduct, Discrimination and Sexual Violence Policy and in the Students' Bill of Rights. When the accused is an employee, the investigation and disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements, contract requirements, legal requirements, and Maritime policy. For updated information on the Title IX Grievance Policy, please visit: <https://www.sunymaritime.edu/titleix>

- **Privacy and Confidentiality**

Even SUNY Maritime College offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. SUNY Maritime College will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

- **Standards of Proof**

Where there is probable cause to believe the College's regulations prohibiting sexual misconduct have been violated, the College will expedite strong disciplinary action through its own channels. This disciplinary action includes the possibility of suspension or dismissal from the college. An individual charged with sexual misconduct will be subject to college disciplinary procedures, whether or not prosecution under New York State Criminal Statutes is pending. The standard of proof for a finding of responsibility in sexual harassment, sexual violence, sexual assault, dating violence, domestic violence and/or stalking cases is preponderance of the evidence. This standard asks whether it is "more likely than not" that the sexual harassment, sexual assault, sexual violence, domestic violence, dating violence, and/or stalking occurred. If the evidence presented meets this standard, then the accused should be found responsible.

### College and Community Support Services for Victims

The following listing of campus, community and regional resources is provided for the information of all members of SUNY Maritime College.

- **Campus Resources**

Victims of sexual assault, sexual violence, domestic violence, dating violence, and/or stalking can get help on campus through the Mental Health Counselor located in Baylis Hall. These offices can refer victims to off-campus support services and provide a list of resources for students, faculty, staff, and visitors who need counseling, medical and/or legal help, or just empathetic, understanding support.

To obtain assistance:

Department	Phone Number
Title IX Coordinator	(718) 319-1151
Mental Health Counselor	(718) 409-3916
Maritime College Health Services	(718) 409-7347
Commandant of Cadets	(718) 409-7442
Deputy Commandant of Cadets	(718) 319-1144
Head Women's Soccer Coach	(718) 409-7336
Housing Area Coordinator	(718) 409-5566
Director of Housing & Residential Life	(718) 409-7452
	(718) 409-7311

Maritime College University Police

**Maritime faculty and staff may also utilize the Employment Assistance Program (EAP).** The Employee Assistance Program provides faculty and staff with free, confidential assistance from qualified professionals who can listen, be supportive, and who can recommend additional services.

To obtain assistance:

Department	Phone Number
Title IX Coordinator	(718) 319-1151
AVP of Human Resources	(718) 409-7302
EAP Coordinator	(718) 319-1007

- Community Resources

Department	Phone Number
RAINN: National Sexual Assault Crisis Hotline	800-656-4673 (24/7)
Trevor Life Line	866-488-7386 (24/7)
Crime Victims Support Services of the North Bronx	718-823-4925
Bronx District Attorney Crime Victims Assistance Unit	718-590-2155
Jacobi Hospital Psychiatric Emergency	718-918-4850
Counseling & Psychotherapy of Throggs Neck	718-792-4178
Love is Respect	866-331-9474 (24/7) Text loveis to 22522 (24/7)
Bronx District Attorney's Office	(718) 590-2114
Crime Victims Assistance Therapy Unit	
North Central Bronx Hospital	(718) 519-5722 Ext. 3100
Sexual Assault Treatment Program	
Safe Horizon: Bronx Community Program Office	(718) 933-1000

## Sexual Assault Prevention and Response

Maritime College educates the student community about sexual assault, sexual violence, domestic violence, dating violence, and/or stalking, and other crimes of violence against women. Health Services staff, the Mental Health Counselor, and Student Affairs staff also offer educational programs and services upon request. Victims are informed of their options to notify University Police, and/or NYPD. Upon request, College's Campus Security Authorities and personnel will assist individuals in notifying enforcement.

If you are the victim of a sexual assault, sexual violence, domestic violence, dating violence, and/or stalking at Maritime College, your first priority should be to get to a place of safety. You should then obtain the necessary medical treatment. The University Police Department strongly advocates that a victim of a sexual assault, sexual violence, domestic violence, dating violence, and/or stalking report the incident in a timely manner. You can call 911 (on campus) or ext. 7311 to speak to a University Police staff member 24 hours a day.

Time is a critical factor for evidence collection and preservation. It's important to preserve evidence that may assist in proving that the alleged criminal offense occurred or maybe helpful in obtaining an order of protection. Notifying University Police will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

The Title IX Coordinator can provide information regarding available on campus and off campus resources, different reporting options, the differences between the college's administrative process and the criminal law process, as well as additional information directly applicable to the victim. University Police Department can assist in determining the police agency that would have jurisdiction, facilitate contact with that agency, and assist in notifying law enforcement. Generally, allegations of sexual assault, sexual violence, domestic violence, dating violence, and/or stalking occurring off campus should be reported to a police department having jurisdiction where the offense occurred.

Efforts will be made to ensure the confidentiality of all reports, except as necessary and required to investigate the alleged offenses. College authorities may issue a safety alert to those areas of the College community affected by the crime. The issuance of this alert will depend on the particular circumstances of the crime. Victims can provide information to the University Police Department and choose criminal prosecution and/or a referral to the on-campus discipline system or to report the incident without seeking prosecution. Incidents of sexual assault may also be reported to the College's Health or Counseling Services.

The College may change a victim's academic and living arrangements after an alleged violation of the sexual misconduct policy if those changes are requested by the victim and are reasonably available. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding. Both the accuser and the accused will be informed of the outcome of any disciplinary proceeding that is brought alleging a sex offense.

Where a student respondent is found responsible for sexual violence, domestic violence, dating violence, and/or stalking, there is a range of available disciplinary sanctions under the Student Code of Conduct, including but not limited to, Counseling, Disciplinary Probation, Suspension or Expulsion. Where a student respondent is found responsible for a crime of sexual assault, the available sanctions are as follows: Fixed Term Suspension



and/or Expulsion. Any act of harassment or violence of any crime and hate crimes/biased incidents, which may be the result of alcohol, may result in Suspension and/or Expulsion.

Where an employee respondent is found responsible for sexual violence, domestic violence, dating violence, and/or stalking, there is a range of available disciplinary sanctions subject to collective bargaining agreements, state and federal laws, and Maritime Policy. Additional information regarding Human Resource Services policies for staff and faculty at Maritime College may be found at the following link:

<http://www.sunymaritime.edu/HR/Policies>. All staff and faculty upon being hired at the campus are required to take online training pertaining to “Preventing Workplace Violence” and “Title IX Discrimination and Harassment”.

- **Written Materials**

Following a disclosure of sexual assault, sexual violence, dating violence, domestic violence and/or stalking, whether or not the individual chooses to report and whether or not the individual is a student, faculty, staff, or visitor, *Maritime College will provide victims with a written copy of our Discrimination and Sexual Violence Policy*, which includes the following information:

- Options for medical care, advocacy, support, and university offered interim measures and accommodations. Available on campus and off campus resources, which includes counseling, legal assistance, victim financial assistance.
- Information regarding confidentiality and privacy.
- Options for confidential reporting, reporting to the local and/or state police, confidential reports to University Police, and private, limited confidential reporting with a university official.
- The rights described in the Students’ Bill of Rights generally apply to all victims.
- Information regarding disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking. An explanation of the investigative process, the disciplinary process, and possible sanctions as it relates to alleged dating violence, domestic violence, sexual assault, or stalking.
- Information regarding the standards of proof and evidence for the criminal process and internal procedures.

The Title IX Coordinator/ Deputy Coordinator(s) may verbally communicate the rights and responsibilities to the Reporting Individual and the accused individual. In addition, the Title IX Coordinator may provide additional written materials, which are available in the University Police lobby, Office of Student Affairs lobby, Office of Health Services lobby, Office of Human Resources lobby, and the Office of the Commandant.

Below are some additional written resources that are available to the campus community:

- *Domestic & Dating Violence Pamphlet*. Pamphlet designed by Office of Human Resources and the Title IX Coordinator.

- *A Guide for Students on Sexual Harassment, Sexual Misconduct & Title IX.* Pamphlet designed by Office of Human Resources and the Director of Communications. Conveys more in-depth information about Title IX and provides definitions, guidance, and resources.
- *Know Your Rights Postcard.* Pamphlet designed by Office of Human Resources and the Director of Communications. Conveys basic contact information for individuals impacted by sexual violence or harassment.
- *Students' Bill of Rights.* The Students' Bill of Rights is available in the Student Handbook, which is available in the Office of Student Affairs lobby.
- *Quick Series. Sexual Misconduct & Interpersonal Violence Wallet Card.* Pamphlet designed by Office of Human Resources and UPD. Conveys important contact information if a student is sexually assaulted.
- *Quick Series. Maritime College: Sexual Assault, Sexual Violence & Sexual Harassment (Title IX) Card.* Pamphlet designed by the Title IX Coordinator and UPD. Conveys important contact information if an individual is a victim of sexual assault, sexual violence, domestic violence, dating violence, and/or stalking, more in-depth information about Title IX, reporting options, effects of trauma, and prevention techniques, and provides definitions, guidance, and resources.

#### • **Reach Out Editions**

Maritime College launched Reach Out Editions, a free app, to help people learn about and prevent sexual violence and discrimination based on sex or gender. Reach Out Editions offers information and resources including contact information of Maritime's Title IX Coordinator and support staff, support organizations and medical facilities in our area, and other resources.

The app will help students know where to get help on and off campus, learn how to report an incident, and find support. It also includes videos, links and definitions that can better explain what Title IX is and why it matters.

We encourage everyone to download the app to learn about the different options available.



#### **Prevention & Awareness Programs**

The Title IX Coordinator in collaboration with the Title IX Committee, University Police, Office of Student Affairs, the Office of the Commandant, and the Office of Human Resource Services provide an array of prevention and awareness programs for the campus community regarding sexual assault, sexual violence, relationship violence, stalking, and sexual harassment.

In collaboration with our “Enough is Enough” service providers, Maritime College, through its Title IX Coordinator and Title IX Committee, is actively expanding the number of educational programs aimed at teaching students, faculty and staff:

1. Conduct constituting affirmative consent, sexual assault, sexual violence, dating violence, domestic violence, and stalking under New York State Law and Maritime College policy and procedure;

2. Safe and positive options for bystander intervention,
3. Options for support services on campus and within the surrounding community;
4. Options for the confidential disclosure of sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination on campus;
5. Options for reporting sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination to law enforcement and the university, including explaining that a student may choose one, or both, or neither option;
6. The difference between a criminal investigation and a campus adjudication
7. An explanation of the rights of victims as well as accused students, as set forth in our Student's Bill of Rights;
8. A statement that the University prohibits sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination and an explanation of sanctions for violations;
9. A description of the University's policies and procedures for responding and adjudicating sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination.

- **Onboarding**

The Title IX onboarding of Maritime students is primarily conducted through Orientation, INDOC presentations, LEAD 101 presentations, Regimental Activity Sessions, and the online program Sexual Assault Prevention for Undergraduates and Sexual Assault Prevention for Graduate Student.

**Orientation.** During Orientation, students are provided with the following information: conduct constituting affirmative consent, sexual assault, sexual violence, dating violence, domestic violence, and stalking under New York State Law and Maritime College policy and procedure; an explanation of the rights of victims as well as accused students, as set forth in our Student's Bill of Rights; a statement that the University prohibits sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination and an explanation of sanctions for violations; the difference between a criminal investigation and a campus adjudication; options for support services on campus and within the surrounding community; and options for the confidential disclosure of sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination on campus.

**INDOC training.** During INDOC, students part of the Regiment of Cadets receive additional in-person trainings that address the following: conduct constituting affirmative consent, sexual assault, sexual violence, dating violence, domestic violence, and stalking under New York State Law and Maritime College policy and procedure; an explanation of the rights of victims as well as accused students, as set forth in our Student's Bill of Rights; the difference between a criminal investigation and a campus adjudication; safe and positive options for bystander intervention.

**LEAD 101 training.** This past year, Maritime College has created a more robust educational program to increase awareness of the freshmen population and to increase population. During LEAD 101 as of AY2018, freshmen students are required to complete several homework assignments that require students to do the following: review the Discrimination and Sexual Violence Policy, review and reflect on conduct constituting

affirmative consent, sexual assault, sexual violence, dating violence, domestic violence, and stalking, review and reflect on policies addressing discrimination, hate crimes biased incidents, review information relating to gender identity and privilege, and review and reflect on bystander intervention. In addition, students are required to complete a separate reflection assignment touching on sexual harassment. The Title IX Coordinator then conducts in-person trainings primarily focusing on consent and bystander intervention.

**Regimental Activity.** During Regimental Activity for freshmen participating in the Regiment of Cadets, the Title IX Coordinator offers a more in-depth bystander intervention training that addresses safe and positive intervention options.

**Online Training.** Maritime College has contracted with Everfi to provide online trainings to undergraduates and graduate students. Sexual Assault Prevention for Undergraduates and Sexual Assault Prevention for Graduate Students are online programs that address issues of sexual assault, sexual violence, relationship violence, stalking, and sexual harassment.

**Additional Onboarding.** Maritime College has recently renewed its contract with EverFi to include ongoing trainings for upperclassmen and NCAA-specific athletic training for student athletes and athletic staff. Resident Advisors, student leaders, student employees, and “at risk” populations are provided with additional training opportunities facilitated by members of the Title IX Committee.

**Faculty/ Staff.** Title IX onboarding and training of Maritime staff and employee is conducted through mandatory orientation training and additional employee development training offered throughout the year. Maritime College contracts with WeComply and Everfi to provide faculty and staff with online compliance training on topics ranging from business ethics, Title IX, and discrimination and harassment. In addition, all Campus Security Authorities (CSAs) receive online training through the Clery Center. Athletic Staff are also required to complete separate online training through Everfi’s “Sexual Assault Prevention for Athletic Staff.”

- **Additional Trainings and Programming**

**Refresher Trainings.** The Title IX Coordinator offers in-person refresher trainings to upperclassmen through Regimental Activity, to Resident Advisors during RA training, and to student athletes during student athlete orientation. Refresher trainings touch on the following: new developments and policy changes, a description of the University’s policies and procedures for responding and adjudicating sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination; safe and positive options for bystander intervention, a description of the University’s policies and procedures for responding and adjudicating sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination.

**Student Leader Training.** The Title IX Coordinator also offers training to tutors, student leaders, and student athletes. These trainings touch on the following: responding to victim disclosures, options for support services on campus and within the surrounding community; options for the confidential disclosure of sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination on campus; options for reporting sexual assault, sexual violence, domestic violence, dating violence, stalking, and sex discrimination to

law enforcement and the university, including explaining that a student may choose one, or both, or neither option.

Mandatory in-person trainings are offered to students participating in the Cadet Shipping Program.

**Online Training.** Maritime College also offers online ongoing trainings through Everfi for upperclassmen and NCAA-specific athletic training for student athletes and athletic staff.

**Other Programming.** The Title IX Coordinator, in coordination the Office of Human Resource Services, the Office of the Commandant, the Office of Student Affairs, and other college officials, offers education sessions and workshops to increase awareness, civility, and compassion. The Title IX Coordinator is available to offer trainings upon request.

**One Love Escalation Workshop.** The Title IX Coordinator offers One Love's Escalation Workshop to the campus community. The Escalation workshop helps educate young people about relationship violence and facilitate a dialogue about the warning signs of abuse.

**Bringing in the Bystander.** The Title IX Coordinator offers evidence-based Bringing in the Bystander Training to the campus community. Bringing in the Bystander® College Prevention Program is a bystander intervention workshop with a robust evidence-base. Rather than focusing strictly on the roles of perpetrator and victim, the highly interactive Bringing The Bystander® curriculum uses a community responsibility approach. It teaches bystanders how to safely intervene in instances where sexual violence, relationship violence or stalking may be occurring or where there may be risk that it will occur.

### How to be an Active Bystander

Maritime College educates the student community about bystander intervention through programming offered by Health Services staff, Counseling Services, Human Resource Services, Office of the Commandant, the Title IX Coordinator, and Student Affairs staff.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

### Ways to Intervene

1. Direct: Step in and address the situation directly. This technique tends to work better when the person that you're trying to stop is someone that knows and trusts you.
2. Distract: Distract either person in the situation to intervene. This technique is especially useful when drugs or alcohol are being used because it doesn't call attention to the immediate situation which can help keep a situation from escalating.



3. Delegate: Find others who can help you to intervene in the situation. This might look like asking a friend to intervene with you, finding an RA, or calling UPD.

Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

**Alcohol and/or Drug Use Amnesty.** A bystander or Reporting Individual that discloses in good faith any incident of sexual misconduct will not be subject to Maritime's Student Code of Conduct for alcohol and/or drug use occurring at/around the time of the incident.

**Retaliation is Prohibited.** Maritime will not tolerate retaliation against the Reporting Individual or anyone involved in the investigation. Every effort will be made to protect your privacy.

### **Information on Risk Reduction**

Maritime College, through University Police, Office of Student Affairs, and the Title IX Coordinator, provides students with written information regarding ways to reduce the risk of being assaulted. This information is readily available online, articulated in the Student Handbook, and reiterated in several different written materials, which are offered to the campus community as a whole.

While individuals cannot entirely protect themselves from sexual assault, sexual violence, domestic violence, dating violence, and/or stalking, there are some things anyone can do to help reduce their risk.

- **Be aware of your surroundings.** Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- **Try to avoid isolated areas.** It is more difficult to get help if no one is around.
- **Walk with purpose.** Even if you don't know where you are going, act like you do.
- **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure your cell phone is with you** and charged and that you have taxi money.
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.



- **Avoid putting music headphones/earbuds in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **Lock doors**, including car doors and when in the vicinity of your car have your key ready in your hand.
- **When you go out have a plan including transportation home.** Go with others, arrive together, check in with each other and leave together.
- **Drink Responsibly.** Try not to leave any beverages unattended or accept drinks from someone you don't know or trust. If you're drinking alcohol, know your limits and how much you can consume without losing control or awareness of what's going on around you.
- **Have a buddy system.** Don't be afraid to let a friend know if something is making you uncomfortable or if you are worried about you or your friend's safety.
- **If someone you don't know or trust asks** you to go somewhere together, let him or her know that you would rather stay with the group.
- **Previous consent doesn't imply current consent** -No means no.
- **Be familiar with the campus "Blue Lights"** which are located throughout the campus. You may find it necessary to contact University Police Department to report an emergency, crime in progress, or a suspicious person or incident. Each emergency phone box is attached to a light pole or building.
- **Don't let strangers in through locked outside doors.**
- **Don't prop outside or suite doors open.** Lock your room door at all times.
- **Report lost I.D. cards immediately** to your Residence Advisor (RA) and University Police.
- **Don't open the door if you don't know the person.** Report any suspicious persons or activities to the RA or University Police immediately.
- **Practice self-defense.** Knowing in advance how you would respond to a physical threat greatly increases your chances of escape.
- **Do not hitchhike.** By doing so you forfeit the ability to change direction and control of your movement.
- **Think twice about what you put on Facebook.** When you use social media to share where you are or where you're going, friends can find you but others may be able to track you as well. Use common sense and ask yourself --would you give this information to a stranger? If not, then don't share it online.
- **Your safety takes priority over someone else's hurt feelings.** You're with someone or you're in a situation that makes you feel unsafe. There's nothing wrong with lying to extricate yourself from what's going on. Make up an excuse as to why you have to leave and get yourself to a safer place. It's easier to patch up someone's hurt feelings (if you've misinterpreted the situation) later on than deal with the aftermath of rape or sexual assault.
- **Get yourself to a safe place.** Call 911 or local Police. University Police (718) 409-7311

## **PROHIBITED BEHAVIOR/ACTIONS ON CAMPUS**

No person shall create safety or health hazards in any residence halls. Residents may not engage in any activity that will injure, deface, or damage any part of any residence hall or facility. Examples of prohibited behavior/actions or items include, but are not limited to:

- Propping open outside doors
- Using unauthorized doors, windows, or balconies to enter or exit buildings.
- Excess accumulation of garbage or filth in rooms, hallways, bathrooms, or common areas.
- Furniture/bedding supported by cinder blocks.
- Bunking beds without proper, authorized hardware.
- Weights or weight benches in student rooms.

Mopeds or motorcycles inside the residence halls or within 25 feet of the exterior of the building.

- Bicycles chained to stairs or stored within buildings.
- Throwing or pushing objects off roofs or out of windows, or using such as a means of access/egress.
- Any additional items posted by the Regimental Affairs Office or the OHRL.

## **ALCOHOL & SUBSTANCE ABUSE POLICIES AND PROGRAMS**

### **Compliance with Drug Free Schools and Campus Regulations**

The Federal Drug-Free Workplace Act of 1988 and the Communities Act Amendments of 1989 require all federal grant recipients to certify a drug-free environment. In compliance, Maritime College has adopted policies that prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on our property or as any part of our institutional activities.

The College will impose sanctions on students and employees who violate this policy consistent with local, state, and federal law. Students will be subject to the judicial procedures specified in the *Student Handbook*. Corrective action may include the completion of an appropriate rehabilitation program.

The College will interpret local, state, and federal regulations in the strictest sense to assure a drug free work place. On an annual basis, the College will provide to each student and employee information describing the health risks associated with the use of illicit drugs and the abuse of alcohol.

The College is committed to offering employees and students counseling and/or referral to the appropriate agencies for problems associated with drugs and alcohol. For students, Health Services and the Mental Health Counselor are available for confidential counseling and referrals. For additional resources please visit the following link: <http://www.sunymaritime.edu/student-life/drug-free-schools-and-campuses-regulations>

Maritime College commits to annual reviews of our programs associated with this statement to determine program effectiveness and implement necessary changes. It is also our intention to assure consistent application of this policy to all students and employees alike.

## Alcohol

Maritime College has an obligation to develop policies and procedures that reflect our relationships to the larger community and to New York State. The College will continue to stress the importance of alcohol education within the campus community. As is true with any policy or regulation, voluntary compliance is essential for its successful implementation.

While procedures have been developed for addressing violations of the campus alcohol policy, respect for issues of student privacy and security from unreasonable intrusions will be consistent with policy and past practice.

The College will comply with the requirements of the New York State Alcohol Beverage Control Law. Amendments to the law provide that, "No person under the age of 21 shall possess any alcoholic beverage with the intent to consume such beverage." College regulations pertaining to this law will be implemented in the following manner:

Except as noted below, student use, consumption, possession, or transporting of alcoholic beverages is prohibited on the College grounds, Training Ship Empire State, and in any vehicle or craft belonging to the College. Cadets and students returning to the College grounds or Training Ship under the influence of intoxicants are subject to a Captain's Mast Report or Campus Judicial report for this offense. Alcoholic beverages may be authorized for certain student events when the vast majority of the attendees will be 21 years of age or older, e.g.: senior year functions.

- **Residence Halls**

In accordance with the policy detailed in Section 3 of the *Student Handbook*, alcoholic beverages are not permitted within campus residential facilities. In addition, residents are subject to all local and state laws concerning the use, possession, sale, and transportation of alcoholic beverages.

- **Violations**

Violation of this policy will result in appropriate disciplinary sanctions. It should be noted that the presence of unopened or empty alcoholic beverage containers in or about the College grounds is prima facie evidence of use, consumption, and/or transportation.

The first alcohol violation may result in a Level II offense and the student shall submit themselves to mandatory alcohol treatment with the Mental Health Counselor. A second alcohol violation is an automatic Level I offense and the student may be physically and academically removed from the College for no less than one (1) year. The student may apply for reinstatement to the College by making a formal application to either the Dean of Students or the Deputy Commandant of Cadets. Under no circumstances shall a student be readmitted to the College without supplying proof of alcohol intervention from a health care provider.

Any act of harassment, violence of any kind, vandalism, harassment, hate/bias crimes which may be the result of alcohol use becomes a Level I offense.

While students are subject to the provisions of campus alcohol policy, the following information is provided regarding provisions of the Alcohol Beverage Control Law:

- Violators are subject to a fine of up to \$50 per offense, but are not subject to arrest. Alcoholic beverages involved in alleged violations of this law may be seized by authorized law enforcement officials, including campus police officers. Disposal and destruction of seized alcoholic beverages are also authorized but cannot be carried out until three days after the initial appearance date, unless otherwise ordered by a court.
- Persons under the age of 21 who present falsified or fraudulently altered proofs of age for the purpose of purchasing or attempting to purchase alcoholic beverages are guilty of a violation, punishable by a fine of up to \$100 and a community service requirement of up to 30 hours. Previously, violations of this section were punishable only by the imposition of a one-year probationary period and a fine.
- A person under the age of 21 who presents an altered New York State driver's license for the purpose of illegally purchasing an alcoholic beverage may be subject to a suspension of that driver's license for up to 90 days and may also be required to apply to the Department of Motor Vehicles for a restricted use driver's license following the suspension.
- No person shall sell, deliver, give away, permit, and procure to be sold, delivered, or given away, any alcoholic beverages to any intoxicated person or any person under the influence of alcohol.
- Any person who shall be injured in person, property, means of support or otherwise by an intoxicated person, or by reason of the intoxication of any person, whether resulting in their death or not, shall have a right of action against any person who shall, by unlawfully selling to or unlawfully assisting in procuring liquor for such intoxicated person, have caused or contributed to such intoxication; and in any such action, such person shall have a right to recover actual and exemplary damages.
- Social host liability creates civil liability for anyone who knowingly furnishes alcoholic beverages to any intoxicated person under the legal age of purchase if intoxication results in injury or damages to a third party.

New York State Education Law (section 6450) prohibits hazing that involves the forced consumption of alcohol.

### **Narcotics and/or Illegal Drugs**

Student, faculty/staff, or visitor, use, consumption, possession, or transportation of narcotics and/or illegal drugs is prohibited on college grounds, the training ship, and/or any college vehicle. It should be noted that possession of paraphernalia associated with drug use is prima facie evidence of use and/or possession.

The use and possession of marijuana and/or drugs may have disrupting consequences that interfere with the educational mission and general welfare of the College community. Because of the potential danger of un-prescribed drugs, narcotics, inhalants, balloons, marijuana, hallucinogenic substances, "club drugs", or any medication used for purposes other than the manufacturer's intended use, or as prescribed, Maritime College prohibits the use, possession, distribution, or sale of: marijuana, inhalants, un-prescribed drugs, hallucinogenic

substances, narcotics, "club drugs", or any medication used for purposes other than the manufacturer's intended use, or as prescribed.

"Drugs" are considered to be any mind-altering substances, regardless of legality, including but not limited to opiates, barbiturates, amphetamines, marijuana, hallucinogens, "designer drugs," and illegal steroids, except for legally authorized doses for medical purposes. Banned substances include but are not limited to, the following:

- Controlled substances requiring a prescription, but are obtained without a physician's order, such as methedrine (speed), amphetamines (Ritalin, Adderall, etc.), antidepressants (Prozac, etc.), sedatives and barbiturates, tranquilizers, and pain killers (Valium, Vicatin, etc.).
- Narcotics, such as morphine, heroine, codeine, ketamine, and cocaine in any form.
- Chemical substances and organic manner, such as LSD (Acid), marijuana, hashish, THC, Peyote buttons, mescaline, DMT, DOM, STP, etc.
- Designer drugs, including but not limited to: synthetic marijuana (K2, Spice, herbal potpourri).

Unauthorized (without prescription) use or possession of any of the above is an illegal act. Use, possession, or sale of these substances may also result in legal action. The College will remain cognizant of its responsibility to civil matters.

The College, through its Office of Student Affairs and the Office of Human Resource Services, is committed to providing the campus with an ongoing program to address problems related to drug abuse and aimed specifically at its prevention through education. Members of the campus community in need of assistance with respect to a question or personal problem regarding alcohol or other drugs should contact Health Services.

#### • **Residence Halls**

In accordance with the policy detailed in Section 3 of the *Student Handbook*, narcotics and/or drugs are not permitted within campus residential facilities. In addition, residents are subject to all local, state, and federal laws concerning the use, possession, sale, and transportation of narcotics and/or drugs.

#### • **Violations**

The illegal possession and/or use of marijuana, barbiturates, amphetamines, hallucinogenic compounds, narcotics and other controlled substances is in violation of state and federal law. University Police will enforce these statutes aggressively. Offenders are subject to college discipline, up to and including dismissal from the college or termination of employment, and referral for prosecution, independent of action taken by the civil authorities.

When the College is notified of student misconduct in regard to drug use or sale off-campus, it may also choose to hold the student accountable through the campus disciplinary process. Any student found guilty of possession and/or use of illegal drugs shall be physically and academically removed from the College for no less than one (1) year. Cadets must surrender their USCG documents, and the USCG will be notified. The student may apply for reinstatement to the College by making a formal application to either the Dean of Students or the Commandant of Cadets. Under no circumstances shall a student be readmitted to the College without supplying proof of drug treatment from a health care provider.

When the College is notified of faculty/staff misconduct or substance abuse problems, Offenders are subject to college discipline, up to and including dismissal from the college or termination of employment, and referral for prosecution, independent of action taken by the civil authorities. An employee convicted of any violation of the criminal drug statutes for activities in or on property owned or controlled by SUNY Maritime or at activities sponsored by SUNY Maritime must notify the Office of Human Resource Services, of the conviction, in writing, within five calendar days of conviction. Student workers must also notify the Office of Human Resource Services.

Medical testing may be done if SUNY Maritime has a reasonable suspicion that an employee is unable to perform job duties due to the misuse of alcohol, controlled substances, or prescription drugs. The Omnibus Transportation Employee Testing Act of 1991 (OTETA) also requires SUNY Maritime to conduct pre-employment, pre-assignment (promotion), reasonable suspicion, post-accident, random, follow-up and return to duty alcohol and drug testing on all employees whose positions require the possession of a Commercial Driver's License (CDL).

In addition to taking appropriate action on its own part, the College will continue to cooperate with appropriate health and law enforcement agencies in enforcing this regulation. With the exception of the Alcohol and/or Drug Use Amnesty as described in the Discrimination and Sexual Violence Policy, Maritime College will not offer sanctuary for those who violate state and federal narcotic laws. The penalties both on and off campus for the possession and/or sale of illegal drugs are very severe.

### **Alcohol and Substance Prevention Programs**

The College has developed programs to prevent and educate students about the abuse of alcohol and other drugs. The programs include dissemination of informational materials, educational programs, counseling services, referrals, and College disciplinary hearings.

During the orientation for all incoming students, Office of Student Affairs discusses Maritime's policies on alcohol and drug abuse, harassment, and sexual abuse/crimes. In addition, first year undergraduate students are required to take a leadership course (Lead 101) which includes discussions on alcohol and drug abuse and requires the completion of EverFi's AlcoholEdu. AlcoholEdu is an interactive, online program designed to inform students about how alcohol affects the body, mind, perceptions, and behaviors.

When appropriate, the College may require completion of EverFi's AlcoholEdu Sanctions program and/or participation in a local Substance Abuse Professional (SAP) program.

### **Effects and Health Risks of Drugs and Alcohol**

- **Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood of an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and



death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs, such as the brain and liver.

Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome (FAS) or fetal alcohol effect (FAE). Both FAS and FAE are the leading known cause of mental retardation, which is irreversible. To prevent this syndrome, total abstinence from alcohol during pregnancy is necessary. Alcohol should also be avoided if you are trying to become pregnant, as significant damage may occur before pregnancy is discovered.

- **Tobacco and the Body**

Tobacco, commonly smoked through pipes, cigars, and cigarettes, can also be chewed and inhaled in the form of snuff. Nicotine is the active ingredient in all forms of tobacco. Nicotine stimulates the heart and central nervous system and is a power constrictor of small arteries. Insufficient oxygen to the heart is the cause of heart attacks. Smoking causes the lungs and bronchioles to be inflamed and congested. Possible health risks of tobacco include arteriosclerosis, emphysema, chronic bronchitis, heart disease, and lung cancer.

- **Cannabis**

(Also referred to as marijuana, pot, grass, reefer, joint, acapulco gold, sinsemilla, thai sticks, weed, THC, marinol, hashish, hashish oil)

The psychoactive ingredient in marijuana is tetrahydrocannabinol (THC). The amount of THC in a joint is what affects the user. THC is used medically as an anti-nauseant for cancer patients receiving chemotherapy.

Possible signs of use or abuse of cannabis include: increased heart and pulse rate, bloodshot eyes, increased appetite, dryness in mouth and throat, hallucinations, paranoia or panic, impaired memory, altered sense of time, and decreased concentration, reaction time, and coordination.

Health risks include: damage to heart and lungs, damage to brain nerve cells, lung cancer, memory disorders, interference with psychological maturation, temporary loss of fertility in men and women, psychological dependence, and bronchitis. For pregnant women, health risks are premature births and low birth weights.

- **Designer Drugs**

Designer Drugs are lab-made versions of drugs that are designated controlled substances under U.S. law. Under provisions of the Controlled Substance Analog Act, designer drugs are illegal. Early designer drugs included substitutes for heroin, amphetamines and hallucinogens, including MDMA (also referred to as "E", "X", "XTC," ecstasy).

Risks of designer drugs are often related to how the drugs are made and used. Base chemicals such as phenyl acetic acid, formaldehyde, carbamate, acetic anhydride, and others can build up to toxic levels in the labs. In

the process of synthesizing, some chemicals can poison the final product, creating seizure inducing forms of PCP. Many times the chemist does not know exactly what drug has been created until it has been “tested” on a subject and confirmed by medical examiners.

- **MDMA, MDA, XTC, ADAM, Rhapsody, E, X, ecstasy.**

Risks associated with MDMA include the possibility of overdose and related risk of hypothermia. Because MDA/MDMA are amphetamines tolerance develops quickly and overdose is possible, liver damage and exhaustion can occur. The drugs are known to intensify heart problems. Research indicates that there may be damage to brain cells that manufacture the neurotransmitter serotonin.

The below provided Charts I, II, and III, “A Matter of Facts,” were prepared by the Minnesota Prevention Resource Center, Minnesota Institute of Public Health, for the Chemical Dependency Program.

- **Chart I. Drug Actions Classified by Type of Drug**

	Drug Type	Facts	Possible Signs of Use/Abuse	Possible Health Risks of Use/Abuse
<b>D E P R E S S A N T S</b>	Alcohol ( <i>Brew, Juice, Liquor</i> ) Barbituates (Downers, Barbs) Benzodiazepines (Valium, Librium, Tranquilizer) taken each time to produce the same effect. Chloral Hydrate (Knock Out, Mickey Finn) Glutehimide (Doriden) Ludes) Methaqualone Quaalude Other Depressants: Equanil, Miltown, Noludar, Placidyl, Valmid	<b>Depressants</b> depress or slow down the central nervous system by relaxing muscles, calming nerves and producing sleep.  Alcohol is a depressant. Depressants are composed of sedative-hypnotic and tranquilizer drugs. Depressants are addictive. Users of depressants develop a tolerance to the drugs, Meaning larger doses must be taken each time to produce the same effect	Relaxation and drowsiness; lack of concentration; disorientation; loss of inhibitions; lack of coordination; dilated pupils; slurred speech; weak and rapid pulse; distorted vision; low blood pressure; shallow breathing; staggering; clammy skin; fever, sweating; stomach cramps; hallucinations; tremors; and delirium.	Liver damage; convulsions; addiction with severe withdrawal symptoms; coma, death due to overdose. For pregnant women, the newborn may be dependent and experience withdrawal or suffer from the birth defects and behavioral problems.

	Drug Type	Facts	Possible Signs of Use/Abuse	Possible Health Risks of Use/Abuse
<b>HALLUCINOGENS</b>	<p>Lysergic Acid Diethylamide (<i>LSD</i>)</p> <p>Phencyclidine (<i>PCP, Angel Dust</i>)</p> <p>Mescaline and Peyote (<i>Mexc, Buttons, Cactus</i>) confusion, paranoia, anxiety, unpleasant sensory</p> <p>Psilocybin (<i>Mushrooms</i>)</p> <p>Amphetamine</p> <p>Variants (<i>MDMA/Ectasy, MDA/Love drug</i>, of the original drug experience without taking the</p> <p><i>TMA DOM, DOB, PMA, STP, 2.5 DMA</i></p> <p>Phencyclidine Analogues (<i>PCE, PCPy, TCP</i>)</p> <p>Other Hallucinogens: Bufotenine, Ibogaine, DMT, DET Psilocybin</p>	<p><b>Hallucinogens</b> are psychedelic, mind altering, drugs that affect a person's perception, feelings, thinking, self-awareness, and emotions. A "bad trip" may result in the user experiencing panic, confusion, paranoia, anxiety, unpleasant sensory images, feelings, of helplessness, and a loss of control.</p> <p>A "flashback" is a reoccurrence of the original drug experience without taking the drug again.</p>	<p>Dilated pupils; increased body temperature, heart rate and blood pressure; sweating, loss of appetite, sleeplessness; dry mouth; tremors; hallucinations; disorientation; confusion, paranoia; violence; euphoria; anxiety; and panic.</p>	<p>Agitation; extreme hyperactivity; psychosis; convulsions; mental or emotional problems; death.</p>
<b>INHALANTS</b>	<p><i>Amyl Nitrite (Poppers, Snappers)</i></p> <p><i>Butyl Nitrite (Rush, Bolt Bullet)</i></p> <p><i>Chlorohydrocarbons (Aerosol Sprays, Cleaning Fluids)</i></p> <p><i>Hydrocarbons (Solvents, gasoline, Airplane Glue, Paint Thinner)</i></p> <p>Nitrous Oxide (<i>Laughing Gas, Whippets</i>)</p>	<p><b>Inhalants</b> are substances that are breathed or inhaled through the nose. Inhalants are depressants and depress or slow down the body's Functions. Inhalants are normally not thought of as drugs because they are often common household or industrial products. However, inhalants are often the most dangerous drugs per dose.</p>	<p>Euphoria and lightheadedness; excitability; loss of appetite; forgetfulness; weight loss; sneezing; coughing, nausea and vomiting; lack of coordination; bad breath; red eyes; sores on nose and mouth; delayed reflexes; decreased blood pressure; flushing (skin appears to be reddish); headache; dizziness; and violence.</p>	<p>Depression; damage to the nervous system and body tissues; damage to liver and brain; heart failure; respiratory arrest; suffocation; unconsciousness; seizures; heart failure; sudden sniffing death.</p>

	Drug Type	Facts	Possible Signs of Use/Abuse	Possible Health Risks of Use/Abuse
<b>NARCOTICS</b>	Codeine ( <i>School Boy</i> ) Heroin ( <i>H, Harry, Junk, Brown Sugar, Smack</i> ) Hydromorphone ( <i>Lords</i> ) Meperidine ( <i>Doctors</i> ) Morphine ( <i>Morpho, Miss Emma</i> ) Opium ( <i>Dovers Powder</i> ) Other Narcotics: Percodan, Talwin Lotomil, Carvon, Numporphan, Percocet, Tylox, Tussionex, Fentanyl	<p><b>Narcotics</b> are composed of opiates and synthetic drugs. Opiates are derived from the seed pod of the Asian poppy.</p> <p>Synthetic drugs called popioids are chemically developed to produce the effects of opiates. Initially, narcotics stimulate the higher centers of the brain, but then slow down the activity of the central nervous system. Narcotics relieve pain and induce sleep.</p> <p>Narcotics, such as Heroin, are often diluted with other substances (i.e. water, sugar) injected. Other Narcotics are extremely addictive. Users of narcotics develop a tolerance to the drugs, meaning larger doses must be taken each time to produce the same effect.</p>	Euphoria; restlessness and lack of motivation; drowsiness; lethargy; decreased pulse rate; constricted pupils; flushing (skin appears reddish); constipation; nausea and vomiting; needle marks on extremities; skin abscesses at injection sites; shallow breathing; watery eyes; and itching	Pulmonary edema; respiratory arrest; convulsions; addiction; coma; death due to overdose. For users who share or use unsterile needles to inject narcotics: tetanus, hepatitis, AIDS. For pregnant women: premature births, stillbirth, and acute infections among newborns.

	Drug Type	Facts	Possible Signs of Use/Abuse	Possible Health Risks of Use/Abuse
<b>STERIODS</b>	Anabolic-Androgenic ( <i>Roids Juice, D-Ball</i> )	<p><b>Steroids</b> may contribute to increases in body weight and muscular strength. Anabolic Androgenic steroids are chemically related to the male sex hormone testosterone.</p> <p>Anabolic means to build up the muscles and other tissues of the body.</p> <p>Androgenic refers to the development of male sex characteristics.</p> <p>Steroids are injected directly into the muscle or taken orally.</p>	Sudden increase in muscle and weight; increase in aggression and combativeness; violence (“roid rage”); hallucinations; jaundice; purple or red spots on body, inside mouth or nose; swelling of feet or lower legs (edema); tremors; and bad breath. For women, breast reduction, enlarged clitoris, facial hair and baldness, deepened voice. For men: enlarged nipples and breasts, testicle reduction, enlarged prostate, baldness.	<p>Acne; high blood pressure; liver and kidney damage;</p> <p>heart disease;</p> <p>increased risk of injury to ligaments and tendons; bowel and urinary problems; gallstones and kidney stones; liver cancer.</p> <p>For women, menstrual problems. For men, impotence and sterility. For users who share or use unsterile needles to inject steroids: hepatitis, tetanus, AIDS.</p>
<b>STIMULANTS</b>	<p>Amphetamines (<i>Uppers, Pep Pills</i>)</p> <p>Cocaine (<i>Coke, Flake, Snow</i>)</p> <p>Crack (<i>Rock</i>)</p> <p>Methamphetamines (<i>Ice, Crank, Crystal</i>)</p> <p>Phenmetrazine (<i>Preludin, Preludes</i>)</p> <p>Adpax, Cylert, Didres, Ionamin, Mefiat, Plegine, Sanorex, Tenuate, Tepanil, Prelu-2</p>	<p><b>Stimulants</b> stimulate the central nervous system, increasing alertness and activity. Users of stimulants develop a tolerance, meaning larger doses must be taken to get the same effect.</p> <p>Stimulants are psychologically addictive.</p>	Increased alertness; excessive activity; agitation; euphoria; excitability; increased pulse rate, blood pressure and body t Increased alertness; excessive activity; agitation; euphoria; excitability; increased pulse rate, blood pressure & body temperature; insomnia, loss of appetite; sweating dry mouth and lips; bad breath; disorientation; apathy; hallucinations; irritability; & nervousness.	<p>Headaches; depression; malnutrition; hypertension;</p> <p>psychosis; cardiac arrest; damage to the brain and lungs; convulsions; coma; death.</p>

- **Chart II. Controlled Substances. Crime & Penalties In New York State**

**Class A-1 Felony: 15-25 years minimum; life term maximum**

**Possession:** 4 oz. Narcotic Drugs (Opiates, Heroin, Morphine, Opium derivatives, codeine, coca leaves, cocaine, other drugs listed in Public Health Law 3306 Sch. 1 (b), (c); II (b) and (c) excluding Methadone); 5760 mg. Methadone.

**Sale:** 2 oz. Narcotic Drugs; 2880 mg. Methadone

**Class A-II Felony: 3-8 years minimum; life term maximum**

**Possession:** 2 oz. Narcotic Drugs; 2880 mg. Methadone; 10 gm. Stimulants (Fenethylamine, N-ethylamphetamine, Amphetamine, Methamphetamine [ 2 oz.]); 25 mg. LSD; 625 mg.

Hallucinogens (DOM, STP, N-Methyl-3- Piperidyl Benzilate, Psilocybin, Psilocybin, Psilocyn, Tetrahydrocannabinols, Ethylamine analog of (PCP); 25 gm.

Hallucinogenic Substances ( DMA, PMA, DET, DMT, LSD, Marijuana, Mescaline Peyote).

**Sale:** ½ oz. Narcotic Drugs 360 mg. Methadone; 5 gm. Stimulants; ½ oz. Methamphetamine; 5 mg. LSD; 125 mg; Hallucinogens; 5 gm. Hallucinogenic Substances.

**Class B. Felony: 1-8 years minimum; 3-25 years maximum**

**Possession:** ½ oz. Narcotic Drugs; 5 gm. Stimulants; ½ oz. Methamphetamine; 5 mg. LSD; 1250 mg. Phencyclidine (PCP); 125 mg. Hallucinogens; 5 mg. Hallucinogenic Substances.

**Sale:** Any amount of Narcotic Drugs; any amount Narcotic Preparations; 1 gm. Stimulants; 1/8 oz. Methamphetamine; 1 mg. LSD; 250 mg. Phencyclidine (PCP); 25 mg. Hallucinogens; 1 gm. Hallucinogenic Substances.

**Class C Felony: Maximum 15 years prison**

**Possession:** 1/8 oz. Narcotic drugs; 2 oz. Narcotic Preparations; 360mg. Methadone; 1 oz. Concentrated Cannabis; 1 gm. Stimulants; ½ oz. Methamphetamine; 1 mg. LSD; 250 mg. PCP; 25 mg. Hallucinogens; 1gm. Hallucinogenic Substances; 10oz. Dangerous Depressants (Methaqualone; Phencyclidine; Amobarbital, Glutethimide, Pentobarbital, Secobarbital, Barbitol, Methohexital, Mephobarbital, Phenobarbital); 2 lb. Depressants (items in P.H.L. 3306\* , Sch . IV [c] not listed above), 10 lbs. aggregate Marijuana.

**Sale:** Any amount Narcotic Preparations, Methadone, Concentrated Cannabis; ( to persons 19 yrs. on school ground, any amount Stimulants, Methamphetamines, LSD, PCP, Hallucinogens, Hallucinogenic Substances, Dangerous Depressants, Depressants); 50mg. PCP, 10 oz. Dangerous Depressants; 2 lb. Depressants; more than 100 lbs of Cannabis or concentrated Cannabis.



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**Class D Felony: Maximum 7 years prison**

**Possession:** 500 mg. Cocaine, >½ oz. Narcotic Preparations; 4 lbs or more Concentrated Cannabis; 50 mg. PCP, 10 lbs aggregate\*\* Cannabis

**Sale:** Any amount Stimulants; Methamphetamines; LSD; PCP; Hallucinogens; Hallucinogenic Substances; Dangerous Depressants; Depressants; more than 5 lbs of Cannabis or more than 2 lbs of concentrated Cannabis.

**Class E Felony: Maximum 4 years prison**

**Possession:** 5 lbs. aggregate\*\* Cannabis; 2 lbs aggregate\*\* concentrated Cannabis.

**Sale:** More than 16 oz of Cannabis or more than 5 oz of concentrated Cannabis; more than 3 oz of Cannabis or more than 24 gms of concentrated Cannabis sold or given by someone 21 years or older to a person under 18 years old.

**Class A Misdemeanor: Maximum 1 year prison or \$1,000 fine**

**Possession:** Any amount of Narcotic Drugs; narcotic preparations; Methadone; concentrated Cannabis; Stimulants; Methamphetamines; LSD; PCP; Hallucination; Hallucinogenic Substances; Dangerous Depressants; Depressants; more than 16 oz Cannabis; more than 5 oz of concentrated Cannabis.

**Sale:** More than 3 oz of Cannabis or more than 24 gms of concentrated Cannabis; any amount of Cannabis sold or given to a person under 21 years old.

**Violation: Maximum \$125 fine**

**Possession:** More than 3 oz of Cannabis or more than 24 gms of concentrated Cannabis.

**Violation: Maximum \$250 fine**

**Sale:** Any amount of Cannabis or concentrated Cannabis.

\* New York State Public Health Law 3306

\*\* Aggregate is the gross weight of material in which "pure" marijuana is contained.

• **Chart III. Controlled Substances. Crimes & Penalties Under Federal Law**

**Possession:** 100 grams or more methamphetamine or kilogram or more methamphetamine mixture, 1 kilogram or more heroin mixture, 5 kilograms or more cocaine mixture, 50 grams or more crack mixture, 100 grams or more PCP or 1 kilogram or more PCP mixture, 10 grams of more LSD mixture, 400 grams or more Fentanyl mixture, 100 grams or more Fentanyl analogue mixture, 1000 or more marijuana plants.

**Penalty:** First Offense: 0 to life, 10 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$4 million fine individual, \$10 million other than individual.

Second Offense: 0 to life, 20 year mandatory minimum; if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than the individual.

**Possession:** 10-99 grams methamphetamine or 100-999 grams methamphetamine mixture, 100-999 grams heroine mixture, 500-4999 grams cocaine mixture, 5-49 grams crack mixture, 10-99 grams PCP or 100-999 grams PCP mixture, 1-10 grams LSD mixture, 4-399 grams Fetanyl, 10-99 grams Fetanyl analogue, 100-1000 kilograms marijuana, 100-1000 marijuana plants.

**Penalty:** First Offense: 0 to 40 years, 5 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$ 2 million fine individual, \$ 5 million other than individual.

Second Offense: 0 to life, 10 year mandatory minimum; if death or serious injury, not less than life; up to \$ 4 million fine individual, \$ 10 million other than individual.

**Possession:** Any amount of other Schedule I and Schedule II Controlled Substances, 50-100 kilograms marijuana, 50-99 marijuana plants, 10-100 kilograms hashish, 1-100 kilograms hashish oil.

**Penalty:** First Offense: 0 to 20 years; if death or serious injury, 20 year minimum, not more than life; up to \$1 million fine individual, \$ 5 million other than individual.

Second Offense: 0 to 30 years; if death or serious injury, not less than life; up to \$ 2 million fine individual, \$ 10 million other than individual.

**Possession:** Any amount of Schedule IV Controlled Substances.

**Penalty:** First Offense: 0 to 3 years; up to \$ 250,000 fine individual, \$ 1 million other than individual.

Second Offense: 0 to 6 years; up to \$ 500,000 fine individual, \$ 2 million other than individual.

**Possession:** Any amount of Schedule V Controlled Substances.

**Penalty:** First Offense: 0 to 1 year; up to \$ 100,000 fine individual, \$ 250, 000 other than individual.

Second Offense: 0 to 2 years; up to \$ 200, 000 fine individual, \$ 500, 000 other than individual.

In addition to the above penalties for controlled substances crimes, Federal law provides for:

- (1) forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment;
- (2) forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance;
- (3) a civil fine of up to \$10,000 (pending adoption of final regulations);
- (4) denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses;
- (5) ineligibility to receive or purchase a firearm; and
- (6) revocation of certain Federal benefits, e.g. pilot licenses, public housing tenancy, etc., as determined by individual Federal agencies.

## ANNUAL SECURITY REPORT CRIME STATISTICS

Under the Clery Act campuses are required to report campus crime statistics for certain offenses, hate crimes, arrests and disciplinary referrals to the campus judicial process reported in the 2018 calendar year. The Clery Act also requires that any incident that is unfounded also be reported. An incident may be classified as unfounded only after investigation by a law enforcement agency. A mere lack of evidence to support the allegations is not sufficient to unfound a case. To classify an incident as unfounded there must be evidence that demonstrates the offense was not committed. The number of unfounded cases, if any, is indicated in square brackets [ ] for each offense and location category.

### Crime Offense Definitions

The definitions for murder, robbery, assault, burglary, sex offenses, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the *2016 Handbook for Campus Safety and Security Reporting*.

**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** - Aggravated Assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** - The unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle.

**Weapon Law Violations** - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. This includes dangerous instruments in the College's reports.

**Drug Abuse Violations** - Violations of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Liquor Law Violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Rape** - The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest** – The sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** – The sexual intercourse with a person who is under the statutory age of consent.

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

**Murder and Non-Negligent Manslaughter** - Defined as the willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter** - Defined as the killing of another person through gross negligence.

### **Hate Offenses**

The hate crimes presented for this report are related to those reportable offenses that appear in the below tables, or where the victim was bodily injured. In addition, larceny-theft, simple assault, intimidation, and vandalism-destruction of property offenses will be reported if they can be classified as hate crimes. The crimes presented are based on reports filed with the following offices: Chief of Police, Dean of Students, Commandant of Cadets, Director of Residential Life, Director of Human Resources, Title IX Coordinator and accounts reported by Campus Security Authorities.

The definitions of these offenses, are defined in the "Uniform Crime Report" and the "Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

#### **Hate Offense Statistics**

- For Calendar Year 2020 there were two reports of on-campus incidents of criminal mischief (graffiti) evidencing bias regarding religion.
- For Calendar Year 2019 there was no report of on-campus incident evidencing bias .
- For Calendar Year 2018 there was one report of on-campus incident of criminal mischief (graffiti) evidencing bias regarding religion.

Crime Statistics 2020		2020				
Criminal Offenses	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	1	1	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	2	1	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Hate Crimes	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage/vandalism of property	2	1	0	0	0	0
VAWA Offenses	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	1	1	0	0	0	0
Arrests	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
Disciplinary Actions	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Weapons: carrying, possessing, etc.	5	5	0	0	0	0
Drug Abuse Violation	12	10	0	0	0	0
Liquor Law Violations	21	17	0	0	0	0

1- If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". Only sworn or commissioned law enforcement personnel may unfound a crime.

<b>Crime Statistics 2019</b>		<b>2019</b>				
<b>Criminal Offenses</b>	<b>On-Campus</b>	<b>On-campus Student Housing</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>On-Campus Unfounded<sup>1</sup></b>	<b>Unfounded<sup>1</sup> On-campus Student Housing</b>
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	1	1	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	18	18	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Hate Crimes</b>	<b>On-Campus</b>	<b>On-campus Student Housing</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>On-Campus Unfounded<sup>1</sup></b>	<b>Unfounded<sup>1</sup> On-campus Student Housing</b>
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0
<b>VAWA Offenses</b>	<b>On-Campus</b>	<b>On-campus Student Housing</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>On-Campus Unfounded<sup>1</sup></b>	<b>Unfounded<sup>1</sup> On-campus Student Housing</b>
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>Arrests</b>	<b>On-Campus</b>	<b>On-campus Student Housing</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>On-Campus Unfounded<sup>1</sup></b>	<b>Unfounded<sup>1</sup> On-campus Student Housing</b>
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>Disciplinary Actions</b>	<b>On-Campus</b>	<b>On-campus Student Housing</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>On-Campus Unfounded<sup>1</sup></b>	<b>Unfounded<sup>1</sup> On-campus Student Housing</b>
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug Abuse Violation	0	0	1	0	0	0
Liquor Law Violations	5	5	0	0	0	0

1- If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". Only sworn or commissioned law enforcement personnel may unfound a crime.



Crime Statistics 2018		2018				
Criminal Offenses	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape*	6*	4*	0	0	0	0
Fondling	2	2	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	9	8	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Hate Crimes	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage/vandalism of property	1	0	0	0	0	0
VAWA Offenses	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Domestic Violence	0	0	0	0	0	0
Dating Violence	6	5	0	0	0	0
Stalking	2	1	0	0	0	0
Arrests	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
Disciplinary Actions	On-Campus	On-campus Student Housing	Non-Campus	Public Property	On-Campus Unfounded <sup>1</sup>	Unfounded <sup>1</sup> On-campus Student Housing
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug Abuse Violation	5	3	0	0	0	0
Liquor Law Violations	7	7	0	0	0	0

1- If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". Only sworn or commissioned law enforcement personnel may unfound a crime.

Please Note: Rape\* – Of the total 6 cases reported in 2018, 3 occurred in 2018, 2 occurred in 2017 and 1 occurred in 2016.

## FIRE SAFETY

If you should discover or suspect a fire in a college building:

- Activate the building fire alarm by using a corridor pull station. If you cannot activate the alarm, warn other people by knocking on doors and shouting a warning. **DO NOT ENDANGER YOURSELF.**
- Call UNIVERSITY POLICE at 7311 or 911 from a phone or from a campus emergency phone.
- Leave the building immediately. Move away from the building at least 200 feet, clear the driveways, sidewalks and access to the building. When the firefighters arrive, direct them to the fire.
- Report ALL fires, even small ones you have extinguished. University Police must still file a report.

### Fire Alarms

When you hear a fire alarm:

- Never assume that it is a false alarm.
- Leave the building immediately when a fire alarm sounds. Failure to do so is grounds for college disciplinary action and may lead to personal injury.
- Never re-enter the building until a college official indicates it is time to do so.

### Building Fire Safety Features

Smoke/heat detectors have been installed in campus buildings. The fire alarm systems are electronically supervised. University Police personnel will respond to fire alarms.

Sprinkler systems have been installed in some appropriate areas. Do not tamper with sprinkler heads.

Stairway doors should close automatically and must be kept closed at all times. Never prop these doors open. Stairways can act as chimneys and spread fire and smoke throughout the building, if the doors to them are open. If the doors are kept closed, the stairways will provide a place of refuge and will protect you while you escape from the building. It is especially important to make sure that residence hall stairway doors are kept closed at night, when people are asleep and detection of a fire may be delayed.

Exit signs clearly mark each exit area. Self-reflecting exit signs have been installed on all exterior corridor doors. Fire extinguishers should be used only after you sound the alarm and call for emergency assistance. Use the extinguisher only if you need it to assist your safe evacuation. Don't expose yourself to heavy smoke, as the toxic gases from smoke can render you unconscious in a few seconds. The contents of extinguishers are expended in seconds - if at first you don't succeed, leave. Be sure an alarm has been sounded.

## ANNUAL FIRE SAFETY REPORT

Maritime College's "fire log" is maintained and available by contacting University Police. The following chart is a compilation of fires that occurred in campus residence halls during years 2018 through 2020. Note that cases of arson would also be reported in the crime section of the Annual Security Report. Also note that a "fire" is classified as "*any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.*"

All fires on campus should be immediately reported to the University Police by dialing 911 on any campus phone or by dialing 718-409-7311 on any cell phone.

The University Police Dispatcher will then notify the New York City Fire Department to respond and dispatch a University Police Officer to the scene to assess the situation, update arriving fire units and ensure evacuation of any areas or building as may be necessary.

Fire drills are conducted regularly in both the residence halls and all other campus buildings as required by law. **In 2020, a total of 41 building evacuation drills were completed.** In all buildings, the general procedure is to get out of the building immediately and move to the designated immediate evacuation area.

In the residence halls, students are expected to leave the facility immediately after the fire alarm is activated. They are instructed to not use elevators. Staff members are expected to leave at the time of an alarm and make cursory checks of floors and wings as they progress downward to the main floor of a hall. Staff members report to University Police and the Facilities Department any special needs or issues they observe while evacuating the facility. Once the facility is deemed safe, staff members check rooms to verify that evacuation protocol has been observed by students. Specific evacuation procedures and staff responses are outlined in the Student Affairs and Housing manual.

### 2020 Fire Report

Residential Facilities	Total Fires in Each Building	Type/ Cause of Fire	No. of Injuries Treated at Medical Facility	Related Deaths	Value of Property Damaged	Report #
A/B Dormitory	0	N/A	N/A	N/A	N/A	N/A
C/D Dormitory	0	N/A	N/A	N/A	N/A	N/A
E/F Dormitory	0	N/A	N/A	N/A	N/A	N/A
G/H Dormitory	0	N/A	N/A	N/A	N/A	N/A

### 2019 Fire Report

Residential Facilities	Total Fires in Each Building	Type/ Cause of Fire	No. of Injuries Treated at Medical Facility	Related Deaths	Value of Property Damaged	Report #
A/B Dormitory	0	N/A	N/A	N/A	N/A	N/A
C/D Dormitory	0	N/A	N/A	N/A	N/A	N/A
E/F Dormitory	0	N/A	N/A	N/A	N/A	N/A
G/H Dormitory	0	N/A	N/A	N/A	N/A	N/A

## 2018 Fire Report

Residential Facilities	Total Fires in Each Building	Type/ Cause of Fire	No. of Injuries Treated at Medical Facility	Related Deaths	Value of Property Damaged	Report #
A/B Dormitory	0	N/A	N/A	N/A	N/A	N/A
C/D Dormitory	0	N/A	N/A	N/A	N/A	N/A
E/F Dormitory	0	N/A	N/A	N/A	N/A	N/A
G/H Dormitory	0	N/A	N/A	N/A	N/A	N/A

## Items Not Allowed on Campus

**For the safety of all residents, use and/or possession of the following items will NOT be allowed in any of the student rooms or public areas within the residence halls:**

- Air conditioners (either floor or window models)
- Electric, propane, or kerosene space heaters
- Foreman Grills® or any open-element cooking appliance
- Toasters, ovens, toaster ovens, hot plates
- Incense air fresheners
- Candles and candle warmers
- Sun lamps or any lamps with plastic shades, i.e., “octopus” lights
- Decorative lighting including holiday lighting, rope lights
- Refrigerators exceeding 5 cubic feet
- Extension cords
- Potpourri pots
- Electric coils
- Lava lamp, halogen, or other high-intensity lamps
- Electric blankets

- Propane gas, gasoline, charcoal starter
- Dart boards, blow darts, or similar projectiles
- Lofts/loft beds not approved by the Office of Residential Life
- Water beds, hammocks, sleeping devices not provided by the College
- Cargo netting, draperies, or other items that present a fire hazard
- TV antennas or satellite dishes on the roof or outside of windows
- Items suspended from the ceiling
- Lines or cables through windows, doors, or conduits
- Lighted or unlighted holiday trees or wreathes
- Any item that impedes entrance or egress from a room
- Firearms (including BB, pellet, and paintball), weapons, ammunition
- Firecrackers, explosives
- Combustible fuel, insecticide, solvents, or any other type of flammable liquids
- No smoking of tobacco products, e-cigs, vaping kits

College officials may confiscate any item that presents a danger to staff or residents. Return of seized items is at the discretion of the Residence Director. Items removed due to confiscation that are lost or stolen will not be replaced and items not retrieved by the conclusion of the academic year will be discarded with no liability for loss by the College.

## **FIRE SAFETY SYSTEMS**

### **Kerry Rose Fire Sprinkler Notification Act (A. 5715-A/S. 4180-B)**

The Kerry Rose Fire Sprinkler Notification Act of 2013 requires the College to provide a written fire safety notification to each student living in a college-owned or operated housing facility, both on and off campus. The notification consists of a description of the fire safety system for the student's housing facility, including whether or not the housing facility is equipped with a fire sprinkler system. The notification also includes information on how to access the College's campus fire safety report required by federal law. In accordance with the Kerry Rose Fire Sprinkler Notification act, the electronic notification is provided to students at the beginning of the semester.



### Fire Safety Systems in Student Housing Facilities

Residential Facilities	Immediate Evacuation Area	Detection Type	Full Sprinkler/ Suppression Y/N	Fire Alarm Sound Y/N	Strobe Lights Y/N	Pull Stations Y/N	Type of Alarm System
A/B Dormitory	Vanderclute Quad	Smoke/ Heat	No-Basement only	Yes-Horn	Yes	Yes	Edwards System Technology
C/D Dormitory	Vanderclute Quad	Smoke/ Heat	No-Basement only	Yes-Horn	Yes	Yes	Edwards System Technology
E/F Baylis Hall	Vanderclute Quad	Smoke/ Heat	No-Basement only	Yes-Horn	Yes	Yes	Edwards System Technology
G/H New Dorm	Vanderclute Quad	Smoke/ Heat	Yes	Yes-Horn	Yes	Yes	Edwards System Technology

### Environmental Health & Safety - Responsibilities of Staff and Students

**University Police & Facilities Services** are responsible for:

- Reviewing and updating the fire safety standards;
- Evaluating the standards' effectiveness;
- Providing or coordinating emergency training to the campus community on the topics of both fire safety and building evacuations, including emergency assemble areas (for residence halls, this is done in conjunction with Residential Life);
- Providing information about this standard and specific responsibilities to employees;
- Responding to or assisting with other campus emergencies.

**Supervisors** are responsible for:

- Assisting with efforts to provide training to employees.

**Students** are responsible for:

- Reporting fires and other emergencies;
- Reporting unsafe conditions;
- Observing evacuation procedures and protocol for other campus emergencies.

**University Police** are responsible for:

- Assisting with fire drills and emergency evacuations;
- Reporting fires and emergencies to the appropriate agencies;
- Responding to or assisting with other campus emergencies.

**Visitors** are responsible for:

- Observing evacuation procedures and protocol for other campus emergencies.

**Employees** are responsible for:

- Reporting fires and other emergencies;
- Correcting or reporting unsafe conditions;
- Observing evacuation procedures and protocol for other campus emergencies.

### **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 immediate evacuation area. In the residence halls, students are instructed at the opening meeting and other floor/wing meetings on evacuation procedures. Programs are also presented in residence halls on various safety issues including fire safety. Students are reminded about fire evacuation procedures during all hall meetings, floor meetings, or after problems occur during fire drills and accidental activations of the alarm.

The resident assistant (RA) on duty completes rounds that include checking fire extinguishers (gauges, missing tags), and complete Work Order Requests for any issues. In addition, cleaning staff also check and submit Work Order Requests for extinguishers that need replacement. The Facilities Department conducts periodic inspections of exit signs, detectors, doors, and pull stations within the residence halls. Work Requests are subsequently submitted to address items that require corrective action. Additionally, student rooms are thoroughly inspected during Thanksgiving, winter, spring breaks, and during the annual state fire inspection conducted by the New York State Office of Fire Prevention and Control. Incidentals such as misuse of extension cords, candles, and small appliances are scrutinized. Any “illegal” item found during an inspection is confiscated and, in some instances, students may be referred to Campus Judicial Affairs.

### Student Housing Fire Evacuation Drills in 2020

BUILDING	Drill #1	Drill #2	Drill #3	Drill #4	Drill #5	Drill #6	Drill #7
A/B Dormitory	15-JAN	11-FEB	16-SEP	19-OCT	16-NOV		
C/D Dormitory	15-JAN	11-FEB	16-SEP	19-OCT	16-NOV		
E/F Dormitory	15-JAN	24-JAN	11-FEB	3-MAR	16-SEP	19-OCT	16-NOV
G/H Dormitory	15-JAN	11-FEB	16-SEP	10-OCT	16-NOV		

**Copies of the Maritime College Fire Safety Report are available through:**

University Police Department

Facilities Department

## CAMPUS MAP



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