Annual Report

2008

JEANNE CLERY DISCLOSURE ACT

CRIME AWARENESS AND CAMPUS SECURITY

SEXUAL ASSAULT PREVENTION

SUNY CANTON
College of Technology
In the 1980’s, concern grew about crime and security at the nation’s post-secondary institutions. These institutions had traditionally been considered safe havens. A number of high profile violent crimes on college campuses changed that perception and led to legislation which would address campus security and crime:

The Student Right-to-Know and Campus Security Act (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.

During the 1990 New York State legislative session, the legislature passed and the governor signed into law as Chapter 739 of the Laws of 1990 new requirements for post-secondary institutions regarding campus security. This law requires post-secondary institutions to provide specific information to incoming students about sexual assault prevention and the formation of an advisory committee on campus security.
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Revised 06/17/09
CRIME AWARENESS AND CAMPUS SECURITY
Reporting Emergencies  
And Criminal Activity

The State University of New York College of Technology at Canton provides to the campus community the availability of its University Police Department. The department consists of a team of people who work to create a safe environment in which to live, work and learn. The department operates 24 hours a day, 365 days a year.

All criminal acts and/or emergencies are reported to the University Police Department, which is located at the south end of the campus adjacent to the Cooper Service Building, by calling 315-386-7777. University Police encourages accurate and prompt reporting of all crimes as soon as possible.

An emergency blue light phone system is available on the campus grounds. This system provides a means for immediate contact with the University Police. In addition, various campus buildings have strategically located telephones for emergency use.

Upon receipt of a call, appropriate University Police or emergency personnel will be dispatched to your location. Criminal offenses are investigated by the University Police Department for future prosecution. Further, the campus community is notified of situations that pose a threat to the safety and well-being of our community through the following methods of communication: campus alerts, campus newspaper, campus website, and campus information system.

SUNY Canton utilizes NY Alert System to notify the campus community upon confirmation of significant emergency or dangerous situations. The emergency response and/or evacuation procedures will be communicated to students and staff using NY Alert. A test of NY Alert used by SUNY Canton will be conducted annually. To sign up for NY Alert, students and staff can go to their UCanWeb account. Information will be published annually concerning NY Alert at Canton.

The University Police Department provides an on-campus escort service which is available to any student, employee, or visitor.

The campus has a Disaster Preparedness Plan which provides for the dissemination of information and response to any critical incident or disaster.

On an annual basis, crime statistics and disciplinary actions are collected from any official of the institution who has significant responsibility for students. The following is a list of titles or organizations to which students and employees would report criminal offenses listed for the purpose of timely warning reports and annual statistical disclosure. These would include but not limited to: University Police, Senior Administrative staff, Deans of Programs, Dean of Students, Student Housing, Student Activities, student extra-curricular activities, Director of Athletics, coaches, faculty and advisors to student groups.

The University Police Department does not provide provisions for confidential reporting.

Monitoring Off-Campus  
Criminal Activity

Criminal incidents are monitored by the University Police Department. All offenses and arrests [which take place at recognized off-campus locations] are reported to college officials by the Village of Canton Police Department and the St. Lawrence County Sheriff’s Department and are included in the crime statistics for this campus.

Only Greek organizations currently recognized by SUNY Canton would be considered off-campus student organizations.

Campus Law Enforcement

University Police officers are officers appointed by the State University of New York as defined in the Criminal Procedure Law. They have the authority to make arrests, conduct criminal investigations, issue uniform traffic tickets, and execute warrants and issue summonses for parking. The officers also enforce any general, special or local law or charter, rule, regulation, judgment or order.

The University Police Department is the law enforcement agency for the campus. Officers are vested with full law enforcement responsibilities. Officers attend a Police Training Academy approved by the Division of Criminal Justice Services. They receive specialized training and in-service training in first aid, defensive tactics, legal updates and other law enforcement topics.
The department forwards crime incident information to the Division of Criminal Justice Services (DCJS) for state and national distribution. Crime reports and related statistical information is entered into SUNY Campus Crime Information System for statistical purposes. Potential criminal actions and emergencies on campus can be reported by any faculty, student or staff member by dialing 315-386-7777.

The University Police Department enjoys a close proximity to and a working relationship with the Canton Village Police, the St. Lawrence County Sheriff=s Department and the New York State Police. University Police has a Memorandum of Understanding with Canton Village Police in investigating serious violent crimes, missing persons and other law enforcement duties.

Crimes committed and arrests made at recognized off-campus sites are reported to this department by the Canton Village Police Department and St. Lawrence County Sheriff=s Department on a yearly basis.

Security of Building and Grounds

Security and access to on-campus facilities are controlled by key and electronic card access. The University Police monitor access to the campus facilities. This does not include the fraternities and sororities, which are located off-campus.

The residence halls (dormitories) have a card access system installed at each main entrance. Residence halls are locked on a 24-hour basis.

All residence hall exit doors lock automatically. The doors have an electronic alarm which activates a loud buzzer on a panel in the main lobby outside the residence hall director=s apartment/office. The activated buzzer will continue to ring until it is manually reset. This system works on all exterior wing doors but is not connected to main entrance doors. Combination locks have been installed on all residence hall rooms. In addition, a door viewer has been installed to increase safety and security.

Other security considerations used in maintaining campus facilities include the checking of campus lighting by the University Police and Physical Plant personnel. The Grounds Department checks areas which may be potentially dangerous and takes corrective action.

University Police officers provide 24 hour-a-day vehicle, ATV, bicycle, and foot patrols of campus properties owned by the college. Campus facilities are open to the public during the day and evening hours when classes are in session. The general public can attend cultural and recreational events on campus. Access is limited only to the facilities in which these events are held.

After evening classes/functions and during times when the campus is officially closed, campus buildings are locked and only faculty, staff and students with proper identification are admitted. Campus employees with assigned offices are issued keys and are responsible for reporting missing and stolen keys.

Crime Prevention Programs

Orientation programs are conducted during the summer and fall semesters to inform parents and prospective students about crime prevention and personal safety.

Crime prevention tips in student newspapers and college publications as well as brochures distributed throughout the residence halls and department offices enhance the educational process. The campus conducts campus security surveys on specific areas and buildings of the campus. The reports are submitted to appropriate personnel for review and action.

University Police services include: Operation ID (property identification), rape awareness, transmittal of crime information, posting of emergency phone numbers, monitoring the blue light phone system and publishing crime tips in campus media.

New employees receive a campus orientation and are provided with information on personal safety, crime prevention, emergency procedures and other prevention measures.

Educational programs are offered each year on crime prevention. Listed below are the types of programs offered:

- Operation Identification
- Rape Awareness
- Women=s Safety
- Drug Awareness
- Workplace Violence
- Fire Safety
Programming on Security and Safety

The Residence Life staff is a team of individuals who work to provide a safe and secure environment in which resident students can live and learn. Each residence hall has a director or senior resident assistant responsible for overall operation of the hall. The residence hall directors have educational backgrounds related to counseling and/or student services. They have a private office adjacent to the general office so they are available for students’ personal or academic concerns. The residence hall director or senior resident assistant lives in the residence hall so that she/he is available after working hours if emergencies occur. In addition, there are resident assistants in each building. These students are carefully selected and trained in counseling and intervention techniques. They work closely with the residents of their floor to develop a sense of community and help students make the adjustments to living in college residences.

SUNY Canton offers many opportunities for campus-wide programming throughout the year. These programs, designed to inform students and employees about campus security procedures and practices, include lecture series, residence hall meetings, Citizens Against Violent Acts, Renewal House, University Police services, counseling, health services, classroom discussions and new employee orientation.

The Physical Plant Department maintains the entire campus with a concern for safety and security. Inspections of campus facilities are conducted regularly and repairs are made. All safety and security hazards should be reported to the University Police at 315-386-7777.

The cooperation and involvement of all members of the campus community in a campus safety and security program are essential. Everyone must assume responsibility for their own personal safety and the security of their personal belongings by taking common sense precautions. Residence hall rooms should be locked at night or when occupied. Students, faculty and staff should report any suspicious persons who they believe do not belong in their residence halls or offices, or any unusual incidents that are observed, to the University Police.

Alcohol and Drugs

The privilege of using alcoholic beverages, narcotics, and dangerous drugs is governed by laws of the State of New York and college policy as detailed in the Student Handbook, the Code of Student Conduct, the Residence Hall Guide, the Personnel Handbook and the Policies and Procedures Manual. Irresponsible and/or illegal possession, use and sale of alcohol, narcotics or dangerous drugs and/or the resulting inappropriate behavior, is strictly prohibited.

The college follows a **zero tolerance** philosophy toward alcohol and drug violations. The premise being that every alcohol policy violation will be met with strong and swift disciplinary action. There is a need to send both a consistent and strong message that illegal consumption of alcohol, alcohol abuse as well as drug abuse and the resulting behavior will not be tolerated.

The University Police Department is responsible for the enforcement of all Federal and State laws related to alcohol, narcotics and drugs. Therefore, all alcohol, narcotics and dangerous drug violations that are reported receive immediate attention and are thoroughly investigated.

Drugs and Alcohol Abuse Education

As an educational institution, SUNY Canton believes that the best approach to drug and alcohol abuse is education. The college provides ongoing drug and alcohol awareness educational programs and dissemination of pertinent information as illustrated below:

**Programs conducted by Counselors and Peer Educators**

- **Alcohol and Drugs Awareness**: This program provides students with facts and statistics about alcohol and other drugs and how they can affect your life; also goes into legal issues. This program provides students with alternatives to drinking and using drugs.
• **Signs of Someone Who Is Possibly Abusing Drugs and Alcohol:** This program provides students with behavior signs of someone who is possibly abusing drugs/alcohol. If students have a friend they are worried about, they are informed on how to contact resident assistants, resident directors and counselors on campus.

• **Caution: Drugs & Alcohol Don’t Mix:** This program explains the possible consequences of mixing alcohol with certain types of medication; mixing antibiotics, antihistamines, over-the-counter pain killers, and sleep medicines, for example, are dangerous when mixed with alcohol.

• **Marijuana and the Mind:** Provides students with an overview of marijuana and how it affects the body. Issues covered are personality changes, panic reactions, memory deficits, risks and side effects, trends and demographics.

• **Alcohol/Drugs Can Lead to Aids and Other STDs:** Provides students with an overview of Aids and various STDs and makes them aware of how alcohol and drugs can lead to unsafe sex.

• **Binge Drinking:** The program describes what binge drinking is, the dangers and what it can lead to, how to resist pressures, and health options.

• **Alcohol Poisoning:** The program covers warning signs of alcohol poisoning and how to react immediately.

• **Other topics will be covered upon request.**

**Programs Conducted by University Police**

- Drug Identification for resident assistants
- Zero Tolerance: Drugs & Alcohol
- The ABCs of the Alcohol Beverage Control Law

**Programs for Violators of the Zero Tolerance Law**

- **Outside the Classroom:** AlcoholEdu is an online course that engages students with a highly personalized experience that produces strategic learning gains, changes perceptions, motivates behavior change and supports healthier decisions. AlcoholEdu delivers a science-based, non-opinionated curriculum that is customized to address the specific needs of men and women, drinkers and abstainers, and higher-risk students. Providing confidential feedback about their own knowledge, attitudes and behaviors, AlcoholEdu enables learning that is highly relevant to their individual needs.

- **Eight-hour alcohol and drug class:** The program is held twice a semester and is available to second level violators and others who wish to attend. It provides an in-depth study of alcohol and other drugs.

Other programs on alcohol and drugs are also provided on campus by outside agencies. Presentations are given by Seaway Valley Council for Alcohol/Substance Abuse Prevention Inc., Aids Outreach, Renewal House, CAVA, DWI Impact Panel and other individual guest speakers.

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**Definitions of Offenses**

Offenses in Campus Crime Reporting use the [Federal Uniform Crime Reporting](https://www.fbi.gov/ucr) Part I Offenses and their related definitions. These offenses are:

**Criminal Homicide-Manslaughter by Negligence** - The killing of another person through gross negligence.

**Criminal Homicide-Murder and Non-Negligent Manslaughter** - The willful (non-negligent) killing of one human being by another.

**Sex Offenses-Forcible** - Any sexual act directed against another person, forcibly and/or against that person=s will; or not forcibly or against the person=s will where the victim is incapable of giving consent.

- Forcible Rape
- Forcible Sodomy
- Forcible Fondling
- Sexual Assault with an Object

**Sex Offenses** - Unlawful, nonforcible sexual intercourse.

- Incest
- Statutory Rape

**Robbery** - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault.)
when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

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

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

**Hate Crime** - Also known as a bias crime, a hate crime is a criminal offense committed against a person, property, or society which is motivated, in whole or in part, by the offender=s bias against a race, religion, disability, sexual orientation, or ethnicity/national origin.

**Weapon Law Violations** - The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

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

**Liquor Law Violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; underage possession; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

The crimes of larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and of other crimes involving bodily injury to any person, in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim that are reported to campus security authorities or local police agencies, which data shall be collected and reported in the annual report. These crimes will be considered hate crimes or bias crimes.

### Police Log of all Reported Crimes

The University Police Department has available to the public copies of the ADaily Shift Report. This report contains all of the activities of the University Police Department for each day, which includes the nature, date, time, and general location of each crime and the disposition of the complaint. This document is available for inspection 24 hours per day, seven days per week, at the University Police Department.

### Sex Offender Notification

State University Police Departments will now receive direct notification from the Division of Criminal Justice Services if a registered sex offender is enrolled at or is employed by the S.U.N.Y. campus. Sex offender notification procedures can be found on the University Police web pages.

### Protection of Whistleblowers

Nothing in this report shall be construed to permit the institution, or an officer, employee, or agent of the institution, participating in any program under this title to retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual with respect to the implementation of any provision of this document.

### Sexual Assault Awareness and Prevention

See part II of this booklet which covers all aspects of sexual assault awareness and prevention.
# Crime and Arrest Statistics

**SUNY Canton College of Technology**

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(See pages 9, 10, 11 for further breakdown)
## 2008 REPORTED CRIMES

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## HATE/BIAS CRIMES

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*Off-campus organizations officially recognized by the institution.
Bias Category: RA-Race, G-Gender, RE-Religion, E-Ethnicity, D-Disability, SO-Sexual Orientation
## 2007 REPORTED CRIMES

<table>
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<th>Offense</th>
<th>Campus (non-Residential)</th>
<th>Campus (Residential)</th>
<th>Public Property Adjacent to Campus</th>
<th>Off-Campus* (e.g. Fraternities, Sororities)</th>
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## HATE/BIAS CRIMES

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## ARRESTS

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## CAMPUS DISCIPLINARY REFERRALS

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*Off-campus organizations officially recognized by the institution.

Bias Category: RA-Race, G-Gender, RE-Religion, E-Ethnicity, D-Disability, SO-Sexual Orientation
### 2006 REPORTED CRIMES

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### HATE/BIAS CRIMES

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<th>Offense</th>
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### ARRESTS/CAMPUS DISCIPLINARY REFERRALS

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</table>

*Off-campus organizations officially recognized by the institution.

Bias Category: RA-Race, G-Gender, RE-Religion, E-Ethnicity, D-Disability, SO-Sexual Orientation
SEXUAL ASSAULT AWARENESS AND PREVENTION
SUNY Canton has a responsibility to inform you of the potential risks of sexual assault. The college believes that you also have a responsibility to learn about sexual assault in an effort to prevent its occurrence and protect yourself.

What is Sexual Assault?

Sexual assault is defined as forced, manipulated, or coerced sexual acts, which include but are not limited to, unwanted touching of an intimate part of another person such as a sexual organ, buttocks, or breast; sodomy; oral copulation; and rape by a foreign object.

What is the College’s Position on Sexual Assault?

The college believes that the best approach to sexual assault is prevention. To enhance this concept, the college has put forth considerable resources in the areas of sexual assault education, support services, crime prevention and campus law enforcement. Furthermore, the college believes that all sexual assault incidents are very serious and must be dealt with in a highly sensitive, confidential and professional manner. The college will make every effort to identify persons responsible for sexual assault offenses and will pursue arrest charges as well as campus disciplinary action.

When disciplinary action is taken, both the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding, and both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense.

If a sex offense occurs, the victim’s academic and living situations will be changed upon request if reasonably available.

Recommended Sexual Assault Preventative Measures

What can you do to avoid sexual assault?

- Avoid alcohol/drugs; be aware of the effects alcohol/drugs have on your behavior and the behavior of others.
- Be assertive; know your limits, make decisions.
- Watch nonverbal cues (from yourself), dressing sexy, touching.
- Trust intuitions; feeling creepy/uncomfortable; get out of the situation.
- Previous consent does not imply current consent; NO MEANS NO.
- Be alert.
- Lock doors - car doors; also carry keys in your hand.
- Avoid dark, desolate areas.
- Ask for an ID when repair person or service person comes to your door (before entering).
- Learn self defense.
- Never walk alone. Call University Police for an escort if you feel you need one.
- Always walk with assurance and confidence.
- Plan your evenings, your dates; go to public areas; don’t put yourself in danger.

Residence Hall Safety Precautions:

- Don’t let strangers in through locked outside doors.
- Sign in guests and register all overnight visitors with your hall director.
- Lock your room door at all times when you are napping, visiting friends on the floor or in the building, or using the bathroom.
- Don’t, under any circumstance, give out your combination to your room door.
- Report lost keys and ID cards immediately to your hall director and to the University Police.
- Use your peephole. Do not open the door if you do not know the person.
- Report any suspicious persons or activities to the R.A., hall director, or University Police immediately.
- Don’t prop open outside doors.
- Hang up on A prank® or obscene phone callers. Should the problem persist, report it to the University Police.

Avoiding Sexual Assault

To avoid sexual assault, you need to understand the nature of the crime. Sexual Assault is an all-encompassing term that includes rape and any unwanted sexual activity that involves touching.
The most common assumption regarding rape or sexual assault is that it is perpetrated by the monster who stalks his/her victim and strikes unexpectedly. This type of rape can and does occur on college campuses including SUNY Canton. It should be noted, however, that the nature of this type of crime has been rare on this campus.

Time and statistics have proven that the common instances of sexual assault on this campus fall into the following categories: Acquaintance Rape and Date Rape.

**Acquaintance Rape** is a type of sexual assault in which the victim and attacker know one another. Quite often they are only casual acquaintances.

**Date Rape** is a type of Acquaintance Rape that occurs while the victim and his/her attacker are on a date. (Experts in the field of sexual assault report that this type of rape is widespread on college campuses and often goes unreported.)

Students are most likely to become victims of sexual assault during their first few weeks at college when they make the transition from the security of their parents’ home to the less-restricted lifestyle of a residence hall. Another time of increased vulnerability is during the first few weeks when many make the transition from residence halls to off-campus apartments, sororities and fraternities.

Other factors which have been found to play a major role where sexual assaults have occurred include:

- Alcohol use/abuse
- Drug use/abuse
- Inviting your date or acquaintance to your room
- Mixed messages regarding sexual intent
- Walking unescorted on and off campus after dark

Knowledge and awareness of the nature and common instances of sexual assaults may assist you in making sound decisions regarding your personal safety.

**Victim Assistance**

**What if I become a victim of sexual assault?**

SUNY Canton has enjoyed a relatively low incidence of sexual assaults. This does not mean we can develop a false sense of security. It is imperative that the campus community work together to provide a safe environment for all. If you are a victim of any sexual assault, the following recommendations are presented for your consideration.

- As a victim of a sexual assault, you have the right to report the incident or not to report the incident. Only you can make that decision! We strongly suggest that you report the incident. The reason for this is to insure that you receive the necessary support to deal with this crisis and that we can address this situation in hopes of eliminating further occurrences.

- As a victim of a sexual assault, the institution will change your academic and living situation after an alleged sex offense and inform you of the options for those changes. The changes must be requested by you and reasonably available.

- Who can I talk to and where should I report the incident? Once again, you must make the decision as to whom you are most comfortable talking to. Here are some suggestions:
  - Talk to a friend or roommate.
  - Talk to your resident assistant or resident director.
  - Talk with a college counselor.
  - Talk with a clergy member.
  - Talk with your parents or other family members.
  - Talk with a campus law enforcement official (University Police).

As mentioned earlier, it is important that all sexual assaults are reported. There are options available for reporting. They include:

- Report the incident to a counselor (ask that they make it known to the college administration).
- Report the incident to any college official.
- Report the incident to the campus law enforcement agency (University Police).
It is not uncommon for some men/women to be afraid of reporting a sexual assault. They anticipate embarrassment and shame. A rape victim is treated as a victim of a violent crime with special psychological and emotional needs. The only shame would be if the rapist goes free.

**What should I do if I want to press charges?**

In order to build a strong case against the perpetrator of a sexual assault, it is important that you take the following steps:

- Report the sexual assault immediately to the University Police.
- Do not change clothes, shower or clean up.
- Do not throw anything away.
- Do not use any medication.

In addition to the above, the following information can greatly assist the University Police:

- Vehicle license number, make and color (if the assailant used a vehicle)
- Race of assailant
- Approximate age, weight and height
- Color and length of hair
- Color of eyes
- Type of clothing
- Any unusual marks, scars, tattoos, etc.
- Any belongings the assailant may have left at the scene

Keep in mind that the college is concerned with your well-being. If you become a victim of a sexual assault, get help immediately from a counselor. If the reporting aspect seems complicated and scary to you, let someone (preferably a counselor or University Police officer) assist you in this area by explaining all your options.

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**Counseling and Supportive Services**

Counselors are special people with enduring sensitivity, trained to respond to crisis situations. Much of that training comes from working with other victims. They can understand, support, advocate, listen and clarify.

You don’t bring your best skills to a crisis, but a counselor can bring theirs.

A counselor will help you sort through all the important issues one step at a time, at a manageable pace with you leading the way. What are the issues anyway?

- Getting immediate care for physical trauma.
- Gathering medical/legal evidence.
- Prevention/treatment of venereal disease.
- Prevention/treatment of pregnancy.
- Linking with your personal support system of family and friends.
- Legal assistance/reporting and prosecuting a rapist.
- Help dealing with any long term effects of assault including anxiety, depression and fears.

**Health Service**

It is crucial for victims of sexual assault to obtain immediate medical care, not only for their physical well-being but also to collect necessary legal evidence to prosecute the perpetrator. The college Health Center is open to students during regularly scheduled hours and staff is subject to a call back when needed. Immediate emergency care is provided directly by a well-trained staff to victims of sexual assault/rape. However, due to the specific nature of obtaining evidence for use in criminal prosecution, victims of sexual assault/rape are referred to the local hospital emergency departments. There, a thorough physical exam, lab work and photos are obtained as well as necessary precautions to prevent sexually transmitted diseases.

**The College Health Center will assist by:**

- making sure that physical evidence is not altered or destroyed. Remember, do not shower, wash, change clothes, comb hair, drink or eat or do anything to alter physical appearance until after a physical exam has been completed at a hospital.

- providing information to the victim on college policies and notifying the University Police, Dean of Students and parents. (All information is kept strictly confidential.)

- discussing what to expect in the hospital emergency department and what precautions will need to be followed to prevent pregnancy and sexually transmitted diseases.
The Davis Health Center staff may accompany an individual throughout the process, provide emotional support, arrange counseling and provide follow-up care.

SUNY Canton wants to advise you that in addition to the Counseling Center (Campus Center, Room 225, 315-386-7122), there are a number of other support services available to victims of sexual assault. They include:

**University Police**
University Police Department .......... 315-386-7777

**Davis Health Center**
Miller Campus Center, Room 004 .......... 315-386-7333

**Residence Life**
Miller Campus Center, Room 229 .......... 315-386-7513

**Canton Rescue Squad**
77 Riverside Dr., Canton, NY .............. 315-386-4544

**University Police Department**
50 Leroy St., Potsdam, NY ................... 315-265-3300

**Canton Police Department**
60 Main St., Canton, NY ...................... 315-386-4561

**Citizens Against Violent Acts (CAVA)**
East Main St., Canton, NY ................. 315-386-3777

**Reachout**
Potsdam, NY ........................................ 315-265-2422

**Planned Parenthood of NNY**
Miner St., Canton, NY ......................... 315-386-2441

**Renewal House**
3 Chapel Street, Canton, NY ............... 315-379-9845

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**College Policies and Regulations on Sex Offenses**

**Sexual Assault** is prohibited. Sexual assault is defined as forced, manipulated, or coerced sexual acts, which include but are not limited to, unwanted touching of an intimate part of another person such as a sexual organ, buttocks, or breast; sodomy; oral copulation; and rape by a foreign object. Violations may lead to college disciplinary action and/or arrest.

**Rape** is prohibited. Rape is defined as sexual intercourse by a friend, acquaintance or stranger:

- which is forced, manipulated, or coerced through the use of verbal coercion, intimidation (emotional and/or physical), threats, physical restraint, and/or physical violence; and/or

- where no consent was given due to the victim being unconscious or asleep, being unable to communicate, or the victim saying nothing; and/or

- Where the victim is temporarily incapable of appraising or controlling his or her conduct owing to the influence of alcohol or other drugs consumed without his or her consent or to any other act committed upon him or her without his or her consent.

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or education:

- Submission to or rejection of such conduct by an individual is used as a basis for employment or education decisions affecting such individual; or

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s performance or creating an intimidating, hostile or offensive environment.

**Code of Student Conduct: Rights and Responsibilities**

**Prohibited Conduct (Article IV)**
College discipline shall be limited to conduct by a student occurring on campus, or at events sponsored by recognized student organizations and student groups as described in the Code of Students Rights, Responsibility and Conduct, and to conduct occurring off campus by a student which may adversely affect the College. Violations of any provision is subject to disciplinary action and may result in the imposition if one or more sanctions. Violations of misconduct, subject to disciplinary sanctions are listed in the Student Handbook.
Sanctions for Violations of College Policies and Regulations

Sex offenses which are committed in violation of the Code of Student Conduct are subject to the following sanctions:

- **Admonition**: Written warning that continuation or repetition of misconduct may result in further disciplinary action.

- **Community Service**: The student as part of their sanction may be assigned a community service project which is unpaid work which benefits the college community. Performance of the community service will be monitored by the Dean of Students or the Dean’s designee. Failure to complete the assigned community service within the specified period of time will result in an appearance before the original sanctioning body/person and may result in an increased assignment and/or additional sanctions.

- **Disciplinary Probation**: Letter of probation placed on file in the office of the Dean of Students indicating that future violations may result in suspension or dismissal from the college. Students/organizations may also be suspended from specified college activities, areas and/or functions which do not relate directly to the student’s academic program.

- **Dismissal from the College**: Permanent termination of student status at Canton College or withdrawal of official college recognition of an organization. Dismissals will be noted on student’s permanent record.

- **Exclusion from Dining Hall**: Loss of dining privileges for a specified period of time.

- **Interim Suspension**: While normally no action will be taken against a student/organization until charges have been heard in accordance with the hearing process established under the code, a student/organization may be suspended pending a hearing on the charges whenever, in the judgment of the President or the President’s designee, the continued presence of the student/organization would constitute a clear danger to the student or to the safety of persons or property on college premises, or would pose an immediate threat or disruptive interference with the normal conduct of college activities.

- **Loss of parking privileges on campus.**

- **Residence Hall Probation**: Letter of warning is placed on file in the Residence Life office and the office of Dean of Students that any further violations of the Code of Student Conduct could result in loss of campus housing privileges including the loss of priority selection of room and/or residence hall for the following year.

- **Restitution**: Reimbursement for damages to or misapplication of property.

- **Sanctions against college recognized organizations**: The following sanctions may be imposed on college recognized organizations: admonition, community service, disciplinary probation, dismissal from college, interim suspensions, loss of use of college facilities or equipment, restitution, and/or suspension from the college. Greek Council Hearing Board can also impose a monetary penalty against Greek Organizations.

- **Suspension from College**: Termination of student/official organization status for a definite period of time. Suspensions will be noted on student’s permanent record.

- **Suspension from Residence Hall**: Loss of the privilege of living in college residence halls. The imposition of this sanction may include exclusion of the offender from all residence hall facilities and activities for the same period as the revocation of license.
New York State Law on Sex Offenses

The following represent all sections of the New York State Penal Law which are sex offenses:

Sec. 130.20 Sexual Misconduct
A person is guilty of sexual misconduct when:
1. He or she engages in sexual intercourse with another person without such person’s consent; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person’s consent; or
3. He or she engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

Sec. 130.25 Rape in the third degree
A person is guilty of rape in the third degree when:
1. He or she engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Being twenty-one years old or more, he or she engages in sexual intercourse with another person less than seventeen years old; or
3. He or she engages in sexual intercourse with another person without such person’s consent where such lack of consent is by reason of some factor other than incapacity to consent.

Rape in the third degree is a class E felony.

Sec. 130.30 Rape in the second degree
A person is guilty of rape in the second degree when:
1. Being eighteen years old or more, he or she engages in sexual intercourse with another person less than fifteen years old; or
2. He or she engages in sexual intercourse with another person who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.

Rape in the first degree is a class B felony.

Sec. 130.40 Criminal sexual act in the third degree
A person is guilty of a criminal sex act in the third degree when:
1. He or she engages in oral sexual conduct or anal sexual conduct with a person who is incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Being twenty-one years old or more, he or she engages in oral sexual conduct or anal sexual conduct with a person less than seventeen years old; or
3. He or she engages in oral sexual conduct or anal sexual conduct with another person without such person’s consent where such lack of consent is by reason of some factor other than incapacity to consent.

Criminal sexual act in the third degree is a class E felony.

Sec. 130.45 Criminal sexual act in the second degree
A person is guilty of a criminal sex act in the second degree when:
1. Being eighteen years old or more, he or she engages in oral sexual conduct or anal sexual conduct with another person less than fifteen years old; or
2. He or she engages in oral sexual conduct or anal sexual conduct with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.

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

Criminal sexual act in the second degree is a class D felony.

Sec. 130.50 Criminal sexual act in the first degree
A person is guilty of a criminal sex act in the first degree when he or she engages in oral sexual conduct or anal sexual conduct with another person:
1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old; or
4. Who is less than thirteen years old and the actor is eighteen years old or more.

Criminal sexual act in the first degree is a class B felony.
Sec. 130.52 **Forcible Touching**
A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor’s sexual desire.

For the purposes of this section, forcible touching includes the squeezing, grabbing or pinching. *Forcible touching is a class A misdemeanor.*

Sec. 130.53 **Persistent sexual abuse**
A person is guilty of persistent sexual abuse when he or she commits the crime of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree, as defined in section 130.55 of this article, or sexual abuse in the second degree, as defined in section 130.60 of this article, and, within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of forcible touching, as defined in section 130.52 of this article, sexual abuse in the third degree as defined in section 130.55 of this article, sexual abuse in the second degree, as defined in section 130.60 of this article, or any offense defined in this article, of which the commission or attempted commission thereof is a felony. *Persistent sexual abuse is a class E felony.*

Sec. 130.55 **Sexual Abuse in the third degree**
A person is guilty of sexual abuse in the third degree when he or she subjects another person to sexual contact without the latter’s consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person’s lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person. *Sexual abuse in the third degree is a class B misdemeanor.*

Sec. 130.60 **Sexual Abuse in the second degree**
A person is guilty of sexual abuse in the second degree when he or she subjects another person to sexual contact and when such other person is:
1. Incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Less than fourteen years old. *Sexual abuse in the second degree is a class A misdemeanor.*

Sec. 130.65 **Sexual Abuse in the first degree**
A person is guilty of sexual abuse in the first degree when he or she subjects another person to sexual contact.
1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old. *Sexual abuse in the first degree is a class D felony.*

Sec. 130.65-a **Aggravated Sexual Abuse in the fourth degree**
1. A person is guilty of aggravated sexual abuse in the fourth degree when:
   a) He or she inserts a foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than seventeen years old; or
   b) He or she inserts a finger in the vagina, urethra, penis or rectum or another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than seventeen years old.
2. Conduct performed for a valid medical purpose does not violate the provisions of this section. *Aggravated sexual abuse in the fourth degree is a class E felony.*

Sec. 130.66 **Aggravated Sexual Abuse in the third degree**
1. A person is guilty of aggravated sexual abuse in the third degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person:
   a) By forcible compulsion; or
   b) When the other person is incapable of consent by reason of being physically helpless; or
   c) When the other person is less than eleven years old.
2. A person is guilty of aggravated sexual abuse in the third degree when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.
3. Conduct performed for a valid medical purpose does not violate the provisions of this section. *Aggravated sexual abuse in the third degree is a class D felony.*
Sec. 130.67  **Aggravated Sexual Abuse in the second degree**

1. A person is guilty of aggravated sexual abuse in the second degree when he inserts a finger in the vagina, urethra, penis, or rectum of another person causing physical injury to such person:
   a) By forcible compulsion; or
   b) When the other person is incapable of consent by reason of being physically helpless; or
   c) When the other person is less than eleven years old.

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

Aggravated sexual abuse in the second degree is a class C felony.

Sec. 130.70  **Aggravated Sexual Abuse in the first degree**

1. A person is guilty of aggravated sexual abuse in the first degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person:
   a) By forcible compulsion; or
   b) When the other person is incapable of consent by reason of being physically helpless; or
   c) When the other person is less than eleven years old.

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

Aggravated sexual abuse in the first degree is a class B felony.

Sec. 130.75  **Course of Sexual Conduct against a child in the first degree**

1. A person is guilty of course of sexual conduct against a child in the first degree when, over a period of time not less than three months in duration:
   a) He or she engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than eleven years old; or
   b) He or she, being eighteen years old or more, engages in two or more acts of sexual conduct, which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the first degree is a class B felony.

Sec. 130.80  **Course of sexual conduct against a child in the second degree**

1. A person is guilty of course of sexual conduct against a child in the second degree when, over a period of time not less than three months in duration:
   a) He or she engages in two or more acts of sexual conduct with a child less than eleven years old; or
   b) He or she, being eighteen years old or more, engages in two or more acts of sexual conduct with a child less than thirteen years old.

2. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charged offense occurred outside the time period charged under this section.

Course of sexual conduct against a child in the second degree is a class D felony.

Sec. 130.85  **Female genital mutilation**

1. A person is guilty of female genital mutilation when:
   a) a person knowingly circumcises, excises, or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person who has not reached eighteen years of age; or
   b) being a parent, guardian or other person legally responsible and charged with the care or custody of a child less than eighteen years old, he or she knowingly consents to the circumcision, excision or infibulation of whole or part of such child’s labia majora or labia minora or clitoris.

2. Such circumcision, excision, or infibulation is not a violation of this section if such act is:
   a) necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or
   b) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

3. For the purposes of paragraph (a) of subdivision
two of this section, no account shall be taken of the effect on the person on whom such procedure is to be performed of any belief on the part of that or any other person that such procedure is required as a matter of custom or ritual.

*Female genital mutilation is a class E felony.*

**Sec. 130.90 Facilitating a Sex Offense with a controlled substance**
A person is guilty of facilitating a sex offense with a controlled substance when he or she:

1. Knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administer such substance or preparation, compound, mixture or 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 defined in this article; and

2. Commits or attempts to commit such conduct constituting a felony defined in this article.  

*Facilitating a sex offense with a controlled substance is a class D felony.*

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**Penalties for Violations of New York State Law – Sex Offenses**

Sex offenses which are committed in violation of the New York State Penal Law are subject to the following penalties:

- Class A misdemeanor – fine of up to $1,000 and/or imprisonment up to one year.
- Class B misdemeanor – fine of up to $500 and/or imprisonment up to three months.
- Class E felony – fine of up to $5,000 and/or imprisonment up to four years.
- Class D felony – fine of up to $5,000 and/or imprisonment up to seven years.
- Class C felony – fine of up to $5,000 and/or imprisonment up to 15 years.
- Class B felony – fine of up to $5,000 and/or imprisonment up to 25 years.

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**Keeping Informed**

The college realizes the importance of having a system in place to advise students about security problems. The method used at SUNY Canton is:

- **Alert Notices** – The campus community is notified of situations that pose a threat to the overall safety and well being of its members. The alert notices are posted throughout the campus.

- **Campus Media** – In addition to the alert notices, the campus may utilize the campus radio station, campus newspaper, campus-wide website, and campus information system to alert the community of security concerns.

- **Off-Campus Media** – It is often deemed necessary to utilize off-campus media (which would include local newspapers, radio stations and television stations) as an additional method of informing and updating students and other members of the campus community of security issues and concerns.

The above represents the primary method of advising the campus community of security threats or concerns. A secondary method which is also utilized involves direct contact with resident students. As part of the program of education outside the classroom, staff members (from Residence Life, University Police, Counseling Center and other college professionals) conduct discussion and training sessions on topics such as date/acquaintance rape, women’s self-defense, relationship violence, crime prevention, alcohol, drugs and other issues as needed.

**Attend Campus Programming**

*Campus-wide programming is offered at various times throughout the year including:*

- **Lecture Series:**
  - No Doesn’t Mean Yes
  - Hands Off, Let’s Talk
  - What is Safe Sex?
  - National Condom Week
  - Making/Maintaining a Relationship

- **Classroom Discussions:**
  - Sexual Harassment on Campus
  - Acquaintance Date Rape

Campus committees that are directly responsible for education, prevention and providing appropriate response are the Campus Safety Committee and the Bias Incident Response Team.