

2014

Herkimer County Community College Annual Security and Fire Safety Report



Herkimer
THE STATE UNIVERSITY OF NEW YORK

Department of Campus Safety

Herkimer County Community College

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Annual Security and Fire Safety Report 2014

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

Inside this Report

- Emergency Response & communication (page 4)
- Safety & Security Responsibility/Access (page 5)
- Reporting Agents (page 7)
- Alcohol & Other drugs (page 9)
- Definitions for Crime Data Reporting (page 12)
- Sexual Crimes, Assistance for Victims and NYS Penalties (page 13)
- Crime Statistics 2011, 2012, 2013 (pages 17-21)
- Sample of Campus Programs (page 9 & 21)
- Community Resources (page 22)
- Fire Safety Information (page 23)
- Map of Reporting Area (page 28)

General Information

Herkimer County Community College enrolls a student population of about 3000 full and part time students. The campus has 202 full time employees, 95 adjuncts and approximately 39 part time personnel. Approximately 625 students live on campus in three different housing complexes.

Crime Prevention/Campus Safety Procedures

To help prevent crimes, it is always important to secure valuable belongings and be aware of one's surroundings. To emphasize crime prevention awareness, campus educational programs, seminars, videos, posters, brochures and messages from administration, address personal safety including rape/sexual assault, substance use / abuse, importance of locking doors and windows, "buddy" system, and fire and property safety such as operation ID, and taking personal property home during breaks. This information also includes safety services such as the late night shuttle bus, counseling, mental health services, medical resources and emergency services. Students are also advised to look into renters insurance if needed to cover personal property.

All employee's and students should make themselves familiar with emergency evacuation procedures posted in their buildings. Note, special attention should be given to assist those that may have a disability.

During orientation in August, students are informed of services offered by the Herkimer College Campus Safety Department. Students are told about crime on-campus and in surrounding neighborhoods as well as how to access the Annual Security Report. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are scheduled throughout the Academic year. Some programs are scheduled by the Counseling Center. A common

theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition Campus Safety pushes into every Freshman Seminar class in both the fall and spring semesters to discuss college code of conduct, regulations, state and local laws as well as Campus Safety Authority. Information is also listed in the Survival 101 guide for freshman. When time is of the essence, information is released to the campus community through security alerts posted via email, electronic bulletin boards as well as social media as needed.

Related Web Sites

www.herkimer.edu

<http://ope.ed.gov/security/>

<http://my.herkimer.edu>

The Student Right-To-Know and Campus Security Act

The Student Right to Know and Campus Security Act was signed into law in November of 1990. Title II of this act was known as the Crime Awareness and Campus Security Act which was amended and renamed in 1998 as the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act. This law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occurred on campus and in adjacent areas for the current and previous two calendar years. The purpose of this report is to provide our current and prospective faculty, staff and students with campus safety information including crime statistics and procedures to follow to report a crime. The Director of Campus Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our college web site homepage at www.herkimer.edu under the link **Annual Safety Report**. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, HCCC Housing Office, the Dean of Students/Judicial Affairs, the Athletic Department and the Counseling Center. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Campus Safety Department, campus officials (including but not limited to directors, Deans, department heads, designated judicial affairs, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. The Herkimer Police Department does provide arrest and disturbance information that can be used for judicial matters with our student code of conduct for off campus incidents. The Herkimer Police Department also provides its annual Uniform Crime Reports (UCR) that are listed in the College Annual Security report, but not broken down by location.

A procedure is in place to anonymously capture crime statistics disclosed confidentially during each year through the Counseling Center.

Each year, an e-mail notification is made to all enrolled students that provides the link to access this report. This same email also has the actual report attached for their use. Faculty and staff receive similar notification through a separate email. Copies of the report may also be obtained at the Director of Campus

Safety Office CA263 upon request during normal business hours or by calling (315) 866-0300 ext. 8336. All prospective employees may obtain a copy from Human Resources in the College Center Room 239. This College will not retaliate against those who may report alleged violations of this act. Copies of the Annual Security and Fire report are available at <http://WWW.herkimer.edu/experience/campus-safety/security-and-fire-safety-report/> .

Missing Students

Students are encouraged to identify a person who College personnel should contact in the event they are determined to be “missing.” Students can identify this person by entering the information into the Banner account through a “forced survey” at sign in. Students can also update this information at any time by signing into their Banner student account. Missing persons should be reported directly to the Campus Safety Department. **Do not wait** if you believe a student is missing. Federal law states that the campus is required to provide missing person notification to: 1) all local police agencies pursuant to the Memorandums of Understandings; 2) the student’s designated contact person if provided; 3) parents of students under 18 years of age. Campus Safety immediately conducts an initial investigation, and if after a reasonable period of time (not more than 24 hours) the student has not been located, Campus Safety will proceed with required notifications. The sooner the investigation begins the better chance of locating the missing person. Contact information used for this purpose is held confidentially and will only be shared or made accessible to authorized campus officials and not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

Emergency Response

The Campus Safety office will be responsible for the initial response to all crises/emergencies and will take necessary action to utilize the NY Alert system, notify outside emergency response agencies, (i.e., fire department, ambulances, police, State Police, etc.) and appropriate campus offices and/or officials. Crisis and emergency situations on campus would include fires, personal and/or vehicle accidents, medical emergencies, criminal activities and civil disorder.

If an incident occurs that may affect the safety and well-being of the members of our college community, information will be distributed by one or more of the following methods: paper flyer, on-campus electronic bulletin, student/faculty/staff e-mail and the college’s Intranet for “timely warnings.” In the event of a confirmed significant emergency or dangerous situation, the college community will be advised by one or more of the following methods: NY-Alert (email, phone call, fax, text message), campus-wide siren/public address system and www.herkimer.edu. Students, faculty and staff are encouraged to sign up for NY-Alert. To sign up see <http://www.herkimer.edu/experience/campus-safety/ny-alert-system/> .

Standard notification procedures may be altered if, during the emergency response authorities determine it would compromise efforts to assist victims, or compromise efforts to contain and apprehend any suspects otherwise mitigating the emergency.

Should the campus-wide siren sound, all employees, students and visitors should immediately “shelter in place” as stated on the Emergency Siren/Public Address document included in this report. To

“shelter in place,” secure yourself in a room by locking the door, closing all windows and blinds, putting cell phones to silent and staying quiet. Everyone is to remain “sheltered in place” until told to move by the NY-Alert System or by an officer entering the area. Should a police officer or campus safety officer enter the area you are sheltered in, make sure he/she knows you are there. Do not make any sudden movements and keep your hands in plain view so the officer does not perceive you as a threat. Listen to the officer and do exactly what they tell you to do. In many cases, the officer will move on and tell you to stay in place as they search the building for a possible threat.

Herkimer County Community College tests all emergency notification equipment as follows:

- Fire alarms in housing 4 times per year & campus - 3 times a year
- Campus wide Siren/PA system- once per semester
- NY-Alert – monthly group test and yearly campus- wide “all test”
- Fire alarm drills are not normally announced ahead of time for campus or housing and are documented as part of the OFPC procedures.
- Testing of the Siren/PA is announced to the campus and local community prior to testing and the test is documented to show any problems associated with the test and what sounds used.

All Members of the campus community are advised to sign up for NY-ALERT to receive emergency notifications. Go to

<http://www.herkimer.edu/experience/campus-safety/ny-alert-system/> .

to sign up.

Reporting Crime

All members of the campus community are urged to report criminal incidents, emergencies, and suspicious activity. The on and off campus emergency phone number is **911**. This number should be used for all Police, Fire and Medical Emergencies. All reports are classified, logged and responded to appropriately. Crimes in progress and / or any other emergencies on campus can also be reported by using the **Emergency Blue Light Phones**. There are 22 Emergency Blue Light Phones located on campus and in housing. All Blue Light Phones dial directly to the 911 Center. Campus Safety Officers will be dispatched by the 911 Center to the location of the complaint. An incident report will be prepared and filed accordingly. For reporting non-emergency situations or for calls of service such as car lockouts and jump starts call Campus Safety at (315)866-0300 ext. 8616

Safety and Security / Access Responsibility

The safety of Herkimer County Community College’s students, faculty, staff and visitors is a high priority at the College. Preserving the safety and well-being of each member of the Herkimer College community is the professional responsibility of the Department of Campus Safety and of other administrative departments. It is also a matter of mutual support, caring and caution by all members of the campus community. Students, faculty, staff and visitors can do much to aid the work of Campus Safety and to protect themselves and their property. We all share in the responsibility of making the learning and working environment at Herkimer safe and enjoyable for everyone.

Campus Safety Department

The goals of Campus Safety are to provide protection for all students, faculty, staff and visitors to HCCC, to safeguard all real and personal property, and to enforce College policies and regulations, and the laws of the State of New York. The Campus Safety Department includes a Director, Assistant Director, 9 full-time and five part-time Safety Officers. Campus Safety provides continuous patrols of the campus and Campus Meadows/College Hill/Reservoir Run housing complexes by uniformed Safety Officers 24 hours a day, seven days a week, 365 days a year. Campus Safety Officers are trained in specific areas that concern the College environment. CPR, first aid, emergency response procedures, cultural diversity and sexual assault response are some of the topics included in training. Members of Campus Safety have Peace Officer status, as defined in the New York State Criminal Procedure Law, and; therefore, have the power to make arrests on campus, and all Security Officers comply with the licensing, registration and training requirements of the New York State Security Guard Act. Campus Safety has a cooperative working relationship with the Herkimer Police Department, and other area law enforcement agencies to help maintain a safe campus atmosphere. Herkimer County Community College Campus Safety has a Mutual Order of Understanding (MOU) with the Village of Herkimer Police Department. In the event of a violent felony or a missing student is reported to campus authorities, the Herkimer Police can be asked to assist Campus Safety with the investigation. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at local criminal courts or the Herkimer County Court. Campus Safety works closely with the Local village, County and State agencies and has the ability to communicate by radio with those organizations if needed. The Campus Safety Department is also dispatched by the County 911 Center and part of the Emergency System.

If an incident occurs that we believe may have an effect on the safety and wellbeing of the members of our college community, information concerning this matter will be distributed by one or more of the following: paper flyer, on-campus electronic bulletin, student/faculty/staff e-mail accounts and College Intranet Site. In the event of a confirmed significant emergency or dangerous situation, the College community will be advised in a timely manner by NY-Alert and/or through the use of the campus wide siren/public address system. Students, faculty and staff are encouraged to sign up for NY-Alert, see <http://www.herkimer.edu/experience/campus-safety/ny-alert-system/> for NY-Alert sign up directions.

Campus Safety keeps a daily log of incidents that occur on campus. This log is available to view upon request Monday through Friday 8:00 A.M. to 4:00 P.M... The log includes date, time, general location, and disposition of the incident. If an entry is determined to be confidential by the Director or Assistant Director it will not be made available.

Student Responsibility and Safety Tips

We want you to enjoy your college experience but please BE CAREFUL! Use common sense. You may encounter situations that are unfamiliar to you; remember to take sensible precautions. IT IS YOUR RESPONSIBILITY TO TAKE CHARGE OF YOUR PERSONAL SAFETY.

There are many methods you can use to protect yourself in most situations:

On Campus

- Avoid walking alone at night, stay in lit areas
- Park your car in designated areas, lock the doors and keep valuables out of sight or stored

in the trunk

- Report any suspicious individuals or incidents to Campus Safety

In Your Apartment or Home

- Lock all doors and windows
- Keep only small amounts of cash on your person or in your room
- Never leave valuables unattended
- Avoid traveling alone when it is dark
- Keep track of your keys
- Protect your PIN number and your credit cards
- Make use of the College's Operation ID Program

ACCESS

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by key, if issued or by admittance via the Campus Safety Department or Residence Life Staff for housing. Some buildings such as the Library and Physical Education buildings may have individual hours that may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for that particular facility.

Residence halls are secured 24 hours a day. The College Hill and Reservoir Run apartment complexes have security alarms that will sound should an exterior/entrance door be left open longer than one minute. These alarms are on the common area doors only not individual apartments. Campus Meadows housing exterior door is controlled by key locks only.

Emergency situations may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators for those areas will then review the survey results and make corrective action plan if needed. The Campus Safety Committee meets monthly during the academic year and discusses such issues and makes recommendations to the President of the College or the appropriate administrator.

Campus Reporting Agents

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

- Campus Safety Emergency 911
- Campus Safety (non-emergency) 315-866-0300 ext. 8616
- Dean of Students Office CA222 or ext. 8276
- Health Office PE building ext. 8373
- Counseling Center RMCC 261 ext. 8284
- Residence Life & Housing Office ext. 2223

Counselors and Confidential Crime Reporting

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Campus Safety Committee

The Herkimer County Community College Campus Safety Committee mission is to identify campus safety concerns and provide a forum for faculty, staff and students to make recommendations for eliminating existing and potential safety problems. The committee also serves as an appeal board for all campus parking violations.

The committee is charged as follows:

- Review any and all safety concerns that have been brought to the attention of the committee. Issues can be anything from student behavior to ideas to make the campus a safer place for everybody.
- Monthly review of the Sexual Assault Prevention Committee plans for educating our campus population. Help with sponsoring educational programs through the sexual prevention committee.
- Review all accidents that take place on campus and review ways to improve safety related to these injuries.

Student Services Behavioral Assessment Team

The B.A.T. Team is chaired by the Dean of Students with participation from the Counseling Center, Director of Campus Safety, Director of Residence Life and Health Office. Additional areas may be requested to attend meetings as needed. The Team has regular weekly meetings, but may change meeting frequency as needed. The team’s intent is to formalize a process for reporting and addressing specific alarming behaviors that do not fall within the existing reporting procedures, such as through

the Counseling Center, Campus Safety, Residence Life or Judicial Affairs. The team will meet and discuss a plan for intervention of at-risk students.

The team uses information from Faculty/Staff and Students about the behavior that may be threatening, staying attuned to escalating behavior or potential physical violence to develop a plan to deal with the student. The actual plan can be anything from parent contact, disciplinary action or referrals to on-campus and off-campus services.

Reporting Locations

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

On Campus – Includes offenses reported on the main campus property and buildings to include College Hill, Campus Meadows and Reservoir Run housing complexes.

Non-Campus – Currently HCCC does not utilize any non-campus property.

Public Property – Includes thoroughfares, streets, sidewalks, parking facilities, and Public Park or park like settings immediately adjacent to and accessible from campus. (Ref.map last page of this document).

Off Campus Organizations – Currently Herkimer does not have any recognized off-campus student organizations or off campus housing.

Alcohol and Other Drugs

Alcohol Policy

No person shall possess, sell or give away alcoholic beverages in any building or on any property owned or controlled by Herkimer College. Any exception needs the prior approval of the College President. Open containers of alcoholic beverages may not be possessed on campus.

Herkimer holds person(s) responsible for their conduct at all times, including behaviors which occur while under the influence of alcohol and persons violating these policies will be subject to disciplinary action. The disciplinary action may include reprimand, disciplinary probation with or without specific conditions, referral to individual and/or group counseling at the student's expense, educational sessions, parental notification and/or suspension.

Current drug alcohol programs as follows:

- **Substance & Alcohol Awareness Program (SAAP)** two one hour sessions with a drug/alcohol prevention specialist from Herkimer County Prevention Council. Used as part of the judicial system.
- **Intervene program** – five, one on one sessions with a drug/alcohol prevention specialist from Herkimer County Prevention Council. Used as part of the judicial system.
- **Annual Alcohol Fair** – a day of prevention programs and workshops with club and student involvement.
- **Drugs 101** – A prevention/awareness workshop series with topics that change yearly such as “Alcohol and Academics”, “Smoking and Toking” and “who is molly”.

Alcohol and the Law

People “under the influence” of alcohol or other drugs are dangerous – to themselves and to others. Each year, college students spend \$5.5 billion on alcohol – three times the amount spent on books. Students under the age of 21 violate the law when they drink. Besides breaking the law, many abuse alcohol endangering their health and safety. Excessive drinking is hazardous to non-drinkers too—they suffer from loss of sleep and study time, vandalism, physical assault, unwanted sexual advances and rape. Studies show that alcohol is involved in:

95% of all campus violent crime

90% of rapes, where alcohol was used by the assailant, victim or both

The immediate effects of alcohol depend on how much and how fast you drink. Effects may include:

- loss of muscle control
- poor coordination
- impaired judgment and reasoning
- loss of inhibitions

Drinking and driving is a major cause of deaths and injuries among young people. Half of all fatal crashes involve a driver who's been drinking. Other problems associated with alcohol include:

- loss of driver's license
- vandalism, violence and legal problems
- expulsion from school
- poor grades
- poor health
- accidents and injuries

Mixing alcohol and other drugs can have unpredictable and dangerous results.

Remember, drinking is illegal for people under the age of 21. Obey state, local and campus rules about alcohol use. A violation of the law is a violation of College policy.

Drugs and Other Controlled Substances

The sale, use, possession or distribution of prohibited drugs or other controlled substances, or loitering with the intent of engaging in any of these activities, is prohibited on any College or College-related property. The term “drug” includes all controlled substances defined in section 220.00 of the New York State Penal Law and Marijuana Reform Act of 1977. The College will cooperate fully and completely with Local or State authorities on any case of suspected illegal use, possession or redistribution of State controlled drugs or marijuana. Any student who is apprehended for the same will in no way be protected by the College. The offender may also face separate disciplinary action by the College. Support services are available through the Counseling Center.

Good Samaritan Policy

Students who seek medical assistance in an Alcohol and/or substance-abuse related emergency do not need to be concerned with the potential disciplinary consequences for themselves or for the person in need of assistance.

When responding to such AOD (alcohol or other drug) violations, the College will consider the student's decision to request medical assistance as an act of good judgment, therefore not deserving of the typical range of AOD sanctions. Thus, if it is determined that the Good Samaritan Policy applies to a situation, the student(s) involved will not be subject to a violation of the AOD Policy.

This policy is applicable to the following parties:

- **Student requesting medical assistance for oneself;**
- **Student requesting medical assistance for another person;**
- **Student for whom medical assistance was provided.**

This policy does not protect students who repeatedly violate college policies. Once a student receives medical amnesty, future amnesty is at the discretion of the Dean of Students' Office. The Dean of Students' Office also has discretion to determine that this policy does not apply in more serious situations including: criminal possession of drugs, property damage, violence, etc.

You may find this and other AOD policy information within the Student Handbook starting on pg. 32, or online by clicking here: [Student Handbook](#)

For further information or questions you may contact:

Herkimer College's Counseling Center at 315-866-0300 (x8284) or the Dean of Student's Office at 315-866-0300 (x8276)

Social Host Policy

Students who host Large Parties (10 or more people) in their on campus apartment when alcohol and other drugs are being consumed may be subject to immediate removal from campus housing.

Remember that Herkimer College is a "Dry Campus," which means that alcohol is not allowed within the residences or anywhere on the Herkimer College campus – regardless of age.

You may find this and other AOD policy information within the Student Handbook starting on pg. 32, or online by clicking here: [Student Handbook](#)

Sexual Harassment/Assault

HCCC condemns sexual misconduct of any kind. This type of behavior constitutes violations of acceptable campus codes of conduct as well as New York State Law. Members of the HCCC community who commit these crimes will be subject to harsh sanctions from the College and/or the criminal justice system.

Sanctions that may be imposed by the College following a disciplinary proceeding for any violation of the Student Code of Conduct are explained in the Student Handbook, which is published on an annual basis. To ensure that members of the college community are aware of this potential problem, seminars are scheduled regularly to address this issue.

Bias Crimes Prevention

Hate Crimes and the Law

It is Herkimer County Community College's mandate to protect all members of the Herkimer County Community College community by preventing and prosecuting bias or hate crimes that occur within the campus' jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation or disability. Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the Federal Hate/Bias Crime Reporting Act of 1990 and the New York State Hate Crimes Act of 2000 (Penal Law Article 485). Copies of the New York State law are available from Campus Safety.

Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, Herkimer County Community College Campus Safety assists in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the College as acts of bigotry, harassment, or intimidation directed at a member or group within the Herkimer County Community College community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the College's Complaint Procedure or the campus conduct code. Bias incidents can be reported to Campus Safety as well as to Human Resources.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to Campus Safety by calling 911 in an emergency, using a Blue Light emergency phone, by calling 315-866-0300 ext 8616 from any phone or stopping by CC264 Campus Safety will investigate and follow the appropriate adjudication procedures.

Victims of bias crime or bias incidents can avail themselves of counseling and support services from the campus by contacting the College Counseling Center at 315-866-0300, Ext. 8284 or in CC308-311.

For general information on Herkimer County Community College security procedures, see www.herkimer.edu or call 315-866-0300 ext 8616.

More information about bias-related and bias crimes, including up-to-date statistics on bias crimes, is available from the Director of Campus Safety upon request.

Sexual Assault Prevention

Sexual Assault and the Law

Herkimer County Community College has programs to protect all members of the Herkimer County Community College community from sexual assault, including programs for prevention and prosecution of these crimes that occur within the jurisdiction of Herkimer College Campus Safety. NYS Law contains the following legal provisions defining the crimes related to sexual assault:

Section 130.20 – Sexual Misconduct. This offense includes sexual intercourse without consent and deviate sexual intercourse without consent. The penalty for violation of this section includes imprisonment for a definite period to be fixed by the court up to one year.

Section 130.25/.30/.35 – Rape. This series of offenses includes sexual intercourse with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes sexual intercourse with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.40/.45/.50 – Criminal Sexual Act. This series of offenses includes oral or anal sexual conduct with a person incapable of consent because of the use of forcible compulsion or because the person is incapable of consent due to a mental defect, mental incapacity, or physical helplessness. This series of offenses further includes oral or anal sexual conduct with a person under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed four years up to imprisonment for a period not to exceed 25 years.

Section 130.52 – Forcible Touching. This offense involves the forcible touching of the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or the purpose of gratifying the actor’s sexual desire. Forcible touching includes the squeezing, grabbing, or pinching of such other person’s sexual or other intimate parts. The penalty for violation of this section includes imprisonment for a period of up to one year in jail.

Section 130.55/.60/.65 – Sexual Abuse. This series of offenses includes sexual contact with a person by forcible compulsion, or with a person who is incapable of consent due to physical helplessness, or due to the person being under the age of consent. The penalties for violation of these sections range from imprisonment for a period not to exceed three months up to imprisonment for a period not to exceed seven years.

Section 130.65-a/.66/.67/.70 – Aggravated Sexual Abuse. This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed seven years up to imprisonment for a period not to exceed 25 years.

Remember, assaults – sexual or otherwise – are crimes; they are not the victims’ fault. Victims have the right to pursue adjudication of crimes that occur on the Herkimer County Community College campus through criminal courts and/or through the College’s internal disciplinary process (under the Campus Code of Conduct). Herkimer County Community College Safety Officers are trained to assist with prosecution in both systems.

Sexual Harassment

Sexual harassment is unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it reasonably interferes with, denies or limits someone's ability to participate in or benefit from the educational programs and/or activities offered at Herkimer College. Sexual harassment is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

Sexual Violence

Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent, including, but not limited to rape, sexual battery, and sexual coercion.

Stalking

The term stalking means intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for his or her safety or the safety of others or cause that person to suffer substantial emotional damage. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm him or her.

Domestic Violence

Domestic Violence is any violent felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabitating with the victim as a spouse or intimate partner.

Dating Violence

Dating Violence is any act of violence committed by a person who is or has been in a social relationship of romantic or intimate nature with the victim. The existence of such relationship shall be determined based on the victim's statement and with consideration of the type and length of the relationship. A business or social relationship alone shall not constitute a romantic or intimate relationship.

Date Rape Safety Tips

- date people you and/or your friends know well
- plan to meet your date in a social situation
- be prepared to have your own way of travel home
- don't use alcohol or drugs, they decrease your ability to make reasonable decisions
- don't invite your date into your home if you know you will be alone upon arrival

ABOVE ALL - TRUST YOUR INSTINCTS!!

SEXUAL ASSAULT INFORMATION

(AID TO VICTIMS OF VIOLENCE)

If you are a victim of sexual assault, immediately report the assault to the police. On campus dial 8616 for Campus Safety, off campus or from your cell phone dial 911. The police cannot investigate the

incident as a crime unless you file a formal report. Reporting a crime to the police or to another campus office does not necessarily obligate you to follow through with criminal prosecution.

- Go to a hospital emergency room as soon as possible if the assault involved a sexual penetration or other physical injuries. (Evidence can be collected several hours after the attack, but its value may be diminished.) Do not wash, change clothing, or otherwise (clean up.) Bring a full change of clothing because the clothes you were wearing at the time of the attack may be kept as evidence.

Your follow-up medical care is crucially important. You may need tests for sexually transmitted diseases and pregnancy.

- No matter when or where the assault occurred, support and referral resources are available to help you. Contact Campus Safety, the Counseling Center, College Nurse or other College officials for assistance.

An individual charged with sexual misconduct will be subject to College disciplinary procedures, whether or not prosecution under New York State Criminal Statutes is pending.

The College will make every effort to be responsive and sensitive to the victims of these serious crimes. Protection of the victim and prevention of continued trauma is the College's priority. When the victim and the accused live in the same residence hall, an immediate hearing with the College Judicial Officer will be held to determine the need for modifying the living arrangements.

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

Both the accuser and the accused will be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the *Family Educational Rights and Privacy Act (FERPA)*. For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

Note: College personnel from Campus Safety or the Counseling Center will assist you in reporting a sexual assault to the appropriate office or department of your choice. You may seek support services as well as the assistance described above by contacting the College Counseling and Academic Advisement Center at (315) 866-0300, Ext. 8284 or in CC302 or YWCA Sexual Violence Services at (315) 866-4120.

STATEMENT OF VICTIM'S RIGHTS

1. Victims have the right to choose counseling and medical treatment, and to prosecute and report their case through the College judicial system and/or the off-campus court system. They have the right to refuse these options without reproach from any College Personnel.

2. Victims have the right to be treated with dignity and seriousness by college personnel.

3. Victims of crimes against an individual have the right to be reasonably free from intimidation and harm.

4. College personnel are encouraged to inform all victims that:

- victims are not responsible for crimes committed against them

- victims should always report their crime, despite the possibility of adverse publicity for the College.

5. Victims will be made aware of appropriate student services, including counseling.

6. Victims are entitled to the same support opportunities available to the accused in a campus disciplinary proceeding.

Disclosure to Alleged Victim of Crimes of violence/sex offenses

The victim has the right to information regarding the status of his/her case. Herkimer College will, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Herkimer College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Remember: Campus Safety is a continuous process and each of us has an obligation to be responsible for our own safety being appropriately cautious and by applying common sense to everyday situations.

Sex Offender Registration Act

This Act requires the Division of Criminal Justice Services (DCJS) to maintain a Sex Offender Registry. The Registry contains information on sex offenders classified according to their risk of re-offending as follows: low risk (level 1), moderate risk (level 2), and high risk (level 3). The Act requires that DCJS also maintain a subdirectory of level 3 offenders. The DCJS Sex Offender Registry site may be found at www.criminaljustice.ny.gov/nsor/ and contains their subdirectory of level 3 sex offenders as well as other information regarding New York State's Sex Offender Registry.

Sex offenders in New York State are required to notify the Registry of any institution of higher education at which he or she is, or expects to be, whether for compensation or not, enrolled, attending or employed, and whether such sex offender resides or expects to reside in a facility operated by the institution. Changes in status at the institution of higher education must also be reported to the registry no later than ten days after such change.

Herkimer College Crime Statistics 2011

	On Campus	Campus Housing	Non Campus	Public Property
Homicide				
Murder & Non Negligent Homicide	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sex Offenses				
Forcible	1	0	0	0
Non-forcible	0	0	0	0
Robbery				
	0	0	0	0
Aggravated Assault				
	0	0	0	0
Burglary				
	1	1	0	0
Motor Vehicle theft				
	0	0	0	0
Arson				
	0	0	0	0
Liquor Law				
Arrests	7	5	0	0
Referrals	121	120	0	0
Drug Law				
Arrests	11	11	0	0
Referrals	98	95	0	0
Illegal weapons Possession				
Arrest	0	0	0	0
Referrals	2	2	0	0

Herkimer College Crime Statistics 2012

	On Campus	Campus Housing	Non Campus	Public Property
Homicide				
Murder & Non Negligent Homicide	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sex Offenses				
Forcible	2	2	0	0
Non-forcible	0	0	0	0
Robbery				
	1	1	0	0
Aggravated Assault				
	1	1	0	0
Burglary				
	7	7	0	0
Motor Vehicle theft				
	0	0	0	0
Arson				
	0	0	0	0
Liquor Law				
Arrests	31	33	0	0
Referrals	65	65	0	0
Drug Law				
Arrests	13	13	0	0
Referrals	51	51	0	0
Illegal weapons Possession				
Arrest	1	1	0	0
Referrals	0	0	0	0

Herkimer College Crime Statistics 2013

	On Campus	Campus Housing	Non Campus	Public Property
Homicide				
Murder & Non Negligent Homicide	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sex Offenses				
Forcible	2	1	0	0
Non-forcible	0	0	0	0
Robbery				
	0	0	0	0
Aggravated Assault				
	0	0	0	0
Burglary				
	0	0	0	0
Motor Vehicle theft				
	0	0	0	0
Arson				
	0	0	0	0
Liquor Law				
Arrests	44	41	0	0
Referrals	96	91	0	0
Drug Law				
Arrests	23	18	0	0
Referrals	69	64	0	0
Illegal weapons Possession				
Arrest	0	0	0	0
Referrals	3	3	0	0

Herkimer Village Police Required Crime Reporting Statistics

Statistics 2011-2013 – Complaints reported to Herkimer Police Department.

	13	12	11
Murder	0	0	0
Rape	9	4	4
Robbery	3	2	9
Assault	41	54	50
Burglary	49	53	66
Larceny	330	334	298
Motor Vehicle Theft	0	0	0
Controlled Substances	18	14	15
Criminal Mischief	102	136	140
D.W.I.	102	62	52
Disorderly Conduct	500	614	713
Arson	1	3	1

***Note the above captioned crime statistics are reported to HCCC Safety Department by the Village of Herkimer New York Police Department administrative staff.**

Timothy Rogers – Herkimer College Director of Campus Safety

When a hate crime is reported, it will be labeled with the following categories of prejudice: R= race; G = gender; REL = religion; SO = sexual orientation; and/or E = ethnicity. In addition to the above categories, the following crimes need to be reported if they are hate crimes: larceny-theft; simple assault; intimidation; destruction, damage, vandalism of property, or any other crime involving bodily injury. Herkimer County Community College did not have any hate crimes in those categories for 2011, 2012, or 2013.

**Bias-related crimes-categories not listed above:
Total Reported to Campus Safety**

2011	2012	2013
0	0	0

**Preserving Personal Safety
Sexual Assault Programs Offered**

At the beginning of every semester, the Director or Assistant Director of Campus Safety provides presentations to all Freshman Seminar classes. As part of that presentation sexual assault awareness is addressed. Also, throughout the year the Counseling Center offers programs to address sexual assault awareness. These programs often include independent presenters from off campus. Some specific examples are listed below:

- **Bike Patrol** – Two officers with Campus Safety are trained and ride in the spring and fall seasons.
- **Silent Witness Program** – e-mail address that can be used to report crime to Campus Safety anonymously.
- **Tips Line** – (315)866-0300 ext 8477 – used to report crimes anonymously to Campus Safety
- **Project ID** – Campus Safety will engrave property to discourage theft and burglaries. This is free to the campus community.
- **RAD** – Rape Aggression Defense training by certified Campus Safety Officer. Courses are offered each semester for females only.
- **SNAP** – Student Nighttime Auxiliary Patrol, escorts provided to students walking between classes, dorms or to vehicles on campus.
- **Take Back the Night** – sponsored by the YWCA of Herkimer County and includes the “speak out” against sexual violence.

- **The Clothesline project** – sponsored by the YWCA of Herkimer County and hung in the College Center. Shirts are designed by survivors of violence to increase the awareness of the impact of violence and encourage others to “break the silence” to end the cycle of abuse.
- **Domestic Violence Programming** – Specifically Domestic Violence counselors come on campus and set up tables for students to speak with them in private or get information about services. For the Fall 2014 Semester Domestic Violence employee’s will go to all Freshman Seminar classes with the Campus Safety Presentation and speak about their programs both on and off campus as well as provide information about dating violence.
- **Off-Campus Jurisdiction** – Herkimer College Student Code allows for pursuing judicial action against students who are involved in off-campus incidents which also violate the College Student Code and/or federal, state or local laws, statutes, or ordinances. Typically the campus reserves this prerogative for more serious misconduct.
- **Suspension/Dismissal** – students who are suspended or dismissed are NOT ALLOWED to be on campus or at campus-sponsored events for any reason unless prior permission is received from the Dean of Students.
- **Persona Non Grata (PNG)** – an order of exclusion from campus to non-students who have demonstrated that their presence on campus would be a threat to the campus and/or campus members. Violators can be arrested for criminal trespass by the Campus Safety Department.
- **Confidentiality** – students have the option of having their directory information unlisted. Details are available from the Registrar’s Office.
- **Late Night Shuttle Bus** - the shuttle runs off campus to numerous downtown locations from 7:15 A.M. to 10:10 P.M. Times of operation and drop off/pick up locations are subject to change. Schedules may be picked up in the Admissions office located in RMCC building.

Additional programs may be offered through the YWCA of Herkimer County. You may contact them by calling (315)866-0748.

Community Resources

Emergency	911
Campus Safety	(315)866-0300 Ext. 8616 on-campus phone 8616
Director of Campus Safety	Ext. 8276
College Counselors	(315)866-0300 Ext. 8284
Coordinator of Health Services	(315)866-0300 Ext. 8373
Dean of Students	(315)866-0300 Ext. 8276
Rape Crisis Hot Line	(315)866-4120
Herkimer Police Department	(315)866-4330
New York State Police	(315)866-7111
Herkimer Fire Department	(315)866-2242
Veterans Counseling	(315) 868-1000

Report Crime

911 - for an emergency.

HCCC TIPS Line: (315)866-0300 Ext. 8477 on-campus phone 8477
 Email: silentwitness@herkimer.edu

Campus Fire Safety

Herkimer County Community College's "fire log" is maintained in the Campus Safety office and is available to view upon request to Campus Safety. The chart below is a compilation of fires that occurred in Residential Housing in 2009 and 2010. Note that cases of arson would also be reported in the crime section of this document. All fires should be reported directly to 911.

2011 Fire Reports

Date/Location	Type/Cause	Number of injuries treated at medical facility	Related deaths	Property damage	Value of property damage
Campus Meadows H-3	cooking	0	0	Smoke and stove	\$400.00
		0	0		

2012 Fire Reports

Date/Location	Type/Cause	Number of Injuries treated at medical facility	Related deaths	Property damage	Value of property damage
No Fires					

2013 Fire Reports

Date/Location	Type/Cause	Number of Injuries treated at medical facility	Related deaths	Property damage	Value of property damage
No Fires	N/A	N/A	N/A	N/A	N/A

For the safety of all residence, use and/or possession of these appliances will not be allowed in any of the residence halls:

- Space heater
- Halogen lamps & lamps with plastic globes
- Live Christmas trees
- BBQ grills
- Extension cords
- Wall Tapestries & flags
- Incense, candles or open flames
- Fireworks
- Firearms or ammunition
- Gasoline or other flammable liquids
- Foreman grill
- No smoking inside any college related buildings including all residential halls

Fire Safety Systems

College Housing Facilities

Building	Assembly Space	Detection Type	Sprinkler (y/n)	Alarm sound	Strobe (y/n)
College Hill	Between Buildings off Roadway	Smoke/Co	No	Horn	N
Campus Meadows	Rear field	Smoke/ Co	No	Horn	N
Reservoir Run	Next to rear parking lots	Smoke/ Heat Co	yes	Horn	Y

In case of Fire call 911

A TOTAL OF 103 FIRE DRILLS WERE HELD ON CAMPUS FOR THE YEAR.

Emergency Evacuation
Student Housing

In all of the residential housing units, students are expected to leave the facility immediately after the fire alarm has activated. Staff members are expected to leave as well, but advised to make cursory checks as they depart buildings they occupy. Staff members assume responsibilities such as securing outside doors to prohibit students from reentering the buildings or apartments while they wait for Campus Safety and the Fire Department. Once on scene, the Fire Department will determine the cause of the alarm activation and determine when the building is safe to re-enter.

Staff members report to Campus Safety and/or the Fire Department any special needs or issues they observe while evacuating the building. Before students are allowed to re-enter, staff and Campus Safety make room checks to be sure the protocol for evacuation was followed. While fire extinguishers are available, all students are encouraged to evacuate the building rather than fight the fire. The Director of residence Life will address evacuation procedures during Student Orientation for residential students.

Campus Safety - has the responsibility for 1) holding fire drills as required, 2) reporting fires to the appropriate agencies, 3) assisting and responding to all campus emergencies.

Employees – have the responsibility for 1) reporting fires and other emergencies to 911, 2) Observing evacuation procedures and protocol for other campus emergencies.

Visitors - have the responsibility for observing evacuation procedures and protocols 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 assembly places. In all buildings, use the nearest exit to evacuate a building. Do not use any elevators to evacuate the buildings. Faculty is advised to bring their rosters with them when evacuating a classroom, so that attendance can be taken once they reach the safe evacuation point.

Programs are also presented in residence halls on various safety issues including fire safety, cooking and evacuating the residential halls upon activation of a fire alarm. Additionally, all residential students are shown a video on safe cooking and grease/oil fires and how to properly extinguish them. Students and Resident Assistants are also trained on whom to call in case of a fire. An Official from OFPC also has a presentation for all Resident Assistants during their initial training on fire safety.

Residential Area Coordinators also make monthly “fire safety inspections” of all residential apartments. This includes dirty stove and other fire safety hazards that may be found. Unauthorized items are confiscated and students may be issued Student Code of Conduct violations.

Area Coordinators and Resident Assistants also train with Campus Safety during fire alarm drills to keep them up-to-date with the evacuation process.



Herkimer County Community College Emergency Siren / Public Address

Why did HCCC install a Siren / PA warning system?

Herkimer County Community College considers communication during an emergency situation an important part of its overall Crisis Plan. Currently HCCC uses several ways to communicate with students, faculty and staff; including email, NY-Alert, College Web Site, and now an emergency siren located on the top of the Physical Education Building. The siren is an enhancement to our current communication methods, especially the NY-Alert System.

What does the siren sound like?

The siren sounds similar to a fire station siren and has the ability to be used in combination as a public address system as well. When activated, the siren will always sound prior to any PA message being delivered.

To hear sounds Ctrl + Click to follow Link below:

<http://www.whelen.com/MASSNOTIFICATION/warngintones.php>

How far will the siren be heard?

The siren should be heard outside any place on campus.

What should I do when I hear the emergency siren?

- Notify others who are near you of the emergency and immediately seek shelter and stay in place.
- Select interior rooms, closets, copy rooms, offices, classrooms or dorm rooms.
- Close and lock all doors, windows, blinds, shades and any other opening to the outside.
- Remain calm, silence your cell phone and try to be as quiet as possible.
- Do not go outdoors unless instructed to do so.
- If the siren stops, DO NOT MOVE, stay in place and wait for the All CLEAR to be given over the Siren/PA system and or through NY-Alert.

The Siren will be tested each Semester.

Each semester Campus Safety will test the Siren System to make sure it is functioning properly and also so that our college community can hear the tones of the siren. The college community as well as the local community will be clearly advised in advance of the siren testing date and time.

NY-Alert Emergency Notification Sign-up:

Go to www.herkimer.edu/safety and follow directions to sign up

