



# CAMPUS SAFETY & SECURITY INFORMATION & POLICIES



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## CAMPUS SECURITY AUTHORITIES CONTACT INFORMATION

### **Resources & Contact Information:**

College Title IX Coordinator – 315.448.5040

Hospital Security – 5555 or 315.448.5173

Syracuse Policy Department – 315.442.5140 or 911

Employee Assistance Program – 1.800.437.0377

St. Joseph's Emergency Department – 315.448.5101

Student Success Coordinator – 315.448.5594

St. Joseph's Human Resources – 315.448.5575

Vera House – 315.425.0818

McMahon/Ryan Child Advocacy Center – 315.701.2985

Onondaga County Sheriff's Office Abuse Persons Unit – 315.435.3092

Syracuse Policy Department Abused Persons Unit (APU) – 315.435.3016

## CAMPUS SAFETY

At St. Joseph's College of Nursing (SJCON) safety and security is a shared responsibility. In addition to the uniformed presence of the St. Joseph's Health Security Services Department, the best protection against campus crime is an aware, informed, alert campus community who use reason and caution.

While the majority of our students, staff and visitors will never become the victim of a crime, crimes sometimes occur despite our best efforts. This information is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. We are committed to providing a safe and secure environment for the campus community. We provide this information so that you can make informed decisions in regard to your safety. If you have any concerns, questions or comments about federal or state law requirements or St. Joseph's College of Nursing's compliance with these laws, please contact St. Joseph's College of Nursing at (315) 448-5040.

The Dean of SJCON maintains responsibility for complying with New York State Education Law § 6450 through the establishment of a Campus Safety & Security Advisory Committee made up of students, faculty, and security. The committee will meet and submit at end of academic year an annual written report that summarizes any committee findings and recommendations for campus safety and security improvements to the Dean of SJCON.

# CAMPUS SAFETY POLICIES

## **CAMPUS SECURITY OVERVIEW**

Security is assigned throughout our campus 24 hours a day, seven days a week. Although officers are not sworn or armed, we respond to calls of any nature, including all emergencies— fire, accidents, physical crimes, and disturbances. A wide array of non-emergency services is also available to the campus community.

Security officers are selected after a thorough review designed to choose individuals who are dedicated, sensitive, and display good communication skills. They hold a New York State license (Requiring 32 hours of training) and receive additional in-house training related to job functions.

Our purpose:

- Protect patients, staff, and visitors
- Prevent disruption of activities and misuse of the premises
- Provide a visible, reassuring, and readily accessible presence
- Foster beneficial community relations
- Support the hospital's mission statement

## **CAMPUS SECURITY SERVICES**

Security's relationship with the community we serve is important to achieving our overall mission of a safe and secure environment. All members of the system and community should expect to be treated in a courteous and professional manner. We also like to recognize instances where our staff have been especially helpful and exceeded your expectations.

If you have a question, wish to say thank you, or file a complaint, you can reach us by:

- Calling 315-448-5173 and asking to speak to the shift supervisor
- Call the Manager of Security at 315-448-5227 or by e-mail: [brian.benedict@sihsyr.org](mailto:brian.benedict@sihsyr.org)
- Call the Regional Director of Security by e-mail: [joshua.laiacona@sphp.com](mailto:joshua.laiacona@sphp.com)

Examples of services provided include:

- Oversee electronic and mechanical access control measures
- Operate CCTV Monitoring
- Conduct risk assessments and crime prevention education
- Provide Law Enforcement notification and Liaison
- Initiate emergency notification and response
- Coordinate fire drills
- Victim Assistance
- Criminal investigations
- Manage the visitor pass management system
- Provide personal safety escorts
- Patrol Interior / Exterior of campus
- Safety watches on violent patients
- Report and respond to crimes in progress
- Assist staff with a variety of requests in support of patient care
- Secure for safe keeping lost & found and patient valuables
- Screen for and confiscate weapons and illegal substances from patients and visitors

## **CRIME PREVENTION**

Security responds to special requests from departments and staff related to individualized crime prevention strategies. We also circulate notifications regarding criminal events occurring on or adjacent to campus. Security has an effective working relationship with law enforcement agencies that serve our area. Examples of crime prevention measures include:

- Random vehicle and foot patrols
- Exterior light level surveys in the surface lots, garages and exterior of buildings
- Inspection of security related devices such as panic alarms etc.
- Employee crime prevention education programs
- Vulnerability assessments
- Visitor pass management and distribution
- Utilization of various access control measures such as card access
- CCTV utilization and recording of images
- Weapons searches and confiscation (Emergency Department)
- Use of emergency assistance devices in the Emergency Department and garages
- Parking accommodations for 2nd & 3rd shift staff in the MOC Garage
- Violent patient watches

*Safety Starts With You - Practice the Following Tips on campus or anywhere in the community:*

- Always remain aware of your surroundings and limit your distractions
- Walk in groups if possible-safety in numbers
- Don't leave valuables unsecured and unattended
- Lock your car doors and keep objects of value out of sight
- Display your ID badge on your person or outer garment in plain view
- Never prop open exterior doors or let someone in without an ID badge
- Report any suspicious persons or activity observed to Security at 315-448-5173

## **EMERGENCY MANAGEMENT (EDOP)**

The Security Department strives to eliminate the threat against property and the personal wellbeing of patients, visitors, and staff. We assess security needs, identify security sensitive areas, control access, identify visitors and staff, and continually evaluate the program to make quality improvements. While the documents on this page define several low probably security situations, these documents will hopefully provide you with helpful resources should you ever be involved in a Hospital security situation.

- Active Shooter - Code T Tango ([link](#))
- Bomb threat / Suspicious Packages - Code S Sierra ([link](#))
- Infant and Child Abduction - Code A Alpha ([link](#))
- Facility Lockdown - Emergency Dept. ([link](#)) / Hospital System ([link](#)) - Code L Lockdown
- Workplace Violence ([link](#))
- Emergency Management Link ([link](#))
- SJHHC Overhead Response Codes (EDOP) Visual Aid ([link](#))

## **GENERAL PROCEDURES FOR REPORTING A CRIME OR EMERGENCY**

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to St. Joseph's Security Services Department in a timely manner. To report a crime or an emergency on campus call Security immediately by dialing x85173 from a hospital telephone or 448-5173. If the crime is in progress or involves possible violence, call the emergency number by dialing x5555 from a hospital telephone, or 911. Security will notify local police right away upon your request.

St. Joseph's Hospital Security maintains a daily log of crimes and incidents that occur on campus that is available for the public to view. This information includes a period of the event and general summary. Entries are generally made within two business days of an event. Incidents deemed to pose a threat to the campus community may be the subject of a system notification alert. The hospital may determine that an incident be classified as "confidential" in order not to jeopardize a criminal investigation or the identity of a victim.

### **INCIDENT REPORTING**

Any unusual events or instances of witnessed or suspected criminal or suspicious activity should be reported immediately to Security using the EMERGENCY HOTLINE 448-5555. A Security Officer will take a report, usually in person. If necessary, Security will notify Syracuse Police through the 911 center.

Examples of when to report an incident includes:

- To calm a disturbance that may be threatening or disruptive to hospital activities
- Conduct, behavior, or language that is potentially threatening, dangerous or harmful to patient, visitors, or staff
- When an offense against a person is committed or the individual requests police notification
- A suspicious person, action, or event
- Unauthorized personnel / activities
- Presence or use of any illegal substances or weapons
- Missing equipment or property
- Found property

## STUDENT BACKGROUND CHECK

St. Joseph's College of Nursing's enrollment requirements include submission of a background check for all accepted students through CastleBranch using the designated Package Code provided through the enrollment process. To ensure the safety and well-being of all patients, background checks are a standard practice for working in healthcare. Student placement in a clinical site/agency assumes that the person possesses good moral character and the ability to successfully pass the rigor of a background investigation and criminal background check. Therefore, it is required that all enrolled students obtain a background check prior to beginning clinical practice.

- All students selected for admission will be enrolled conditionally until background check results are reviewed. The student is responsible for the cost of the background check. Students are required to obtain a background check through Castlebranch by an established/published deadline date. Results of the background check will be made available to the student and an administrator at St. Joseph's College of Nursing. All background checks will be treated as confidential.
- A student who refuses to obtain a background check or does not obtain a required background check by the published deadline set forth by the College will not be eligible to enroll. This student will be deregistered with no opportunity to re-apply or defer enrollment.
- It is the student's responsibility to determine whether or not he/she is eligible for licensure. If convicted of a crime, it is the student's responsibility to determine if his/her background will prohibit licensure and employment in the healthcare industry. St. Joseph's College of Nursing administration and faculty are not able to provide legal advice. If a student has questions or concerns about his/her background, he/she may contact legal counsel before enrolling in a nursing program.
- If a background check is negative (no incidences displayed), the summary page of the report is filed in the student's file.
- If a background check is positive, an administrative review process is initiated by College administration. The student may be requested to validate and explain the results. The College administration will review according to, but not limited to the following considerations: need for further information, nature of the crime, and Medicare/drug-related incidents. If the incident is deemed to be of no concern by administration, the student will be allowed to enroll.

In making a decision to disqualify a candidate, the College administration, along with appropriate consultation will consider the following:

- The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on fitness to become a matriculated student when considering the essential functions and technical standards required of students in the Program.
- The time which has elapsed since the occurrence of the criminal offense or offenses.
- The age of the person at the time of the occurrence of the criminal offense or offenses.
- The seriousness of the offense or offenses.
- Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- The legitimate interest of St. Joseph's Hospital in protecting property, and the safety and welfare of our patient's, visitors, and staff.

The Dean of the College makes the final determination regarding the admission which constitutes the final step in the review process and may not be appealed.

## SECURITY POLICIES AND PROCEDURES

The College of Nursing provides front desk receptionist coverage during the hours of 7:00 am – 4:00 pm. Monday through Friday.

All College access points, including the main door are secured. Students authorized to access the building after normal operating hours must use their St. Joseph's Hospital Health Center ID Badge. Hospital ID Badges that are lost or stolen must be reported to Security immediately.

### **SECURITY SERVICES**

Security Services provides security related services to the College campus seven days a week, 24 hours a day. Although officers are not sworn or armed, they respond to calls of any nature, including all campus emergencies – fire, accidents, physical crimes, and disturbances. Security conducts periodic patrols of all areas of campus. A wide range of non-emergency related services is also available to the Hospital community including personal safety escorts to and from the college, hospital, and the parking lots. As part of the programs sponsored by Security, crime prevention information or personal safety related in-services are available by request.

### **ESCORT SERVICES**

All students are encouraged to contact Security if they wish to have an escort to their vehicle in the open lots. Students need to call 315-448-5173 and request this service.

### **WEAPONS ON CAMPUS**

Except as required by law, (e.g., law enforcement, correctional facilities or armored carrier service) the possession or use of firearms or explosive materials on St. Joseph's College of Nursing campus property is prohibited. *IF A WEAPON IS DISCOVERED, IT WILL BE CONFISCATED BY SECURITY WHO WILL TURN THE ITEM OVER TO THE APPROPRIATE LAW ENFORCEMENT AGENCY. STUDENTS FOUND IN POSSESSION OF A WEAPON ARE SUBJECT TO ARREST, SUSPENSION, AND/OR DISMISSAL FROM THE COLLEGE.*



## CAMPUS SAFETY GUIDELINES

1. Burning of candles or incense is not permitted in any area of the building.
2. There is no smoking in the building, on the porch or other areas of the grounds
3. Decorations must be made of fireproof material. Lights may not be covered at any time.

## FIRE PROCEDURES

Fire drills are required by law. There will be a minimum of two fire drills per academic year. Students and faculty/staff are responsible for following the fire drill procedure as reviewed by Security & the Resident Advisors and posted on the bulletin board in each lounge and in the back of each classroom. Students and faculty/staff should become familiar with the use and location of fire extinguishers and fire exits. If a student should be near any handicapped person (blind, deaf, etc.), he or she is asked to signal that person of the drill and escort him/her out of the building. The receptionist must be notified that this action has been taken.

In the event of a fire, follow standard hospital fire pre-plan: RACEE:

**"R"** – *Rescue endangered persons*

**"A"** – *Alarm by pulling nearest alarm box and call x5555 on campus or 911 off campus*

**"C"** – *Confine, close all windows and doors*

**"E"** – *Extinguish if you feel comfortable.*

**"E"** – *Evacuate fire area.*

Procedure:

- Immediately pull the nearest fire alarm pull station. Alarms are monitored 24/7 by an independent company who would notify the fire department immediately.
- Any employee, faculty member or student in any other location of the building is to close windows and doors, and, if possible, turn off the lights while proceeding to the nearest exit.
- Upon exit, proceed to designated area, which is the guard shack in parking lot "A."

*Note: The person pulling the alarm, once he/she is safely outside, must immediately notify Security or the fire department as to the location of the fire.*

## SMOKE AND HEAT DETECTOR SYSTEM

All hallways in the College of Nursing are equipped with smoke and heat detection alarms as well as smoke doors midway in each hallway. These heat and smoke detectors plus the smoke doors are wired to the fire alarm panel in the College of Nursing.

Individual rooms have their own hard-wired smoke detectors. If activated, these smoke detectors do not sound through the main fire alarm system in the building but sound only in the individual room. If the room's smoke alarm should sound, the occupant should evaluate the cause before pulling the nearest alarm stations (located in the hallways).

Any tampering with smoke heat detector system will result in dismissal from the college.

## OTHER SAFETY INFORMATION

Tampering with or abuse of any fire safety, emergency or elevator device or system, or any other act which threatens human life or safety, are considered extremely dangerous acts and are prohibited. Such systems include but are not limited to fire alarm pull boxes, smoke detector systems, alarm bells and sirens, fire extinguishers, emergency and electrical panels, exit signs, posted emergency information, and elevator systems and equipment. Furthermore, any unsafe condition should be reported immediately to Administration or to Security.

## WEATHER RELATED EMERGENCY CLOSING/CANCELLATION POLICY

### **PURPOSE:**

When severe weather emergencies (snow, ice, flooding, power failures) require the College to delay or cancel classes, notification will be made through announcements by local radio, television stations, and the College's SONIS system via text message. In the absence of any announcement, the College is open and students, faculty, and staff are expected to be in attendance. (If you have not setup your text-me alert you can do so under your "Update Bio" page in SONIS.)

Since the College serves a large geographic area, students, faculty, and staff are expected to exercise their own judgement when hazardous conditions exist.

## **POLICY:**

### *Students:*

- The cancelling of classes includes theory, clinical, and outside experiences for students.
- If the cancellation of classes occurs after the theory, clinical, or outside experience has begun, these events will continue as scheduled.
- If the cancellation of classes occurs before the theory, clinical, or outside experience has begun, all will be cancelled.
- If an outside agency closes, even if the College remains open, students will be required to make up the clinical hours at no charge.

### *Administration, Faculty, and Staff:*

When classes are cancelled at the College of Nursing, all Administration, Faculty, and Staff have the option to commute to work, or provided they are equipped to work remotely, they may Work at Home (WAH). Those who choose not to commute or work remotely are expected to take Paid Time Off (PTO).

## EMERGENCY NOTIFICATION IN CASE OF CAMPUS COMMUNITY OF SIGNIFICANT CAMPUS EMERGENCY OR DANGEROUS SITUATION

In the case of a significant campus emergency or dangerous situation to any of the locations specified in the Clery Act, (on campus, including the hospital and College; non-campus buildings, such as off-site properties; or public property, such as the streets adjacent to the campus) administration will immediately send out an urgent email via the college distribution lists. Next, this information will be shared with radio station WSYR-AM 570 as well as television news channels 3, 5, 9 & News 10.

### **EMERGENCY/DISASTER OPERATIONS PLAN HOSPITAL POLICY**

The Policy can be found on the hospital intranet at the following on the intranet ([link](#)).

The entire policy is distributed and discussed at orientation. In addition, the College follows the hospital's policy and procedure for dealing with the following Overhead Response Codes. Procedure for these codes is reviewed at orientation and drills are conducted quarterly.

## **ANNOUNCEMENT RESPONSE**

**Code "A" Alpha** Alerts staff to an infant/Minor abduction.

**Code "B" Bravo** Activates the Hospital Command Center (HCC).

**Code "C" Charlie** Alerts necessary personnel for an OB Emergency.

**Code "D" Decon** Decontamination teams activated.

**Code "F" Foxtrot** Facility evacuation as directed by Administration or Fire Chief

**Code "G" Gray** Alerts the Behavioral Health Response team

**Code "I" Ivan** An unexpected mass influx of patients is occurring, Surge Capacity Procedures in effect

**Code "L" Lockdown** Activates house lockdown and traffic control procedures for Level 1, 2 or 3 Lockdown

**Code "M" Mike** Calls additional security staff to an area.

**Code "P" Papa** Patient discharge to open beds for emergency/disaster operations

**Code "R" Red** Fire Alarm (R.A.C.E.E.) Rescue, Alarm, Confine, Extinguish, Evacuate Code "S" Sierra Bomb Threat

**Code "T" Tango** Active Shooter

**Code "W" Weather** Severe weather warning. Staff cannot leave without contacting manager/administrative coordinator.

**Code "X" X-Ray** Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) Event Response

## **CODE "T" TANGO ACTIVE SHOOTER RESPONSE**

### *RESPONSE:*

- a. Remain calm.
- b. Quickly determine the most reasonable way to protect yourself and others.
- c. Evacuate if safe to do so and leave your belongings behind.
- d. Prevent individuals from entering where the active shooter may be.
- e. Close doors leading into work or patient care areas including patient rooms.
- f. Conceal yourself and others within a closed and locked door (if available)
- g. Turn off any source of noise (i.e., radios, televisions and silence cell phone).
- h. Call Security at 5555 or 911 (Off site locations) when you are safe and provide the following information if known:
  - i. Location of the active shooter.
  - ii. Number of shooters, if more than one.
  - iii. Physical description of shooter/s.
  - iv. Number and type of weapons held by the shooter/s.
- i. Take action against the active shooter as a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter.

*WHEN LAW ENFORCEMENT ARRIVES:*

- a. Law enforcement's purpose is to stop the active shooter as soon as possible.
- b. The first officers to arrive to the scene will not stop to help injured persons.
- c. Remain calm, and follow officers' instructions.
- d. Do not stop to ask officers for help or directions when evacuating, just proceed in the direction from where the officers have come from. DO NOT FOLLOW THE OFFICERS.

*RESCUE TEAMS:*

- a. Expect rescue teams comprised of additional officers and emergency medical personnel to follow the initial officers and treat or remove wounded persons.
- b. Once you have reached a safe location or an assembly point designated by law enforcement, you will likely be held in that area by law enforcement until the situation is under control, and all witnesses have been identified and questioned.
- c. Do not leave until law enforcement authorities have instructed you to do so.

*PURPOSE:*

As active shooter situations increase in frequency, the purpose of this response annex is to provide staff with the necessary information to mount an effective response to such a situation.

*THE COLLEGE IS EQUIPPED WITH AN OVERHEAD SPEAKER SYSTEM. WHEN CODE "T" IS IN EFFECT, THIS WILL BE BROADCAST COLLEGE-WIDE AND IT IS THE RESPONSIBILITY OF THE STUDENT TO FOLLOW THE SAFETY PRECAUTIONS LISTED ABOVE. IN ADDITION, IF POSSIBLE, A COLLEGE ADMINISTRATOR WILL SHARE VIA TEXT/E-MAIL FOR ALL OFF-CAMPUS STUDENTS TO STAY AWAY FROM CAMPUS.*

## HATE CRIMES

*What is a hate crime?*

Hate crime, also known as bias crime, is a criminal activity motivated, in whole or in part, by the perpetrator's bias against another individual or group based on a belief or perception, regardless if that belief or perception is correct, based on another's race, gender, religion, sexual orientation, ethnicity or disability.

The College, in compliance with current regulations, reports as hate crimes any occurrences of criminal homicide, sex offences, robbery, aggravated assault, simple assault, burglary, larceny, motor vehicle theft, arson, intimidation, and destruction/damage/vandalism of property and any other crime involving bodily injury that manifests evidence that the victim was intentionally selected because of the perpetrator's bias (race, gender, religion, sexual orientation, ethnicity or disability) that have been reported to local law enforcement or Campus Security authority.

Examples of hate crimes include murder, manslaughter, forcible and non-forcible sex offences, robbery, aggravated assault, burglary, motor vehicle theft, arson, simple assault, larceny, intimidation, destruction/vandalism of property in which the victim or victims were intentionally selected because of an actual or perceived category outlined above.

Not only are hate crimes a violation of SJCON code of conduct, they are prohibited under the New York State Penal Law, Article 485. Penalties for a person convicted of a hate crime are serious and range from fines to lengthy prison sentences.

Clery Act only reports the six categories of bias outlined below:

- Race
- Gender
- Sexual Orientation
- Ethnicity/Nationality Origin
- Disability

Refer to Hate, Bias, and Bullying policy for further information ([link](#))

## SEXUAL ASSAULT AND RAPE

Incoming freshman at St. Joseph's College of Nursing are required to complete Title IX education which is populated into their HealthStream account. The education can also be found on the College's website under Title IX.

Refer to Title IX information: <https://www.sjhcon.edu/title-ix/>

*What is the College's policy regarding sexual assault and rape?*

St. Joseph's College of Nursing (SJCON) is committed to maintaining a healthy and safe learning, living, educational, and working environment that is free from gender discrimination, harassment, and creates an environment that promotes responsibility, dignity, and respect in matters of sexual conduct.

St. Joseph's will enforce this policy through internal disciplinary procedures, security programs, and the encouragement of external prosecution of alleged offenders through appropriate external judicial forums. Violations of this policy shall include, but not be limited to, the following:

1. Any form of nonconsensual sexual intercourse, committed by physical force, coercion, threat, or intimidation, actual or implied, by a person(s) known or unknown to the victim.
2. Sexual intercourse can involve anal, oral, or vaginal penetration.
3. Any actual or attempted nonconsensual sexual activity including, but not limited to: sexual intercourse, or sexual touching, committed without physical force, coercion, threat, or intimidation; exhibitionism or sexual language of a threatening nature by a person(s) known or unknown to the victim.

Nonconsensual activity shall include, but not be limited to, situations where the victim is unable to consent because he/she is physically helpless, or mentally incapacitated due to drug or alcohol consumption, or is unconscious, regardless of whether or not the consumption was with the victim's consent.

Victims of nonconsensual sexual activity are encouraged to file a complaint with the Title IX Coordinator as soon as possible after the alleged incident.

Complaints against students will be forwarded to the Title IX Coordinator for resolution within the College. Complaints against employees will be forwarded to the Office of Human Resources for

resolution within the Hospital's grievance procedure systems. Members of the Hospital community found to be in violation of this policy through the procedures and systems described above shall be subject to sanctions including suspension and permanent expulsion.

This policy shall supplement all other policies relating to sexual abuse and harassment, all of which shall remain in effect. All policies shall be applied consistently in such a manner as to effectuate their collective purpose and may be amended from time to time as deemed necessary or desirable by the College.

*What does New York State Penal Law say about sexual offenses?*

Rape and other sexual offenses are illegal in New York State under §§130.00-130.70 of the Penal Code and may be prosecuted in a court of law.

New York State Penal Code, Article 130, and the New York State Sexual Assault Reform Act (SARA) are the laws that govern the prosecution of sexual offenses in New York State. The following information is an interpretation of New York State Penal Code and should not be substituted for any information or advice offered by the local District Attorney's Office. St. Joseph's College of Nursing regulations and the laws of New York State operate independently of one another and they do not substitute for each other. St. Joseph's may pursue enforcement of its own college regulations whether or not legal proceedings are initiated.

Under New York State Law, a sexual offense occurs when certain sexual acts are perpetrated against a victim without his or her consent. The law defines both the behavior and the physical nature of a sex offense and the lack of consent involved. "Lack of consent" can be defined as: (a) occurring as a result of physical force, coercion, or by threat either expressed or implied; (b) occurring when a victim is physically unable to indicate lack of consent because the victim is unconscious or because of a physical disability that makes one unable to physically or verbally communicate lack of consent; (c) the result of mental incapacitation in which the victim is temporarily incapable of understanding or controlling his or her conduct because of a drug or other intoxicating substance; or (d) when the victim is under 17 years of age.

*What does New York State Penal Law say about penalties for sexual offenses?*

### **Sexual Misconduct**

Under New York State Penal law, sexual misconduct is defined as engaging in sexual intercourse with another person without their consent, or engaging in deviate sexual conduct with a person without the latter's consent. Sexual misconduct is classified as a Class A misdemeanor and definite sentence of imprisonment up to one (1) year.

### **Sexual Abuse**

Under New York State Penal law, if a person is forced to engage in any form of sexual contact without consenting, it is considered sexual abuse. Sexual abuse is classified as a Class A misdemeanor -- Class D felony depending on the severity of offense and particular circumstances, and can carry a maximum sentence of 15 years' imprisonment.

### **Rape**

Under New York State Penal law, if a person engages in nonconsensual intercourse due to physical force (forcible compulsion), due to coercion or threat--actual or implied, engages in sexual nonconsensual intercourse with another person who is less than 17 years old, or engages in sexual intercourse with

another person who incapable of giving informed consent due to physical, emotional, or psychological disability or impairment the act is considered rape. Rape is classified as a felony offense, Class B-D, depending on the severity of the offense and can carry a maximum sentence of 25 years.

### **Sodomy**

Under New York State Penal law, if a person engages in nonconsensual deviate intercourse due to physical force, coercion, or threat--actual or implied--the act is considered sodomy. Sodomy is classified as a felony offense, up to Class B felony, depending on the severity of the offense and can carry a maximum sentence of 25 years.

*What are St. Joseph's penalties regarding sexual offenses?*

Sanctions for violations of St. Joseph's policies regarding sexual assault may include the following and other measures:

- relocation or loss of campus housing privileges;
- reassignment of academic courses to avoid contact with the complainant; and
- status sanctions, including disciplinary probation, suspension, or expulsion

All St. Joseph's College of Nursing sanctions are separate from any criminal sanctions that may be imposed on adjudged subjects.

*What are some personal safety tips to avoid sexual assault and rape?*

### **At Home**

- keep all doors and windows locked and secured
- use adequate exterior lighting and keep lights on indoors as well
- don't hide your key in any outdoor place
- do not reveal to stranger that you are home alone In the car
- keep doors locked and windows rolled up
- know where you're going and how to get there
- check gas gauge before every trip
- NEVER pick up hitchhikers
- stay on well-lighted and well-traveled highways and streets
- do not stop to aid strangers
- park as close to your destination as possible, in a well-lighted area
- lock your car
- have your keys in your hand and ready when you return
- check the interior before you re-enter your car When walking
- walk with someone else whenever possible; request an escort whenever possible
- let someone know where you're going and when you expect to return
- stick to well-lit, familiar, well-traveled areas (avoid "short-cuts" through questionable areas)
- walk near the curb facing oncoming traffic
- if you are harassed by the occupants of a car, turn around and walk the other way. The driver would have to turn around to follow you.
- if you walk home regularly at night, vary your route
- if a driver stops to ask you directions, do not get too close to the car
- if you think you are being followed, change direction and head for a well-lit area with other people around (fire or police station, all-night store or restaurant, etc.)



- cross to the other side of the street rather than confront an individual in an isolated area
- have your key ready when you arrive home and lock the door behind you!

### **With Acquaintances**

- know what you want sexually; set sexual limits; don't give mixed messages
- trust your gut instinct about situations to avoid
- be clear and responsible in your communication with others
- be forceful firm, and assertive
- be aware of nonverbal cues that can alert you to a problem
- in communicating your unwillingness to engage in an activity, reject the activity, not the person
- remember that silence is not consent
- don't assume that the other person knows what you want or don't want
- use the buddy system; watch out for your friends
- at the beginning of a relationship, go on double dates; avoid secluded areas
- do not assume that if you are with a friend or acquaintance nothing bad will happen
- devise an action plan in advance for what you would do in confronted with a situation of possible rape or sexual assault
- remove yourself from a situation at the first sign that you are feeling controlled or unsafe
- become comfortable with the idea that you may have to be "rude," make noise, yell, etc., in order to remove yourself from a possible situation. Do not worry about the other person's feelings.

### **In Social Situations**

- don't lose control of yourself; alcohol and other drugs impair judgment
- don't go to a bar, party, or social event alone
- get your own drink (alcoholic or otherwise)
- watch your drink being poured and do not leave it unattended at ANY time
- don't drink from a large, open container, like a punchbowl
- don't drink anything that tastes unusual to you, especially a salty taste • don't share drinks

### *How should I react if I find myself in a rape or sexual assault situation?*

Perhaps, in spite of reasonable precautions, you will be confronted by a potential rape or assault. The question becomes, "How can I successfully resist a sexual assault?" What you chose to try will be largely determined by the kind of person you are, your assailant, and the circumstances of the situation.

In many cases, the initial approach by the rapist is not hostile, and is socially acceptable (asking for directions or for the correct time, for example.) This is often a "test" to determine if the potential victim can be easily intimidated. A confident, assertive response may decrease the chance of being victimized.

In considering your abilities and normal coping style, select tactics suitable for you. Possible responses are described below. Depending on the situation, each can be effective by itself.

Remember that if talking or stalling fails, active resistance is still an option.

**Talking** – Trying to communicate is, for some victims, the most natural reaction. Speak calmly (not crying, pleading or moralizing) as one human being to another, to reduce his rage and enhance his ego.

**Stalling** – Stalling is an intermediate tactic to give you time to recover from the initial shock and to survey your predicament. Do the unexpected convincingly, so as not to antagonize your assailant and to

make him stop what he is doing. Stalling can take many forms such as going limp and sinking to the ground, pretending to have developed abdominal, or chest pains.

**Running** – This will work if you are sure you can get to safety (and if there is somewhere to run.)

**Screaming** – Before you start to scream, think what the rapist's reaction may be. He may be frightened off, but he may react violently in order to silence you. Screaming can work if you are sure help is within hearing distance. A whistle or air horn may be more audible if it is readily available.

**Fighting** – Fighting might make sense if you are sure he has no weapon and you know he is alone. Ask yourself if you are willing to fight hard enough to stop the assailant and if you are really willing (and able) to hurt someone. If you think your natural reaction would be to fight, then consider making sure you know how. Self-defense classes are available in the community.

**Weapons** – Many items can be used as weapons, such as keys, pens, pins, etc. Also, consider the possibility that a weapon can be taken away and used against you. Your best weapon is your ability to think quickly and clearly.

*What should I do if I am a victim of rape or sexual assault?*

Actions taken by a victim immediately after he or she has been raped are important steps in rape prevention because a rapist rarely stops with one victim. A rapist can be stopped by immediate and successful prosecution. Some victims are afraid of reporting a sexual assault or rape because they anticipate embarrassment and shame. The only shame would be if the rapist goes free. Some things to do that will help preserve evidence:

- do not change clothes
- do not bathe, shower, douche, or clean up
- do not throw anything away
- do not use any medications

Often the only witness in a rape case is the victim, so it is important to remember as much as possible about the assailant. Information most needed to apprehend and prosecute includes:

- car license number, make and color
- race of assailant
- approximate age, weight and height
- color and length of hair
- color of eyes
- clothing
- any unique marks, scars, tattoos, rings, etc.
- anything the assailant may have left at the scene

*What are my reporting options as a victim of sexual assault or rape?*

Victims have several options and may choose to use one or more of the following: counseling, medical care, reporting (with or without prosecution), criminal prosecution, College/Human Resources complaint, civil court action, or no action. These decisions are often very emotional and difficult. Victims are encouraged to make use of the following options:

- Title IX Coordinator is Sunday Kulang 315.448.3540, [Sunday.Kulang@sjhcon.edu](mailto:Sunday.Kulang@sjhcon.edu)
- The Title IX Coordinator and Student Success Coordinator are available as advocates to confidentially discuss reporting options including medical and legal options, and assist and/or accompany students through any of the processes they may wish to pursue:
- Contact your resident assistant or the resident assistant on call
- Contact hospital security (x5555 or 448-5173)
- Contact Syracuse's Rape Crisis Center (468-3260)
- Go to St. Joseph's or UPSTATE Hospital Emergency Department to meet with a SANE nurse (Sexual Assault Nurse Examiner) to get a physical exam and STD testing
- Have a rape kit completed at the hospital, evidence will be collected and stored; this must be done within 72 hours of the incident
- Much more evidence can be collected if you do not clean yourself until you have been examined
- The rape kit should be done as soon as possible after the assault has occurred
- The Syracuse Police Department (911 or 442-5140), which has jurisdiction over the geographic area where the assault occurred, can provide an officer/investigator to explain its criminal investigation procedures to the victim. The Abused Persons Unit (APU) is composed of specially trained investigators who provide invaluable assistance to victims of sexual assaults and relationship violence.
- The Onondaga County District Attorney's Office Special Victims Unit is composed of trained prosecutors who are especially sensitive in assisting sexual assault victims through the criminal court process. The D.A.'s office provides experienced attorneys, at no charge, to review, advise, and/or prosecute these cases.
- Human Resources oversee staff and faculty matters. Complaints regarding offenders who are St. Joseph's employees may be filed with this office.
- Contact St. Joseph's Employee Assistance Program for free, confidential help and referrals to counseling and other mental health resources (1-800-437-0911)
- A victim can also elect to take the case to civil court. For civil lawsuits, all parties must locate their own private attorneys and pay for attorney and court fees.
- The victim may decide not to report the assault. The decision to initiate a report or complaint is a difficult one. Should a victim decide to file a complaint later, many of the above resources will still make themselves available. If the filing of charges is being considered, serious attention should be given to timely reporting, since evidence and other factors may be significantly affected by delays.

### *What are my entitlements as a victim?*

- to have the rules of confidentiality followed in order to protect a student's privacy
- to receive private and confidential medical treatment and to be examined for personal injuries, STD's, and pregnancy
- to receive the same credibility as a person reporting any other crime
- to prosecute or not to prosecute
- to complete a rape kit or not
- to have the option to withdraw from legal proceedings
- to answer only questions relevant to the crime
- to decide what services to take advantage of
- to receive counseling through EAP, the Syracuse Rape Crisis Center, or from a therapist in the community

### *What can you expect after the assault?*

Victims of sexual assault or rape may feel a variety of emotions – anxiety, anger, guilt, shock, fear, etc. These feelings may be expressed in a variety of ways including screaming, crying, obsessive bathing or exercising, hyperventilating, pacing around the room, and/or withdrawing. Physical symptoms of pain, soreness, fatigue, diarrhea, headache, and/or shakiness may be experienced. A world that once felt safe and secure may suddenly appear frightening and unpredictable. Normal responses to trauma may include:

- feeling alone and in disbelief about what happened not sleeping well, having nightmares, waking frequently
- being scared, seeing the assailant everywhere, not trusting people like you used to,
- feeling depressed and/or guilty, feeling afraid of places and situations associated with the trauma,
- feeling afraid of sexual contact even with someone you trust and wish to be close to (sexual intimacy may trigger flashbacks of the assault)

There is a need to talk and sort through your experience and feelings. You may feel very alone, and a chance to talk to someone else who was sexually assaulted or raped may reassure you that you are not alone. It may be important for you to know that friends and loved ones still care about you and do not blame you for what happened. Counseling is important and being involved in a support group may help. Working through the trauma of sexual assault or rape will be enhanced by a strong support network, a willingness to be open, and talking out thoughts and feelings.

## SEX OFFENDER REGISTRY INFORMATION

In accordance with the Federal Campus Sex Crime Prevention Act of 2000, Campus Security is providing a link to the New York State Offender Registry. This law requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the state may be obtained concerning registered sex offenders. It requires sex offenders already required to register in a state to provide notice, as required under law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

[www.criminaljustice.state.ny.us/nsor](http://www.criminaljustice.state.ny.us/nsor)