



Buffalo State College 2011 Annual Security Report/ Annual Fire Safety Report

The Buffalo State College *Annual Security Report* and *Annual Fire Safety Report* are organized to meet the compliance requirements of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Opportunity Act of 2008. The reports have been prepared in cooperation with local law enforcement, local fire services, and the Environmental Health and Safety Office of Buffalo State College, along with other campus security authorities. The full text of this report is available at www.buffalostate.edu/police. Enrolled students receive annual e-mail notification with a link to this web site. Faculty and staff receive similar notification yearly via e-mail as well as at new employee orientations. Hard copies of the report may also be obtained at the University Police building on campus.

This report is filed as required by the federal "Crime Awareness and Campus Security Act," (hereafter referred to as the Campus Safety Act) which was last amended in 2008. The purpose of this report is to provide our faculty, staff and students with campus safety information including crime statistics and procedures to follow to report a crime. The annual report is prepared by the University Police Department and is electronically available online at www.buffalostate.edu/police. Any questions regarding this report should be directed to the Chief of University Police, at Chase Hall, or by telephone (716) 878-6333.

Complying With The Jeanne Clery Act

The [Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](#) (20 USC § 1092(f)) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses.

Because this law is tied to participation in federal student financial aid programs it applies to most institutions of higher education both public and private. It is enforced by the [U.S. Department of Education](#).

The "Clery Act" is named in memory of 19 year old university freshman [Jeanne Ann Clery](#) who was raped and murdered while asleep in her residence hall room on April 5, 1986.

Jeanne's parents, Connie and Howard, discovered that students hadn't been told about 38 violent crimes on their daughter's campus in the three years before her murder. They joined with other campus crime victims and persuaded Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990."

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery.

Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response, respectively. The 2008 amendments also added a provision to expand hate or bias crime categories and to protect crime victims, "whistleblowers", and others from retaliation.

About Buffalo State College

The only State University of New York (SUNY) college located in a metropolitan area, Buffalo State College offers unparalleled educational, cultural, and recreational opportunities. More than 11,700 undergraduate and graduate students enjoy tremendous advantages at Buffalo State, both on campus and throughout the community. Buffalo State is the largest four-year college in the SUNY system, with more than 166 undergraduate and more than 62 graduate programs in the arts, sciences, education, and professional programs. The 125-acre campus is safe, accessible, and attractive, with an arboretum of almost 1,700 trees. Buffalo State has excellent arts, athletics, and research facilities. It comprises 43 buildings, including 11 residence halls. The college also has two off-campus facilities, the Great Lakes Center for Environmental Research and Education and a student retreat camp, At Buffalo State College, the safety and well-being of our students, faculty, staff, and visitors is one of our highest priorities. A safe and secure environment can be achieved only through the cooperation of all members of the campus community. This publication is part of our effort to ensure that this collaborative endeavor is effective. We hope that you read it carefully and use the information to help foster a safe environment for yourself and others.

This report focuses on college programs, properties and facilities owned or controlled by Buffalo State College. Buffalo State College is located within the city of Buffalo. The city of Buffalo Police Department (BPD) maintains its own crime statistics. For information on how to access safety and crime information in the city of Buffalo, please contact University Police who will be able to assist you. You can also go to the BPD website which is www.bpdny.org.

Buffalo State is concerned about crime in the community, and works with local law enforcement agencies in the investigation of crimes, and promotion of safety-awareness programs aimed at reducing incidents.

Reporting Criminal Incidents and Other Emergencies

Emergency calls to report a crime or serious incident can be made by calling the University Police Department at (716) 878-6333, 24 hours a day, seven days a week. All crimes or suspicious activity should be reported promptly so that an immediate assessment of the situation can be made and appropriate follow-up measures conducted. Thirty-nine blue-light phones on campus link directly to the University Police Department dispatcher as well. Reports of crime incidents also can be made in person at the University Police Office, Chase Hall Room 100, twenty-four hours a day, seven days a week.

Upon receipt of a call, appropriate police officers or emergency personnel will be dispatched.

Individuals are encouraged to accurately and promptly report all crimes to the University Police and to the Buffalo Police if the crime occurs off campus grounds.

Campus Security Authorities

In addition to the University Police, crimes can be reported to the following departments on campus, who will in turn contact University Police for you.

- Office of Student Life, 878-4631
- Office of Residence Life, 878-3000
- University Counseling Center, 878-4436
- Dean of Students, 878-4618
- Weigel Health Center, 878-6711
- Director of Athletics, 878-6534

Please note that victims and witnesses may report a crime on a voluntary and confidential basis at any time thru campus support staff as listed above. Without compromising the victim's confidentiality, a confidential report can alert the campus to the fact that an incident has occurred, and can assist University Police in detecting patterns and preventing future crimes from occurring.

Timely Warning Policy at Buffalo State College

One way the campus community is notified of situations that pose a threat to its safety and well-being is a “**timely warning**”. New York State University Police at Buffalo State College in consultation with the college administration are the departments within the college responsible for issuing timely warnings in compliance with the Jeanne Clery Act.

Anyone with information warranting a timely warning should report the circumstances to the University Police. In the event that a situation arises that requires issuance of a warning, these warnings are provided in order to keep the campus community informed about safety and security matters on an ongoing basis and in an effort to prevent similar crimes from occurring. The decision to issue a timely warning shall be decided on a case by case basis in compliance with the Act and considering all available facts. The timing of the notification shall, in the first instance, be based upon whether the crime is considered a serious or continuing threat to students or employees and the possible risk of compromising law enforcement efforts.

Timely warnings are usually issued for serious or continuing crimes and may also be issued for other crimes as deemed necessary. Upon receipt of all relevant information, such warnings will, as circumstances warrant, be issued in a manner to best protect the campus community.

Procedure:

When a determination has been made that a timely warning should be issued, the University Police Department and Buffalo State College Administration will inform the campus community by taking all appropriate steps to ensure timely notification of the campus community including, immediately contacting the college administrators and College Relations Office to allow for appropriate media distribution of the warning.

Media notification options may include, as appropriate:

- (1) Contacting the local media for immediate distribution;
- (2) Issuing a campus wide e-mail of the timely notice; and
- (3) Printing the warning in the college's student newspaper.
- (4) Alerts posted on college Web site
- (5) Flyers posted in residence halls
- (6) Alerts via cell phone (NYALERT) [NY Alert](#)

Such warning(s) may include, but are not limited to, the following information: type of crime, date, time, and location of crime, as well as available suspect information.

Emergency Response and Evacuation Procedures

Every Buffalo State employee can potentially play a role in emergency response. Perhaps the most critical aspect of the response is communications. Accurate reports from the scene of an incident are essential to providing adequate emergency services. Similarly, the campus community must receive up-to-date instructions concerning disaster response procedures and news of the evolving incidents.

Role of Students

All students should familiarize themselves with the emergency procedures and evacuation routes in buildings they live in or use frequently. Students must be prepared to assess situations quickly but thoroughly, and use common sense in determining a course of action. They should evacuate assembly areas in an orderly manner when an alarm sounds or when directed to do so by emergency personnel.

Students are also strongly encouraged to [sign up for NY-Alert](#), a service that sends emergency messages via text, voice, or e-mail.

This free service connects students with the most up-to-date information concerning weather-related campus closings, on-campus crises, and other need-to-know info.

Role of Faculty and Staff

Every member of the faculty and staff should read and understand their [Building and Department Emergency Plans](#) and familiarize themselves with their emergency procedures and evacuation routes. Employees must be prepared to assess situations quickly but thoroughly, and use common sense in determining a course of action. They should follow Emergency Plan procedures to report fire or other emergencies that require immediate attention, and evacuate the building to pre-designated areas in an orderly manner. Faculty members are seen as leaders by students and should be prepared to direct their students to assembly areas in the event of an emergency.

Faculty and staff are also strongly encouraged to [sign up for NY-Alert](#), a service that sends emergency messages via text, voice, or e-mail. This free service connects students and staff with the most up-to-date information concerning weather-related campus closings, on-campus crises, and other need-to-know information.

General Evacuation Procedures

An evacuation is defined as the emptying of an occupied area and the transference of its occupants to a safe location. A critical element of any evacuation is transportation. In many campuses and communities, auto-dependent commuters congest roadways to the point of "gridlock." The dense urban population, high number of resident students and use of transportation alternatives at Buffalo State College must be taken into account when planning the steps necessary to evacuate all campus occupants, whether they arrived by public transit, single-occupant auto, carpool, or bicycle.

In a major emergency, the decision to implement evacuation procedures generally rests with the college Administration and University Police. In situations requiring immediate action, public safety responders (Police, Fire, Environmental Health & Safety) can also order an evacuation. When evaluating a possible evacuation, consideration will be given to the type of threat (bomb, fire, storm, explosion, hazardous materials incident, etc.), its context (time of day, likelihood, etc.), and the recommendation of first responders.

When evacuating your building or work area:

- Stay calm; do not rush and do not panic.
- Safely stop your work.
- Gather your personal belongings if it is safe to do so. (Reminder: take prescription medications out with you if at all possible; it may be hours before you are allowed back in the building.)
- If safe, close your office door and window, but do not lock them.
- Use the nearest safe stairs and proceed to the nearest exit. Do not use the elevator.
- Wait for any instructions from [emergency responders](#).
- Do not re-enter the building or work area until you have been instructed to do so by the [emergency responders](#).

A building occupant is required by law to evacuate the building when the fire alarm sounds.

Testing of the Emergency Response System

At least once per year Buffalo State College tests its emergency response system. The Emergency Response Planning Group and University Police conducted a test of the college's emergency alert horn and the [NY Alert](#) system at 1:30 p.m. October 14, 2010. The test was successful. In a real emergency, the horn will sound for five full minutes. If a real emergency alert is signaled, immediately seek shelter and await further instructions communicated via New York-Alert, e-mail, www.buffalostate.edu, or direct instructions from University Police.

Faculty and staff may register for [NY-Alert](#) through the [SUNY employee portal](#). Students can register through [BANNER](#).

ANNUAL FIRE SAFETY REPORT

Buffalo State College 2011 Annual Fire Safety Report

Buffalo State College tracks and records all instances of fire and arson recorded on campus each year. University Police are tasked with creating incident reports for each instance of fire, and these reports are retained in both the University Police Office and the Office of Environmental Health and Safety.

The following is the fire log for incidents recorded on campus in 2010:

Residential Facility	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire
Tower III	1/11/2010	616	Motor Fire in Heating Unit	0	0
Moore Complex	1/18/2010	1759	Burning Cooking Grease	0	0
Moore Complex	1/31/2010	1806	Burned Chicken	0	0
Tower I	3/14/2010	2347	Burned Residue on Stove	0	0
Porter Hall	3/19/2010	414	Burned Microwave	0	0
Porter Hall	5/13/2010	222	Burning Paper in Trash Room	0	0
Cassety Hall	7/3/2010	2221	Overcooked Food on Stove	0	0
Tower I	9/6/2010	423	Burned Food in Microwave	0	0

-The Tower III fire involved the motor of a heating unit located in the loading dock catching fire. No reason was given for why the motor caught fire. Damage was listed at \$150.00.

This incident is listed as case number 10-700300.

-The first Moore Complex fire involved the discovery of a greasy pan on a stove. There was no reported damage.

This incident is listed as case number 10-700595.

- The second Moore Complex fire involved the discovery of burned chicken on a stove. There was no reported damage.

This incident is listed as case number 10-701144.

-The first Tower I fire involved burned food residue on a stove. There was no reported damage.

This incident is listed as case number 10-702973.

- The first Porter Hall fire involved the discovery of a burning microwave. No reason for why the microwave caught fire was determined. Damage was listed at \$100.00

This incident is listed as case number 10-703165.

- The second Porter Hall involved the discovery of burned paper in a trash room. The fire was out when responding personnel arrived. Damage was listed at \$10.00.

This incident is listed as case number 10-705266.

-The Cassety Hall fire involved overcooked food on a stove. There was no damage reported.

This incident is listed as case number 10-706612.

-The third Tower I fire involved burned food in a microwave. There was no damage reported.

This incident is listed as case number 10-708368.

Student Housing Fire Equipment

Buffalo State student housing consists of 11 campus facilities; there are no off campus housing units owned by Buffalo State. Each building is equipped with a fire prevention/notification system that includes fire extinguishers, smoke and heat detectors, a fire door system, audible horns and strobe lights, and addressable fire safety devices that notify both University Police and Buffalo Fire when they are set off. Seven of the buildings have partial sprinkler coverage, and one building has full sprinkler coverage. Six of the student housing facilities are high rise structures, and each is equipped with a stairwell standpipe. One building is defined as an apartment complex, with suite and flat style apartments. The the other three buildings are three floor double room dormitories.

The following chart lists each residential facility on campus and the fire safety coverage provided;

Buffalo State Residential Facilities	Fire Alarm Monitoring done On Site by UPD	Partial Sprinkler System	Full Sprinkler System	No Sprinkler	Smoke Detection	Fire Extinguisher Devices	Fire Drills Per Calendar Year
STAC*	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Moore Complex	X			x	X	X	4
Tower I	X	x			X	X	4
Tower II	X	x			X	X	4
Tower III	X	x			X	X	4
Tower IV	X	x			X	X	4
Perry Hall	X			x	X	X	4
Porter Hall	X	x			X	X	4
Neuman Hall	X	x			X	X	4
Cassety Hall	X		x		X	X	4
North Wing	X			x	X	X	4

*Note – The STAC (Student Apartment Complex) opened in September 2011 as a new residence hall. Statistics for this hall will be published in 2012.

Fire Drills

Buffalo State’s Department of Environmental Health and Safety conducts four (4) fire drills each calendar year in all dormitory buildings. At least one (1) drill is conducted during the evening hours after dusk.

Prohibited Items

The following items are banned or have restricted use in campus residential facilities;

- Candles
- Griddles
- Extension cords
- Holiday lights
- Multi-plug adapters
- Incense
- Toaster ovens
- Lava lamps
- Hot pots
- Air conditioners
- Toasters
- George Foreman and similar style grills
- Fire crackers or explosives
- Mechanical machinery
- Halogen and 5 light multi colored lamps

In addition, the following rules and regulations apply to residential facilities:

- 1) Refrigerators over six cubic feet are not allowed; each room may contain a maximum of two micro fridges or one six cubic foot refrigerator.
- 2) Microwaves are not permitted in any room, and are only allowed in common or suite areas. Only one microwave is allowed per suite.
- 3) Tampering with any fire safety device, which includes but is not limited to the discharging of a fire extinguisher, the covering of a smoke or heat detector, activating a pull station to initiate a false alarm, or blocking a sprinkler device, is a crime and punishable by fine and suspension or expulsion from both the residential facility and the college.
Upon discovery of any fire or illegal item, students are required to notify either their Resident Advisor or University Police.
- 4) Smoking of any kind is strictly prohibited in all buildings on campus.

Evacuation Procedures

In the event of fire, students are to evacuate the building in a timely and orderly manner. Resident Advisors are to organize the students once they are outside of the building to a designated meeting spot at least 50 feet away from the building. Re-admittance to the building is not allowed until clearance is given by University Police or Buffalo Fire.

Occupants with special needs in each building are taken note of and checked on by other building occupants. If they are unable to evacuate the building, they are moved to a safe area of refuge, and the message is relayed to responding emergency personnel that their help is needed in evacuating these occupants.

Fire Safety Education

In addition to the four (4) annual fire drills, building Resident Advisors also conduct fire safety training at floor meetings. The R.A.'s are also required to take part in a two hour Train the Trainer program conducted by OFPC, University Police and EH&S during annual August training of complex directors and resident director staff. This program explains common causes of fire in dormitories and how to prevent them, and explains high risk items that pose a fire hazard. The R.A.'s are also trained in fire extinguisher use, and are put in a simulated fire situation with the help of Buffalo Fire; floors of a dormitory building are filled with smoke using fog machines, and the students are instructed to evacuate.

Reporting of Fires

All reports of fire are to be reported directly to University Police.

A copy of this report can be obtained at any time during normal business hours from either University Police (878-6333) or the Department of Environmental Health and Safety (878-4038).

- The NYS Fire Code requires 3 fire drills be conducted for all buildings of B occupancy (college academic buildings), and for all R-2 dormitories.
- Buffalo State College complied with these requirements.
- In 2009, fire safety training was conducted for the following groups:
 - Resident Assistants, Resident Directors for all the dormitories – 3 hours fire safety training presented by the New York State Office of Fire Prevention and Control.
 - Custodial Staff for residence halls – 2 hours fire extinguisher training and fire safety training including hands-on fire extinguisher training presented by the New York State Office of Fire Prevention and Control.
 - All students that live on campus received 1 hour fire safety training presented by the New York State Office of Fire Prevention and Control.
- Fire alarms in all the residence halls have been upgraded to fully addressable systems comprised of heat sensors and smoke detectors in compliance with NFPA. The alarms are transmitted directly to Buffalo Fire Department dispatch. All of the alarm systems are tested annually by a certified testing company. One residence hall is fully equipped with sprinklers – Cassety Hall.

A FIRE BLOTTER (reports of fires on campus) is maintained at the duty desk at University Police for all campus members to view 24/7.

Fire Emergency Procedures

If you discover a fire:

1. Activate the nearest fire alarm.
2. Notify the University Police by dialing 878-6333. Give your location, the nature of the fire, and your name.
3. If individuals with special needs are in the area, help them evacuate the building ONLY IF you do not feel your life is in immediate danger. If you are unable to help them, seek professional fire fighting personnel and inform them of the location of the person(s).

Fight the fire ONLY if:

1. The fire department has been notified of the fire, AND
2. The fire is small and confined to its area of origin, AND
3. You have a way out and can fight the fire with your back to the exit, AND
4. You have the proper extinguisher, in good working order, AND know how to use it.
5. If you are not sure of your ability or the fire extinguishers capacity to contain the fire, leave the area.

If you hear a fire alarm:

1. Evacuate the area. Close windows and doors as you leave.
2. Leave the building and move away from exits and out of the way of emergency operations.
3. Assemble in a designated area.
4. Report to your supervisor or professor so he/she can determine that all personnel have evacuated your area.
5. Remain outside until competent authority (Police, Firefighters, Office of Environmental Health and Safety, or your supervisor) states that it is safe to re-enter.

Evacuation Routes

1. Learn at least two escape routes, and emergency exits from your area.
2. Never use an elevator as part of your escape route.
3. Learn to activate a fire alarm.
4. Learn to recognize alarm sounds.
5. Take an active part in fire evacuation drills.

Preventing Fires

Fire prevention and safety programs at Buffalo State College include:

- Fire drills (EH&S)
- Inspection and maintenance of fire-detection and fire-fighting equipment (EH&S)
- Presentations, videos, and seminars to students and staff (EH&S and University Police)

Fire Safety Rules

- **Extension cords are NOT permitted for use on campus. A surge protector with a longer cord is the correct device to use. Call our office with any questions about this issue; it is a common problem around campus!**
- Do not block exit doors or fire extinguishers.
- Do not store things in hallways or stairwells
- Check your electrical tools regularly for signs of wear. If the cords are frayed or cracked, replace them. Replace any tool if it causes even small electrical shocks, overheats, shorts out or gives off smoke or sparks.
- If an appliance has a three-prong plug, use it only in a three-slot outlet. Never force it to fit into a two-slot outlet.
- Keep electrical appliances away from wet floors and counters; pay special care to electrical appliances in the bathroom and kitchen.
- Do not wedge open stairwell doors. These doors are assigned to contain smoke and fire so that the stairwell can be used for a safe passage.
- It is a punishable crime to tamper with fire extinguishers. Notify EH&S during regular business hours, or University Police after hours, if you suspect someone has tampered with an extinguisher, or it appears to be in need of repair.

Fire Drill Procedures

Department heads and/or faculty are responsible for complete evacuation of areas under their control.

Procedures for Occupants:

1. When alarm is sounded, proceed by the most direct means, in keeping with the equitable distribution of traffic, to the nearest exit and stand at least 25 yards outside of the building.
2. Leave the lights on.
3. Close all doors
4. Turn off room fans: leave hood fans on.
5. Turn off all electrical and gas appliances.
6. Doors to the corridors are to be closed. In the event of an actual fire, leave doors in the immediate areas unlocked.
7. Occupants may re-enter the building when ALL CLEAR is announced by college personnel conducting the drill.

Exceptions to Evacuations during Fire Drills Only:

1. Persons who are involved in critical lab experiments or lab processes; which cannot be left unattended, will be allowed to remain.
2. Persons using a wheelchair or crutches will be allowed to remain, however, one able bodied person will be required to remain who would be responsible for said person, should evacuation be necessary.

To assure the safety of our faculty and staff, all fire safety equipment will be examined for proper operations during drills. A minimum amount of extra time will be needed to perform this operation.

If you have any questions, please contact David N. Miller at extension 6113. Thank you for your cooperation in this matter.

POLICY FOR REPORTS OF VIOLENT FELONY CRIMES

In the event that a violent felony is reported to the University Police Department, the desk officer on duty will immediately dispatch an officer to assist the victim. The desk officer on duty will then immediately notify a Lieutenant, an Investigator, and the Chief of Police and or his designee.

The crime victim will be provided support services as needed. If the victim has expressed a desire to press criminal charges, UPD will assist them in that process. In addition to providing for the immediate needs (medical/counseling) of the victim, a basic interview will take place in an effort to ascertain the nature of the crime. It is extremely critical to the safety of the entire campus if a crime has taken place and the perpetrator is at large or unidentified that an interview be conducted as soon as is possible. In all violent felony and sex related crimes, the collection of evidence is of critical importance. The crime scene will be secured and proper investigative measures implemented. The appropriate police agencies (i.e. Buffalo Police Department or the Erie County Sheriff or New York State Police) will be summoned to assist in the investigation and evidence collection process **if other resources are needed**. Otherwise, the investigation and evidence collection will be performed by the **University Police Department Investigations Division**. Injured victims will be advised of counseling and support services available. The victim may decline those services, and that decision will be honored. Injured crime victims will be transported to Erie County Medical Center or whatever other health care facility Emergency Medical Services and ambulance services deem appropriate.

Missing Student Policy

New York State University Police at Buffalo State College are trained to conduct well-coordinated investigations on all missing student complaints. Only students that Reside on campus in a residence hall and have been missing for 24 hours can be considered a missing student. University Police officers work closely with local, state and federal law enforcement agencies and college officials to gather and share as much information as possible. There is no wait time for University Police to begin an investigation. The NYS Office of Forensic and Victim Services Missing Person Data Collection Guide are used to gather valuable information when handling missing person's cases.

In addition:

- Missing students can be reported to the Dean of Students, residence life, the counseling center, athletics and student life directors, or University Police.
- Each student living in an on-campus housing facility has the option of registering a confidential contact person to be notified in the case the student is determined to be missing. Only authorized campus officials and the University Police may have access to this information. All resident students are asked to provide a contact when checking into their respective residence halls; this information is readily accessible to University Police should it be needed.
- In any event, if a student goes missing it will be reported to University Police for investigation.
- The designated confidential contact person or guardian will be notified that the student is missing. If the missing student is under the age of 18, his or her parents will be notified.
- Missing student reports from other campus departments are to be referred immediately to the University Police.

Daily Log/Police Blotter

The University Police maintains a daily log of crimes and incidents that occur on campus. The log is available at the dispatch desk for the public to view. The information is recorded by date, time and general location of the complaint. This daily log is available at the University Police department, Chase Hall 110. Updates are generally made within five business days after the event occurs.

While most events are logged, the office of the Chief of University Police may determine that an incident be classified as “confidential” in order to not jeopardize a criminal investigation or the identity of a victim.

Please note that victims and witnesses may report a crime on a voluntary and confidential basis at any time through campus support staff as listed above. Without compromising the victim's confidentiality, a confidential report can alert the campus to the fact that an incident has occurred, and can assist University Police in detecting patterns and preventing future crimes from occurring.

Pastoral and Professional Counselors

Campus “Pastoral Counselors” and “Professional Counselors”, when acting as such, are not considered to be campus security authorities 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 appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion into the annual crime statistics.

Security of and Access to Campus Facilities

The campus has a Safety Committee and Forum which conducts facilities audits from a safety perspective. The purpose of the audits is to identify and correct deficiencies. Campus community members with security concerns should contact University Police directly.

Most campus facilities, with the exception of residence areas, are open to the public under existing campus policies. Residence areas are limited to residents and guests. All residential entry doors are controlled through electronic access systems. All buildings on campus are secured either by key or electronic locks.

Buffalo State College provides 24-hour-a-day vehicle- and foot- patrol protection on properties owned by the State University of New York. Most campus facilities are open to the public during day and evening hours when classes are in session. The general public can attend cultural and recreational events on campus with limited access. Campus buildings are locked at night and when classes are not in session. When locked only faculty, staff, and students with proper permission, electronic access cards or FOBS and identification are admitted. Residence halls are locked 24 hours a day.

Security in the Residence Halls

Buffalo State College is committed to providing a safe environment in the residence halls. Students are made aware of safety concerns as well as tips on prevention through brochures, pamphlets, floor meetings, and presentations. While there are many safeguards in place for residence hall students, each student must do his/her part to assure a safe and secure environment by adhering to the safety related policies and procedures. Each of the residence halls is supervised by a residence hall director.

The hall director is a professional staff employee who lives and works in the residence hall. On almost every floor, there is also a resident advisor. A resident advisor (RA) is an upper class student who has received extensive training in many different aspects of residence hall living. The hall directors and resident advisors undergo training in enforcing residence hall safety and security policies as well as being aware of potential safety hazards and concerns.

All residence hall students are provided access to the main entrance of their residence hall through a special electronic device reader at the door. Room access is provided via a key or electronic swipe card. All residence halls are locked 24 hours a day. An on-campus telephone is located at the main entrance of each hall for visitors to contact students for entry. UPSA's (University Police Student Assistants) are on duty Sunday-Saturday from 10:00 p.m. to 4:00 a.m. UPSA's sit at a desk with a telephone at the front entrance of each residence hall to check students ID's and register guests and visitors entering the residence hall with their host/hostess. They also report any unusual circumstances or situations in the residence hall and are in direct contact with University Police via radio. Although the campus is a safe place to live, there is always the potential for crime.

Student conduct in the residence halls and on campus in general is regulated by the Student Code of Conduct.

Affirmation of the Code of Conduct

In compliance with the April 2004, directive from the Chancellor of the State University of New York, Buffalo State College requires all students to receive and positively affirm the campus's Student Code of Conduct. Access to Degree Navigator will be denied for students who have not completed the affirmation of the Code of Student Rights, Freedoms and Responsibilities. Students will be automatically redirected to the Code of Conduct affirmation pages each time they attempt to log in to Degree Navigator until they complete the affirmation. Students can affirm they have received and will abide by the Code by selecting the web link [Code of Conduct](#) to view the Code and follow the few simple steps needed to complete their affirmation. Questions regarding the affirmation of the Code can be addressed to the office of the dean of students, Campbell Student Union, 306, 878-4618.

Sanctions for violation of the Code include: suspension, restrictive disciplinary probation, general probation, residence hall license revocation, residence hall transfer, residence hall probation, residence hall ban, a letter of reprimand, restitution of property, educational sanctions, dismissal or a letter of admonishment.

Residence hall students should not be lulled into a false sense of security. All members of campus community need to be aware of the environment and the possible consequences of their behavior. Buffalo State College is committed to maintaining an environment in which students, faculty, staff and guests can work together free from all forms of harassment, exploitation and intimidation. Buffalo State College will act as needed to discourage, prevent, correct and if necessary discipline behavior that violates this standard of conduct.

Enforcement Authority of University Police

The New York State University Police is the law enforcement agency for the Buffalo State College campus. The department consists of 29 sworn police officers, 4 police lieutenants, clerical staff and 2 administrators. University Police officers are vested with full police powers and responsibilities identical to local police in the community. Officers are trained at the Erie County Central Police Services Training Academy. They receive specialized training in first aid, defensive tactics, legal updates, and other law enforcement topics. With certain exceptions, the law enforcement jurisdiction for Buffalo State University Police is the campus, its grounds, its buildings, and all adjacent and adjoining roadways.

The University Police Department forwards crime incident information to Central Police Services and the Division for Criminal Justice Services for statewide and national distribution. Buffalo State College has a close working relationship with all area law enforcement agencies and routinely shares crime information. Crime reports and related statistical information also are entered into the Erie County CPS CHARMS System for statistical purposes.

Potential criminal actions and other emergencies on campus should be reported by calling 6333, and 878-6333 off campus. For non-emergency situations, dial 878-6332, Monday-Friday 8:00 a.m. to 4:30 p.m.

Buffalo State College has an active, endorsed MOU (Memo of Understanding) detailing the cooperation between University Police and the Buffalo Police Department.

Campus Programs Designed to Inform Students and Employees about Campus Security Procedures and Practices

These programs encourage students and employees to share responsibility for their own security and the security of others. Included is a description of crime prevention programs available on campus. University Police Officers conduct crime prevention and awareness programs for the campus, encouraging members of the community to take responsibility for their own safety. They present safety videos, distribute printed materials, discuss safety topics with student, faculty, and staff groups, and publish safety alerts.

The campus has an active crime prevention and safety-awareness program. A police agency that is committed to community policing involves the community in the prevention of crime and disorderly behavior. The Buffalo State University Police provide educational programs to students, faculty, and staff to promote personal safety, increase campus security, and deter crime.

University Police present the following programs in the residence halls and to classes during the semester:

- Self Defense
- Rape Prevention
- Crime Prevention
- Fire Safety
- Bias Crime
- Alcohol Awareness
- Drug Abuse Prevention
- Internet Safety
- What To Do When Stopped By the Police
- Child Protection - Fingerprinting and Video
- Responding To School Violence

The Campus Safety Forum

The Campus Safety Forum is the college's advisory committee on campus security. The Safety Forum consists of a minimum of six members, at least half of whom shall be female; one-third of the committee shall be appointed from a list of students that contains at least twice the number to be appointed which is provided by the United Students' Government, one-third thereof shall be appointed from a list of faculty members that contains twice the number to be appointed which is provided by the College Senate and one-third of whom shall be selected by the president or chief administrative officer.

The Safety Forum reviews current campus security policies and procedures and makes recommendations for their improvement. It specifically reviews current policies and procedures (1) for educating the campus community, including security personnel and those persons who advise or supervise students, about sexual assault, (2) for educating the campus community about personal safety and crime prevention, (3) for reporting sexual assaults and dealing with victims during investigations, (4) for referring complaints to appropriate authorities, (5) for counseling victims, and (6) for responding to inquiries from concerned persons. The Safety Forum reports, in writing, to the college president on its findings and recommendations at least once each academic year, and its report is available upon request to the Office of the Vice President for Student Affairs, Cleveland Hall 519.

The Campus Safety Forum consists of faculty, students, and staff charged with reviewing current campus policies and procedures, making recommendations for their improvement, educating the campus community about personal safety and crime, and responding to inquires from concerned persons. Members of the campus community who have concerns about issues related to personal safety may present them to any member of the forum.

In addition, safety and security programs for students are offered by Residence Life and Student Life offices. Residential students discuss safety issues at mandatory floor meetings. Student Life conducts orientation programming on campus, which include security information.

Campus Policy Concerning the Monitoring through Local Police Agencies of Criminal Activity Engaged in by Buffalo State College Students.

Buffalo State College does not have any off-campus student organizations. The campus does participate in neighborhood advisory boards to monitor student activity in the surrounding area. Students are advised if they are apprehended for a violation of a law, it is the college's position not to request or agree to special consideration based on student status. Students who violate a local ordinance or any law risk the legal penalties prescribed by civil authorities.

Description of drug or alcohol abuse education programs and current campus policies on:

1) **Possession**, use, and sale of alcoholic beverages

- 2) **Enforcement** of state underage drinking laws
- 4) **Possession**, use, and sale of illegal drugs
- 5) **Enforcement** of federal and state drug laws

Alcoholic Beverages Policy

The college community is subject to state and local usage laws. Specifically, the laws of New York State prohibit anyone under the age of 21 from purchasing alcohol. Furthermore, it is against the law to serve an underage or intoxicated person. These guidelines are designed to recognize current law and to help the campus community apply the law as we plan and conduct programs. Each member of the campus community must take responsibility for obeying the law.

1. Alcoholic beverages may be sold on campus only by licensed and insured vendors as provided in these guidelines.
2. Open alcoholic beverage containers are prohibited in all outdoor and indoor areas of the campus except as provided below. Bringing alcoholic beverages to any event is prohibited.
3. Residence hall students who are 21 or over may consume alcoholic beverages in their living areas. All other residence hall areas shall be alcohol free.
4. Campus departments and sponsored campus/community groups may serve alcoholic beverages under the condition that at least one faculty or staff person shall supervise the event to ensure compliance with state and local laws and the college's alcohol guidelines.
5. The United Students' Government shall forward approved major student events where alcohol will be sold to the dean of students for review of the qualifications of potential alcohol vendors and approval of the planned use of alcohol.
6. Whenever alcoholic beverages are served, non-alcoholic beverages and food shall also be made available.
7. Alcoholic beverages may be served only in conjunction with the program. They shall not be used as the main attraction of the event.
8. Students who unlawfully use, possess, manufacture, or distribute alcohol will be subject to the college's due process disciplinary procedures as published in the [Student Handbook](#) and distributed once a year in the Record. Penalties may include probation, suspension, expulsion, and referral for criminal prosecution.
9. The Alcoholic Beverage Control Act provides a penalty of \$50 per offense for any person under the age of 21 who is in possession of an alcoholic beverage with the intent to consume it. A person under the age of 21 who presents falsified or fraudulently altered proof of age for the purpose of purchasing, or attempting to purchase, alcoholic beverages is guilty of a violation of the act and is subject to a one year probationary period and fine. A person who uses a falsified driver's license for the purpose of purchasing, or attempting to purchase, alcoholic beverages may have his or her driver's license suspended.

Specific questions and comments regarding campus regulations and alcohol-related events should be addressed to the dean of students.

Controlled Substance Policy

1. The unlawful use, possession, manufacture, or distribution of controlled substances and alcohol on Buffalo State College property, or as part of a college-sponsored activity, is prohibited.
2. Students who unlawfully use, possess, manufacture, or distribute controlled substances will be subject to the college's due process disciplinary procedures as published in the Student Handbook and distributed once a year in the Record. Penalties may include probation, suspension, expulsion, and referral for criminal prosecution.
3. The penalties for illegal use, possession, or distribution of controlled substances can include prison terms ranging from one year to life, and fines ranging from \$100,000 to \$4 million.
4. Students convicted of drug distribution or possession may have their eligibility for financial aid suspended.

Weapons on Campus

1. Possession or keeping of a deadly weapon or dangerous instrument on campus (including in any vehicle), or use of any object with intent to harm another, is prohibited. Deadly weapons or dangerous instruments include, but are not limited to, firearms, explosives, explosive devices, knives, blackjacks, chukka-sticks, sling shots, and kung fu-type weapons.

2. Possession or use of fireworks, firecrackers, etc., is also prohibited.

3. Possession of any CO-2-type firearm, spring-powered firearms, chemical aerosol spray, or pepper aerosol spray is also prohibited.

Violators of any section of this policy will be subject to possible criminal prosecution, if applicable, and appropriate disciplinary action from the college.

Campus Policy with regard to Sexual Assault

Buffalo State College will not tolerate sexual offense(s) in the workplace or academic setting. Offenders will be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings. Buffalo State College policy on sexual assault is designed to specifically address "the public well being" of Buffalo State students, faculty and staff. To meet this dimension of Buffalo State College's mission statement and as an ongoing goal, we must strive to create a campus community which is intolerant of sexual harassment and all forms of abuse, including sexual assault. In sexual assault instances, the College is committed to the following threefold process: (1) To provide crisis intervention measures and a campus judicial response for the accuser and the accused; (2) To refer students to criminal authorities; and (3) To educate and promote discussion on interpersonal abuse and violence issues.

Definition:

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 (1) the behavior and the physical nature (body parts, etc) of a sex offense and (2) the lack of consent involved.

"Lack of consent" is defined in New York State's Penal Law as occurring in the following circumstances:

Forcible Compulsion:

- Actual physical force.
- The threat of physical force, expressed or implied, that puts the victim in fear of being physically harmed or of another person being physically harmed (e.g. one's child).
- The threat to kidnap the victim or a third person.

OR

Physically helpless: physically unable to indicate a lack of consent (e.g. because victim is unconscious or because of a physical disability that makes one unable to physically or verbally communicate lack of consent).

OR

Under 17 years of age: New York law states that a person less than 17 years of age is legally incapable of consenting to sexual intercourse or other sexual contact. These laws are typically known as statutory rape laws.

- If the victim is under 13, and the defendant is at least 18, this constitutes a 1st degree sexual offense. 1st degree crimes are considered the most serious ones and carry the longest penalties.
- If the victim is under 15 and the perpetrator is at least 18, this constitutes a 2nd degree sexual offense. However, if the defendant is less than 4 years older than the victim, this may constitute an affirmative defense. Affirmative defenses are those in which the defendant introduces evidence which negates criminal liability.

OR

Mentally incapacitated: when the victim is made temporarily incapable of understanding or controlling his or her conduct because a drug or other intoxicating substance (e.g. alcohol) was given to them without their consent.

OR

Mentally disabled: when a person suffers from a mental illness or a condition that renders them incapable of understanding the nature of their conduct.

OR

Inmate: when a person is literally or physically under the control of others. Some examples are:

- The victim is an inmate in either a state or city correctional facility (i.e. jail or prison)
- The victim is committed to a psychiatric institution
- The victim is a juvenile held in any facility, if the perpetrator is anyone employed at that facility
- The perpetrator is a health care or mental health provider and the victim is his/her client, unless the doctor makes clear that the sex act is not part of the treatment. If the medical provider can prove that s/he informed the client that intercourse was not part of the treatment, and the client consented, then a crime has not occurred. This is a Class E felony.
- Penal Code 130 also prohibits workers in Office of Children and Family Services facilities from having sexual contact with patients of those facilities.

OR

Some Factor Other than Incapacity to Consent: Rape 3 and Criminal Sexual Act 3 have recently been modified with a "no means no" clause. In cases of intercourse only, if the victim expressed that he or she did not consent to the sex act in such a way that a reasonable person would have understood those words or acts as expressing lack of consent, this would be prosecutable as Rape in the third degree or Criminal Sexual Act in the third degree. This makes a case easier for the District Attorney to prosecute because it is based on a reasonable person standard, and not on the specific interpretation of a defendant.

What constitutes a sexual offense?

If any of the following acts are perpetrated against a victim "without his or her consent," as defined above, it is a crime under New York State Law:

Sexual Intercourse: the penetration of the penis into the vagina, however slight-- in other words, if the penis goes into the vagina just a little, not in its entirety, that is considered completed "sexual intercourse". (There is no requirement of physical injury and usually there is no requirement that ejaculation or orgasm have occurred.)

AND/OR

Criminal Sexual Act (Oral or Anal Sexual Conduct): does not require any penetration and occurs upon contact between penis and mouth, penis and anus (rectum), mouth and anus, or mouth and vaginal area.

AND/OR

Sexual Contact: any touching of the sexual or intimate parts of the body whether over or under clothing:

- done for the purpose of gratifying the sexual desire of either party
- includes the touching of the victim's sexual or intimate parts by the perpetrator AND the touching of the perpetrator's sexual or intimate parts by the victim

AND/OR

Forcible Touching: the intentional and forcible touching of another

- done for the purpose of degrading or abusing another person or done for the purpose of gratifying the defendant's sexual desire
- includes squeezing, grabbing, or pinching

AND/OR

Aggravated Sexual Contact: insertion of a foreign object (e.g. coke bottle, broom handle, etc.) into the vagina, urethra, penis or rectum.

- Insertion of a finger into vagina, urethra, penis or rectum causing injury, constitutes 2nd degree sexual offense
- If the insertion of the object causes physical injury, this constitutes a 1st degree sexual offense
- If no injury occurs, this constitutes a 3rd degree sexual offense

New Provisions Brought About by the NYS Sexual Assault Reform Act (SARA)

Below you will find an up to date explanation of the changes to the Penal Code that are most important for victims.

Crime Victims Board Reimbursement

In New York State, the Crime Victims Board provides compensation to innocent victims of crime. The CVB also provides funding to agencies serving crime victims and advocates for crime victims' rights and benefits. You can read more about CVB on their website:

[Crime Victims Board](#)

- The Crime Victim Board will provide direct reimbursement for sexual assault forensic exams performed by a hospital, sexual assault examiners program, or licensed health care provider.
- Requires examiners and facilities to accept the state's determined reimbursement fee from Crime Victims Board as payment in full.
- Allows a victim to assign benefits to his/her private insurance, in which case the Crime Victims Board would not be billed.
- Allows a victim to choose not to inform the medical provider of his/her private insurance if she/he believes that providing that information would interfere with her/his personal privacy or safety.

Drug-Facilitated Rape

GHB is sometimes known as the "date rape drug". Committing a sex crime by using GHB is a D level felony and is determined by the following:

- An individual knowingly and unlawfully possesses a controlled substance
- He or she administers that substance without such person's consent
- The drug is administered with the intent to commit felonious sexual assault
- He or she commits or attempts to commit such a felony

Emergency Contraception

A new provision in 2003 requires hospitals that treat rape victims to provide information on emergency contraception. The Department of Health was given the responsibility to develop and produce informational materials on emergency contraception to be used by all hospitals in New York State. If requested by the victim, the hospital must provide emergency contraception to him or her.

Prevention:

Buffalo State College attempts to foster a safe learning and living environment on campus for all members of the campus community. To accomplish this, Buffalo State considers the physical surroundings, educational programming that addresses all aspects of sexual assault (safety precautions and prevention, crisis management, reporting, medical and counseling services, availability of legal services, the college discipline system, academic schedules, living arrangement, etc.), and the campus response to sexual assault.

The college continually reviews and modifies its physical surroundings to enhance security and safety, such as campus lighting, locking procedures, blue light phones, escort vans, signage, etc. For further safety information, contact the University Police Department at 878-6333. Buffalo State College develops curricular and co-curricular educational programs concerning sexual assault. Involved students, faculty, staff, and community members provide information and promote discussion on interpersonal abuse concerns. For further information about campus educational programs concerning sexual assault, contact the Counseling Center, Residence Life or the University Police Department.

Response:

Buffalo State College's response to sexual assault may involve a number of individuals and agencies, i.e., University Police, campus crisis intervention team, medical and counseling services personnel, and Crisis Services. In addition, for on-campus cases, there is a timely campus-based investigation which is confidential and thorough and protects individual rights and due process. The accuser is presented with options about how s/he wants to pursue the complaint.

Reporting:

The guiding principle in the report of a sexual assault is to avoid possible re-victimizing the accuser by forcing the individual into any plan of action. A student who has been sexually assaulted has several options. The available options are:

Student Options:

- Discussing assault with friend, counselor, etc.
- Pursuing medical treatment
- Pursuing counseling services with appropriate agencies
- Initiating a campus judicial and/or criminal complaint for on- and off-campus cases.
- Deciding on the use of her/his name to agencies when filing a complaint

Students can be assured that, when they share assault information with medical, police, and/or College officials, confidentiality will exist within the framework of each agency's governing body (i.e. state law, licensing, FERPA, etc.) and follow a "need-to-know concept".

Buffalo State College Administrative Referrals:

The accuser who chooses to contact a Buffalo State College representative (or a Buffalo State representative who may have been notified by other means) has the following referral options:

- Medical facility
- University Police (investigate criminal complaint)*
- Crisis Intervention Team
- Dean of Students Office for investigation of complaint and possible administrative and judicial action
- Follow-up counseling to: Counseling Center, or non-campus counseling agencies such as Crisis Services.

** Off-campus cases are handled by the Buffalo Police Department and the University Police will assist them in the investigation. A positive and collaborative working relationship exists among state, local, and federal law enforcement agencies and the University Police at Buffalo State College.*

Process:

1. in the event of a sexual assault, medical and/or police emergency, University Police should be contacted by calling 878-6333. The accuser is encouraged to seek medical attention. A medical exam will treat physical problems and may address other medical issues.
2. The accuser is encouraged not to destroy evidence by bathing, douching, changing clothes or cleaning up in any way. The accuser is encouraged to preserve evidence in a paper bag should a report be filed. A report to the University Police can empower the accuser by exercising her/his legal rights and can aid in the protection of others.
3. If the accuser wants to report the assault to the University Police, a crisis services volunteer may be notified for immediate emergency assistance. Additionally, an on-campus advocate from Counseling Center is also available during daytime/weekday hours. A crisis team member from either crisis services or the Buffalo State College counseling center is on staff to offer support to the accuser who may be experiencing possible conflicting feelings and thoughts, and will aid the accuser in identifying options for future actions.. Once those actions have been determined, the accuser is entitled to timely responses from the representatives of those agencies chosen.
4. The accuser and the accused may seek assistance at any time from the Counseling Center at no charge. Referrals may be made upon request for relatives, partners and friends of either the accuser or the accused to various support agencies.
5. If the accuser has decided not to report the assault at this time, other alternatives may include:

A. Making a blind or **confidential** report to the police (A report that notifies the police that a sexual assault has occurred, but gives no names or identification.).

B. Making the decision to report at a later date. However, early reports may improve the preparation of a viable prosecution. Filing a police report immediately following the incident does not force the accuser to file charges and prosecute the accused; however, it does aid in the preservation of valuable evidence if the accuser decides to prosecute at a later date.

C. At any time, the accuser may contact any of the referral agencies previously mentioned for help.

6. The accuser may choose to contact the Dean of Students Office. Initially the student making an accusation can expect the following from the Dean of Students Office (*Note: The accuser's options may include, but are not limited to, on-campus judicial proceedings, civil suits and criminal prosecutions. The accuser will be referred to other agencies if appropriate.*):

The accuser will be encouraged to file a police report. The police will then advise the accuser of the legal process. The accuser may also be encouraged to seek assistance at the Counseling Center and/or the Weigel Health Center. If the accuser does not choose to file a police report, the accuser may still file an administrative (judicial) complaint through the Dean of Students Office, for an on-campus assault as well as seeking support from Weigel Health Center or the Counseling Center. .

Possible sanctions from an on campus student judicial hearing in which the perpetrator has been found guilty could result in suspension and expulsion from campus.

Statement of Victims' 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 also have the right to refuse all these options without reproach from any college personnel.
2. Victims have the right to be treated with dignity and seriousness by campus 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.
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.
7. If the accused is prohibited from contacting the victim or entering the victim's residence the victim will be notified that the ban is in effect.
8. The victim has the right to information regarding the status of his/her case.
9. The institution will advise the victim as to available options, if reasonably available, to change his or her academic and residence situations.

Sex Offender Registry Information

- When notified by New York State Division of Criminal Justice Services of the presence of a sex offender on campus, the University Police will use the methods currently employed to make "timely warning" of criminal activity to alert the campus community, in general or in a limited manner, as appropriate. This may include web notices, doorway signs, campus media, and email messages.

- Warnings will indicate that a level 2 or 3 sex offender is now enrolled or employed at the university and will indicate that further information can be obtained at the DCJS website (<http://www.criminaljustice.state.ny.us/nsor/index.htm>)

Hate Crimes and the Law

The Office of University Police at Buffalo State College is mandated to protect all members of the campus community by preventing and prosecuting bias or hate crimes that occur within their jurisdiction.

As of 2009, the Higher Education Opportunity Act expands hate crime statistics reported under the Clery Act to include larceny-theft, simple assault, intimidation, and vandalism. These statistics can be viewed in the crime stats table at the end of this document.

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

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 Ethnicity. In addition to the above categories, the following crimes will be reported if they are hate crimes: Larceny-theft; simple assault; intimidation; destruction, damage or vandalism of property.

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

In addition to preventing and prosecuting hate/bias crimes, the Office of University Police at Buffalo State College also assists in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the University as acts of bigotry, harassment, or intimidation directed at a member or group within the Buffalo State 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 for Review of Allegations of Unlawful Discrimination/Harassment or the Code of Rights, Freedoms and Responsibilities for Students. Bias incidents can be reported to University Police, Chase Hall, as well as to the Office of Equity and Campus Diversity, Cleveland Hall, room 415.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to University Police by calling 878-6333 or by stopping by the Office of University Police in Chase Hall. University Police will investigate and follow the appropriate adjudication procedures.

Victims of bias crime or bias incidents can avail themselves of appropriate counseling and support services by contacting the Office of Equity and Campus Diversity, Cleveland Hall, room 415, telephone 878-6210 and/or the College Counseling Center, 2nd floor, Weigel Health Center, telephone 878-4436.

For general information on security procedures at Buffalo State College, refer to the Code of Rights, Freedoms and Responsibilities for Students, or visit the Web site for the Office of University Police at www.buffalostate.edu/police.

More information about bias-related and bias crimes, including up-to-date statistics on bias crimes, is available from the Office of University Police in Chase Hall.

Campus Crime Statistics

The University Police Department submits monthly crime reports to the Department of Criminal Justice Services through the University Police Office. This data is submitted to the U.S. Department of Justice for the Uniform Crime Report. The following statistics reflect the number of on-campus offenses reported to college officials during the periods listed. In accordance with the revised Campus Security Act, the more inclusive category of sexual offenses has now replaced that of rape. The definition for these offenses can be found in the Uniform Crime Report.

The annual disclosure of campus crime statistics is prepared by the University Police department. Statistics are gathered from an on campus police database, from Buffalo Police department records, and from Residence Life on campus. Additionally, statistics are gathered from campus security authorities, who are listed in this document.

Offense Definitions

The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the *Uniform Crime Reporting Handbook*. The definitions of forcible and non-forcible sex offenses are excerpted from the national incident-based reporting edition of the *Uniform Crime Reporting Handbook*.

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

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

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

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

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

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

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

Sex Offenses (Forcible)

Any sexual act directed against another person, forcibly and/or against that person's will where the victim is incapable of giving consent.

Forcible Rape: The carnal knowledge of a person, forcibly and/or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapability (or because of his/her youth).

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification; forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses (Non-forcible) - Unlawful, non-forcible sexual intercourse

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is

prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Definitions That Were Added or Changed as of 1999

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

Criminal Homicide, Manslaughter by Negligence: The killing of another person through gross negligence.

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

2008 - 2010 Buffalo State College Crime Statistics

This chart includes offenses that were reported to Buffalo State College University Police and other College officials who have significant responsibilities for student and campus activities. These offenses are compiled using the Uniform Crime Reporting procedures in accordance with the provisions of the Clery Act.

	Crimes on Campus or in Residence Halls						Non-Campus Building or Property			Public Property *			Totals		
	2008		2009		2010		2008	2009	2010	2008	2009	2010	2008	2009	2010
	RH	OC	RH	OC	RH	OC									
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	1	4	2	3	2	2	0	0	0	1*	1*	2*	5	4	4
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	1	0	0	0	0	0	1*	13*	6*	1	14	6
Aggravated Assault	1	3	3	5	5	5	0	0	0	2*	9*	5*	5	14	10
Burglary	34	46	25	43	22	40	0	0	0	0	0	0	46	43	40
Arson	1	1	1	1	1	1	0	0	0	1*	1*	0	2	2	1
Motor Vehicle Theft	0	1	0	2	0	2	0	0	0	6*	5*	1*	7	7	3
Hate Crime by Prejudices															
Race	1	3	1	1	0	3	0	0	0	0	0	0	3	1	3
Gender	1	1	0	0	0	0	0	0	0	0	0	0	1	0	0
Religion	1	2	1	1	0	5	0	0	0	0	0	0	2	1	5
Sex Orientation	0	0	0	0	0	4	0	0	0	0	0	0	0	0	4
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes by Type															
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	2	3	1	1	0	0	0	0	0	0	0	0	3	1	0
Larceny/Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Vandalism	1	3	1	1	0	11	0	0	0	0	0	0	3	1	11

The category of forcible sexual offenses includes the felonies of rape and forcible sodomy as well as misdemeanors such as sexual abuse and sexual misconduct. Non-forcible offenses include statutory rape, incest and certain cases of misconduct.



Number of Arrests/Referrals for Select Offenses

	Buffalo State College Campus						Non-Campus Building or Property			Public Property *			Totals		
	2008		2009		2010		2008	2009	2010	2008	2009	2010	2008	2009	2010
	RH	OC	RH	OC	RH	OC									
Liquor Law Violations															
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referral	33	63	53	65	42	46	0	0	0	0	0	0	63	65	46
Drug Law Violations															
Arrest	6	10	2	16	5	9	0	0	0	3*	9*	7	13	25	16
Referral	6	67	81	90	97	126	0	0	0	0	0	0	67	90	126
Weapons Law Violations															

Arrest	0	0	1	3	1	2	0	0	0	1*	2*	0	1	5	2
Referral	0	0	1	1	0	0	0	0	0	0	0	0	0	1	0

*These incidents/arrests occurred on property adjacent to campus. The subjects involved in these cases had no affiliation to Buffalo State College. The college is required to display the listed crime statistics that occur on property adjacent to the College campus. As a result, if Buffalo Police Department stops a vehicle on a street adjacent to campus and makes an arrest for drugs, that would count as a statistic for a drug arrest occurring on public property adjacent to our campus. Contact the Chief of University Police at (716) 878-6333 with any questions.

Some Safety Tips for Everyone

Buffalo State College safety and security measures are designed to address every area of campus life, but a safe environment also depends on the awareness and cooperation of individual community members. Here are some common-sense steps you can take for personal safety and loss prevention:

- Never prop doors open, even for a short time.
- Avoid using stairs in remote sections of a building.
- Wallets, purses, and book bags should never be left unattended.
- Keep your keys in your possession. Do not place them under mats or in other obvious hiding places.
- Avoid working or studying alone in a building at night.
- When traversing the campus at night, stay within well-lit walkways. Do not take shortcuts through wooded areas. **WALK WITH A FRIEND!**
- If you cannot avoid walking alone at night, call the Escort Service at 703-993-HELP (4357).
- If your purse or wallet is snatched, don't fight back. Give it up rather than risk personal injury, and report the incident to the University Police immediately.
- Do not put an ID tag with your name, address, or license number on your key chain; if lost, the key chain could lead to theft.
- Carry only the cash and credit cards you need.
- Carry a whistle or other means of making a loud noise.
- Have your keys in hand when you approach your vehicle.
- Keep car doors and windows locked. Check front and back seats and the cargo area before entering.
- Keep the doors and windows to your residence locked, even if you will be gone only a short time.
- Engrave your portable valuables, and do not keep them in clear view next to windows that could easily be broken.
- Keep your bike locked in a rack or storage facility when not using it.
- Immediately call the University Police to report any criminal incidents or suspicious persons (dial 6333 on campus).

