

UPSTATE

MEDICAL UNIVERSITY



Health Sciences Library



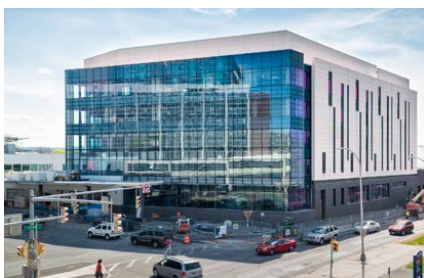
Geneva Tower



University Hospital



Community Campus



Cancer Center



The New Academic Building



Golisano Children's Hospital



Nappi Wellness Institute



Weiskotten Hall

Annual Security & Fire Safety Report

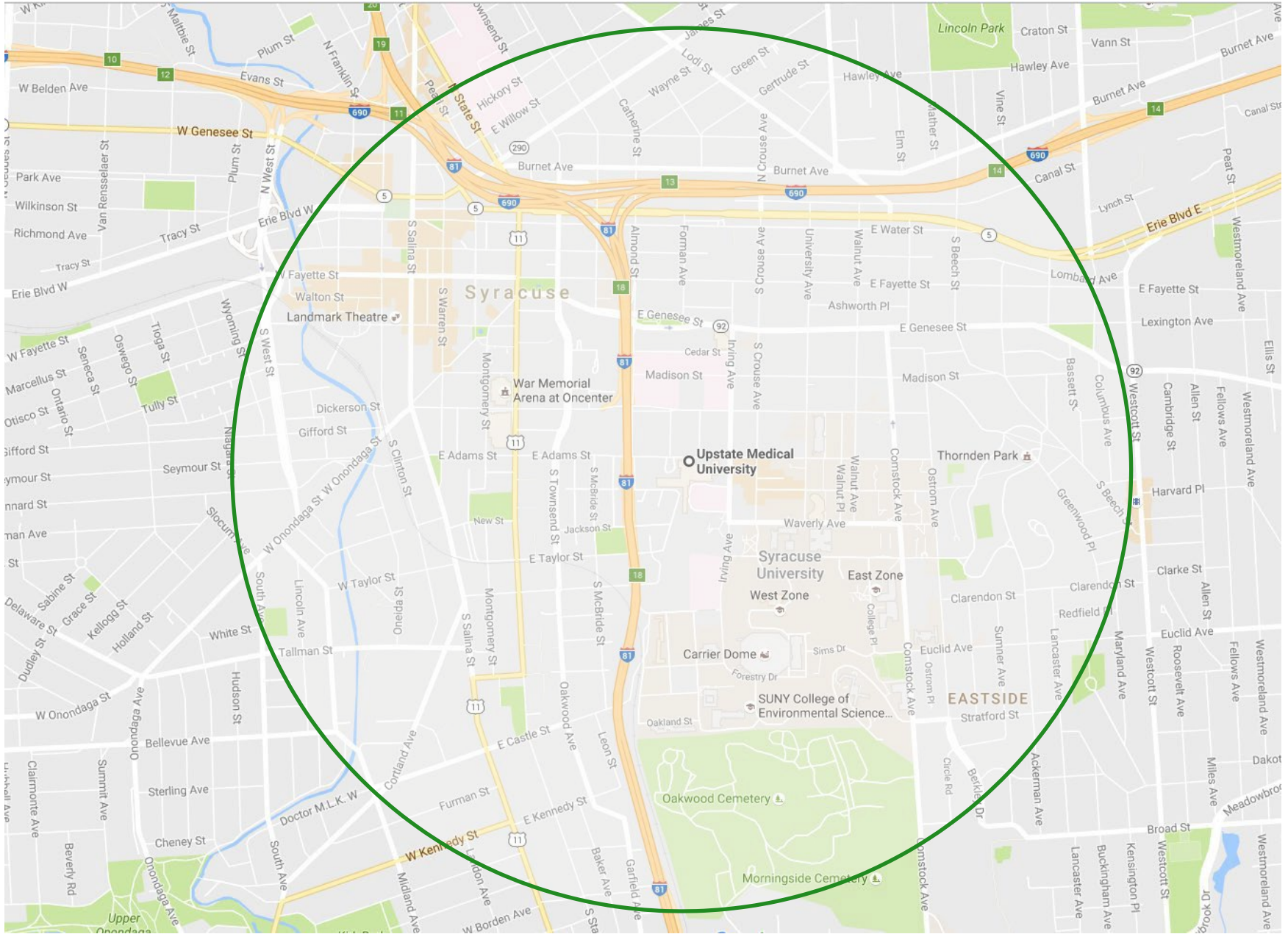
For Calendar Year 2023

Colleges of: Medicine • Health Professions • Nursing • Graduate Studies

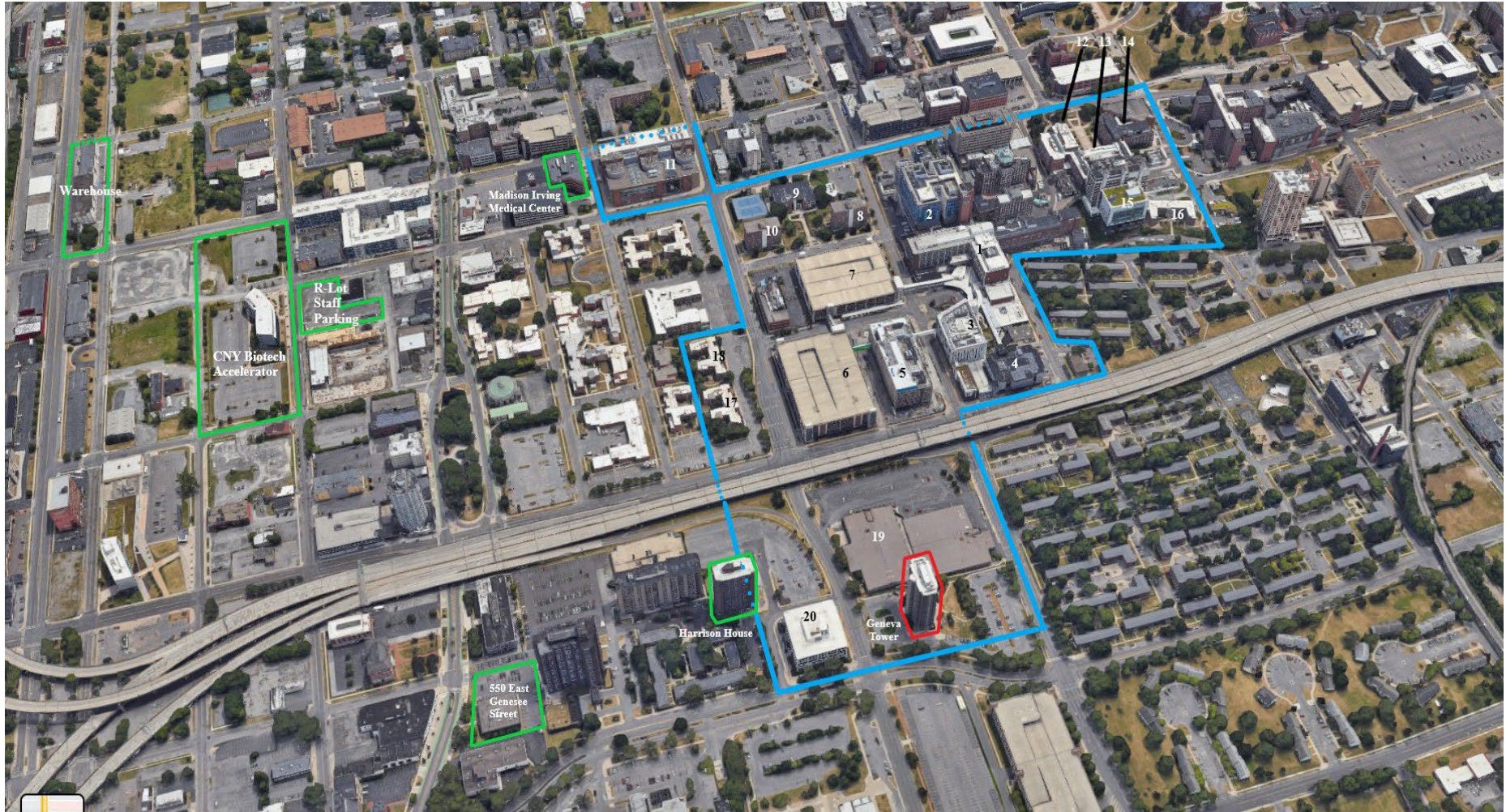
University Police Department • 750 East Adams Street Syracuse, NY 13210 • Phone: 315-464-4000 • Fax: 315-464-4140

www.upstate.edu/universitypolice

This map illustrates a one (1) mile radius around Upstate University Hospital



- = Campus Property
- = Non-Campus Building Property
- = On Campus Residential Property



- | | | |
|---|---|--|
| 1. University Hospital | 7. Garage East | 14. Basic Science Building |
| 2. University Hospital East Tower/ Golisano Children's Hospital | 8. Jacobson Hall | 15. New Academic Building |
| 3. Upstate Cancer Center | 9. Campus Activities Building | 16. Silverman Hall |
| 4. Computer Warehouse Building (CWB) | 10. Clark Tower | 17. TU- 3 |
| 5. Nappi Wellness Institute | 11. Institute for Human Performance (IHP) | 18. TU- 4 |
| 6. Garage West | 12. Setnor Hall | 19. 550 Harrison |
| | 13. Weiskotten Hall | 20. University Health Care Center (UHCC) |

The Upstate Medical University Safety Report

This report is produced annually to fulfill the requirements of the federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It is a policy at the State University of New York’s Upstate Medical University to provide this annual report of crime statistics, safety information, and procedures to follow to report crime. This report is prepared by the Office of the Chief of University Police and is available in both a hard copy upon request and electronically online, along with previous year’s reports, at <http://www.upstate.edu/universitypolice>.

Any questions regarding this report should be directed to the Office of the Chief of University Police through one of the following methods; address: SUNY Upstate Medical University, 750 East Adams Street, Syracuse, New York 13210, OR via email at UPDCHIEF@upstate.edu OR by telephone at 315-464-1471.

General Security Information

In 2023-2024, 1243 full-time and 136 part-time students were enrolled at SUNY Upstate Medical University. There were approximately 265 students in Geneva Towers, the campus-secured residence hall. The University and its supporting organizations employ thousands of individuals as full-time faculty and staff at our Downtown Campus, Community Campus, located just south of downtown Syracuse near Onondaga Hill as well as at several owned and leased buildings on and off campus. The University also maintains a satellite Clinical Campus in Binghamton, New York.

Students, faculty, and employees have access to academic, recreational, and administrative facilities on campus during regular hours of operation. Visitors to the hospital are restricted to visiting hours, consistent with the University’s visitor policy.

The public can attend cultural and recreational events on campus however their access will be limited to the facilities in which the events are

held. To report any violations of this policy or to report suspicious persons, call the University Police Department on campus at extension 4-4000 or from any off-campus phone at 315-464-4000. At the Community Campus the extension is 5511 OR 315-492-5511 from any off-campus phone.

Crime Reporting

All members of the campus community are strongly urged to report criminal incidents, emergencies, and suspicious activity promptly. The campus emergency number is extension 4-4000 for the Downtown Campus and 5511 for the Community Campus. These numbers should be used for all fire and police emergencies. All reports are responded to, logged, and classified.

University Police can also be reached using the Blue Lights, RAM Tech emergency phones, or call boxes located at various locations throughout the campus. The residence hall door phone may also be used to report emergencies by dialing extension 4-4000. Upon receipt of an emergency, University Police are dispatched immediately and respond to render assistance, investigate, and prepare any necessary reports.

Members of the campus community who are uncomfortable reporting criminal activity to the police can report criminal incidents to the following offices:

Title IX Coordinator	315-464-9590
Institutional Equity Officer	315-464-9590
Dean of Student Affairs	315-464-4816
Associate Dean of Student Affairs	315-464-8855
Director of Employee/Student Health	315-464-4260
Residence Director	315-464-9407
Coordinator of Judicial Affairs	315-464-8855
Director of Campus Activities	315-464-5618

Please note that these offices allow victims and witnesses to report crimes on a voluntary confidential basis. Reports of this nature are filed with the University Police Department for informational purposes, but there is no formal investigation of the incident by the University Police Department. Counselors at the University

who are informed of criminal activity by persons they are counseling may inform the client that crimes can also be reported to the Office of Student Affairs on a voluntary confidential basis for inclusion in the University's crime statistics. This information is used in the creation of this report.

Non-emergency incidents can be reported anonymously through the University Police tip line located on our department's website. Tips reported may not be received by University Police for 24 hours; therefore, this tip line should not be used to report emergency situations requiring an immediate response.

In the event of a major emergency or ongoing incident that poses an imminent threat to the campus community, a 'Timely Warning' and/or "Emergency Notification" will be broadcast via mass email using Everbridge and Alertus and may be supplemented by several media formats including Facebook. Everbridge is a critical incident emergency notification system that utilizes the Human Resources database to send notifications to students, faculty, and staff via email and phone. In instances where there is imminent danger to the campus, the phone option will be utilized. An automated message will be received with details and instructions to stay safe during the event(s).

University Police Department

The University Police Department aids in the enforcement of federal, state, and local statutes as well as Upstate Medical University rules and regulations. Department services and support are available to the campus community 24 hours a day, every day including holidays.

The University Police operational offices are in room 1326 of University Hospital on the Downtown Campus and room 1111 on the Community Campus and are always open to the students, faculty, and staff.

The New York State University Police Department at Upstate consists of the Chief of Police, the Deputy Chief of Police, the Administrative Assistant to the Chief, the Senior Staff Assistant/Information Coordinator, the Technical Services Coordinator, the Technical Services Staff Assistant, Six Divisions

Commanders, 17 sworn University Police Officers, who have each attended a New York State certified Police Academy, and 16 Staff Assistants. The Department's sworn force is supplemented by a contract security force, the Department of Public Safety, which consists of over 100 non-sworn personnel.

The Public Safety Officers are licensed as security guards by the State of New York and receive numerous hours of training mandated by New York State and the institution. Though Public Safety Officers are not sworn police officers and do not have full arrest powers, they may exercise their citizen's arrest authority when/if necessary.

The University Police Department is responsible for law enforcement, security, accident, fire, and chemical emergency responses but also provides specialized services tailored to meet the needs of the campus community. These services include personal safety escorts; assistance with building and room access; accident reporting; general information, and directions. Additional special services are provided for University Hospital which includes corrections liaison and assisting with helicopter landings for Medivac patients.

A dispatcher is available to receive emergency calls 24 hours a day. Several emergency telephones and call boxes are in primary buildings throughout the campus. They can be used to report a criminal incident, fire, or other emergencies. Requests for non-emergency service can be made in the same manner.

Officers maintain constant patrols of the campus by vehicle and on foot. The patrols include regular checks of all campus buildings, including the resident facility, Geneva Towers. The grounds and parking areas are also patrolled. Closed-circuit television cameras are used to monitor various campus areas and buildings. Public Safety Officers also maintain fixed post positions at various locations on campus.

The University Police Department maintains a close working relationship with the New York State Police, Syracuse Police, and other law enforcement agencies. They also share direct radio communications with the County 911 Center and the Syracuse Police Department. Additionally, regular meetings are held with other University Hill members. Such meetings promote an open exchange of information related to safety

and security and involved agencies routinely exchange crime-related reports and statistics further enhancing interagency cooperation.

The objective of the New York State University Police Department at Upstate is to assist in creating an environment that is conducive to teaching, research, patient care, and social engagement. All members continually endeavor to assist in protecting the lives and property of the students, employees, and visitors to Upstate. This objective is pursued within the framework of the State University of New York rules and regulations alongside all local, state, and federal laws. The investigation of crimes committed on the campus falls within the jurisdiction of the University Police Department.

The University Police Department also maintains a Memorandum of Understanding with the Syracuse Police Department that outlines each department's responsibilities during the investigation of certain violent crimes. The Onondaga County Sheriff's Department and the New York State Police may also be contacted if circumstances dictate, to assist in the investigating of incidents that may occur on or off campus but involve campus staff or students.

Policy on Alcohol and Drugs

The University complies with federal, state, and local laws including those which regulate the possession, use, and sale of alcoholic beverages and controlled substances.

The following represents a synopsis of the drug and alcohol policies of the SUNY Upstate Medical University. Detailed information is available in the *Student Handbook*, for students, and the University policy manuals, for employees. The University permits the use of alcoholic beverages on campus by those who comply with state law and who adhere to the guidelines established by the University. Students living in the residence hall who are 21 years of age or older shall be allowed to possess and consume alcoholic beverages in their private residences in compliance with state law and consistent with university regulations pertaining to possession and consumption.

On any Upstate Medical University premises or at any University sponsored activity, the following conducts are prohibited:

- Distribution, possession, or use of any illegal drug or unauthorized controlled substance.
- Providing alcoholic beverages to individuals under 21 years of age, or possession of alcoholic beverages by individuals under 21 years of age.
- Illegal possession of an open container of an alcoholic beverage, driving while intoxicated, or drinking alcoholic beverages in an unlicensed public place.

The Alcohol and Drug Policy details offenses and discipline for students and others, including probation, suspension, or dismissal from the University for such acts.

Concerns about abuse of alcohol and or controlled substances/illicit drugs may be brought to the attention of the University's Assistant Dean for Student Counseling and or Employee/Student Health Service which can provide assessment and assistance to students. The Employee Assistance Program Office provides services to faculty and staff. Educational programs addressing alcohol and drug-related issues are sponsored by various campus organizations.

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. The University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to University officials or law enforcement will not be subject to the University's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

Weapons on Campus

Firearms and dangerous weapons, including ammunition, fireworks, explosives, or any lethal weapon(s), are not permitted on campus, not only per policy but per New York State Law.

Intentional use, possession, or sale of firearms or other dangerous weapons by anyone is strictly forbidden and is a violation of state and federal laws as well as a violation of the student code of rights and responsibilities.

Daily Log

University Police maintains a daily log of crimes and incidents that occur on campus via a records management system. These records are available to view upon a Freedom of Information Law request which can be submitted through Upstate Medical University's Institutional Privacy/FOIL Officer. This information is recorded by date & time and includes a summary and a general location of the incident.

Please note that entries or updates are generally made within two business days of an event. Incidents and/or situations deemed to pose a threat to the campus community are logged as soon as possible. They are also the subject of "Campus Safety Alert" bulletins.

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

Crime Prevention Activities

We feel that almost every crime committed on campus is preventable. As part of the college's educational mission, the University Police Department attempts to educate members of the campus community about how to reduce their chances of being a victim of a crime. Several department members have received specialized crime prevention training and serve as crime prevention officers.

The University's crime prevention program is based upon the dual concepts of 1) reducing or

eliminating criminal opportunities, and 2) encouraging students and employees to be responsible for their own security as well as the security of others.

The theft of unattended, unsecured property is the most frequently reported crime at Upstate. Individuals are encouraged to keep their vehicles, rooms, offices, and lockers always secured. Never leave items such as purses, cell phones, and other valuables unattended. Persons loitering or trespassing at the University are also a frequent problem. If you observe individuals acting suspiciously or who are out of place, please contact the University Police immediately so that they can be interviewed and removed from the campus, if warranted. These actions can help keep you and your friends/colleagues from becoming victims of crime.

The following is a listing of the University's crime prevention programs and projects:

Personal Safety Escort Service: Available 24 hours a day, 7 days a week for anyone to any on-campus location.

Personal Security: Crime prevention presentations are made available on a regular basis for new student and employee orientations. Custom presentations or surveys are made at the request of any group.

Patrols: University Police and Public Safety conduct patrols of the entire campus to detect, deter, and prevent any events that would disrupt the normal operations of the campus. Additionally, the department may also conduct special patrols and/or details based on the needs and safety of the campus.

Emergency Telephone: Emergency telephones and call boxes, linked directly to the University Police Communications Center, are located throughout the campus. Additionally, University Police can be reached by dialing 911 from any campus phone.

Architectural Design: The University Police Department has significant input into the design of all new and renovated campus facilities as related to physical and electronic security systems.

Facilities Surveys: The University Police Department and the Personal Safety Committee

conduct periodic surveys of exterior lighting, exterior doors and campus grounds. Results of these surveys are forwarded to Physical Plant for prompt action.

Rape Awareness: Rape awareness education and prevention presentations are made periodically to the campus community.

Relationships with Other Police Departments Involving Off-Campus Crime

Criminal activity at off-campus property owned, leased or occupied by the University, or occupied by recognized student organizations, are monitored by the University Police Department in cooperation with the New York State Police, the Onondaga County Sheriff's Office, Syracuse Police (Including their Abused Persons Unit) and other law enforcement authorities. Students involved in off-campus situations involving alcohol/drug offenses or other criminal activities may also be referred to the campus judicial system.

Campus Crime Statistics

In accordance with the Clery Act and recent updates, data representing criminal activity is presented at the end of this report. You may also find this data on the University Police web page, at <http://www.upstate.edu/universitypolice/> or on the United States Department of Education web page at <http://ope.ed.gov/security/>.

This data represents crime activity on both the campus and on streets adjacent to campus property. Maps defining these areas are on the second and third pages of this report. Reported "On Campus Offenses" include offenses reported while on campus property and in campus buildings. The total number of crimes committed on campus is reported under "On Campus Property". A specific breakdown of offenses occurring in our Resident Facilities appears under the heading "Residential Facilities" on the Chart.

Two other categories are presented in this chart: "Non-Campus Property" and "Public Property." The first category, "Non-Campus Property" includes properties owned by student organizations officially recognized by the

institution and those owned by the University outside the campus boundaries that appear on the map on the second page of this report.

The offenses presented for this report include those reported to Law Enforcement agencies having jurisdiction where these properties are located.

The last category, "Public Property", includes thoroughfares, streets, sidewalks and parking facilities immediately adjacent to the campus. The map on page 3 of this report fully outlines these boundaries.

This section on campus crime statistics also includes arrests and disciplinary referral made to campus authorities for alcohol, drugs, and weapons possession.

As defined by the Campus Safety Act, a disciplinary referral is an instance for which a student is formally reported, in writing, to a university officer for the violation of campus rules and regulations, or violation of law. Such referral may result in possible sanction.

As required by the Clery Act, hate crimes are reflected in this report. For this reporting, a hate crime is a criminal offense committed against a person and/or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their *actual or perceived personal characteristics including race, gender, religion, disability, sexual orientation, gender identity, ethnicity or national origin.*

The hate crimes presented for this report are those offenses that appear in the Crime Statistics Chart, where the victim suffered bodily injury and the additional offenses of larceny, vandalism, simple assault, and intimidation.

The crimes presented are based on reports filed with the following offices: The University Police Department, Dean of Students Affairs, Director of Student Support Services, the Residence Director, and the Director of Employee/Student Health.

Crime statistics for areas defined as "Public Property" and "Non-Campus Property" were obtained thru the county wide incident reporting system accessible by the University Police Department. The definitions of these offenses, which are defined in the Federal Bureau of

Investigation's "Uniform Crime Report" and the "Clery Act" can be found on pages 12-16.

Security in Residence Halls

Upstate houses 265 students in Geneva Towers. Services and programs intended to enhance the quality of life and to assure the security and safety of the resident student body is a major priority for the Office of Residence Life.

These Resident Facilities are served by professional, live in, residence directors and resident assistants. Staff is available or on call in the facility at all times. Between the hours of 5pm and 10pm, Sunday through Thursday, and 5pm and 12am (midnight), Friday and Saturday, a resident assistant staffs the resident hall office.

The main entrance and side doors are locked from the outside at all times. Alarms will sound should the side doors be opened. Unlimited access is available to residents only. Guests and visitors may be admitted only by the resident they are visiting and must be properly escorted when in the residence hall.

The various type of housing available and the policies and procedures for housing assignments, and guest access are described more thoroughly in the *Student Handbook*. The Residence Life Staff discusses security and safety policies and procedures, especially regarding locking individual rooms and related precautions, with residents.

Emergency phone numbers are posted at the main lobby office of the Resident Facility.

During holidays and official recess periods, the residence hall facility remains occupied and security procedures are established for residents remaining during these periods.

Residence hall students should not be lulled into a false sense of security. We all need to be aware of our environment and the possible consequences of our behavior.

Missing Students

Upstate's Missing Student Policy is outlined in the Student Handbook. It encourages all students to designate an emergency contact who can be

notified if the student becomes missing. This contact person's information will only be accessible to authorized campus officials and will only be released to law enforcement personnel in the furtherance of a missing person investigation.

Missing students can be reported to Resident Hall Staff or directly to the University Police Department. Missing student incidents are investigated immediately by the University Police Department and are reported to the Chief of Police and Deputy Chief of Police as soon as they are received.

In an attempt to locate the missing student, the student's designated emergency contact person will be notified, as well as contacting any room mates, classmates or acquaintances who may be able to assist in locating the student.

If the missing student is under the age of 18, a parent or guardian will also be notified.

Sexual Offenses and Harassment

SUNY Upstate Medical University 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. The University will act as needed to discourage, prevent, correct and if necessary discipline behavior that violates this standard of conduct.

Kate Nearpass is Upstate Medical University's Interim Institutional Equity Officer and Title IX Coordinator. She coordinates executive-level efforts to build diversity and inclusion as core values throughout the University. She works collaboratively across campus to implement best practices related to diversity, equity and inclusion in recruitment and retention of students, senior administrators, faculty and staff. She also has the authority and responsibility to promptly investigate any and all allegations of unlawful discrimination based on race, color, national origin, ethnicity, religion, creed, age, gender, disability, veteran status, sexual orientation, marital status or other protected categories.

Allegations of discriminations can also be discussed with the counseling center, the

University Police Department, or the Dean of Student Affairs. Where appropriate, these offices will report these allegations to the Office of Diversity and Inclusion.

SUNY Upstate Medical University views sexual assault on campus as a violent crime. The regulations governing student conduct (found in the *Student Handbook*) clearly state that while on campus, and while attending University sponsored activities, on or off campus, no student either singularly or in concert with others shall sexually harass, intimidate, or assault any other person. This includes rape, acquaintance rape, or any sexual violence.

The University will not tolerate sexual assault or harassment in any form. Where there is probable cause to believe that University regulations have been violated, the University will pursue strong disciplinary action through its own judicial system. This discipline may include suspension or dismissal from the University.

If action is taken through the campus judicial system, both the accuser and the accused are entitled to have others present during the disciplinary proceeding and to be informed of the outcome.

Violators will also be subject to prosecution under New York State criminal statutes. The University Police Department will assist victims in reporting incidents to the Syracuse Police Department's Abused Persons Unit, or other appropriate police agency, if the incident occurred off campus. Victims are encouraged to report all such incidents even if they are unsure if they wish to prosecute the offender.

This is important because evidence needed in the prosecution of the offense may be lost if reporting is delayed. A victim's best course of action is to report the incident immediately after it occurs so that evidence may be collected, and counseling sought. Victim assistance will be provided from campus resources or Vera House which offers rape crisis and other counseling services.

If a student becomes the victim of an alleged incident of sexual assault they may request assistance in changing their academic or 'on campus' living situation.

Further information is available in the pamphlet Sexual Harassment available from the Affirmative Action Office located in Jacobsen Hall and also at the following Web site:

<http://www.upstate.edu/currentstudents/support/rights/index.php>.

Sexual Assault Information (Aid to Victims of Violence)

If you are a victim of sexual assault, immediately report the assault to the police. Call 4-4000 at the Downtown Campus, 5511 at the Community Campus or dial 911 off campus. Police cannot investigate the incident as a crime, unless you file a formal report. Reporting a crime to the police or another campus office does not obligate you to follow through with criminal prosecution.

- Go to a hospital emergency room as soon as possible if the assault involved a sexual penetration or other physical injuries.
- Do not wash, change clothing, or otherwise "clean up." Bring a full change of clothing because the clothes you were wearing at the time of the attack may be kept as evidence. (Evidence can be collected several hours after an attack, but its value may be diminished.)
- Your follow-up care is crucially important. You may need tests for sexually transmitted diseases and pregnancy.
- No matter when or where your assault occurred, support and referral resources are available to help you. For help contact on-campus counseling services at 315-464-3120 (choose extension 6) or email scs@upstate.edu or contact the Vera House 24-Hour Crisis and Support Lines at 315-468-3260 (315-484-7263 for the Deaf Community).
- Another on campus resource is SUNY Upstate Medical University's Emergency Department which provides emergency assessment, psychiatric hospitalization, and outpatient mental health care. Individuals in crisis may present to the Emergency Department or call the switchboard to speak to Emergency Department personnel.

Victims have rights too. These rights include:

- The right to proper medical attention.
- Advice from an attorney (not provided by the University) or adviser.
- Referral for counseling and other support services.
- Use of the University Police Department's personal safety escort service.
- Timely modification of on-campus housing and class arrangements.

The complete list of Victim's rights can be found in the *Student Handbook*, in the Student Code of Conduct, or thru the following web site <http://www.upstate.edu/currentstudents/support/rights/index.php>.

What is Title IX?

The United States Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Title IX applies to institutions that receive federal financial assistance from the Education Department, including state and local educational agencies.

These agencies include approximately 16,500 local school districts, 7,000 postsecondary institutions, as well as charter schools, for-profit schools, libraries, and museums. Also included are vocational rehabilitation agencies and education agencies of 50 states, the District of Columbia, and territories and possessions of the United States.

Educational programs and activities that receive Education Department funds must operate in a nondiscriminatory manner. Some key issue areas in which recipients have Title IX obligations are: recruitment, admissions, and counseling;

financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment.

Also, a recipient may not retaliate against any person for opposing an unlawful educational practice or policy, or made charges, testified or participated in any complaint action under Title IX. For a recipient to retaliate in any way is considered a violation of Title IX.

The Education Department Title IX regulations (Volume 34, Code of Federal Regulations, Part 106) provide additional information about the forms of discrimination prohibited by Title IX.

All students, employees and visitors should be aware these people have key Title IX responsibilities at SUNY Upstate:

Name, Title, & Contact Information

Kate Nearpass, JD
Title IX Coordinator (Interim)
SUNY Upstate Medical University
Office of Institutional Equity
 6333 State Route 298,
 East Syracuse, NY 13057
 Office: 315-464-9590
 Work Cell: 585-204-2029
 TitleIX@upstate.edu

Julie R. White, PhD - Vice President for Educational Services and Dean of Student Affairs
 Weiskotten Hall, Room 1225
 Office: 315-464-4816
 Fax: 315-464-8823
 whitejul@upstate.edu

Sharon E. Huard - Associate Dean of Student Affairs and Campus Life
 Health Science Library, Rm 130
 Office: 315-464-8855
 Fax: 315-464-5431
 huards@upstate.edu

Erika Taylor - Chief of Police
 Building 49 - Room 214
 Office: 315-464-1471
 Fax: 315-464-4140
 UPDCHIEF@upstate.edu

Reporting an Incident

1. If you experience or observe an incident of sexual discrimination, harassment, violence, assault or exploitation on or off campus, you have multiple reporting options.

· **SUNY Upstate’s Title IX Coordinator:**

The Office of Institutional Equity houses the Title IX office at SUNY Upstate, and investigates reports of discrimination and harassment, and can also assist with filing a criminal or conduct report, or coordinating academic, housing or other accommodations. Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to Kate Nearpass, JD, Interim Institutional Equity Office and Title IX Coordinator, 2156 Weiskotten Hall, (o) 315-464-9590, (wc) 585-204-2029, titleix@upstate.edu. Online complaints can also be filed at https://cm.maxient.com/reportingform.php?SUNYUpstate&layout_id=1

· **University Police Department:** You may report the incident to the University Police Department at 315-464-4000 at the Downtown Campus or 315-492-5511 at the Community Campus. University Police Officers have received specialized training to meet the needs and concerns of victims of sexual offenses and relationship violence. A decision whether to report to law enforcement is left to the complainant except in rare circumstances in which there is an on-going threat to the SUNY Upstate community. When a report is made to both the Title IX Coordinator and a law enforcement agency, the Title IX Coordinator will coordinate with law enforcement, as needed, to preserve evidence and achieve other shared goals.

· **Confidential Resources:** SUNY Upstate employees who are professional counselors, pastoral counselors or health care providers are considered confidential resources when they are serving in their capacities as counselors or health care providers, as are any employees designated as confidential resources. Confidential resources are not required to make reports to the Title IX Coordinator. A report to a confidential resource is not considered a report to SUNY Upstate.

· **Anonymous Reporting:** Reports may be made

anonymously through University Police Department’s anonymous tip line at <https://www.upstate.edu/victimresources/intra/tip-form.php>

2. If you file a complaint with the Office of Institutional Equity, you have a right to adequate, reliable and impartial investigation of your complaint. If the conduct alleged in your complaint constitutes sexual harassment as defined in the 2020 Title IX regulations, your complaint will be investigated pursuant to the procedure detailed here:

<https://www.upstate.edu/equity/pdf/SUNY-Upstate-Title-IX-Grievance-Procedure.pdf>.

If your complaint constitutes non-Title IX sexual harassment, or other violation of Upstate policies on non-discrimination and harassment prevention, your complaint will be investigated pursuant to the procedure detailed here:

<https://www.upstate.edu/equity/pdf/OIE-complaint-investigation-procedure.pdf>

3. If you do not file a formal complaint, the University may be obligated by federal mandate to investigate the incident in order to seek further understanding for the protection of recurrences.

4. You may opt for a voluntary informal method of resolving the complaint (i.e., mediation alternative dispute resolution, etc.) pursuant to Upstate procedures. You may choose to end such informal resolution methods at any time and choose to proceed with formal stages of this complaint process.

5. If you or your witnesses are subjected to retaliation (pressure, intimidation, or coercion by the accuser or his/her associates, with or without the accuser’s knowledge), you should immediately report the incident so the University can investigate and act.

Campus policy encourages every member of the campus community to report a crime promptly to the University Police Department if the victim wants to or is unable to report.

Violence Against Women Act (VAWA)

The Violence Against Women Act (VAWA) is

United States federal legislation that expanded the juridical tools to combat violence against women and provide protection to women who had suffered violent abuses.

It was initially signed into law in September of 1994 and was reauthorized in 2000, 2005, 2013, and 2022. Besides changing statutes, the VAWA was notable for calling attention to the issues of domestic violence, dating violence, sexual assault, and stalking.

The original VAWA was enacted as Title IV of the Violent Crime Control and Law Enforcement Act. Its passage provided the means for the creation in 1995 of the Office on Violence Against Women (OVW) within the Department of Justice (DOJ).

Institutional Response to Reports of Violence against Women Act (VAWA) Crimes

The institution has programs to prevent domestic violence, dating violence, sexual violence, and stalking. When an incident of domestic violence, dating violence, sexual violence, or stalking is reported, the University will provide victims with written notice of available options, remedies, and services. If the accused individual is a student, the standard of evidence used in an institutional disciplinary hearing will be preponderance of the evidence.

Education Programs Regarding VAWA Crimes

Upstate Medical University has educational programs to promote the awareness of rape, acquaintance rape, dating violence, domestic violence, sexual violence, and stalking. These educational programs include primary prevention and awareness programs for all incoming students and new employees.

These educational programs will include:

A statement that these crimes are prohibited at the University; definitions of consent, domestic violence, dating violence, sexual assault, and stalking in the University's jurisdiction; safe and positive bystander intervention when there is a risk of one of those incidents; information on risk

reduction to recognize warning signs of abusive behavior and avoiding potential attacks; and information about the institutional disciplinary procedures.

Sanctions for VAWA Crimes

Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed; corrective action, termination, suspension, expulsion, education programs, community service, probation, no-contact order.

Sexual Assault & Violence Response (SAVR) Resources

Upstate Medical University and the SUNY System takes reports of sexual assault, domestic violence, dating violence and stalking seriously. If you are a member of a SUNY community and have experienced any of the above, our Sexual Assault & Violence Response (SUNY SAVR) Resources Website will provide you with information that you can use to seek resources and support, and to report the crime to the proper law enforcement agency and the campus.

SUNY Upstate Medical University students and employees have the right to make a report to University Police, local law enforcement, and/or the State Police or choose not to report; to report the incident to your college; to be protected by the college from retaliation for reporting an incident; and to receive assistance and resources from your college.

SUNY's policy is that response to sexual violence and related crimes is driven by the reporting victim/survivor. What that means is that in line with Federal and New York State law, while the University encourages you to use all of the response, support and reporting (including criminal reporting) resources offered here, the choice of what resources to use and when is for the victim and survivor.

Resources can be found on the SAVR website at <https://www.suny.edu/violence-response/>, and then choose a location to find resources around your current area.

Procedures for Victims of Domestic Violence, Dating Violence, Sexual Violence, or Stalking

Survivors/victims of these crimes will be provided written information about evidence preservation, how and to whom to report these crimes, options about involvement of law enforcement and campus authorities, and assistance in notifying law enforcement if the victim chooses, as well as the option to decline to notify authorities. Victims will also be provided information in writing about rights and institutional responsibilities regarding no contact orders, orders of protection, or other available applicable options.

Evidence preservation: In order to best preserve evidence, victims should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.

Notifying Law Enforcement: Victims have the right to notify law enforcement, and the campus can assist in notifying law enforcement if victims choose. Victims may also choose to decline to notify authorities.

Institutional Disciplinary Procedures in Cases of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Institutional disciplinary procedures provide a fair, prompt, and impartial process from investigation to result. The investigation and any related hearings are conducted by those who receive annual training on issues related to VAWA crimes, how to investigate, and initiate a hearing process that protects victim safety and promotes accountability.

Parties are entitled to the same opportunities to have an advisor of their choice present at any hearing and related meetings. There is no limit to the choice of an advisor; however, the parties are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee during the proceedings, and cannot present evidence or cross-question witnesses.

Parties will be informed simultaneously in writing

of the outcome of the process, the availability of any appeal procedures, and when the results become final after any appeals.

The disciplinary processes available for victims of domestic violence, dating violence, sexual violence, and stalking are the campus student conduct disciplinary procedures. The standard of evidence in these cases is preponderance of the evidence. Following an allegation or report of one of these crimes, the institution may offer available protective measures such as a no-contact order; alteration of living, academic, and work situations; and/or a personal safety plan.

Confidentiality

The institution will maintain as confidential any accommodations or protective measures provided to the victims so long as it does not impair the ability to provide such measures. Personally, identifiable information about victims will not be included in any publicly available record-keeping, including the reporting and disclosure of crime statistics.

Written Notifications to Students, Employees, and Victims of VAWA Crimes

For Students and Employees:

The University will provide written notification to students and employees about existing and available counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available in the community and on campus to victims of dating violence, domestic violence, sexual violence, and stalking.

For Survivors/Victims:

The University will provide written notification to victims regarding rights and options, including: available and existing on- and off-campus services such as victim advocacy, counseling, health, mental health, legal assistance, visa and immigration assistance; available and applicable institutional disciplinary procedures, and an explanation of those procedures; confidentiality in protective measures and Clery reporting and disclosure; and reasonable and available options and assistance with changing academic, living, transportation, and working situations, regardless of whether the victim chooses to report the crime to law enforcement.

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 Handbook.

Murder/non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another. Note: Deaths caused by negligence, attempts to kill, suicides, accidental deaths and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is 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.)

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.

Sex Offenses (Forcible):

- Any sexual act directed against another person, forcibly and/or against that person's will; or
- Not forcibly or against the person's will where the victim is incapable of giving consent.

1. **Forcible Rape:** The carnal knowledge of a person, forcibly and/or against the person's will; 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 incapacity (or because of his/her youth).

2. **Criminal Sexual Act:** 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.

3. **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.

4. **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 is under the statutory age of consent.
- **Affirmative Consent:** a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Dating violence: The term “dating violence” means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a victim’s statement with consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

Domestic violence

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Stalking

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (A) Fear for their safety or the safety of others; or
- (B) suffer substantial emotional distress.

Sexual assault

Offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation

Strangulation and Related Offenses

Criminal obstruction of breathing or blood circulation is when, with intent to impede the normal breathing or circulation of the blood of another person, an individual applies pressure on the throat or neck of such person or blocks the nose or mouth of such person.

Strangulation in the second degree when an individual commits the crime of criminal obstruction of breathing or blood circulation and thereby causes stupor, loss of consciousness for any period of time, or any other physical injury or impairment.

Strangulation in the first degree is when an individual commits the crime of criminal obstruction of breathing or blood circulation and thereby causes serious physical injury to such other person.

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

Drug 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, transport, furnishing, possession of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Amendment to New York State's Megan's Law

Act, commonly known as "Megan's Law", directs the Division of Criminal Justice Services (DCJS) to notify New York State University Police Departments if a registered sex offender enrolls at or is employed by the SUNY campus. Under this law there are three levels of risk, based on an offender's risk of re-offending: Level 1 (Low Risk), Level 2 (Moderate Risk) and Level 3 (High Risk). As a general rule, the sentencing court will determine an offender's risk level at the time of sentence in probation cases or when the offender is released from custody in jail or prison cases.

All sex offenders must register annually for a period of at least 10 years. Offenders who are classified as Level 3 (High Risk) must register for life unless judicially relieved of that obligation and also must personally verify their address with local law enforcement every 90 days.

If Upstate Medical University receives any such notifications from the DCJS, the campus community will be notified that a sexual offender is on campus and the level of risk assigned to the offender by the courts. The information will be disseminated to the campus by the following means:

- Announcements will be placed in the "Upstate Update"
- E-mail notices will be sent to all students, faculty and staff
- A notice will be placed on the University Police web site

Information on any DCJS notices received by the University will be available at the University Police Headquarters, Building 49 in Room 205, or posted at the following URL:
<http://www.upstate.edu/universitypolice>.

Additional information may be found at the following links:

New York State Sex Offender Registry:
<http://criminaljustice.state.ny.us/nsor/index.htm>

Megan's Law:
<http://www.parentsformeganslaw.org>

Bias Crimes Prevention

Hate Crimes and the Law

It is a SUNY Upstate Medical University policy mandate to protect all members of the Upstate community by preventing and prosecuting bias or hate crimes that occur within the University's jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal offenses committed against a person or property which are motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their perceived or actual personal characteristics, such as race, color, creed, gender, religion, disability, age, sexual orientation gender identity, ethnicity, national origin, and other protected categories.

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 New York State University Police at Upstate assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and are defined by the University as acts of bigotry, harassment, or intimidation directed at a member or group within the Upstate 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 State University's Discrimination Complaint Procedure or the campus conduct code.

Bias incidents can be reported to University Police as well as to the Office of Diversity and Inclusion located in Jacobsen Hall room 711, or by calling 315-464-5234.

If you are a victim of, or witness, a hate/bias crime on campus, report it immediately to University Police by calling x4400 at the Downtown Campus, x5511 at the Community Campus or 315-464-4000 anywhere off campus. In an emergency, you can report a crime utilizing the emergency call boxes/blue lights located

throughout the campus, or by reporting it directly to our Communications Dispatchers in room 1326 at the Downtown Campus or room 1111 at the Community Campus. We will investigate and follow the appropriate adjudication procedures.

Student victims of bias crime or bias incidents can seek counseling and/or support services at the Student Counseling Center located in the Psychiatry and Behavioral Sciences Building at 713 Harrison Street or by calling 315-464-3120 ext. 6. The Student Counseling Center offers free consultation to all matriculated students. The Student Counseling Center also offers individual counseling, couples counseling, and psychiatric services. Students seek help for a variety of concerns, including depression and anxiety, stress and time management issues, difficulties in interpersonal relationships, and struggles with adjustment to the pressures of the academic environment.

Staff may seek counseling services through the Employee Assistance Program located Upstate Community Hospital, Room 0276, or by calling 315-492-5296. The Employee Assistance Program provides confidential, information, assessment and referral services to employees, their family members and retirees who are experiencing personal, family or work-related problems that may negatively affect job performance.

Sexual Assault Prevention

Sexual Assault and the Law

SUNY Upstate Medical University has programs in place to protect all members of the Upstate community from sexual assault, including programs for prevention and prosecution of these crimes that occur within the jurisdiction of the New York State University Police at Upstate.

New York State Law contains the following legal provisions defining the crimes related to sexual assault:

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

Sections 130.25/30/35 – Rape. This series of offenses includes sexual intercourse with a person incapable of consent because of the use of forcible

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

Sections 130.40/45/50 – Criminal Sexual Act.

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

Section 130.52 – Forcible Touching.

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

Sections 130.55/60/65 – Sexual Abuse.

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

Sections 130.65-a/66/67/70 – Aggravated Sexual Abuse.

This series of offenses occurs when a person inserts a finger or a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the other person is under the age of consent. The level of this offense is enhanced if the insertion of a finger or foreign object causes injury to the other person. The penalties for violation of these sections range from imprisonment for a period not to exceed

seven years up to imprisonment for a period not to exceed 25 years.

Section 130.90 – Facilitating a Sex Offense with a Controlled Substance. This offense is possessing or administering any controlled substance or compound to another person without their consent with the intent to commit a Rape, a Criminal Sexual Act, Sexual Abuse Third or Aggravated Sexual Abuse. The penalty for violating this section includes imprisonment for a period not to exceed 7 years.

If you are sexually or otherwise assaulted on campus:

- Get to a safe place as soon as you can.
- Try to preserve all physical evidence; do not bathe, douche, or change your clothes.
- Contact the New York State University Police Department at Upstate Medical University immediately at (315) 464-4000, or 911 on a campus phone.

Assaults, sexual or otherwise, are crimes; they are not the victims' fault. Victims have the right to pursue adjudication of crimes that occur on the Upstate campus through criminal courts and/or through the University's internal disciplinary process (under the Campus Code of Conduct).

The New York State University Police at Upstate are trained to assist with prosecution in both systems.

Disciplinary Action

Where there is probable cause to believe the college's regulations prohibiting sexual misconduct have been violated, the college will pursue strong disciplinary action through its own channels. This discipline includes the possibility of suspension or dismissal from the university or termination from employment.

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

The college will make every effort to be responsive and sensitive to the victims of these serious crimes. Protection of the victim and prevention of continued trauma is the college's

priority. When the victim and the accused live in the same residence hall, an immediate hearing with the Assistant Director of College Housing and/or the College Judicial Officer will be held to determine the need for modifying the living arrangements. Assistance for any other personal or academic concerns will be reviewed and options provided.

During the disciplinary process, the victim's rights are:

- To have a person or persons of the victim's choice accompany the victim throughout the disciplinary hearing
- To remain present during the entire proceeding
- As established in state criminal codes, to be assured that his/her irrelevant past sexual history will not be discussed during the hearing
- To make a "victim impact statement" and to suggest an appropriate penalty if the accused is found in violation of the code
- To be informed immediately of the outcome of the hearing.
- During the disciplinary process, the rights of the "accused" are as described under the "Due Process Procedure" of the Student Code of Conduct

Information and Support

Student victims of sexual assault or sexual misconduct can seek counseling and/or support services at the Student Counseling Center located in the Psychiatry and Behavioral Sciences Building at 713 Harrison Street or by calling 315-464-3120 ext. 6. The Student Counseling Center offers free consultation to all matriculated students. The Student Counseling Center also offers individual counseling, couples counseling, and psychiatric services. Students seek help for a variety of concerns, including depression and anxiety, stress and time management issues, difficulties in interpersonal relationships, and struggles with adjustment to the pressures of the academic environment.

Staff may seek counseling services through the Employee Assistance Program located Upstate Community Hospital, Room 0276, or by calling 315-492-5296. The Employee Assistance Program provides confidential, information, assessment and referral services to employees, their family members and retirees who are

experiencing personal, family or work-related problems that may negatively affect job performance.

Educational Programs

Educational programs to promote awareness of rape, acquaintance rape, and sex offenses are presented to the campus community. University Police and Student Development staff provides programs in the Residence Halls. These programs include Resident Staff orientation, resident student crime prevention presentations, and new student orientation, to name a few.

Emergency Preparedness

SUNY Upstate Medical University is committed to providing a safe environment that enhances the student's learning experience and complements the University's education, research and patient care missions. To that end, the University has a Department of Emergency Management for both the Hospital and Campus that have developed plans to address a variety of potential circumstances.

If a situation arose that threatened the health and safety of Upstate Medical University, University Police, Emergency Management, Environmental Health and Safety and/or Physical Plant will dispatch personnel to the incident location and perform an initial assessment.

The existence of circumstances that could threaten health and safety would result in the prompt notification of the Upstate community, unless such notification will compromise efforts to contain the emergency. Within University Hospital, the overhead paging system would be used as well as a University wide, "Blast email" via Everbridge Mass Notification that would be sent to all Upstate email addresses. To augment these communications methodologies this institution will utilize social media sites such as Facebook and Twitter.

Everbridge Mass Notification enables users to send notifications to individuals or groups using lists, locations, and visual intelligence. It keeps everyone informed before, during, and after events. Everbridge Mass Notification provides robust analytics, GIS targeting, flexible group management, distributed contact data, language

localization, multiple options for contact data management, and a "globally local" approach to optimize voice and SMS routing.

Everbridge obtains its distribution lists from the Human Resources database. Therefore, you do not need to sign up to get the alerts. When University Police sends a mass email alert it can go to one person, a department, the campus and even every individual with an Upstate.edu email address. Additionally, should we need to send a notification to a work, cell or home phone, Everbridge will pull the information from the Human Resources database. This is why it is important that everyone makes sure their information is correct in the database.

University Police has individuals on call 24/7 who can remotely send a Campus Safety Alert should the campus community need to be notified of an event/incident at or near the campus. If it is determined that the larger community surrounding the Upstate needs to be notified, the University Police will notify the on-call member of the Public Relations Office. University Police also has direct radio communications with other institutions in the immediate vicinity of the campus and has direct radio communications with the County 911 Center to alert any or all county wide emergency agencies if necessary.

Emergency Management

The Upstate Medical University Department of Emergency Management's focus is any potential vulnerabilities that exist in our organization while instituting strategies that include the components of mitigation, preparedness, response, and recovery.

The Department of Emergency Management's mission is to give campus and hospital personnel the support system they need to continue to provide exemplary care to our patients, even in disaster situations. In order to offer this critical response, the department maintains an extensive Comprehensive Emergency Management Plan that addresses an "All Hazards" approach to disaster preparedness, and an Emergency Management team which continually reviews and improves the program.

Upstate Medical University follows and maintains compliance with the 11 elements contained in the National Incident Management System (NIMS) Implementation Objectives for

Healthcare Organizations as a foundation of our disaster planning and response system.

Drill Frequency, Reports and Communication

Upstate Medical University performs scheduled emergency exercises and drills at least annually throughout the institution. Drills are valuable learning tools that permit the Campus to test the disaster plans, identify improvement opportunities and amend the plan while allowing staff to participate in disaster/emergency situations. They also help ensure that staff and students are familiar with the Incident Command System (ICS) and that more than one person is prepared to assume each ICS role.

Drills/exercises are designed to test or validate policy or procedures, as well as staff competency gained by training courses offered. Preparedness drills/exercises are part of the preparedness cycle known as: plan, train, exercise and evaluate. It is a continuous cycle with one goal in mind, to maintain the highest level of preparedness for a real incident so that it can be mitigated efficiently and effectively, so that the university or campuses can return to normal operations.

Upstate Medical University will conduct at least one drill per year. Emergency response procedures will be communicated to staff and students in connection with each exercise, drill or actual event, as warranted, through:

- Administrator on Call mini tabletop exercises
- Mass Casualty Incident (MCI) operational exercises
- COVID-19 & Ebola operational exercises
- “Hot Wash” reviews subsequent to drills, exercises or events in which all participants are invited to share their experiences and offer suggestions on opportunities for improvement.
- Direct in-service trainings specific to a particular function or skill set during an emergency response or drill

Everbridge communication drills
The records for each specific emergency response or exercise are available upon request through the Department of Emergency Management at 315-464-4180. Emergency and disaster response and after-action reports will include:

- A description of the test;

- The date and time of the test; and
- Whether the test was announced or unannounced.

Drill Planning/Scheduling

Drills will be developed and scheduled with oversight of the Director of Emergency Management to ensure the appropriate individuals and departments are involved.

- During drills, the emergency management team will monitor:
 - Security and Safety
 - Communication
 - Resources and Assets
 - Staff and Student Responsibilities
 - Utilities
 - Event Specific Responses

After Action Reports/Reviews

Once disaster plan or drill activations are complete, a formal After-Action Reports (AAR) will be conducted. All After Action Reports will comply with Homeland Security Exercise and Evaluation Program (HSEEP) templates and guidance.

After Action Reviews will include all staff/others involved in the planning and execution of the drill or actual event and will be reviewed by the Emergency Management Committee.

Debriefing(s) will be performed, to the extent needed, to capture issues raised during the event or drill.

A database has been developed in order to track events, issues, follow-up actions and completion dates. The Director of Emergency Management will review all After Action Reports and track completion of all identified improvements.

There will be an annual review of the scope, objective, and performance of the Emergency Management Plan(s), to include a summary or changes made to the plan because of drills and exercises as well as a yearly hazard vulnerability analysis to focus preparedness resources on the most likely events the university may encounter.

CAMPUS FIRE SAFETY

Fire Statistics

Campus Housing Facilities-Fire Statistics

YEAR	2016	2017	2018	2019	2020	2021	2022	2023
Number of fires	0	0	0	0	0	0	1	0
Cause of fire(s)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Number of deaths related to fire	0	0	0	0	0	0	0	0
Injuries related to fires (resulting in treatment at a medical facility)	0	0	0	0	0	0	0	0
Value of property damaged as a result of fire	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A
Number of fire drills conducted	5	4	4	4	4	4	4	4

Campus Housing Facilities-Fire Log

Campus Housing Facilities-Fire Log

The Upstate Medical University “fire log” is maintained and available through Environmental Health and Safety. The following chart is a compilation of fires that occurred on campus property for 2020. Note, cases of arson would be reported in the crime section of this document.

Definition:

Fire: For the purposes of this report a fire is, *any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.*

The Nature of the Fire	The Date the Fire Occurred	The Time of Day the Fire Occurred	The General Location of the Fire
N/A	N/A	N/A	N/A

Fire Safety Systems Student Housing Facilities

Building	Assembly Space	Detection Type	Sprinkler or Fire Suppression (Y/N)	Fire Alarm Sound (Y/N)	Strobe Lights (Y/N)
Geneva Tower 500 Harrison St Syracuse, NY 13202	Rear Parking Lot adjacent The East Adams Street	Heat/Smoke	Y	Y Horn	Y

Policies/ Rule on Portable electrical appliances, smoking and open flames in student housing

Terms and Conditions of On-Campus Housing Contract, General Conditions of Tenancy:

#120H. Appliances-Appliances such as halogen lamps, washers, dryers, freezers, electrical space heaters or any other heating and cooking device, are not permitted. Mini refrigerators and small microwaves are permitted. NOTE: Appliances are also addressed in the Welcome Package under Fire Safety.

#20I. Flammable Materials, Explosives-possession or ignition of combustible material for the purpose of cooking, heating, lighting or display is prohibited. Examples of these items include candles, incense, oil burning lamps and sterno. Fireworks, explosives, harmful chemicals and flammable liquids (including oil-based paints, turpentine, and gasoline) are not to be stored in or around the residence tower.

#26. Smoking- residence Halls are smoke-free buildings. There is no smoking allowed anywhere inside the resident halls. Furthermore, SUNY Upstate Medical University is a “Smoke Free” Campus. NOTE: Smoking is also addressed in the Welcome Package under Fire Safety.

Fire safety education and training programs for students, faculty, and staff

Fire safety is a very important issue at the SUNY Upstate Medical University. Although we have not had a serious fire incident in Geneva Tower,

with all of the cooking and electrical appliances, the potential does exist. For these reasons, it is imperative that you exercise fire safety precautions:

- Do not tamper with any fire equipment. (There is a \$50.00 fine for tampering with fire extinguishers.)
- Do not overload your electrical outlets.
- Do not use your oven as a heat source.
- Use cooking appliances only in designated kitchen areas.
- Be sure all of your electrical appliances are turned off before you leave your room.
- Do not leave your room while cooking.
- Smoking, candles, incense burning and any open flames are strictly prohibited in Geneva Tower.

If you burn something while cooking and it is not a fire emergency, please close your room door and open your window. This will allow smoke to exit your room without activating the building fire alarm system.

If there is a fire, please follow the instructions for detection of a fire, immediately. Remove yourself from the area to prevent personal injury

IF YOU DETECT SMOKE OR FIRE, PLEASE FOLLOW THESE PROCEDURES:

1. Pull the fire alarm box immediately
2. Dial 315-464-5555 to report the fire:
 - a. Give location
 - b. Remain on the phone for instructions or until the area is too dangerous to stay in

WHEN THE BUILDING FIRE ALARM SYSTEM IS ACTIVATED YOU MUST EXIT THE BUILDING.

- A. Close and lock the door to your room
- B. Evacuate the building via the end stairwells (the middle stairwell is not a fire exit)
- C. Do not use the elevators
- D. Once you have evacuated, stay far enough away from the building to prevent injury, at least 50 feet from the building
- E. If you believe you may be responsible for the alarm being activated, please notify a staff member when you are safely out of the building.

Additional fire safety training is provided through the annual orientation training, “All Hall” meetings and on-line training for incoming residents presented and/ or distributed by the Upstate Medical University Fire Marshal and/ or Resident Hall Director utilizing material taken from following sources:

- Upstate Medical University Geneva Tower Resident Life Welcome Package
- Fire Safety section and the applicable sections of the Upstate Medical University, On-Campus Housing Contract, General Conditions of Tenancy. Sections: 20G Cooking, 20H Appliances, 20J Fire Regulations, 20I Flammable Materials, Explosives, 20E Storage, 27 Motorbikes & Motorcycles, and 36 Smoking.
- Additionally, a presentation is provided on fire codes and slides of actual student dormitory and living area fire from around the state obtained via the New York State Office of Fire Prevention and Control (OFPC).

Annual RA Fire and Safety Training provided thru the New York State Division of Homeland Security & Emergency Services Office of Fire Prevention & Control Bureau of Fire Prevention in conjunction with the Syracuse Fire

Department that includes live fire training with fire extinguishers and live fire burns of buildings with and without sprinkler systems (when available); or through the Upstate Medical University Fire Marshal and Resident Hall Director using material provided through the New York State Office of Fire Prevention and Control (OFPC)

Fire drills are held a minimum of four times a year to test Geneva Tower staff, the Resident Director, the Resident Assistant and resident’s actions to an unannounced fire alarm and building evacuation times.

Procedures for Student Housing Evacuation

Procedures for Student Housing Evacuation

On-Campus Housing Contract, General Conditions of Tenancy:

#20J Fire Regulations-Each tenant should become familiar with the fire regulations which are posted on the back of the door of each room and apartment. During the sounding of the fire alarm, evacuation of the building is mandatory. Tampering with fire equipment and/or noncompliance with fire regulations may result in disciplinary and/or civil action.

Evacuation Procedures: All residents and persons in Geneva Tower must vacate the building upon the sounding of the fire alarm.

The following procedures should be followed:

- A. Close and lock door to your room
- B. In Geneva Tower evacuate the building via either center core stairwells
- C. Do not use the elevators, as they are on a fire service
- D. Once you have evacuated, stay far enough away from the building to prevent injury and to allow fire fighters access to the building

In the event the fire alarm sounds and you must evacuate Geneva Tower, be sure:

- To dress appropriately for the weather, including shoes and jacket.
- Not to use elevators-use the nearest END stairwell.
- To feel the door before exiting your room- if the door is hot, do not open it. Geneva Tower use cell phone (call University Police at 315-464-4000) to identify location and wave towel from inside building to attract fire fighter attention.
- If the building is smoky, keep low to the floor to escape the smoke. A cloth or towel to cover your mouth is a good idea.

Finally, a minimum of four fire drills with building evacuations are conducted on an annual basis.

Report all fires that have occurred to:

- Upstate Medical University Fire Marshal Residence Hall Director
- University Police
- State of New York, Department of State Office of Fire Prevention and Control

Plans for Future Improvement in Fire Safety

The institution continues to modify and enhance the annual RA and student training programs.

Active Shooter Response

An Active Shooter is an individual actively engaged in harming or attempting to harm people in a confined and populated area; in most cases, active shooters use firearms and there is no pattern or method to their selection of victims.

Active shooter situations are unpredictable and evolve quickly. Typically, the immediate deployment of law enforcement is required to stop the shooting and mitigate harm to victims.

Individuals must be prepared both mentally and physically to deal with an active shooter situation because most active shooter situations are over

within 10 to 15 minutes, before law enforcement has a chance to arrive on the scene.

QUICKLY DETERMINE THE MOST REASONABLE WAY TO PROTECT YOUR OWN LIFE. CUSTOMERS AND CLIENTS ARE LIKELY TO FOLLOW THE LEAD OF EMPLOYEES AND MANAGERS DURING AN ACTIVE SHOOTER SITUATION.

RUN:

If there is an accessible escape path, attempt to evacuate the premises. Be sure to:

1. Have an escape route and plan in mind
2. Evacuate regardless of whether others agree to follow
3. Help others escape, if possible
4. Leave your belongings behind
5. Prevent individuals from entering an area where the active shooter may be
6. Do not attempt to move wounded people
7. Call 911 when you are safe, while on campus dial 464-4000 or 911 from any campus phone
8. Keep your hands visible
9. Follow the instructions of any police officers

HIDE:

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. Your hiding place should:

1. Be out of the active shooter's view
2. Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)
3. Not trap you or restrict your options for movement

To prevent an active shooter from entering your hiding place:

1. Lock the door
2. Blockade the door with heavy furniture

If the active shooter is nearby:

1. Lock the door
2. Silence your cell phone and/or pager
3. Turn off any source of noise (i.e., radios, televisions)

4. Hide behind large items (i.e., cabinets, desks)
5. Remain quiet

If evacuation and hiding out are not possible:

1. Remain calm
2. Dial 911, if possible, to alert police to the active shooter's location
3. If you cannot speak, leave the line open and allow the dispatcher to listen

FIGHT:

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:

1. Act with physical aggression and throw items at the active shooter
2. Attempt to incapacitate the active shooter
3. Yelling
4. Committing to your actions

When calling 911, you should provide the dispatcher and the responding officers of the following information:

- Location of the active shooter
- Number of shooters
- Physical description of shooters
- Number of, type, and description of weapons held by shooters
- Number of potential victims at the location

When Law Enforcement arrives on scene:

- Remain calm and follow instructions
- Put down any items in your hands (i.e., bags, jackets)
- Raise hands and spread fingers
- Keep hands visible at all times
- Avoid quick movements toward officers such as holding on to them for safety
- Avoid pointing, screaming or yelling
- Do not stop to ask officers for help or direction when evacuating

There are several educational videos on dealing with and surviving Active Shooter situations on

the University Police website at http://www.upstate.edu/universitypolice/students_faculty/emergency-response-active-shooter.php.

Additionally, the University Police Department at Upstate Medical University has a training program called "ASK" Training (Active Shooter Knowledge). This training can be requested in groups by emailing UPDCHIEF@upstate.edu.

For more information contact University Police at 315-464-4000 or at UPDCHIEF@upstate.edu.

SUNY Upstate Medical University

OFFENSE	YEAR	RESIDENTIAL FACILITIES	ON CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY	TOTAL
Murder / Non-Negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2021	0	0	0	0	0
	2022	0	1	0	1	2
	2022	0	2	0	0	2
Aggravated Assault	2021	0	5	3	1	9
	2021	0	4	6	1	11
	2023	0	3	1	0	4
Motor Vehicle Theft	2021	0	1	1	0	2
	2022	0	2	0	0	2
	2023	0	0	0	0	0
Arson	2021	0	0	0	0	0
	2021	0	0	0	0	0
	2023	0	0	0	0	0
Burglary	2021	0	2	0	0	2
	2022	1	1	0	0	2
	2022	0	0	0	0	0
Rape	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	1	0	0	1
Fondling	2021	0	2	1	1	4
	2022	0	3	0	0	3
	2023	0	6	4	0	10
Incest	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Liquor Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Drug Law Arrests	2021	0	3	0	5	8
	2022	0	2	0	1	3
	2023	0	0	0	0	0

SUNY Upstate Medical University

OFFENSE	YEAR	RESIDENTIAL FACILITIES	ON CAMPUS PROPERTY*	NON-CAMPUS PROPERTY	PUBLIC PROPERTY	TOTAL
Continued...						
Drug Law Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Illegal Weapons Possession Arrests	2021	0	0	1	1	2
	2022	0	5	3	1	9
	2023	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Violence Against Women Act (VAWA)						
Domestic Violence	2021	0	3	1	1	5
	2022	0	13	1	0	14
	2023	0	0	0	0	0
Dating Violence	2021	0	6	0	1	7
	2022	1	8	6	1	15
	2023	0	0	0	0	0
Stalking	2021	0	3	0	0	3
	2022	0	2	1	0	3
	2023	0	0	0	0	0
Unfounded Crimes	2021	0	3	2	0	5
	2022	0	0	3	0	3
	2023	0	0	0	0	0
Hate Crimes	2021	0	3	0	0	3
	2022	0	0	5	0	5
	2023	0	0	0	0	0

*1: "ON CAMPUS" totals include the number of offenses listed in the "RESIDENTIAL FACILITIES" column.

In 2021 there were three hate crimes reported On Campus Property. Two hate crimes were based on harassment of sexual orientation/identity. One was based on racial harassment.

In 2022 there were five hate crimes reported on Non-Campus Property. Four hate crimes were based on vandalism/making graffiti referencing racial slurs. One was based on racial harassment.

Helpful Links

New York State University Police at Upstate

www.upstate.edu/universitypolice/

University Police Anonymous Reporting

www.upstate.edu/victimresources/intra/tip-form.php

SUNY: Sexual Assault & Violence Response Resource (SAVR):

www.suny.edu/violence-response/

Upstate Medical University:

Student Handbook: www.upstate.edu/student-handbook/

Student Counseling Services: www.upstate.edu/currentstudents/support/scc/

Victim Resources: www.upstate.edu/victimresources/intra/

Academic Resources: www.upstate.edu/currentstudents/academic/index.php

Student Support Services: www.upstate.edu/currentstudents/support/index.php

Student Health: www.upstate.edu/currentstudents/support/health/index.php

Student Life: www.upstate.edu/prospective/campus-life/index.php

Emergency Management: www.upstate.edu/emergencymgt/

Environmental Health and Safety: www.upstate.edu/evs/

Office of Institutional Equality: www.upstate.edu/equity/index.php

