

2023 Annual Security Report & Fire Safety Report

(Crime Statistics for Calendar Year 2022)

This report has been prepared as part of SUNY Ulster's commitment to security and safety on campus. The purpose of this report is to provide our students, faculty and staff with campus safety and security information. This report is filed as required by the federal Jeanne Clery Crime Awareness and Campus Safety Act. This act requires institutions to disclose information about campus safety policies and procedures and to provide statistics concerning whether certain crimes took place on campus.

The Higher Education Act (HEA), as amended by the Higher Education Opportunity Act (HEOA) in 2008, specified additional campus safety requirements in the following areas: hate crime reporting, emergency response and evacuation procedures, missing student notification policies, and fire safety issues.

The Violence Against Women Reauthorization Act of 2013 (VAWA) amended the Jeanne Clery Act by requiring institutions to compile statistics for incidents of domestic violence, dating violence, sexual violence, and stalking. This statute also requires institutions to create plans to prevent this violence and educate victims on their rights and resources.

In addition to this, in July of 2015, Governor Andrew Cuomo signed the "Enough is Enough" legislation (Article 129-B of the New York Education Law) to combat sexual assault on all college and university campuses in New York State. This legislation requires all New York State colleges and universities to implement uniform prevention and response policies and procedures relating to sexual violence, domestic violence, dating violence, and stalking.

The SUNY Ulster Public Safety Department prepares this report and uses information gathered from the Title IX Office, and local law enforcement agencies within the Clery Act geography.

This report includes statistics for the previous three years concerning reported crimes that occurred:

- On campus
- In certain off campus buildings or property owned or controlled by SUNY Ulster, and
- On public property within, or immediately adjacent to, and accessible from the campus.

To receive a copy of this report, and crime statistics, please contact the Director of Public Safety at 845-687-5052.

Campus Safety and Security

The Public Safety Office ensure the safety and security of our SUNY Ulster college community. The Office is staffed on a 24/7 basis with Peace Officers and Security personnel and is led by the Director of Public Safety.

The Public Safety Office is located in the lobby of the Hasbrouck Building on the Stone Ridge campus and in the lobby of the Kingston Center of SUNY Ulster.

Phone Number:

Main Line: 845-687-5023

Emergency Line: 845-687-5221

Director's Line: 845-687-5053

Safety Plans

Campus safety plans are reviewed annually and updated as needed to ensure compliance with State, Federal and local laws, rules and regulations. Annual training is conducted by the SUNY Ulster Campus Safety Committee.

- Risk reduction/prevention and intervention: Campus Peace Officers provide armed, on-campus protection and first response to critical incidents occurring on campus. In addition, the Ulster County Sheriff's Department operates a substation on campus, located in the Hasbrouck building.

The College's blue light/yellow call boxes are equipped to contact public safety directly. Call boxes operate as a two-way radio; the caller must hold down the button and speak to the Public Safety personnel.

Fire alarm systems are capable of providing emergency event notifications in the event of an active emergency. The fire alarm system serves as a public address system throughout Campus buildings. In addition, the outdoor public address system provides emergency notification access to the entire campus community.

The College also utilizes a network of digital surveillance cameras in every building and the Kingston Center of SUNY Ulster.

- Early Detection of Potentially Violent Behaviors: Individuals can anonymously report a crime or dangerous situation through the SUNY Ulster website.
 - SUNY Ulster: Anonymously Report a Crime or Dangerous Situation
[Anonymously Report Crime/Dangerous Situation](#)
 - SUNY Ulster has developed a multi-disciplinary team to assist students in need, review case files, and take appropriate action to best ensure the student's well-being, the community's safety, and the student's success.

Mass Notification Systems

SUNY Ulster has implemented mass notification systems to alert students and employees regarding emergency situations. These notifications provide emergency information via campus phone, email, internal portal alerts and through cell phone messaging and calls. In addition, the campus is equipped with on-campus mass notification through speaker systems. These notifications will provide information regarding the level of the emergency and immediate actions to be taken.

Reporting of Crimes and Other Safety Incidents

The Public Safety Office records crimes and incidents through a daily crime log. This log is maintained throughout the year and data from the daily crime log is used to generate crime statistics reports as required by the United States Department of Education and published annually on the SUNY Ulster webpage.

- **Missing Persons:** All reports of missing persons, or suspected missing persons shall be made directly to the Public Safety Office. All campus officials who become aware of a student believed to be missing for twenty-four hours or more, must immediately notify the Public Safety Office.

Campus Safety Committee

As required by Article 129-A of NYS Education Law, SUNY Ulster's Campus Safety Committee meets throughout the year to review and make recommendations regarding updates to the SUNY Ulster Safety Plan. The Committee is also responsible for the development and implementation of campus-wide safety training.

Hate Crimes/Bias Crimes Reporting

A specific offense that is motivated in whole, or in part, by the victim's race, gender, religion, disability, sexual orientation, ethnicity, national origin, or gender identity is classified as a hate crime. All incidents of bias related or hate crimes shall be reported to the Public Safety Office. The Public Safety Office shall report the incident to the appropriate office, including, but not limited to:

- Title IX Coordinator
- President's Office
- Human Resources
- Vice President for Administrative Services
- Police

- Crisis Counselor

Sexual Offenses and Crimes

All sexual offenses and crimes such as sexual assault, harassment, dating/domestic violence, stalking as defined by State and Federal laws will not be tolerated. All reported offenses will be investigated and acted upon in a timely manner as required by State and/or Federal laws, rules and regulations.

The SUNY Ulster Title IX Coordinator is Jamie Capuano, Vice President for Administrative Services.

Title IX Coordinator: Jamie Capuano capuanoj@sunyulster.edu

Deputy Title IX Coordinator: Meg Sheeley sheeleym@sunyulster.edu

Deputy Title IX Coordinator: Megan Carlson carlsonm@sunyulster.edu

Title IX can be reached at TitleIX@sunyulster.edu

Definitions

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.

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

Domestic Violence- a felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the reporting individual,
- A person with whom the reporting individual shares a child in common,
- A person who is cohabitating with or has cohabitated with the reporting individual as a spouse or intimate partner,
- A person similarly situated to a spouse of the reporting individual under the domestic or family law of New York State, or
- 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.

Dating Violence- violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the reporting individual; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship

Stalking- engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress

Sexual Violence- Any sexual act directed against another person, without the consent of the reporting individual, including instances where the reporting individual is incapable of consent.

Rape- The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the reporting individual.

Fondling- The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the reporting individual, including instances where the reporting individual is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest- Non-forcible sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.

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

Sex Offenses- NYS Penal Law Article 130

- Sexual Misconduct 130.20- sexual intercourse, oral or anal sexual conduct, without consent.
- Rape 130.25/130.35- 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 also includes sexual intercourse with a person under the age of consent.
- Criminal Sexual Act 130.40/.45/.50- 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 mental defect, mental 32 incapacity or physical helplessness. This also includes oral or anal sexual conduct with a person under the age of consent.
- Forcible Touching 130.52- 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. This includes the grabbing, squeezing, or pinching of such other person's sexual or other intimate parts.
- Sexual Abuse 130.55/.60/.65- 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.
- Aggravated Sexual Abuse 130.65a/.66/.67/.70- 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.
- Facilitating a Sex Offense with a Controlled Substance. 130.90- when a person possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such to another person without that person's consent and with intent to commit a felony sexual act.

Student Bill of Rights

SUNY Ulster is committed to providing options, support and assistance to reporting individuals of sexual violence, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in college-wide and campus programs, activities, and employment.

All reporting individuals of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad.

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual violence treated seriously.
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial process and/or criminal process free from pressures from the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
 - a. The right to review or request a copy of documentation in the judicial file, upon written request to the AVP for Student Wellbeing
 - b. The right to be present at a Disciplinary Hearing conducted for the respondent in response to charges filed by you or by the College on your behalf.
 - c. The right to be given the option to not testify face-to-face as long as it does not infringe upon the rights of the respondent to have a fair hearing.
 - d. The right to provide the hearing body with a statement of the incident and the right to question the respondent and all witnesses.
 - e. The right to provide a written impact statement to the judicial board.
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services where available;
 - a. the right to receive options for and available assistance in changing academic and living arrangements precipitated by the offense if requested by the victim and if these changes are reasonably available.
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations.
 - a. the right to have all discussion of past history or behavior on the part of the reporting individual limited to that which is relevant to the case.
7. Describe the incident to as few institutional representatives as practicable and not be required to unnecessarily repeat a description of the incident.
8. Be free from retaliation by the institution, the accused, and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. The right to know the outcome of the hearing including any sanctions imposed upon the respondent and whether the respondent will continue to be enrolled in the College and access to at least one level of appeal of a determination by a panel consisting of the AVP for Student Affairs and the Title IX Coordinator.
 - a. The College will make a record of the events of the hearing that will be retained in its custody.
 - b. A reporting individual or respondent may request, in writing, a transcript. The college would forward the digital record to a vendor, preapproved by the college, and all cost for the transcript would be the responsibility of the requesting party.
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process;

- a. This person may be the Student Advocate if so desired. The advisor's role must be passive and limited to advising the student as to whether the student should answer or should not answer questions. The advisor is not allowed to question any individual at the hearing, including the judicial board. The chairperson and the procedural officer may disqualify the advisor from any further participation and/or direct their removal should this be violated.
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial process of the College.

[SUNY Ulster's Sexual Violence Response Policy](#)

In accordance with the Student's Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options outlined in the College's [Sexual Violence Response Policy](#).

[Alcohol and Drug Use Amnesty Policy](#)

The college 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 violence occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual violence to SUNY Ulster officials or law enforcement. A bystander acting in good faith or reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual violence to college officials or law enforcement will not be subject to the College'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 violence.

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (The Clery Act) requires institutions of higher education receiving federal financial aid to report specified crime statistics on college campuses and to provide other safety and crime information to members of the campus community. As a result of this, the College issues this Annual Security Report, which details safety and crime policies and procedures, and three consecutive years of statistics of certain offenses, hate crimes, arrests, and disciplinary referrals to the campus judicial process. All of this data is broken down according to the geographic location of the occurrence of the offense.

Mandatory Clery Act Crimes:

- Murder/Non-Negligent- The willful killing of one human being by another.
- Negligent Manslaughter- The killing of another person through gross negligence.
- Sex Offenses- any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- Rape- The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling- The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- 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.
- 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.
- Burglary- the unlawful entry of a structure to commit a felony or a theft.
- Motor Vehicle Theft- the theft or attempted theft of a motor vehicle.
- Arson- any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- Hate Crimes- a criminal offense committed against a person 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 race, gender, gender identity, religion, disability, sexual orientation or ethnicity/national origin.

Geographic Locations of Clery Crimes: Institutions must disclose statistics for reported Clery crimes that occur in/on:

- On Campus Property:
 - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
 - Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail).
- Residential Facility:
 - Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. \
- Public Property:
 - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- Non-Campus Property:
 - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Hate Crime Reporting

- There was no hate crime reported in 2020
- There was no hate crime reported in 2021
- There was no hate crime reported in 2022

Hate Crime

A Hate Crime is a criminal offense committed against a person 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:

- Race
- Gender
- Religion
- Disability
- Sexual orientation
- Ethnicity
- National origin
- Gender identity

Hate crimes include any offense in the following group that is motivated by bias:

- Murder and non-negligent manslaughter
- Sexual Assault (Sex Offenses) Rape Fondling Incest Statutory Rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Larceny/ theft
- Simple assault
- Intimidation
- Destruction/ damage/ vandalism of property

Criminal Offenses

As indicated below, no criminal offenses were reported in reportable crime classification categories for 2020, 2021 and 2022, with the exception of stalking. There was one reported case of on-campus stalking in 2021.

Crime Classification	Year	On-Campus	On-Campus Student Housing	Non-Campus	Public Property	Total
Murder/Non-Negligent Manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Fondling	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

Drug Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Alcohol Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapon Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Drug Referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Alcohol Referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapons Referrals	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Domestic Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Dating Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	0	0	0	0
	2021	1	0	0	0	1
	2022	0	0	0	0	0
Hate Crimes	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0