

KEUKA COLLEGE DEPARTMENT OF CAMPUS SAFETY

141 Central Ave. Keuka Park, NY 14478

Campus Safety Report For Calendar Year 2010

Safety and Law Enforcement for the Keuka College Community is provided 24 hours a day, seven days a week by The Department of Campus Safety. Campus Safety Officers patrol the entire campus community, including all residence halls, buildings and grounds owned by Keuka College. Officers are available to provide immediate assistance to all members of the Keuka College Community. The Department of Campus Safety Officers enforce the College Code of Conduct and all state and federal laws. The Department of Campus Safety has a close working relationship with the Yates County Sheriff's Department and the New York State Police. All of Keuka College's Safety Officers maintain current New York State certification and receive annual in-service training.

To contact the campus safety office and/or report a crime, medical emergency, or fire

Visit the Campus Safety Office located in the Dahlstrom Student Center.

Have the Resident Director or Resident Assistant on-duty contact an on-duty safety officer.

To reach the Campus Safety Office, call extension 5250 or 5911 from on-campus, or 315-279-5250 or 5911 from off-campus. To call the Yates County Sheriffs Department, call **9-911** from any campus phone if reporting a crime, medical emergency, or a fire.

All of the emergency "**blue light**" telephones located throughout the campus community are directly linked to the Yates County Sheriff's 911 emergency communications network. Yates County 911 will also contact The Campus Safety Office to assist public safety responders.

Campus Crime Statistics

In accordance with the requirements of the Clery Act (*The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*), Keuka College gathers and publishes statistics on a variety of crimes that occur on or near campus. These crimes are ones which are reported to the Department of Campus Safety or to other school officials with "significant responsibility for student or campus activities," particularly the Office of the Dean of Students. The statistics are reported by calendar year, not academic session, and definitions of named offenses are provided. Historical data are also included for comparison purposes. In some cases, you may see a significant increase or decrease from year to year, which may be unsettling. In some instances, however, an increase in reported violations may merely signal an improved reporting process (including on-going education of the college community on the importance of reporting crimes) rather than an increase in the number of crimes. We are striving to make our annual Clery Report a more accurate representation of the relative safety of Keuka's campus, and we have made improvements in the reporting process and in the prevention of crimes. The crime statistics are attached herein and may be viewed on-line at: <http://ope.ed.gov/security/search.asp> (Enter: Keuka College)

Request of Crime Statistics

The Keuka College Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education. Individuals making requests may refer to the United States Department of Education website for campus crime statistics (<http://ope.ed.gov/security>). Copies of this report are available at the Campus Safety Office and on the College website and shared drive at S:/Clery Act. In addition, , Keuka College will mail to a requestor, within ten days, a hard copy of the campus crime statistics. The information provided will include all of the statistics that the campus is required to maintain under Title 20 of the U.S. Code section 1092 (f)

Crime Reporting

The Department of Campus Safety encourages anyone who is the victim or witness to any crime to promptly report the incident to the Department of Campus Safety, the Yates County Sheriff's Office, or New York State Police.

Confidential Reporting Procedures

If you are the victim of or witness to a crime and do not want to pursue action within the college's judicial system or the criminal justice system, you may still want to consider making an anonymous report. With your permission, the Dean of Students, Associate Dean, or Director of Campus Safety can file a report on the details of the incident without revealing your identity. The purpose of an anonymous report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine whether there is a pattern of

crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Statement Addressing Counselors

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

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

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

Keuka College, in cooperation with local community resources, provides professional counseling services to students.

Keuka College Counseling Services, Harrington Hall, 315-279-5363

9 a.m.-4:30 p.m. weekdays; after hours, notify a residence life staff member

Rape and Abuse Crisis Service of Yates County, 315-536-9654

Rape Crisis Hotline, 315-536-2897

Soldiers & Sailors Memorial Hospital, Penn Yan, 315-536-4431

Security and Access

During business hours, the College (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by key or access card, if issued, or by admittance via the Campus Safety Office or Residence Life staff. In the case of periods of extended closing, admittance will be on an as-needed-basis. Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock, and will be equipped with a lock separate from the regular key issued to resident students. Some facilities may have individual hours, which may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. The Department of Campus Safety and the Facilities Department routinely patrol the campus to identify safety hazards and maintenance-related issues.

Campus Safety

The Department of Campus Safety Officers are non-sworn, state-certified officers. Campus Safety officers issue parking tickets, which are billed to financial accounts of students, faculty, and staff. Safety Officers also enforce college policy, state and federal laws, through a highly professional working relationship with the Yates County Sheriff’s Department and the New York State Police. All crime victims and witnesses are strongly encouraged to immediately report any crime to the Campus Safety Office and/or the appropriate Law Enforcement Agency. Prompt reporting will assure timely warning notices on-campus, and timely disclosure of crime statistics.

Timely Warnings

In the event that either an on or off campus situation arises, which may constitute an ongoing or continuing threat, a campus wide “*timely warning*” will be issued. The warning will be issued by the Campus Safety Office through the College e-mail system to students, faculty, and staff. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the College may use the emergency telephone notification system in conjunction with the e-mail service and/or hotline (315-279-7669). Anyone wishing to receive this alert may sign up with the service through a link to Nixle.com on the College’s Internet home page.

Safety Awareness Programs

During New Student Orientation, the Office of Student Affairs informs students of services offered by the Department of Campus Safety. The offices of Residential Life and the Campus Safety Office, through the use of brochures, Keukonian articles, and web pages, outline ways to maintain personal safety, residence hall security and residence hall fire prevention. The College’s Crime statistics are also posted in the Campus Safety Office and on the

website. Additional Safety and Sexual Assault Prevention Programs are offered through Residence Life Staff, Mentors, Counseling Center, and the Women's Center. The Campus Safety Office encourages students and employees to be aware of their responsibility for their own security and the security of others. Crime prevention and safety programs are sponsored by various campus organizations throughout the year. The Directors of Campus Safety and Counseling Services facilitate safety awareness programs for faculty and staff upon request.

Policy on Alcohol Use

In order to ensure the safety of students, and in compliance with New York State law, which prohibits access to, possession, and consumption of alcoholic beverages for persons less than 21 years of age, the College does not allow alcohol use/possession for those individuals under the age of 21. Individuals 21 years and older are permitted to possess and consume alcoholic beverages on College property subject to the following restrictions:

a. The use of alcohol at Keuka College is at all times subject to New York State Alcoholic Beverage Control Laws and to certain provisions of New York State penal law, and as such, public drunkenness and open containers are prohibited.

b. Under New York state law, it is not permissible to sell, deliver, or give alcohol to persons under the age of 21. Persons under the age of 21 are not permitted to consume, possess, or acquire alcoholic beverages on Keuka College property or to be present in a residence hall room where alcohol is being consumed, or be in the presence of alcohol on college property. Violations result in disciplinary sanctions against the user and the provider. Should a minor's roommate be 21 years of age or older, however, the minor may be present in his/her room if his/her roommate is consuming alcohol.

c. Common containers, including kegs, tap systems; wine boxes, etc. are not permitted in the residence hall (empty or full). Such items are confiscated.

d. Alcohol is not allowed in public view on the Keuka College campus (to include all College buildings and grounds) except within designated locations at approved college events.

e. Empty alcohol containers (cans, bottles, etc.) are prohibited in designated residence hall areas, such as "wellness floors" and Davis Hall. Students may be required to dispose of such items, which may be used as evidence of consumption.

f. Drinking games and contests are not permitted. Paraphernalia associated with drinking games (funnels, hoses, beer pong tables, etc.) are also prohibited and will be confiscated.

g. College officials may terminate events during which behavior is deemed inappropriate. College officials may also confiscate alcohol from student rooms and individuals if behavior is disruptive. Alcohol will also be confiscated from those individuals under the age of 21 in such instances.

h. The consumption and possession of alcohol on the Keuka College campus is a privilege which individuals are expected to respect. Those persons unable to comply with New York state law or Keuka College alcohol usage regulations will be asked to leave an event and sponsorship and/or party privileges will be revoked. Referrals also may be made to the College judicial system or to the appropriate city/state law enforcement agency.

Sanctions for violations of the alcohol policy include, but are not limited to, a required alcohol education project, fines, campus/community service, parental notification, required assessment and/or treatment, suspension from activities, residence halls and/or the College. The sanctions for alcohol violations are guidelines, and may vary on a case-by-case basis.

Policy on Drugs

The purchase, possession, use, sale, or distribution of narcotics or illegal drugs is prohibited. Any student present in the residence hall room where drugs are being used is in violation of the Keuka College drug policy. It is the College's firm belief that the illegal use of drugs is inconsistent with the educational process. Any person dealing in illegal drugs is considered to be conducting an activity which endangers the health and safety of the campus community. Persons who traffic in illegal drugs on the Keuka College campus will be adjudicated through the Keuka College Student Conduct Code and face separation from the Keuka College community and legal action from the civil authorities. In addition, any drug-related paraphernalia found in a student's room or personal possession is considered a violation of the Keuka College drug policy and will result in a judicial hearing and sanctions.

Sanctions for violations of the drug policy include but are not limited to: arrest, fines, parental notification, campus or community service hours, mandatory treatment, suspension from activities, residence halls, and/or College. Under most circumstances, sanctions for a first drug offense will include: arrest, \$50 fine, required assessment and/or treatment, community/campus service hours, parental notification, and suspension from activities and/or weekend suspension.

Policy on Sexual Assault and Other Non-Consensual Sexual Activity

1. Statement of Policy

Keuka College is committed to the maintenance of a physically and emotionally safe environment in which all students have the opportunity to achieve academic success. The College will not tolerate any acts of sexual violence or other non-consensual sexual activity. Keuka College supports this policy for students through an annual presentation on sexual assault prevention to incoming students, residence hall programming throughout the academic year, personal counseling for victims, and the Peer advocate program which is available free of charge on campus through the Office of Counseling Services and the Women's Center. Additionally, resident assistants and freshman mentors are trained to handle initial reports of sexual assault. Keuka College will enforce this policy according to the internal disciplinary procedures set forth in the Keuka College Student Code of Conduct (see Code of Conduct for more information). The College strongly encourages the reporting of all acts of non-consensual sexual activity. Persons who believe they are victims of non-consensual sexual acts are encouraged to file a complaint with the Associate Dean of Students and or the Department of Campus Safety as soon as possible after the alleged event occurred. Processing of a complaint will begin within three class days after receipt by the Associate Dean of Students. Forms are available in the Office of Student Affairs, Office of Housing and Residence Life, the Academic Support Program Office, Health Services, Counseling Services, Campus Safety, or can be provided by any Residence Life staff member.

2. Definitions

Violations of this policy shall include, but not be limited to the following:

a. Forced Non-consensual Activity – Rape

Rape occurs if a male or female is forced to have sexual intercourse or if he or she is unable to consent. Sexual intercourse may involve vaginal, anal, or oral penetration by a penis, other body part, or other object. The perpetrator may be known or unknown to the victim. The force necessary can be any amount or threat of physical force which places the victim in fear of injury or in fear of his/her life. The perpetrator need not use a weapon nor must he/she beat the victim to make her/him fearful of injury or for his/her life. The term “acquaintance or date rape” refers to the above described behavior perpetrated by someone known to the victim.

b. Other Non-consensual Sexual Activity

Any actual or attempted non-consensual sexual activity by a person known or unknown to the victim including, but not limited to:

- i. Unwanted sexual intercourse or sexual touching committed without physical force, coercion, threat, or intimidation
- ii. Behaviors of a sexual nature which are threatening to the physical or emotional safety of another

c. Definition of Consent

- i. In both categories 1 and 2, non-consensual sexual activity shall include, but not be limited to, situations in which the victim is unable to consent because she/he is physically helpless, or is mentally incapacitated due to drug or alcohol consumption, or is unconscious or sleeping, regardless of whether or not the consumption was with the victim's consent.
- ii. The standard used to define being “incapacitated” by ingestion of alcohol or drugs is that of a “reasonable” person. That is, would a ‘reasonable’ person observe that an individual's behavior indicated he/she may be mentally incapacitated? Whether or not this standard is met will be determined on a case-by-case basis, following an in-depth factual investigation by the judicial adviser.

3. Options Available to Victims of Sexual Assault and/or Domestic Violence

- Report the event to Law Enforcement, Peer Advocate member, or any Student Affairs staff member, especially RAs, RDs, Counseling Services, Health Services, or the Chaplain
- Go to the emergency room of Thompson Memorial Hospital in Canandaigua for examination and treatment (Hospital has specially trained nurses that properly deal with victims of sexual assault- S.A.F.E. nurses)
- Use Counseling Services on or off campus
- File a complaint with the Campus Safety Office
- File a complaint with the Yates County Sheriff's Office

The Student Affairs staff or Peer advocate will assist students in availing themselves of any or all of these options.

Policy on Missing & Unidentified Person

It shall be the policy of the College to thoroughly investigate all reports of missing persons. Additionally, this agency holds that every person reported as missing will be considered **at risk** until significant information to the contrary is confirmed.

All reports of missing or suspected missing resident students should be reported to the Department of Campus Safety at (315) 279-5250 or 5911. In an effort to avoid jurisdictional conflicts when off-campus, non-campus and/or commuter students are reported missing to Keuka Campus Safety, immediate notification will be made to the appropriate law enforcement jurisdiction. The Department of Campus Safety will assist external authorities with these investigations as needed or become primary jurisdiction if requested.

This policy was developed based on recommendations provided by the National Center for Missing & Exploited Children (NCMEC) "*Model Policy*;" 2006. Additional information can be found [HERE](#).

Sex Offender Registration

Persons seeking to obtain sex offender registration information may contact the Yates County Sheriff Office Records Section at 315-536-5778 or the Campus Safety Office. Information regarding high risk (level 3) registered sex offenders can also be obtained through the New York State Criminal Justice Services' (DCJS) Sex Offender Registry. The registry can be viewed on the internet at: criminaljustice.state.ny.us/nsor or by contacting the NYS DCJS Sex Offender Registry at (518) 457-6236.

Additional Information

Information on these and all Keuka College policies can be found in the *Student Handbook* located on the College's shared drive at S:/Student Handbook.

Keuka College - Clery Act Campus Crime Statistic Report – Calendar Year 2010

OFFENSE	YEAR	ON-CAMPUS PROPERTY	**RESIDENTIAL FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
HATE CRIMES	2008	0	0	0	0
	2009	2	1	0	0
	2010	3	3	0	0
MURDER / NON-NEGLIGENT MANSLAUGHTER	2008	0	0	0	0
	2009	0	0	0	0
	2010	0	0	0	0
NEGLIGENT MANSLAUGHTER	2008	0	0	0	0
	2009	0	0	0	0
	2010	0	0	0	0
SEX OFFENSES, FORCIBLE	2008	3	3	0	0
	2009	0	0	0	0
	2010	0	0	0	0
SEX OFFENSES, NON-FORCIBLE	2008	0	0	0	0
	2009	3	3	0	0
	2010	0	0	0	0
ROBBERY	2008	0	0	0	0
	2009	0	0	0	0
	2010	0	0	0	0
AGGRAVATED ASSAULT	2008	0	0	0	0
	2009	0	0	0	0
	2010	0	0	0	0
BURGLARY	2008	8	7	0	0
	2009	14	13	0	0
	2010	3	3	0	0
MOTOR VEHICLE THEFT	2008	0	0	0	0
	2009	0	0	0	0
	2010	0	0	0	0
ARSON	2008	1	1	0	0
	2009	1	1	0	0
	2010	0	0	0	0
LIQUOR LAW ARRESTS	2008	8	8	0	0
	2009	3	2	1	0
	2010	3	3	1	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2008	174	171	0	0
	2009	95	93	3	0
	2010	79	76	0	0
DRUG LAW ARRESTS	2008	3	3	0	0
	2009	3	1	0	0
	2010	1	1	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2008	3	3	0	0
	2009	3	3	0	0
	2010	3	3	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2008	0	0	0	0
	2009	0	0	0	0
	2010	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	2008	2	2	0	0
	2009	1	1	0	0
	2010	0	0	0	0
**CRIMES REPORTED IN THE RESIDENTIAL FACILITIES COLUMN ARE INCLUDED IN THE ON-CAMPUS CATEGORY.					

Definitions of Clery Act Crime

Hate Offenses: Reported occurrences that manifest evidence of prejudice based on race, religion, sexual orientation, gender, disability or ethnicity ("hate crimes") for the crimes listed below.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Larceny/Theft: Theft of articles from another person's physical possession by stealth where the victim usually does not become aware of the theft.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Vandalism/Criminal Mischief: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having control of the property.

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

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

Forcible Sex Offenses: 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.

A. Forcible Rape - The carnal knowledge of a 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 temporary or permanent mental or physical incapacity (or because of his/her youth).

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

C. 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.

D. 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.

Nonforcible Sex Offenses:

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

B. Statutory Rape - Nonforcible 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. Simple assaults are excluded.

Burglary: The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

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, or personal property of another.