

ANNUAL SECURITY REPORT:

Safety Awareness and Crime Prevention

Title IX, Sexual Misconduct, Sexual Assault

Dating Violence, Domestic Violence, Stalking

Bias Crimes / Hate Crimes

Alcohol and Other Drug Education

Credit Card Abuse

SCCC Crime Statistics

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Suffolk County Community College believes that it is essential to all members of the College community to have a safe, productive, and healthy environment in which the community can learn, work, and grow from all of our different experiences.

The information in this booklet is being provided to ensure that you have the necessary information to make appropriate decisions in matters relating to protecting your personal safety. This guide is intended to provide you with critical information on crime prevention, sexual assault/sexual violence/sexual harassment, alcohol, tobacco, nicotine & other drugs, gambling, SCCC crime statistics. We urge you to read this material thoroughly. Throughout the academic year, important time sensitive information is also disseminated through programs, lectures, workshops, new student orientation, college/campus briefs and college seminars.

The College is determined to establish and maintain working and learning conditions that are free from the negative effects of alcohol and other drug misuse. With this in mind, the College encourages responsible decision-making regarding the use of legal drugs. Suffolk County Community College does not condone the use of illegal drugs. If the educational environment is compromised by disturbances and disruptions brought about by crime, everyone in the academic community suffers.

Please feel free to contact the Office of the Campus Associate Dean of Student Affairs or the Office of the Vice President for Student Affairs if you have any questions or comments.

Campus Associate Deans of Student Affairs

Ammerman: Dr. Edward Martinez, Ammerman Building, Rm. 200, (631) 451-4176

Eastern: Dr. Mary Reese, Peconic Building, Rm. 224, (631) 548-2514

M. J. Grant: Dr. Meryl Rogers, Caumsett Hall, Rm. 106, (631) 851-6521

Sincerely,

Dr. Christopher J. Adams
Vice President for Student Affairs
NFL Building, Room 120
Ammerman Campus
(631) 451-4118

SAFETY AWARENESS AND CRIME PREVENTION

REPORTING EMERGENCIES AND CRIMES

All members of the College community are encouraged to report any and all suspicious activity they may observe while on campus. Individuals may report any activity to Public Safety officers on patrol or they can contact the Office of Public and Fire Safety at the following numbers.

Locations of Campus Public Safety:

Ammerman Campus/Sayville Center

College Road – Annex Building – Headquarters is the location for services. Public Safety operates 24 hours a day, seven days a week. Emergency Phone number is (631) 451-4242 or 311 by any campus phone.

Eastern Campus

Public Safety is located in Peconic Building (dial phone number, wait for beep, and leave your message). Emergency Phone number is (631) 451-4242 or 311 by any campus phone.

Michael J. Grant Campus

Public Safety is located in the North Cottage adjacent to Captree Commons. Emergency Phone number is (631) 451-4242 or 311 by any campus phone.

In addition, Public Safety can be contacted by using any of the emergency phones located throughout the campus. Emergency Safe Havens, situated in designated building stairwells on campus, provide telephone access to Public Safety for reporting emergency or safety-related issues. Blue light emergency phones are located in several locations on all campuses, including along walkways to parking fields.

ALL EMERGENCIES- 24/7 631-451-4242 or 311

TIMELY WARNING NOTICES

In the event of a substantiated serious security or safety concern, either on College property or in the near vicinity of a Suffolk County Community College campus, efforts are made to advise members of the College community. Clery Act Timely Warning Notices are specifically related to compliance with the federal Clery Act, which requires colleges and universities to notify students and employees whenever there is a Clery Act crime occurring within the relevant geography that represents a serious or continuing threat to students or employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor)—so that members of the community can protect themselves from harm. It is the policy of the College to notify the campus community in a timely manner regarding the occurrence of non-imminent serious incidents. Determinations to issue a timely warning notice are made on a case-by-case basis. In the event that it becomes necessary to alert either the College or the Campus community to such a situation, a communication will be distributed from the Office of the Executive Dean, the Associate Dean of Student Services, the Director of Public and Fire Safety, and/or the Vice President for Institutional Advancement. Timely Warning Notices are distributed to employees and students through email, and include pertinent information about the incident, as well as information to promote safety and aid in the prevention of similar crimes. These notifications are in addition to the notifications made under the Emergency Response section of this document.

EMERGENCY RESPONSE AND NOTIFICATIONS

Suffolk County Community College has an Emergency Response Team (ERT) composed of senior college officials. The ERT is responsible for responding to emergency situations and for initiating appropriate communications to the affected members of the college community.

In the event of a serious emergency, when there is an imminent threat to the community, Public Safety Officers are on duty. After confirming a threat exists, Public Safety will notify 911 for a response, and then initiate communication with the Director of Public and Fire Safety or his designee, who will begin the necessary communications to the appropriate campus community. The College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The technologies used by SCCC to communicate with the college community include NY Alert, public address systems, administrative computer message alerts, college email, the college webpage and internal telephone messaging, both verbal and text. The above systems are tested on an annual basis. In addition, with the exception of NY Alert, these communication systems are used during the shelter and secure drills conducted every semester.

The College will also issue timely warning notifications for those incidents where there is no imminent danger, but where the determination has been made to pass along important information in order to keep the College safe.

NY Alert – ALL MEMBERS OF THE COLLEGE COMMUNITY ARE ENCOURAGED TO SIGN UP FOR NY ALERT IN ORDER TO RECEIVE EMERGENCY NOTIFICATIONS. YOU CAN SIGN UP ON THE COLLEGE WEBPAGE IN “MY SCCC.”

FIRE EMERGENCY AND EVACUATION

In the event of a fire emergency, the fire alarm system will be activated requiring the evacuation of the affected building. Fire drills are conducted every fall and spring semester. Students, faculty and staff are required to move at least 50 feet away from the affected building in order to allow emergency responders access to the building.

POLICY STATEMENTS

Enforcement Authority of College Public Safety Officers and Relationship with State and Local Police Agencies

College Public Safety Officers receive their authority through the Board of Trustees of the College and are supervised by the Director of Public and Fire Safety. College Public Safety Officers are unarmed civilian employees and are not empowered with police or peace officer authority. If any crime is reported, Public Safety will file a report and contact the police on request. However, any arrest or complaint must be signed by the individual filing the report. College Public Safety Officers assist the Director of Public and Fire Safety in overseeing the three campuses. Public Safety functions 24 hours a day, seven days a week. Public Safety Officers enforce the laws of the State of New York and insure the safety of the College community. College Public Safety Officers, in conjunction with the Director of Public and Fire Safety, establish and maintain effective working relationships with police.

The College has in place memoranda of understanding with the Suffolk County Police Department, Southampton Police Department and the Riverhead Police Department where these agencies will be informed and respond to reports of serious criminal activity. The above agencies also provide crime statistics on an annual basis, ensuring accurate and prompt reporting of all crimes occurring on college property.

Confidential Reporting

Student victims may seek assistance and support on a confidential basis from the Office of Mental Health Services and the Office of Health Services. Counselors often encourage victims to report crime incidents to Public Safety or local law enforcement. There are, however, mechanisms for preserving evidence and for statistical reporting while avoiding the filing of a formal report.

Anonymous Disclosure (Silent Witness Program)

The Silent Witness Program was developed so that members of the community could report criminal activity, suspicious activity, or tips and remain anonymous. All information will be kept confidential. To report a crime, suspicious activity, or to pass along any other information to the College's Office of Public and Fire Safety, please fill out the [Silent Witness Report form](#) on the College's Public Safety webpage and press the submit button. Please do not use the Silent Witness Program if immediate police, medical or fire assistance is needed—you must dial 911 or your Campus Public Safety.

Access to Campus Facilities

The Campus Director of Plant Operations, the College Safety Officer, and the College Director of Public and Fire Safety conduct an annual review of campus facilities and grounds with special emphasis on ensuring adequate lighting and eliminating landscaping hazards. Public Safety personnel also report non-working exterior lights and potential hazards observed during their regular campus patrols. Emergency telephones have been installed in several areas throughout the campuses. All academic, administrative, and athletic buildings are locked in the evenings and on weekends according to the scheduled use of the facilities. Designated administrators, faculty and staff are issued keys to their respective offices and buildings. Access to open College buildings, events and programs is granted to all Suffolk County Community College students, employees, guests and visitors.

College ID Cards

Every student and staff member is required to obtain a College ID card, which includes their name, ID number, and photograph. Every student and staff member must carry her/his ID card at all times while on College property. The College ID card must be presented upon request by any Public Safety Officer or College official. For more information, including how to replace a lost College ID card, please refer to Public Safety's [College ID Card webpage](#).

Public Safety Escorts

If you are uncomfortable walking on campus, call (631) 451-4242 to utilize the campus escort service provided by the Office of Public and Fire Safety.

Contacting Local Law Enforcement

Whenever a member of the College community reports a crime to a Public Safety Officer, the victim/complainant is informed that Public Safety will contact local law enforcement upon his/her request. Currently, state law requires that the College notify local law enforcement in order for an appropriate investigation to be conducted for certain violent felonies as described in the New York State Penal Law, section 70.02.

Training

All Public Safety Officers are trained to meet the NYDJCS 8-hour Security Guard Licensing Standards. They are trained in First Aid and CPR.

Weapons

No individuals on Suffolk County Community College property, except duly authorized Peace and Police Officers pursuant to authorization of the College President, shall have in their possession a rifle, shotgun, firearm, or any other dangerous instrument or material that can be used to inflict bodily harm on an individual, or damage to a building or the grounds of a campus.

Workplace Violence Prevention Policy

The College has a [Workplace Violence Prevention Policy](#) outlining the College's commitment to the safety and security of its employees and to maintaining a work environment which is free from threatening behavior and acts of violence. This policy, together with the College's Workplace Violence Prevention Program implements section 27-b of the New York State Labor Law, which requires public employers to evaluate the risk of workplace assaults and homicides, and adopt workplace violence protection programs to prevent and minimize the hazards of workplace violence to public employees. The College's Workplace Violence Prevention Program provides information to the College community about preventing and responding to incidents of workplace violence at the College's campuses and facilities, and outlines procedures and protocols designed to prevent or reduce the likelihood of threats or acts of workplace violence.

Prohibited Conduct

1. Workplace violence is any violent act, including physical assaults, intimidating or threatening behavior, or verbal abuse, occurring where a College employee performs a work-related duty in the course of his or her employment, including, but not limited to:
 - a. Any attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
 - b. Any intentional display of force that would give an employee reason to fear or expect bodily harm;
 - c. Intentional and wrongful physical contact with an employee without his or her consent that entails some injury;
 - d. Stalking an employee in a manner that may cause the employee to fear for his/her physical safety and health.
2. Workplace violence directed towards College employees, including student-employees, is strictly prohibited.

Reporting Procedures

It is the responsibility of all employees to create and maintain a workplace free from threats and acts of violence, and to promptly report workplace violence, as follows:

1. An employee who is the victim of workplace violence, witnesses workplace violence, or believes an act of workplace violence might occur, should immediately contact his/her immediate supervisor and the Assistant Vice President of Human Resources. The Assistant Vice President of Human Resources shall thereafter contact the College Workplace Violence Coordinator (“College Coordinator”), who shall perform such duties as described below at paragraph 3.
2. If an employee believes himself/herself, or any other employee, to be in imminent danger of harm, he/she must call 911 for emergency police and medical assistance and/or the Office of Public Safety (Ext. 311). As soon as practicable thereafter, such employee must contact his/her immediate supervisor and the Assistant Vice President of Human Resources. The Assistant Vice President of Human Resources shall thereafter contact the College Coordinator, who shall perform such duties as described below at paragraph 3.
3. The College Coordinator shall be responsible for investigating all complaints of workplace violence in a timely and thorough fashion, and facilitating the filing of a Workplace Violence Report with the Office of Human Resources, which will assess the case file submitted by the College Coordinator and adjudicate on the final disposition of a workplace violence complaint, including referral to College disciplinary bodies and/or external law enforcement authorities. The final determination of workplace violence cases shall be communicated to the Campus Executive Deans, the College Coordinator and any other appropriate entities.

Retaliation Prohibited

Retaliation against anyone who, acting in good faith, has made a complaint of workplace violence, reported witnessing workplace violence, or been involved in reporting, investigating or responding to workplace violence, constitutes a violation of this policy.

Disciplinary Action

Violations of this policy shall be considered misconduct, and violators will be subject to disciplinary action in accordance with College policy, the applicable collective bargaining agreements, and/or the Student Code of Conduct and Student Conduct Process.

Education/Prevention

1. This policy will be disseminated through inclusion in the Faculty Handbook and in other employee materials, and on the College’s website.
2. The Office of Human Resources will facilitate workplace violence training for all College employees upon hire, and annually, thereafter.

Other Remedies

Nothing contained herein shall preclude or limit any right, remedy or cause of action provided under any other College policy, or any local, state or federal ordinance, law or regulation, including, but not limited to, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1964 or the Americans With Disabilities Act of 1990.

CRIME PREVENTION AND CAMPUS SECURITY PROGRAMS

The College annually posts online crime prevention tips and campus security procedures and practices to encourage students and employees to be responsible for their own security and the security of others. In addition to inclusion in this Annual Security Report, information is included in the Student Handbook, the Faculty Resource Guide, and on Public Safety’s [webpage](#). Information is also disseminated from time to time as deemed appropriate via College email to constituent groups. Public Safety conducts trainings and provides information at new employee orientation, at new student orientation, and throughout the year with individual groups throughout the College, including at Title IX / Education Law Article 129-B (“Enough is Enough”) trainings for student groups. Mandatory online training for College employees through Workplace Answers includes courses on “Security + Safe Remote and Mobile Computing” (which includes training on understanding threats, safe computing practices, and physical security practices) and “Preventing Discrimination and Sexual Violence: Title IX, VAWA, and the Clery Act for New York Faculty and Staff” (which includes training on prevention of discrimination and sexual violence, domestic violence, stalking, and other covered prohibited conduct, including training to recognize, intervene, and report on such conduct).

Your safety and well-being depend mostly on you: be alert. Just being aware of the possibility of becoming a crime victim is the first step in preventing a crime. Trust your instincts and react to any signs that make you uneasy. Reduce your risk. If you have any doubt as to what you should or should not be doing, just imagine yourself as the potential criminal. From that viewpoint, does your appearance, attitude, or presence increase your chances of being a potential victim? Think ahead. Too often it is easy to go about your routine activities without really considering possible situations that might occur and how they should be handled. Get into the habit of asking yourself if you are going about your business safely. If not, what can you change? If a confrontation should occur, are you prepared to handle it?

Remember, you can err on either side of two extremes: by neglecting prevention or by being overly cautious. Those who do not take any prevention measures are certainly vulnerable. Yet those who drastically alter their lifestyle for the sake of security become victims of fear. Despite your best efforts or lack thereof, it is not your fault if you become a victim of crime.

Crime Prevention Tips

- Avoid working, studying or being alone in buildings or in isolated areas of the campus.
- Do not shower in a deserted or unlocked gym.
- Always use a lock to secure your gym locker.
- Be cautious about dating someone you do not know well. Obtain information from a mutual acquaintance or try to arrange a double-date or join a group activity.
- Avoid alcohol and drugs. Alcohol and drugs interfere with clear thinking and effective communication.
- Know your sexual desires and limits. Communicate them clearly.
- Use paths that are well-populated when you walk or bike.
- Do not hitchhike.
- Do not wear earphones while jogging or biking because they reduce your ability to hear as well as your awareness of your surroundings.
- Have your keys ready in your hand when going to your car.
- Do not tag keys with easy-to-decipher labels or locations.
- When you are parked, your car doors should be locked and the windows up. Valuables should be kept out of sight, in a locked trunk.
- At night, arrange to walk to your car with others.
- If you are attacked or confronted by an unarmed assailant, try to attract attention.
- Be careful of your use of the Internet.

The college provides women's basic self-defense programs for student faculty and staff. Programs are taught by public safety officers and include a curriculum of Rape Aggression Defense (RAD), a comprehensive program that mixes education with hands-on defense techniques. The program runs several weeks throughout the year and the schedule of programs are announced widely via email and campus advertising.

Personal Safety on Campus

- Share your class schedule with your parents and trusted friends and give them your telephone numbers.
- Tell a friend or roommate where you are going and what time you expect to return
- Familiarize yourself with the layout of the campus. Obtain a map from public safety offices or via the campus website. [Click here for maps of all campuses](#). Survey the campus while classes are in session and after dark to see that academic buildings, walkways, facilities, and parking lots are adequately secured and well-lighted.
- Know where the Blue Light Phones and safe haven emergency call boxes are located on campus and learn how to use them.
- Plan the safest route to your destination; choose well-lighted, busy pathways and streets.
- At night, stick to well-lighted areas whenever possible and avoid alleyways or "short cuts" through isolated areas.
- Travel in groups and avoid going out alone at night. Make arrangements with other class mates to park near each other so you can walk together at night.
- Walk near the curb and avoid shrubbery or other places of potential concealment.
- Stay alert to your surroundings and the people around you.
- Don't overload yourself with bags or packages and avoid wearing shoes that restrict your movements.
- Walk with a confident stride; keep your head up and look around. Avoid texting and talking on the phone while walking since it is easy to not pay attention to your surroundings.
- Carry your purse close to your body and keep a firm grip on it; carry your wallet in an inside coat pocket or your front pant pocket.
- Keep your keys separate from your purse or backpack. Carry keys in your hands with the keys between your knuckles.
- If you are being followed, change direction and go to the nearest building or call box, call the public safety or the police. Note the description of the person following you.
- Escorts are available if you don't feel comfortable walking to your car alone. To request an escort call 631.451.4242 or 4242 from any campus phone.
- Program Public Safety's number, 631.451.4242, in your cell phone.

Cell Phone Safety

- Carry your phone with you whenever possible and make sure it is in a safe place whenever you leave it behind. If you are leaving your phone in your car, be sure it is hidden from view.
- Turn off your phone when you are not using it.
- Use the "lock" feature on your phone and create a password.
- Report a stolen cellular telephone immediately to the cellular telephone carrier and Police.
- Check your monthly bills carefully, and report unfamiliar calls to your cellular phone company.
- Do not give out your electronic serial number or even your phone number to strangers, including callers who represent themselves as technicians testing your line.
- Keep your subscriber agreement, which includes your electronic serial number, in a secure location.
- Never allow someone you do not know or trust, use your cell phone. If someone asks to borrow your phone, offer to make the call for them. It has become popular with smart phones for thieves to make an excuse that their phone died and asks to use yours, you hand over the phone they make a call and start to run away.

Additional cell phone safety tips can be found on Public Safety's [Cell Phone Safety Tips webpage](#).

SECURE/SHELTER-IN-PLACE/RUN (Evacuate)/FIGHT

The term, "Secure/Shelter-In Place," means to seek immediate shelter and remain there during an emergency rather than evacuate the area. It is always preferred to evacuate. "Secure/Shelter-in-Place" should generally be used when an evacuation is not safe or it is unclear if an evacuation is safe. In the worst case scenario you can have the option to fight/defend yourself when you are faced with a violent crime.

Remember, once this action has been initiated, it has already been determined that it is safer to remain in place and not leave your building or the campus. Alerts will be made via college phones and announcement systems in buildings, classrooms and offices.

Once you are notified to "Secure/Shelter-in-Place," you should, when safety allows, take the following actions:

- **REMAIN CALM AT ALL TIMES AND FOLLOW THE DIRECTIONS OF COLLEGE OFFICIALS AND/OR UNIFORMED EMERGENCY RESPONDERS.**
- When safety allows take appropriate steps to secure the room you are located by:
 - turning off lights
 - close windows, blinds and shades
 - move away from doors and windows
 - when available secure doors by either lock or when a door opens in, secure by blocking the door with furniture.
- Once these steps have been taken notify public safety at 311, give them your location and how many occupants are in your room. When possible, try to keep a list of names of all persons at your location.
- Keep law enforcement or Public Safety informed (in person or on the phone) of any activity in your building, loud noises, yelling, shots fired, etc.

REMAIN CALM!

- Remain in place until you are contacted by either public safety and/or the police.
- **DO NOT OPEN THE DOOR TO YOUR ROOM FOR ANYONE.** Public Safety, police or other college officials will have keys to enter your room.
- **DO NOT LEAVE UNTIL YOU ARE GIVEN AN ALL CLEAR BY A UNIFORMED OFFICER OR UNIFORMED SCCC PUBLIC SAFETY OFFICER!**
- The most important step you can take is to remain calm. Once this process has been initiated, the Suffolk County Police as well as college public safety and other agencies will take the necessary steps to ensure you are safe.

Additional information can be found on Public Safety's [Active Shooter webpage](#).

CLERY ACT REPORTING REQUIREMENTS & CRIME STATISTICS

Suffolk County Community College encourages the College community to immediately report crimes or suspicious activity to the Office of Public Safety to help maintain the safest possible environment for students, faculty, staff, and visitors.

Campus Security Authorities

Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act ("Clery"), as amended, the College must compile and publish the number of occurrences of specified crimes for the three prior years in an Annual Security Report. As part of this obligation, members of the College community who are considered to be "Campus Security Authorities" are required to report crimes for inclusion as statistics in the College's Annual Security Report.

"Campus Security Authority" is a Clery-specific term that encompasses certain departments, groups and individual College employees who have a duty to report crimes they become aware of, as defined by Clery. The law defines a Campus Security Authority as "an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings."

Examples of Campus Security Authorities:

- Members of the Office of Public Safety
- Title IX Coordinator and Deputy Coordinators
- Offices of the Associate Dean of Student Services
- Athletics team coaches
- Faculty and staff advisors to student clubs and organizations
- Study abroad faculty, administrators and staff

Campus Security Authorities may also be identified by job function; that is any employee who, by virtue of their job function, has significant responsibility for assisting students or campus activities. Examples would be student advisors or formal or informal student mentors and peer mentors.

The Clery Act requires that Campus Security Authorities be identified, notified and trained. Campus Security Authorities who have been identified by job title or function receive annual notification and training and are asked to forward the training to anyone within their department who they believe meets the Clery definition of a Campus Security Authority by job function.

If you believe that you may qualify as a Campus Security Authority and have not received notification or training, please contact the Office of Public Safety at 631-451-4584.

Campus Security Authorities should not investigate crimes or attempt to determine whether in fact a crime occurred. Rather, a Campus Security Authority's obligation is to simply report the information that s/he has as soon as possible.

For more information, please see the [Campus Security Authority Reporting Manual](#).

“Professional Counselors”

Campus “Professional Counselors,” when acting as such, are not considered to be Campus Security Authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics in the Annual Security Report. 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.

A “Professional Counselor,” for purposes of Clery, is an employee of an institution whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her professional licensure or certification. At Suffolk County Community College, these include the coordinators of [mental health services](#) at each campus.

Reporting of Crime Statistics

The College is required to disclose statistics for the following offenses that occur on campus, or in non-campus buildings or property owned or controlled by the College, and public property within or immediately adjacent to campus:

- Murder
- Manslaughter
- Sexual Assault (including rape, fondling, incest, and statutory rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Dating Violence
- Domestic Violence
- Stalking
- Hate/Bias Crimes
- Arrests and referrals for disciplinary action for weapons, drug abuse violations, and liquor law violations

If in doubt that a crime is reportable, please err on the side of reporting the matter.

A complete list of crimes and definitions are found in Appendices II and III.

TITLE IX, SEXUAL MISCONDUCT, SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING

This section of the College's Annual Security Report contains important information on the College's policies and procedures related to sex discrimination, sexual harassment, sexual misconduct, sexual assault, sexual violence, dating violence, domestic violence, and stalking, which are strictly prohibited by Suffolk County Community College, consistent with Title IX of the Education Amendments of 1972 ("Title IX"), New York State Education Law Article 129-B (also referred to as "Enough is Enough" or "129-B"), State law, and the Violence Against Women Reauthorization Act of 2013 ("VAWA"), which amended the Clery Act.

Non-Discrimination Notice

Suffolk County Community College does not discriminate on the basis of race, color, religion, creed, sex, age, marital status, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, equal pay compensation-sex, national origin, military or veteran status, domestic violence victim status, criminal conviction or disability in its admissions, programs and activities, or employment. This applies to all employees, students, applicants or other members of the College community (including, but not limited to, vendors and visitors). Grievance procedures are available to interested persons by contacting either of the Civil Rights Compliance Officers/Coordinators listed below. Retaliation against a person who files a complaint, serves as a witness, or assists or participates in the investigation of a complaint in any manner is strictly prohibited.

The following persons have been designated to handle inquiries regarding the College's non-discrimination policies:

Civil Rights Compliance Officers

Christina Vargas
Chief Diversity Officer / Title IX Coordinator
Ammerman Campus, NFL Bldg., Suite 230
533 College Road, Selden, New York 11784-2899
vargasc@sunysuffolk.edu
(631) 451-4950

Or

Dionne Walker-Belgrave
Affirmative Action Officer / Deputy Title IX Coordinator
Ammerman Campus, NFL Bldg., Suite 230
533 College Road, Selden, New York 11784-2899
walkerd@sunysuffolk.edu
(631) 451-4051

In an emergency, contact Public Safety to make a report 24 hours a day/7 days a week by calling (631) 451-4242 or by dialing 311 from any College phone.

A complete copy of the College's Non-Discrimination Notice and a copy of the College's [Equal Opportunity and Anti-Discrimination Policy](#) can be obtained on the College's website at www.sunysuffolk.edu/nondiscrimination.

What is Title IX?

Title IX is a federal law that protects all students, employees, vendors, visitors, volunteers and guests of Suffolk County Community College from sex discrimination and all forms of sexual misconduct. Suffolk County Community College is dedicated to providing an environment that is conducive to intellectual and personal growth, while providing a safe and welcoming environment.

Title IX covers all educational programs and activities at the College, including:

- Admissions, financial aid, scholarships, funding
- Courses, academic programs, research, and other educational activities
- Career guidance, counseling, and other educational support services
- Athletics (scholastic, intercollegiate, club or intramural)
- Student clubs and organizations, and campus activities
- Employment and training for students, faculty, and staff

Sexual Violence, Sexual Harassment Prevention and Title IX

Suffolk County Community College prohibits sexual harassment and sex discrimination including sexual violence, domestic violence, dating and intimate partner violence, stalking, sexual coercion or other threats of violence or intimidation. These can be verbal, non-verbal, physical, written or electronic (i.e. text or social media) and may be committed by or against any individual, regardless of gender, sexual orientation or gender identity.

The College is committed to providing options, support and assistance to victims/survivors to ensure they can continue to participate in college-wide and campus programs, activities and employment. The College has prevention, training and educational programs in place to protect all members of the college community. These include information about how to report, on and off campus resources, rights and responsibilities. Students have rights,

regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad. Training is conducted at orientation, in College Seminar courses and is presented in partnership with external agencies such as the State Police, VIBS and the Crime Victim's Center. This training also includes safe and positive options for bystander intervention.

How Does Title IX Help Victims?

If you are a victim of sexual violence, the College has a team ready to help you. This team includes trained members of Student Affairs, Public Safety, and the Title IX Coordinator and Deputy Title IX Coordinators. This team provides information to you about your rights, notifies you about resources, and offers reasonable interim measures, such as a change in schedule, a no-contact order or other actions. Resources, information, and policies are located on the College's [Title IX webpage](#). Anyone who experiences, observes, or hears about an incident should report it to the Title IX Coordinator (631-451-4950). The Title IX Coordinator oversees the complaint process, answers questions, and offers assistance and services to anyone experiencing harassment, discrimination, or sexual violence.

Definitions

The College's policies and procedures implementing Title IX, VAWA, and Enough is Enough (129-B) and prohibiting dating violence, domestic violence, sexual assault, stalking, and sexual violence contain numerous terms which warrant definition. Appendix II and Appendix III of this Annual Security Report contain important definitions of VAWA/Clery crimes, as well as how those crimes are defined in New York State. For ease of reference, here, however, please note the following definitions:

Consent:

Lack of Consent, in reference to sexual activity, results from forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of a lack of consent to such act under all the circumstances.

A person is incapable of consent when he or she is:

- Less than 17 years old;
- Mentally disabled;
- Mentally incapacitated;
- Physically helpless; or
- Committed to the care and custody of the state department of correctional services, a hospital, the Office of Children and Family Services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the Office of Mental Health, the Office for People with Developmental Disabilities, or the Office of Alcoholism and Substance Abuse Services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

Affirmative consent is 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 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 activity between or with any party does not necessarily constitute consent 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 initially be 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.

Sexual Assault:

VAWA and Clery define Sexual Assault as "an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) Program. The National Incident-Based Reporting System (NIBRS) User Manual from the FBI defines Sex Offenses as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. The College prohibits crimes meeting the VAWA/Clery definitions of Sexual Assault and Sex Offenses.

New York State does not specifically define Sexual Assault. However, according to the Clery regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI's UCR Program.

"Rape" is defined for purposes of VAWA/Clery as 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.

“Statutory Rape” is defined for purposes of VAWA/Clery as sexual intercourse with a person who is under the statutory age of consent.

“Fondling” is defined for purposes of VAWA/Clery as the touching of the private body parts of another person for the purposes 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” is defined for purposes of VAWA/Clery as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- Under New York State law, Rape is a felony. A person is guilty of rape when s/he engages in sexual intercourse with another person without that person’s consent. A person is guilty of Rape in the Third Degree when a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person’s consent where such lack of consent is by reason of some factor other than incapacity to consent. A person is guilty of Rape in the Second Degree when a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act. A person is guilty of Rape in the First Degree when a person engages in sexual intercourse with another person (1) by forcible compulsion; or (2) Who is incapable of consent by reason of being physically helpless; or (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.
- Under New York State law, a Criminal Sexual Act is also a felony. A person is guilty of a Criminal Sexual Act in the Third Degree when a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent. A person is guilty of a Criminal Sexual Act in the Second Degree when a person engages in oral or anal sexual conduct with another person (1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act. A person is guilty of a Criminal Sexual Act in the First Degree when a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.
- Under New York State law, Sexual Misconduct is a misdemeanor. A person is guilty of Sexual Misconduct when s/he engages in sexual intercourse with another person without such person’s consent; or s/he engages in oral conduct or anal sexual conduct with another person without such person’s consent; or s/he engages in sexual conduct with an animal or a dead human body.
- Under New York State law, a person is guilty of Forcible Touching when a person intentionally, and for no legitimate purpose, forcibly touches 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. It includes squeezing, grabbing, or pinching.
- Under New York State law, a person is guilty of Sexual Abuse in the Third Degree when a person subjects another person to sexual contact without the latter’s consent. For any prosecution under this section, it is an affirmative defense that (1) such other person’s lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than five years older than such other person. A person is guilty of Sexual Abuse in the Second Degree when a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old. A person is guilty of Sexual Abuse in the First Degree when a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.
- Under New York State law, a person is guilty of Aggravated Sexual Abuse in the Fourth Degree when a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old. A person is guilty of Aggravated Sexual Abuse in the Third Degree when a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated. A person is guilty of Aggravated Sexual Abuse in the Second Degree when a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old. A person is guilty of Aggravated Sexual Abuse in the First Degree when a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older. For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.
- Under New York State law, a person is guilty of Persistent Sexual Abuse when a person commits a crime of forcible touching, or second or third degree sexual abuse within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which a sentence was imposed on separate occasions of one of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

- Under New York State law, a person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece. A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, or criminal sexual act in the second degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece. A person is guilty of incest in the first degree when he or she commits the crime of rape in the first degree, or criminal sexual act in the first degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.
- Under New York State law, a person is guilty of a Course of Conduct against a Child in the Second Degree when over a period of time, not less than three months, a person: (1) Engages in two or more acts of sexual conduct with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section. A person is guilty of a Course of Conduct against a Child in the First Degree when a person over a period of time, not less than three months in duration, a person: (1) Engages in two or more acts of sexual conduct, or aggravated sexual contact with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than 13 years old.

Stalking:

VAWA and Clery define Stalking as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—(A) fear for the person’s safety or the safety of others; or (B) suffer substantial emotional distress. For the purposes of this definition, a “course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. For purposes of the VAWA/Clery definition of stalking, a “reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim. Finally, for purposes of the VAWA/Clery definition of stalking, “substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. For the purpose of complying with Clery reporting requirements, any incident meeting this definition is considered a crime for the purposes of Clery reporting. The College prohibits crimes of Stalking.

Under the New York State Penal Law, a person is guilty of Stalking in the Fourth Degree when s/he intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct:

1. Is likely to cause reasonable fear of material harm to the physical health, safety, or property of such person, a member of such person’s immediate family or a third party with whom such person is acquainted; or
2. Causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person’s immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or
3. Is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person’s place of employment or business, and the actor was previously clearly informed to cease that conduct.

There are several aggravating factors which can raise the level for a stalking charge under the New York State Penal Law to Stalking in the Third Degree, Stalking in the Second Degree, or Stalking in the First Degree. Please see the definitions for these elevated Stalking Charges in Appendix III.

Dating Violence:

VAWA and Clery define Dating Violence as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For purposes of this VAWA/Clery definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but does not include acts covered under the definition of domestic violence. For purposes of Clery reporting requirements, any incident meeting this definition is considered a crime that will be reported in the College’s Clery crime statistics. The College prohibits Dating Violence.

Under New York State law, Dating Violence is not specifically defined. However, dating violence would include the crimes listed elsewhere in this document when committed by a person in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or threat of abuse.

Domestic Violence:

VAWA and Clery define Domestic Violence as a felony or misdemeanor crime of violence committed: (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (e) 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 in which the crime occurred. The College prohibits crimes of Domestic Violence.

Under New York State law, Domestic Violence is an act which would constitute a violation of the New York State Penal Law, including, but not

limited to, acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction or breaching or breaching or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person's child. Such acts are alleged to have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act. Please see Appendix III for additional definitions.

Reporting an Incident

If you are assaulted off campus, **contact the police by calling 911**. If you are home you should call the police to start a report. If a sexual crime has been threatened or committed on campus, notify:

CAMPUS PUBLIC SAFETY: 631-451-4242 or 311, 24 hours a day/7 days a week

FOR STATE-WIDE SEXUAL ASSAULT & VIOLENCE RESOURCES (Available for all SUNY campuses):
www.suny.edu/violence-response

STATE POLICE 24-HOUR HOTLINE to report sexual assault on a New York college campus: 1-844-845-7269

Students' Bill of Rights

The "Students' Bill of Rights" related to sexual violence reporting is located on the College's [website](#) and is as follows:

All students have the right to:

- Make a report to local law enforcement and/or state police;
- Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
- Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure from the institution;
- Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
- Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services where available;
- 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;
- Describe the incident to as few institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident;
- 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;
- Access to at least one level of appeal of a determination;
- Be accompanied by an advisor of their 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;
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:

- Receive resources, such as counseling and medical attention or emergency care
- Confidentially (Mental Health Services, Health Services Office) or anonymously (Silent Witness – Public Safety) disclose a crime or violation
- Make a report to:
 - An employee with the authority to address complaints, including the Title IX Coordinator (631-451-4950), the Associate Dean for Student Services/Deputy Title IX Coordinator for your campus
 - Public Safety (call 631-451-4242 24 hours a day/7 days a week)
 - Suffolk County Police Department (for emergencies, call 911)
 - State Police (24-hour hotline to report sexual assault on a New York college campus: 1-844-845-7269)
 - Suffolk County Family Court or Civil Court

Sexual Violence Response Policy

The College has a Sexual Violence Response Policy that includes information on reporting, resources, protection, accommodations, and the conduct process. In accordance with the Students' 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 below:

I. Reporting

- To disclose confidentially the incident to one of the following College officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential report is available in the "[Options for Confidentially Disclosing Sexual Violence Policy](#)")
 - Mental Health Services
 - Ammerman Campus (631) 451-4069
 - Eastern Campus (631) 548-2650
 - Michael J. Grant Campus (631)-851-6351
 - Student Health Services

- Ammerman Campus (631) 451-4047
 - Eastern Campus (631) 548-2510
 - Michael J. Grant Campus (631) 851-6709
- Anonymously via the web through the College's [Silent Witness Program](#)
- To disclose confidentially the incident and obtain services from the New York State or county hotlines:
 - [New York State Domestic Violence Hotlines](#). Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: www.opdv.ny.gov/help/index.html (or by calling 1-800-942-6906), and assistance can also be obtained through:
 - Suffolk County Domestic Violence Task Force ([link](#))
 - Long Island Against Domestic Violence ([link](#)) (call (631) 666-8833 to speak to a crisis counselor)
 - Victims Information Bureau of Suffolk (VIBS) ([link](#)) (call the hotline at 631-360-3606; email the hotline at hotline@vibs.org)
 - Response of Suffolk County ([link](#)) (call the hotline at 631-751-7500; for services in Spanish call Conexión 631-751-7423)
 - Parents for Megan's Law Crime Victims Center ([link](#)) (24-hour rape crisis hotline 631-332-9234 in 170 different languages)
 - Long Island Crisis Center ([link](#))
 - SurvJustice ([link](#))
 - Legal Momentum ([link](#))
 - New York State Coalition Against Sexual Assault (NYSCASA) ([link](#)) (call the hotline at 1-800-942-6906 (English and Spanish))
 - New York State Coalition Against Domestic Violence (NYSCADV) ([link](#))
 - NY State Domestic Violence Hotline: 1-800-942-6906
 - Pandora's Project ([link](#))
 - GLBTQ Domestic Violence Project: ([link](#))
 - Rape Abuse & Incest National Network (RAINN) ([link](#))
 - Safe Horizon ([link](#))

(Note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Reporting individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases.)

- [To disclose the incident to one of the following college officials](#) who can offer privacy and can provide information about remedies, accommodations, evidence preservation and how to obtain resources. Those officials will also provide the information contained in the Student's Bill of Rights, including the right to choose when and where to report, to be protected by the institution from retaliation, and to receive assistance and resources from the institution. These college officials will disclose that they are private and not confidential resources, and may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator. They will notify reporting individuals that [the criminal process uses different standards of proof and evidence than internal procedures](#), and questions about the penal law or the criminal process should be directed to law enforcement or the district attorney:
 - Title IX Coordinator, Office of Legal Affairs 631-451-4950
 - Deputy Title IX Coordinators/Campus Associate Dean of Student Services
 - Ammerman Campus/Sayville Center 631-451-4044
 - Michael J. Grant Campus 631-851-6521
 - Eastern Campus & Culinary Arts Center 631-548-2514
 - Public Safety 24hours/7 days a week 631-451-4242
 - Counseling Center
 - Ammerman Campus 631-451-4053
 - Eastern Campus 631-548-2527
 - Michael J. Grant Campus 631-851-6250
- To file a complaint with local law enforcement/police department and/or state police – **Call 911**
 - Local Police Precincts – [Suffolk County Police Department](#)
 - [1st Precinct](#): 555 Rt. 109, Lindenhurst, NY, 631-854-8100
 - [2nd Precinct](#): 1071 Park Avenue, Huntington, NY, 631-854-8200
 - [3rd Precinct](#): 1630 5th Avenue, Bay Shore, NY 631-854-8300
 - [4th Precinct](#): 727 Veterans Memorial Hwy, Smithtown, NY, 631-854-8400
 - [5th Precinct](#): 125 Waverly Avenue, Patchogue, NY 631-854-8500
 - [6th Precinct](#): 400 Rt. 25, Selden, NY 631-854-8600
 - [7th Precinct](#): 1491 William Floyd Parkway, Shirley, NY, 631-852-8700
 - [Southampton Town Police Department](#), 631-728-5000
 - [Town of Riverhead Police Department](#), 631-727-4500
 - State Police 24-hour hotline to report sexual assault on a NY college campus: 1-844-845-7269
- To receive assistance by Public Safety, the Title IX Coordinator or a designee in initiating legal proceedings in a family court or civil court.
- To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with College policy and the reporting individual's identity shall remain private at all times if said reporting individual wishes to maintain privacy. If a reporting individual wishes to keep his/her identity anonymous, he or she may call the Mental Health Services Coordinator at their campus anonymously to discuss the situation and available options. www.sunysuffolk.edu/titleix

Office of Legal Affairs
533 College Road, NFL Building Suite 230, Selden, NY 11784
631-451-4950
vargasc@sunysuffolk.edu

- When the accused is an employee, a reporting individual may also report the incident to the Title IX Coordinator (contact information listed above) or to Human Resources or may request that one of the above referenced confidential or private employees assist in reporting to them. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.
 - [Sexual Harassment Policy and Grievance Procedure for Employee Claims of Harassment by another Employee, Guest, or Contractor](#)
 - [Sexual Harassment Policy and Grievance Procedure for Student Claims of Harassment by a Faculty Member, Administrator, Employee, Guest or Contractor](#)
 - Human Resources: Angelica Rivera, Assistant Vice President, 631-451-4239
- You may withdraw your complaint or involvement from the College process at any time.
- Every college shall ensure that, at a minimum, at the first instance of disclosure by a reporting individual to a college representative, the following information shall be presented to the reporting individual: "You have the right to make a report to Campus Security, local law enforcement, and/or State Police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution."

II. Resources

- To obtain effective intervention services:
 - Mental Health Services
 - Ammerman Campus (631) 451-4069
 - Eastern Campus (631) 548-2650
 - Michael J. Grant Campus (631)-851-6351
 - [Counseling Center](#)
 - Ammerman Campus 631-451-4053
 - Eastern Campus 631-548-2527
 - Michael J. Grant Campus 631-851-6250
 - [Student Health Services](#) – Each campus has a Health Services Office staffed by registered nurses who work under the direction of a consulting physician.
 - Ammerman Campus (631) 451-4047
 - Eastern Campus (631) 548-2510
 - Michael J. Grant Campus (631) 851-6709

Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available through the Suffolk County Department of Health Services – Patient Care Services/[Health Centers](#) and [Planned Parenthood](#) with offices in [Patchogue](#), [Huntington](#), [Riverhead](#), [Smithtown](#), and [West Islip](#).

- [Long Island Association for AIDS Care \(LIAAC\)](#) provides anonymous HIV Testing 631-952-2083 or 1-800-462-6786
- Within 96 hours of an assault, you can get a [Sexual Assault Forensic Examination](#) (commonly referred to as a rape kit) at a hospital. The Suffolk County Sexual Assault Nurse Examiner (SANE) Program has centers located at [Peconic Bay Medical Center](#), [Stony Brook University Hospital](#), and [Good Samaritan Hospital](#). You do not have to pay for a SANE Exam. If you do not have insurance or if you are afraid to use your insurance, New York State Crime Victims Board will pay for your exam. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases; insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information and options may be found on the [Office of Victim Services webpage](#) or by calling 1-800-247-8035.
- To best preserve evidence, victims/survivors 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.

III. Protection and Accommodations

- When the accused is a student, to have the college issue a "No Contact Order," consistent with college policy and procedure, meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges. Contact the Associate Dean of Student Services/Deputy Title IX Coordinator at your campus and see the [Student Code of Conduct](#) for more information. When a "No Contact Order" has been issued by the College, if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a "No Contact Order", consistent with College policy. Both parties may submit evidence in support of their request.
- To have assistance from Public Safety or other college officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.

- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused's responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To receive an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from Public Safety in contacting law enforcement to effect an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction or, if outside of the jurisdiction or to call on and assist local law enforcement in effecting an arrest for violating such an order.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Both parties may request a prompt review of the need for and terms of an interim suspension.
- When the accused is not a student but is a member of the college community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with the applicable collective bargaining agreements, employee handbooks and college policies and rules.
- When the accused is not a member of the college community, to have assistance from Public Safety, the Campus Associate Dean of Student Services or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in on campus academic, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:
 - Campus Associate Dean of Student Services
 - Ammerman Campus/Sayville Center 631-451-4044
 - Michael J. Grant Campus 631-851-6521
 - Eastern Campus & Culinary Arts Center 631-548-2514

IV. Student Conduct Process

- To request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the College [Student Handbook](#) as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.
- Throughout conduct proceedings, the respondent and the reporting individual will have:
 - The same opportunity to be accompanied by an advisor of their choice. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
 - The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is "not in violation" until a finding of "in violation" is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
 - The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
 - The right to receive advance written or electronic notice of the date, time and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
 - The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
 - The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by the college).
 - The right to present evidence and testimony at a hearing, where appropriate.
 - The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.

- The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
- The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanction and the rationale for the decision and any sanctions.
- The right to written or electronic notice about the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding. For students found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
- Access to at least one level of appeal of a determination before a panel, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- The right to have access to a full and fair record of a student conduct hearing which shall be preserved and maintained for at least five years.
- For questions, and additional information contact the [Campus Associate Dean of Student Services](#):
 - Ammerman Campus/Sayville Center 631-451-4044
 - Michael J. Grant Campus 631-851-6521
 - Eastern Campus & Culinary Arts Center 631-548-2514
- The right to choose whether to disclose or discuss the outcome of a conduct hearing.
- The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.

For additional information and procedures relative to the student conduct process, please refer to the College's [Student Code of Conduct](#). The Student Code of Conduct describes the student disciplinary hearing process in greater detail, including the additional procedures that apply for allegations/violations of Title IX, including discrimination, harassment, bullying, intimate partner/relationship violence (including domestic violence and dating violence), stalking, sexual misconduct, sexual harassment and sexual violence (including sexual assault, non-consensual sexual contact, non-consensual intercourse, rape, sexual exploitation, and sexual coercion), threat to persons, threatening behaviors, threats or intimidation, and public exposure. These procedures will provide a fair, prompt and impartial process from investigation to final result:

- The investigation and any hearing will be conducted by those who receive annual training on Title IX.
- Sanctions:
 - The Student Code of Conduct outlines a range of sanctions that may be imposed where a student is found responsible for violation(s) of the Code, including a warning, restitution, community/college service requirements, behavioral requirement, probation without loss of privileges, probation with loss of privileges, educational program, college suspension, college expulsion, and other sanctions.
 - Where there is a finding of responsibility for sexual assault, SUNY policy and state law dictate that the two available sanctions are:
 - College Suspension with additional requirements: Separation from the College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. During the suspension period, the student is banned from College property, functions, events and activities without prior written approval from the Campus Associate Dean of Student Services. Additional requirements may include sanctions outlined in the Code. This sanction will be noted on the student's official academic transcript.
 - College Expulsion: Permanent separation from the College. The student is banned from College property and the student's presence at any College-sponsored activity or event is prohibited. This sanction will be noted on the student's official academic transcript.
- Notification of outcomes: The party bringing any complaint alleging sexual misconduct, other behavior falling within the coverage of Title IX, and/or a crime of violence will be notified in writing of the outcome of a hearing and any sanctions imposed, simultaneously and in writing, in accordance with the Code and as permitted by FERPA. The rationale for the outcome will also be shared with all parties to the complaint, in addition to the finding and sanction(s).
- Appeal Review Procedures: Both the complainant and the responding student may file an appeal with the Campus Executive Dean/CEO. Any such appeal must be in writing and filed with the Campus Executive Dean/CEO within five business days of the written notice of the outcome of the hearing. The Campus Associate Dean of Student Services/Deputy Title IX Coordinator will provide a copy of the written request to appeal to the non-appealing party or parties. Upon appeal, the Campus Executive Dean/CEO may consult with the Campus Associate Dean of Student Services and/or Title IX Coordinator with respect to any procedural or substantive questions that arise. The Campus Executive Dean/CEO, in consultation with the Vice President for Student Affairs, will convene a panel comprised of members of the faculty and staff to conduct this review. The findings will be communicated in accordance with the *Student Code of Conduct* appeals process. When a final determination is made, notifications will be communicated simultaneously to both parties, in writing.

Options for Confidentially Disclosing Sexual Violence Policy

The State University of New York and Suffolk County Community College want you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials or to police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

In this policy:

- Privileged and Confidential Resources
- Non-Professional Counselors and Advocates.
- Privacy versus Confidentiality
- Requesting Confidentiality: How the College/University Will Weigh the Request and Respond
- Public Awareness/Advocacy Events
- Anonymous Disclosure
- Institutional Crime Reporting

Privileged & Confidential Resources:

Individuals who are confidential resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and/or safety emergency. At Suffolk County Community College, this includes:

- Mental Health Services
- Student Health Services

Off-campus options to disclose sexual violence confidentially include (note that these outside options do not provide any information to the campus):

- Off-campus counselors and advocates. Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
 - Suffolk County Domestic Violence Task Force ([link](#))
 - Long Island Against Domestic Violence ([link](#)) (call (631) 666-8833 to speak to a crisis counselor)
 - Victims Information Bureau of Suffolk (VIBS) ([link](#)) (call the hotline at 631-360-3606; email the hotline at hotline@vibs.org)
 - Response of Suffolk County ([link](#)) (call the hotline at 631-751-7500; for services in Spanish call Conexión 631-751-7423)
 - Parents for Megan's Law Crime Victims Center ([link](#)) (24-hour rape crisis hotline 631-332-9234 in 170 different languages)
 - New York State Coalition Against Sexual Assault - NYSCASA: ([link](#)) (call the hotline at 1-800-942-6906 (English and Spanish)
 - The Suffolk County Sexual Assault Nurse Examiner (SANE) Program has centers located at [Peconic Bay Medical Center](#), [Stony Brook University Hospital](#), and [Good Samaritan Hospital](#). Within 96 hours of an assault, you can get a [Sexual Assault Forensic Examination](#) (commonly referred to as a rape kit) at a hospital. You do not have to pay for a SANE Exam. If you do not have insurance or if you are afraid to use your insurance, New York State Crime Victims Board will pay for your exam. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases; insurance may be billed for services.
- Off-campus healthcare providers
 - Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: www.ovs.ny.gov or by calling 1-800-247-8035. Options are explained on the [Office of Victim Services webpage](#).

Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

Non-Confidential/Professional Counselors and Advocates:

Non-confidential/professional counselors and advocates can also assist you without sharing information that could identify you. At Suffolk County Community College, this includes members of the Counseling and Advising staff. These individuals will report the nature, date, time, and general location of an incident to Suffolk County Community College's Title IX Coordinator, but will consult with you to ensure no personally identifying details are shared without your consent. These individuals are not considered confidential resources as discussed above.

Privacy versus Confidentiality:

Even Suffolk County Community College offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. Suffolk County Community College will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Requesting Confidentiality – How Suffolk County Community College will weigh the request and respond:

If you disclose an incident to a Suffolk County Community College employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to the institution's request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

We will assist you with academic, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures:

- **Campus Associate Dean of Student Services**
 - Ammerman Campus/Sayville Center 631-451-4044
 - Michael J. Grant Campus 631-851-6521
 - Eastern Campus & Culinary Arts Center 631-548-2514

We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless the Suffolk County Community College's failure to act does not adequately mitigate the risk of harm to you or other members of the college community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, we will notify you and take immediate action as necessary to protect and assist you.

When you disclose an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, Suffolk County Community College will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- The increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the reporting individual is a minor; and
- Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

If the College determines that it must move forward with an investigation, the reporting individual or victim/survivor will be notified and the College will take immediate action as necessary to protect and assist them.

Public Awareness/Advocacy Events:

Many campus prevention events take place throughout the year, sponsored by the Office of Campus Activities and Student Leadership Development, Student Services and academic departments and student clubs and organizations. If you disclose a situation through a public awareness event such as "Take Back the Night," candlelight vigils, protests, or other public event, the College is not obligated to begin an investigation. The College may use the information you provide to inform the need for additional education and prevention efforts.

Anonymous Disclosure:

The Silent Witness Program was developed so that members of the community could report criminal activity, suspicious activity or tips and remain anonymous. All information will be kept confidential. To report a crime, suspicious activity or to pass along any other information to the Suffolk County Community College Public Safety Department, please fill out the form on the following web page and press the submit button: Silent Witness Program.

The New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906 is for crisis intervention, resources and referrals and is not a reporting mechanism.

Institutional Crime Reporting:

Reports of certain crimes occurring in certain geographic locations will be included in the College's Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or victim/survivor:

- **Public Safety** 631-451-4242
- **Title IX Coordinator**, Office of Legal Affairs 631-451-4950
- **Deputy Title IX Coordinators/Campus Associate Dean of Student Services**
 - Ammerman Campus/Sayville Center 631-451-4044
 - Michael J. Grant Campus 631-851-6521
 - Eastern Campus & Culinary Arts Center 631-548-2514

Suffolk County Community College is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor). A reporting individual will never be identified in a timely warning.

The Family Educational Rights and Privacy Act allows institutions to share information with parents when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents' prior year federal income tax return. Generally, Suffolk County Community College will not share information about a report of sexual violence with parents without the permission of the reporting individual.

SUNY Link to State-wide resources and resources at SUNY campuses: <https://www.suny.edu/violence-response/>

College Definition of Affirmative Consent

"Affirmative consent is 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:

- Consent to any sexual act or prior consensual activity between or with any party does not necessarily constitute consent 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 initially be 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.

Policy for Alcohol and/or Drug Use Amnesty in Sexual and Interpersonal Violence Cases

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. Suffolk County Community 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 assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

Suffolk County Community College 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, stalking or sexual assault to Suffolk County Community College officials or law enforcement will not be subject to College 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.

College Disciplinary Process vs. Criminal Justice Process

New York State Education Law Article 129-B requires that college or other officials explain differences between college processes and the criminal justice process in addressing sexual and interpersonal violence. There are significant differences between the two systems because they have different, important goals. For a summary of these differences click [here](#).

Myths and Facts about Sexual Assault and Rape

- Myth:** Victims are to blame in some way for the incident.
- FACT:** The rapist is always responsible for having committed rape. Regardless of the victim's appearance, behavior, judgment, or previous actions, the victim is not responsible for being raped or sexually abused.
- Myth:** Rape is an expression of sexual desire.
- FACT:** Rape is a hostile act of aggression with sex as the vehicle. It is a violent abuse of power in which one person acts without regard for the pain and trauma inflicted on another.
- Myth:** Rape is most often committed by a stranger.
- FACT:** A friend is more likely to commit a rape, with studies indicating that nearly 90 percent of college women who are raped knew their assailants.
- Myth:** If a woman is forced to have sex with a friend, date, boyfriend, spouse, or someone she knows, it isn't really rape

- FACT:** Sexual intercourse that is forced, whether by a friend or a stranger, is rape. Often it's more traumatic because the victim's trust in others and in her own judgment may have been shattered.
- Myth:** Men can't stop themselves when sexually aroused.
- FACT:** Men are both capable of and responsible for controlling both their minds and bodies -- just as women are.
- Myth:** If the victim was drunk or drugged, he or she was asking for it.
- FACT:** Inability to give consent is not "asking for it." Forcing sexual contact on another person without consent is a crime in New York State.
- Myth:** Sexual harassment is harmless. Those who object have no sense of humor.
- FACT:** Harassment is humiliating and degrading. No one should have to endure it.
- Myth:** Only women with "bad reputations" get raped.
- FACT:** Any woman, regardless of age, appearance, or social status, can be raped.
- Myth:** Most rapes occur in deserted areas or dark alleys.
- FACT:** Nationally, about half of all rapes take place in the victim's home.
- Myth:** Men can't be raped.
- FACT:** Any person can be the victim of rape.
- Myth:** Only homosexual men sexually assault other men.
- FACT:** The overwhelming majority of men who sexually assault other men are heterosexual. Sexual assault is not an erotic act and is unrelated to a person's sexual orientation.
- Myth:** The best way to cope with rape is to forget about it
- FACT:** A healthy recovery happens best when a victim uses the resources in the community. Talking about the incident and exploring feelings about the actual rape/sexual assault and the resulting consequences are important.

REGISTERED SEX OFFENDER REGISTRY

Federal law requires that the College advise the campus community where information concerning registered sex offenders can be obtained. Information for registered sex offenders can be found on the New York State Division of Criminal Justice Services [website](#).

AVOIDING SEXUAL CRIMES

Introduction

Sexual assault is one of the most frequently committed violent crimes in the United States - and the most unreported. Acquaintance rape, sexual assault that occurs between people who know each other, is far more common on college campuses than stranger rape. Acquaintance rape is just as serious as any other form of sexual abuse.

Sex Offenses

No one wants to think about sex offenses. It can make you feel angry, sad, frightened, embarrassed or uncomfortable; but you cannot ignore the subject. You cannot assume with certainty that sexual assaults, rape or harassment will not take place, even on a college campus. At Suffolk County Community College, we believe that everyone needs to know what constitutes a sex offense, what precautions should be taken, and what victims should do.

What is a Sex Offense?

Rape

If a person engages in nonconsensual sexual intercourse due to physical force, coercion or threat -- actual or implied -- the act is considered rape in New York State. Sexual intercourse is defined as any penetration. A person who is mentally incapacitated, a minor, asleep, impaired due to drug or alcohol consumption or unconscious is considered unable to consent. If sexual intercourse takes place without consent for any reason, it is considered rape, which is a felony in New York State. If convicted of rape in the first degree in the State of New York, the legal penalty ranges from six to 25 years.

Sexual Abuse

If a man or woman is forced to engage in any form of sexual contact other than vaginal intercourse, under the circumstances mentioned above, it is considered sexual abuse. If convicted of sexual abuse in the first degree in New York State, the legal penalty ranges up to seven years. If penetration is involved (other than vaginal), it is considered sodomy, also a felony in New York State. If someone is found guilty of sodomy in the first degree in the State of New York, the legal penalty ranges from six to 25 years.

DATE/ACQUAINTANCE RAPE

Acquaintance rape is forced, manipulated, or coerced sexual intercourse by a friend or an acquaintance. It is an act of violence, aggression, and power. A victim is forced to have sex through verbal coercion, threats, physical restraint and/or physical violence. His/her protests are ignored physically helpless or by the offender.

Acquaintance rape can happen anywhere, at any time, to anyone. Studies show that acquaintance rape occurs more frequently among college students, particularly freshmen, than in any other age group. One survey found that one in four college men admitted to having used sexual aggression with women. Because acquaintance rape is often not reported, the true scope of the problem is difficult to determine.

Do not let your guard down because a date happens to be an old acquaintance, classmate, teammate, or even a “friend.” Sometimes the offender may misread or imagine a desired “silent message” or attitude is being communicated by the victim. In over 50% of all sexual assaults, the offender is an acquaintance or relative of the victim.

There are still some individuals who believe old and false opinions:

- Even though a woman says “no,” she really means “yes.”
- If she teases, she should expect to “go all the way.” A tease deserves all she gets.
- When a woman is expensively dined or entertained, she’s obligated.
- Men simply can’t control themselves past a certain point.

Preventing Date or Acquaintance Rape

- You have the right to set sexual limits and to communicate them. Convey strongly that you expect your rights to be respected. If someone starts to offend you, be direct. Passivity may be interpreted as permission. Say no when you mean no. If your date doesn’t listen to you, leave.
- Meet new acquaintances in public places. Always arrange to have your own transportation or travel with good friends. Keep money in your pocket or purse to pay for a phone call or for transportation if you must leave a situation abruptly.
- Avoid excessive alcohol and drugs. Alcohol and drugs interfere with clear thinking and effective communication.
- If you feel that you are being pressured into unwanted sex, say something as soon as you can, before it goes any further. Sex is not a payback for a date. Forced intercourse is rape.
- Trust yourself. When you get a bad feeling about a person or a situation, stay away.
- Embarrassment should not keep you from doing what is right for you. Do not hesitate to raise your voice, stand up abruptly, or scream if the situation warrants it.
- Do not assume other people will protect you. Be responsible for your own safety.
- Be aware that your physical appearance and nonverbal actions send a message. This does not make your dress or behavior wrong, but it is important to be aware of misunderstanding.
- Pay attention to what is happening around you. Watch the nonverbal clues. Do not put yourself in vulnerable situations.
- Know your sexual desires and limits. Communicate them clearly. Be aware of social pressures.
- Being turned down when you ask for sex is not a rejection of you personally.
- Accept the other person’s decision. “No” means “no.” Do not read other meanings into the answer. Do not continue after “no.”
- Do not assume that previous permission for sexual contact applies to the current situation.

Preventing Group Rape

Sometimes people’s behavior becomes swayed by group opinion. Under these circumstances, people commit acts that they would not normally commit as an individual. This is sometimes known as “mob rule.” It happens because our behavior sometimes is affected by both internal and external stimulation, and the positive or negative behavior of a group can provide that external stimulation. Peer pressure is only part of the explanation for this social response. Another part is that sometimes the individual becomes anonymous in a crowd and his/her behavior begins to respond to the external influences of the group.

This social phenomenon is the basis of many destructive actions by groups. Group rape may be caused by this dependence on external stimulation and feeling of individual anonymity. Although there may be an explanation, there is never a justification or excuse. Even when acting as part of a group, an individual is responsible for his/her behavior.

- Be aware that almost all cases of group rape occur along with liberal use of alcohol and/or drugs.
- Do not be influenced by peer pressure or intoxicants.
- Take responsibility for your actions and do not let anyone or anything sway you. You know that alcohol and drugs cloud your thinking. Know your limit and realize you are in dangerous territory when you go beyond that limit.
- Trust your instincts about possibly dangerous situations and do not be pushed into one.
- Many victims of group rape are passive during the assault because of alcohol impairment or fear of causing a scene. Object in a loud tone of voice. Scream, kick at and push away your attackers. Run out of the room, if you can, even if partially clad.
- If you go to a party with a group of friends, leave with them. Do not leave a friend at a party unless you are sure it is safe and transportation is available.

- If you are involved in a situation which you feel has the potential of turning violent, refer to the individual members of any group by given names, not by their group or organizational titles or affiliation. Refer to personal and individual knowledge of specific members of the group.
- Be the one to exhibit true courage by speaking up and attempting to stop the group attack.
- Remember that you're risking your entire future by participating, facilitating or even encouraging group rape. Sexual assault is a crime!

Statement of Victim's Rights

Victims of Campus Sexual Assault: Statement of Principles and Rights

SCCC is committed to providing a safe and secure environment in which all members are treated with dignity and respect, and a campus free from all discrimination on the basis of sex. To that end, the College takes the strongest possible stance against sexual misconduct in all its forms, including sexual harassment, sexual assault, sexual violence or the use of coercion, intimidation or exploitation of others for sexual purposes. The College is actively engaged in educating its members about these vital issues and in providing timely support and assistance to victims of sexual assault.

Should a sexual assault be reported, the College will investigate allegations and take appropriate actions, to the fullest possible extent. The College supports the victim's right to privacy. In the event that a victim wishes to remain anonymous, the College will respect that request while evaluating the obligation to protect the safety and well-being of the broader community. For example, in the event that the assault/crime must be reported, the request for anonymity would be weighed against other factors, such as whether the accused individual is the subject of other complaints. In such instances, every safeguard will be taken in order to ensure the victims' anonymity. It is imperative that victims be fully supported in their efforts to heal and respond as they determine is in their own best interests. To this end the College will provide information about campus and community medical and counseling resources and support the victim's right to make choices about these resources and options.

All members and representatives of the College community, including campus officers, administrators, faculty, professional staff, employees, and students are expected to recognize and abide by the following principles regarding victims of campus-related sexual assaults:

1) THE RIGHT TO HUMAN DIGNITY

Victims shall:

- Be treated with fairness and respect for their dignity;
- Have their privacy honored;
- Be free from any suggestions that they must report sexual assaults to be assured; recognition of any other identified principles or rights;
- Have their allegations of sexual assault treated seriously;
- Be free from any suggestion that they are responsible for the sexual assaults committed against them;
- Be free from any threat of retaliation or other attempt to prevent the reporting of sexual misconduct;
- Be free from unwanted pressure from campus personnel to:
 - Report sexual assaults if they do not wish to do so,
 - Report sexual assaults as less serious offenses,
 - Refrain from reporting sexual assaults for any reason, including the fear of unwanted personal publicity.

2) THE RIGHT TO RESOURCES ON AND OFF CAMPUS

Victims shall:

- Receive notice describing options to pursue a criminal complaint with the appropriate law enforcement agency, to pursue the College's disciplinary process, or to pursue both processes simultaneously;
- Be notified of existing campus and community-based medical, counseling, mental health and student services for victims of sexual assault whether or not the assault is formally reported to campus or civil authorities;
- Have access to campus counseling;
- Be informed of and assisted in exercising:
 - Any rights to confidential or anonymous testing for sexually transmitted infections, HIV, and pregnancy,
 - Any rights to preventive measures such as emergency contraception or HIV prophylaxis,
 - Any rights that may be provided by law to obtain the communicable diseases test results of sexual assault suspects;
- Be informed of the possible availability of crime victim assistance compensation through the New York State Crime Victims Board;
- Additional information about resources and options to aid in recovery are available at the end of Appendix X and on page 12.

3) THE RIGHT TO CAMPUS JUDICIAL PROCEEDINGS

Victims have the right to:

- Written and advance notice about a disciplinary hearing involving the person or persons accused of sexually assaulting them;
- Have the opportunity to present witnesses and other evidence, and to receive notice of the process, information about procedures, and written notice of the outcome in a manner that is equivalent to the process of the accused;
- Have a person of their choice accompany them throughout the disciplinary hearing;
- Remain present during the entire proceeding, whenever possible; alternative arrangements may be made for those who do not want to be present in the same room as the accused during the disciplinary hearing;
- Be heard at the proceeding;
- Be assured that their irrelevant past sexual history will not be discussed during the hearing;
- Make a “victim impact statement” if the accused is found in violation of the code;
- Be informed in a timely fashion (60 days) of the outcome of the hearing;
- Have the right to appeal the outcome of the hearing.

4) THE RIGHT TO LAW ENFORCEMENT AND CAMPUS INTERVENTION

- Reports of sexual assault will be investigated and evaluated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported;
- Victims shall receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities;
- Victims shall receive full, prompt, and victim-sensitive cooperation of campus personnel with regard to obtaining, securing and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault; “No contact” orders (e.g., Cease and Desist orders) shall be issued promptly and in writing to all parties to a reported sexual assault after the College receives notice of a complaint;
- Campus personnel shall take reasonable and necessary actions to prevent further unwanted contact by victims’ alleged assailants;
- Victims shall be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonably available.

5) NOTE: STATUTORY MANDATES

- Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict the College from carrying out its duties under law to report suspected offenses to the appropriate law enforcement authorities. Except as required by law, the College will take care not to identify the victim.
- Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict the College from issuing a Timely Warning when the College is aware of a reported sexual assault incident that potentially puts the campus community at risk. The College will take care not to identify the victim in such notices but may, in certain cases of continuing danger, identify the suspect, assailant or the address where the crime occurred.

THE STUDENT’S BILL OF RIGHTS is posted on the student portal and is also available on the College’s Title IX webpage.

DEFINITION OF AFFIRMATIVE CONSENT is available on the College’s Title IX webpage.

POLICY FOR ALCOHOL AND/OR DRUG USE AMNESTY IN SEXUAL AND INTERPERSONAL VIOLENCE CASES is available on the College’s Title IX webpage.

College Resources

The College will not tolerate sex discrimination, including sexual harassment and sexual violence. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature, or conduct directed at a person because of his or her sex. Listed below are offices on each of the campuses and community resources which provide information and support to victims of sexual violence, rape, sexual assault, and sexual harassment. For additional information see the College’s Title IX Brochure, which is on the College’s [Title IX webpage](#).

Ammerman Campus/Sayville Center

Counseling Center – Ammerman Building, Room 209M – (631) 451-4053

Associate Dean of Student Services/Deputy Title IX Coordinator – Ammerman Building, Room 200 – (631) 451-4043

Confidential resources – these privileged and confidential resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances such as a health and/or safety emergency:

Health Services – portable building in front of Kreiling Hall, (631) 451-4047, healthserv-ammr@sunysuffolk.edu

Mental Health Services – (631) 451-4053 or (631) 451-4530

Eastern Campus

Counseling Center – Peconic Building, Room 122 – (631) 548-2524/2527

Associate Dean of Student Services/Deputy Title IX Coordinator – Peconic Building, Room 224 – (631) 548-2514

Confidential resources – these privileged and confidential resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances such as a health and/or safety emergency:

Health Services – Peconic Building, Room 115 – (631) 548-2510 healthserv-east@sunysuffolk.edu

Mental Health Services – (631) 548-2650

Michael J. Grant Campus

Counseling Center – Caumsett Hall, Room H20 – (631) 851-6250

Associate Dean of Student Services/Deputy Title IX Coordinator– Caumsett Hall, Room 106A – (631) 851-6521

Confidential resources – these privileged and confidential resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances such as a health and/or safety emergency:

Health Services – Captree Commons, Room 105 – (631) 851-6709, healthserv-west@sunysuffolk.edu

Mental Health Services – (631) 851-6351 or (631) 851-6872

Whenever an alleged violation of these policies is brought to the attention of the College, an investigation will be undertaken, and, if a violation is found, corrective action will be taken. All members of the college community should contact the appropriate College office, as indicated below, if they believe a violation of this policy has occurred.

Efforts to seek such help will not jeopardize any employee's position with the College and will not be noted in any personnel record. Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner is strictly prohibited. Complaints and investigations will be kept confidential to the extent possible. Employees may contact the College's Title IX Coordinator at (631) 451-4950 to report an incident or receive assistance.

COMMUNITY RESOURCES

External resources for assistance and counseling are available. (The College lists the following agencies, but makes no recommendation concerning them.)

Response of Suffolk County Hotline provides 24-hour crisis information services: (631) 751-7500

English: www.responsehotline.org

Spanish: www.responsehotline.org/rjb/conexion

- Provides 24-hour crisis information services, open every day of the year, day and night, including holidays. Crisis counselors provide referrals for support groups, clinicians, mental health clinics, other hotlines and a host of other community programs and services. Website also has an online chat option. For bilingual services, call Conexión at: (631) 751-7423 Monday - Friday from 5 p.m.-10 p.m.

Long Island Crisis Center Hotline (516) 679-1111

www.longislandcrisiscenter.org/get-help-now

- A service of the Long Island Crisis Center, this service is free, anonymous, confidential and open 24 hours a day, seven days a week. Crisis intervention and suicide prevention counseling are available; counselors also provide information and referrals. Online chat and text counseling available.

Victims Information Bureau of Suffolk (VIBS) provides counseling, advocacy, and referral services ([link](#))

24 hour Rape and Domestic Violence Hotline (631) 360-3606 **For Appointment** (631) 360-3730

515 Route 111, Hauppauge, New York 11788

- **Counseling:** VIBS professional staff has experience and specific training in family violence, incest, and sexual assault. Short-term individual and group counseling is available for victims of family violence, for adult and adolescent male and female incest survivors and parents of incest survivors, for male and female rape and sexual assault victims, for children who witness domestic violence and children who are victims of incest and sexual assault, and persons over 60 who are victims of elder abuse.
- **Client Advocacy:** VIBS advocates assist victims directly with police, probation, family and criminal court, and the District Attorney's office.
- **Men's Program:** Participants attend sessions of highly structured, intense group process which focus on the elimination of abusive behavior.
- **Emergency Room Companion Program:** Emergency Room Companions (ERC) assist victims of rape, sexual assault, and domestic violence at a hospital emergency room. This service is available 24 hours a day, seven days a week. ERC volunteers offer emotional support and referrals, and can clarify medical and legal procedures which pertain to the crime.
- **The Sexual Assault Nurse Examiner Program (SANE)** provides medical, legal and emotional support to assist sexual assault survivors. Its approach honors victims' rights to make choices about medical and emotional care and legal prosecution. There are SANE Centers at Peconic Bay Medical Center, Stony Brook University Hospital, and Good Samaritan Hospital Medical Center. ([VIBS Emergency Care webpage](#))

Crime Victims Center (Parents for Megan's Law) (631) 689-2672 ([CVC webpage](#))

24-hour Rape Crisis Hotline (631) 332-9234 (170 different languages)

24-hour Violent Crime and Hate Crime Hotline (631) 626-3156 (170 different languages)

- Provides trauma-informed support services, information, and multi-agency service referrals for assistance to all victims of violent crime, all victims of hate crime, and elderly, minor and disabled victims of property crime.
- Support services are provided to survivors of homicide victims and adult and child victims of assault, sexual assault, child physical and sexual abuse, domestic violence, hate crime, motor vehicle (DWI), motor vehicle (non DWI), stalking, kidnapping, human trafficking, terrorism, arson, robbery, and confrontational burglary. Counseling for child and adult victims of violent crime—short and long term and no cost.
- Criminal justice and family court advocacy includes but is not limited to SAFE and medical appointment accompaniment, courtroom accompaniment, coordinating with local, state or federal law enforcement, the District Attorney's or US Attorney's Office, assistance with filing for Orders of Protection, information and referrals regarding rights and options as a crime victim, medical and legal referrals, UVISA assistance, information and referrals for concrete services, and other community based and government resources.

Long Island Against Domestic Violence (631) 666-8833 ([link](#))

- Provides a range of services including crisis hotlines; counseling; vocational training; emergency shelter; prevention and education resources; and legal advocacy.

The Retreat Domestic Violence Services (631) 329-2200 ([The Retreat webpage](#))

Main Office: 13 Goodfriend Drive • East Hampton, NY 11937 | Hauppauge Office: 490 Wheeler Road, Hauppauge, NY 11788

- Telephone crisis intervention is available 24 hours per day. Staff and trained volunteers link callers to the shelter, police, and emergency health services, while providing supportive listening, basic information, and referrals.

SEXUAL HARASSMENT

As an institution of higher learning, Suffolk County Community College is dedicated to providing an environment conducive to intellectual and personal growth. Members of the college community are encouraged to participate in all aspects of academic life. For the college, this means a firm institutional commitment to academic freedom as well as a commitment to the highest standards of professional and interpersonal behavior and respect among members of the community. Thus, there is zero tolerance for any form of sexual harassment.

State University of New York (SUNY) Sexual Harassment Response and Prevention Policy Statement

Sexual harassment is a form of sex discrimination which is unlawful in the workplace under Title VII of the Civil Rights Act of 1964, as amended, and the New York State Human Rights Law. Under Title IX of the Educational Amendments of 1972, sexual harassment also is prohibited in the provision of educational services and protects students and employees from sexual harassment.

Sexual harassment is prohibited and will not be tolerated at SUNY. The University has implemented measures to address and prevent sexual harassment and is taking additional affirmative steps to increase awareness of, and sensitivity to, all forms of sexual harassment in order to maintain a workplace and learning environment free of its harmful effects.

Sexual harassment is a form of workplace discrimination and employee misconduct, as well as a form of discrimination in the academic setting, and all employees and students are entitled to work and learn in a campus environment that prevents sexual harassment. All employees and students have a legal right to a workplace and a campus free from sexual harassment, and employees and students can enforce this right by filing a complaint internally with the University, or with a government agency, or in court under federal or state anti-discrimination laws, as detailed in the University's Discrimination and Sexual Harassment Complaint Procedure.

In accordance with applicable law, sexual harassment is generally described as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic benefit; or
- Submission to or rejection of the conduct is used as the basis for an employment or academic decision affecting the person rejecting or submitting to the conduct; or
- The conduct has the purpose or effect of unreasonably interfering with an affected person's work or academic performance, or creating an intimidating, hostile or offensive work or learning environment.

Sexual harassment can include physical touching, verbal comments, non-verbal conduct such as leering or inappropriate written or electronic communications, or a combination of these things. Examples of sexual harassment may include, but are not limited to:

- Seeking sexual favors or a sexual relationship in return for the promise of a favorable grade or academic opportunity;
- Conditioning an employment-related action (such as hiring, promotion, salary increase, or performance appraisal) on a sexual favor or relationship; or
- Intentional and undesired physical contact, sexually explicit language or writing, lewd pictures or notes, and other forms of sexually offensive conduct by individuals in positions of authority, co-workers or student peers, that unreasonably interferes with the ability of a person to perform their employment or academic responsibilities.
- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against, or poking another person's body.
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning a target's job performance evaluation, a promotion or other job benefits or detriments, or an educational benefit or detriment;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

- Sexual or discriminatory displays or publications, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on computers or cell phones and sharing such displays while in the workplace or classroom.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform his or her employment or academic duties;
 - Sabotaging an individual’s work;
 - Bullying, yelling, name-calling.

Such behavior can constitute sexual harassment regardless of the sex, gender, sexual orientation, self-identified or perceived sex, gender expression, status of being transgender, or gender identity of any of the persons involved. Sexual harassment is considered a form of employee and student misconduct which may lead to disciplinary action. Further, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Employees and students who believe they have been subjected to sexual harassment may use the University’s Discrimination and Sexual Harassment Complaint Procedure for more details on how to have their allegations reviewed, including a link to a complaint form.

Retaliation against a person who files a complaint, serves as a witness, or assists or participates in any manner in this procedure, is unlawful, is strictly prohibited and may result in disciplinary action. Retaliation is an adverse action taken against an individual as a result of complaining about or provides information regarding unlawful discrimination or harassment, exercising a legal right, and/or participating in a complaint investigation as a third-party witness. Adverse action includes being discharged, disciplined, discriminated against, or otherwise subject to adverse action because the individual reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Participants who experience retaliation should contact the campus AAO, and may file a complaint pursuant to these procedures.

SUNY campuses and System Administration shall take the necessary steps to ensure that this Sexual Harassment Response and Prevention Policy Statement is distributed, implemented, and enforced in accordance with their respective policies.

Sexual Harassment Prohibited

Sexual harassment is a form of discrimination prohibited by both state and federal law. The College will not tolerate sex discrimination, including sexual harassment and sexual violence under any circumstances. Whenever an alleged violation of this policy is brought to the College’s attention, an investigation will be undertaken and, if a violation is found, prompt corrective action will be taken. All members of the College community should contact the appropriate college office, as set forth below, if they believe a violation of this policy has occurred:

If you are a:	...and the person committing the incident is a:	...then report your incident to the:	
Student Faculty Employee Administrator Trustee Visitor Guest	Student	Office of the Associate Dean of Student Services/Deputy Title IX Coordinators on the campus where the alleged harassment or discrimination occurred	
		Ammerman Campus or Sayville Center Charles S. Bartolotta bartolc@sunysuffolk.edu (631) 451-4790	Eastern Campus and Culinary Arts & Hospitality Center Mary Reese reesem@sunysuffolk.edu (631) 548-2515
		Michael J. Grant Campus Dr. Meryl S. Rogers rogersm@sunysuffolk.edu (631) 851-6521	
Faculty, Employee, Administrator, Trustee Visitor or Guest	Civil Rights Compliance Officers		
	Christina Vargas Chief Diversity Officer/Title IX Coordinator vargasc@sunysuffolk.edu (631) 451-4950	Dr. Dionne Walker-Belgrave Affirmative Action Officer/Deputy Title IX Coordinator walkerd@sunysuffolk.edu (631) 451-4051	

Student complaints against other students are governed by the Student Conduct Process, which is set forth in the Student Code of Conduct.

Employee or student claims of sexual harassment by a faculty member, administrator, employee, guest, or contractor are governed by the applicable Sexual Harassment Policy and Grievance Procedure. Please refer to the following:

- [Equal Opportunity and Anti-Discrimination Policy](#)
- [Sexual Harassment Policy and Grievance Procedure for Student Claims of Harassment by a Faculty Member, Administrator, Employee, Guest or Contractor](#)
- [Sexual Harassment Policy and Grievance Procedure for Employee Claims of Harassment by another employee, Guest or Contractor](#)

The College’s [Discrimination/Harassment/Retaliation Complaint Form](#) allows any individual to file a complaint and provides important information relative to sexual harassment and how reports of sexual harassment are investigated, addressed, and resolved. The complaint form also provides

information on external reporting options.

BIAS CRIMES/HATE CRIMES

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

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 College disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, Suffolk County Community College's Office of Public and Fire Safety also assists in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents, are defined as acts of bigotry, harassment, or intimidation directed at a member or a group within the College community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status and could be addressed through the College Student Code of Conduct. Bias incidents should be reported to the Office of Public and Fire Safety, to the Campus Associate Deans of Student Services at each campus or to the College's Affirmative Action Officer/Title IX Coordinator at (631) 451-4950.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to the Suffolk County Police by calling 911 in an emergency, using a Blue Light phone or calling the Campus Public Safety telephone numbers as is listed on page 4.

Victims of bias crime or bias incidents can avail themselves of counseling and support services from the College Resources listed on pages 25–26.

More information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from the Office of Public and Fire Safety (631-451-4212).

Suffolk County Community College is an equal-opportunity employer and educational institution dedicated to fostering and maintaining a safe, accessible, diverse and inclusive environment that is free of all forms of discrimination and harassment. The College is committed to increasing the availability of opportunities and access for students, staff, and faculty.

Suffolk County Community College does not discriminate on the basis of race, color, religion, creed, sex, age, marital status, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, equal pay compensation-sex, national origin, military or veteran status, domestic violence victim status, criminal conviction, disability or any other legally prohibited basis upon which discrimination is unlawful in its admissions, programs and activities, or employment. This applies to all employees, students, applicants or other members of the College community (including, but not limited to, trustees, vendors, visitors, and contractors). No person, on the basis of protected status, shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination or harassment under the College's admissions, programs, and activities, and employment. The College will take steps to prevent and remedy discrimination and harassment, and to prevent the recurrence of discrimination and harassment.

The following persons have been designated to handle inquiries regarding the College's non-discrimination policies:

Civil Rights Compliance Officers	
Christina Vargas Chief Diversity Officer/Title IX Coordinator Ammerman Campus, NFL Bldg., Ste. 230 533 College Road, Selden, New York 11784 vargasc@sunysuffolk.edu (631) 451-4950	Dionne Walker-Belgrave Affirmative Action Officer/Deputy Title IX Coordinator Ammerman Campus, NFL Bldg., Suite 230 533 College Road Selden, New York 11784 walkerd@sunysuffolk.edu (631) 451-4051

The College has zero tolerance for behavior that introduces discrimination or harassment into the teaching, learning or working environment; or any other relationship arising from College activities or programs. Please refer to the College's [Equal Opportunity and Anti-Discrimination Policy](#) for important information on the College's policy of non-discrimination and procedures used to enforce the same.

ALCOHOL AND DRUG EDUCATION

DRUG-FREE WORKPLACE ACT

The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 require Suffolk County Community College, as an institution of higher education receiving federal funds, to certify that it has adopted and implemented an anti-drug and alcohol abuse program for its students and employees. Accordingly, the College adopts the following policy:

Suffolk County Community College prohibits the manufacture, consumption, possession, use, or distribution of illegal drugs and/or alcoholic beverages on College premises or at College-sponsored activities. If consumption of alcoholic beverages is approved by the College Board of Trustees, any excessive use of such beverages resulting in disruptive behavior is prohibited. This policy applies to all full-time and part-time students, and all full-time and part-time permanent and temporary employees, including faculty, administration, staff, and student employees and interns.

Students who violate this policy may be subject to appropriate disciplinary action, consistent with local, state, and federal law, which may include counseling, a reprimand and warning, disciplinary probation, suspension, expulsion, and referral to the proper law enforcement authorities for prosecution.

Employees who violate this policy may be subject to appropriate disciplinary action, consistent with local, state, and federal law and appropriate collective bargaining agreements, which may include counseling, participation in an appropriate rehabilitation program, a warning, probation, unpaid suspension from employment, termination of employment, and/or referral to the proper law enforcement authorities for prosecution.

All disciplinary procedures and appeals presently applicable to students and employees will continue to be available for violations of this policy.

It is the intent of the College to provide a workplace and campus environment that discourages the unauthorized or illegal use of drugs and alcohol by students and employees. The following information is important for each student and employee to read and understand regarding the legal penalties and the health risks that are associated with the use of alcohol and drugs.

SUBSTANCES / DRUGS

A Substance is a particular kind of matter with uniform properties, it can be a medicine or other substance which has a physiological effect when ingested or otherwise introduced into the body. Substance Use is choosing to use a substance in a responsible and legal manner that does not put your own or another person's health, safety or well-being at risk. Substance Misuse is any use that is harmful, or potentially harmful to yourself or others. Substance Abuse is a pattern of planned, systematic misuse of a substance. Substance Use Disorder is a dependence on a substance, use of the substance is need to feel "normal".

A Drug is a nonfood chemical that alters the way a person thinks, feels, functions, or behaves. Drugs come in various forms, can be taken numerous ways, some are legal & others are not. Drug abuse & misuse can cause numerous health problems, & in serious cases death can occur.

Health Risks of Alcohol, Tobacco, and Other Drugs

Misusing alcohol, tobacco, and other drugs can have both immediate and long-term health effects. The misuse and abuse of alcohol, tobacco, illicit drugs, and prescription medications affect the health and well-being of millions of Americans.

- Excessive alcohol use can increase a person's risk of developing serious health problems in addition to those issues associated with intoxication behaviors and alcohol withdrawal symptoms.
- Tobacco use and smoking do damage to nearly every organ in the human body, often leading to lung cancer, respiratory disorders, heart disease, stroke, and other illnesses.
- Marijuana has not only immediate effects like distorted perception, difficulty problem solving, and loss of motor coordination, but also effects with long-term use such as respiratory infection, impaired memory, and exposure to cancer-causing compounds.
- Opioids reduce the perception of pain but can also produce drowsiness, mental confusion, euphoria, nausea, constipation, and—depending upon the amount of drug taken—can depress respiration.

Overdose can manifest in a variety of ways depending on the type of drug used:

- Stimulants (such as cocaine, methamphetamine, ecstasy, or bath salts) can overexcite the brain, causing seizures, or the cardiovascular system, causing heart attack or stroke.
- Depressants (such as alcohol, opiates, or benzodiazepines) can lower the body's breathing levels to the point where breathing stops, or slow the heart until it stops. They can also directly cause unconsciousness, coma, and death.
- Some drugs (such as alcohol and opiates) can cause both vomiting and unconsciousness, which can be a lethal combination

[Substance Abuse and Mental Health Services webpage](#)

[National Institute on Drug Abuse Commonly Abused Drugs](#)

APPLICABLE LAWS

The following is a brief overview of local, state, and federal laws governing the possession, use, and distribution of illicit drugs and alcohol. It is not intended to be an exhaustive or definitive statement of various laws, but rather is designed to indicate the types of conduct that are illegal and the range of legal sanctions that can be imposed for such conduct.

New York State Laws

New York Alcoholic Beverage Control Law prohibits persons from selling or giving any alcoholic beverage to a minor (under age 21) or to a person who is already intoxicated. It is also an offense punishable by a fine of up to \$200 and/or imprisonment for up to five days to misrepresent the

age of a minor for the purpose of inducing the sale of an alcoholic beverage. Any minor who uses false identification or the identification of another person to purchase an alcoholic beverage can be convicted and fined up to \$100 and/or sentenced to probation for up to one year. In addition, a minor can be arrested and fined up to \$50 for possessing an alcoholic beverage with the intent to consume it.

New York Vehicle and Traffic Law provides that it is a misdemeanor punishable by a fine of at least \$350 and/or imprisonment for up to one year (as well as suspension and/or revocation of your driver's license) to operate a motor vehicle with a blood alcohol content of one-eighth of one percent or higher. Multiple convictions can result in more serious penalties. For example, a second DWI conviction in 10 years is a felony punishable by up to four years in a state penitentiary. Such penalties also apply to driving a motor vehicle while a person's ability is impaired by the use of a drug.

New York Public Health Law states that it is a violation of the Public Health Law in New York for a person to sell or possess a hypodermic needle without a doctor's written prescription, to grow marijuana or knowingly allow it to be grown without destroying it (misdemeanor punishable by up to one year in a local penitentiary), and to manufacture, sell, or possess with intent to sell, an imitation controlled substance (misdemeanor; second offense in five years is a felony punishable by a minimum of one year and a maximum of four years in state prison). Any private vehicle, boat, or plane that has been or is being used to transport a controlled substance can be seized by the police and forfeited under the law.

New York Penal Law states that it is a crime to loiter with the intent to use drugs, appear in public under the influence of drugs, use or possess drug paraphernalia, and sell or possess actual controlled substances. Persons convicted of a drug offense may be sentenced to any one of the following: community service, probation, shock probation which is a combination of imprisonment time and probation, intermittent imprisonment which may include weekends and/or Saturdays, or imprisonment for life.

Suffolk County Local Law, Section 242.5, prohibits the distribution, display, or posting of any sign, banner, poster, or advertisement of a commercial nature (e.g., bar ads) without the authorization and approval of the College Board of Trustees. Section 3 provides for penalties of \$1,000 and/or up to one year imprisonment for each violation of this law.

Federal Laws

Federal law provides that a drug offense committed within 1,000 feet of school property, including colleges, is punishable by a term of imprisonment and a fine of up to twice the amount authorized for the same offense committed away from school property. It also provides that a person age 18 or older who distributes a controlled substance to a person under 21 years of age may be sentenced to a term of imprisonment and/or a fine of up to twice the amount authorized for distribution to a person over the age of 21.

Students convicted of any drug related activities while enrolled at the College, could forfeit their eligibility for Federal aid to include grants and student loans for a period of one year. Students convicted of the distribution of a controlled substance while enrolled at the College, could forfeit their eligibility for Federal aid for up to five years.

COMMON DRUGS: SYMPTOMS OF ABUSE

Type of Drug	Drug Name	Street Names	Methods of Use	Symptoms of Use	Hazards of Use
Marijuana Hashish		Pot, Grass, Reefer, Weed, Columbian, Hash, Hash Oil, Sinsemilla, Joint, Chiba, Herb, Spliff	Most often smoked, can also be swallowed in solid form	Sweet, burnt odor; neglect of appearance, loss of interest, motivation, possible weight change	Impaired memory perception, interference with psychological maturation; possible damage to lungs, heart, and reproduction and immune systems; psychological dependence
Cocaine		Coke, Snow, Toot, White Lady, Blow, Rock, CRACK	Most often smoked or inhaled; also injected or swallowed in powder; pill or rock form	Restlessness, anxiety, intense, short-term high followed by depression	Intense psychological dependence, sleeplessness, anxiety, nasal passage damage, lung damage, death from overdose
Stimulants Drugs that stimulate the central nervous system	Amphetamines* Dextroamphetamine Methamphetamine	Speed, Uppers, Pep Pills, Bennies, Dexies, Moth, Crystal, Black Beauties	Swallowed in pill or capsule form or injected into veins	Excess activity, irritability, nervousness, mood swings, needle marks	Loss of appetite, hallucinations, paranoia, convulsions, coma, brain damage, death from overdose
	Nicotine	Coffin Nail, Butt, Smoke	Found in cigarettes, cigars, pipe and chewing tobacco	Smell of tobacco, high carbon monoxide levels, stained teeth, yellow fingers	Cancers of the lung, throat, mouth, esophagus, heart disease, emphysema
Depressants Drugs that slow down the central nervous system	Barbiturates: Pentobarbital Secobarbital Amobarbital	Barbs, Downers: Yellow Jackets Red Devils Blue Devils	Swallowed in pill form or injected into veins	Drowsiness, confusion, impaired judgment, slurred speech, needle marks, constricted pupils	Infection, addiction with severe withdrawal symptoms, loss of appetite, death from overdose, nausea
	Quaalude, Sopor	Ludes, Soapers	Swallowed in pill form	Impaired judgment and performance, drowsiness, slurred speech	Death from overdose, injury or death from car accident, severe interaction with alcohol
Narcotics Natural or synthetic drugs that contain or resemble opium	Dilaudid, Percodan, Demerol, Methadone	School Boy	Swallowed in pill or liquid form, injected	Drowsiness, lethargy	Addiction with severe withdrawal symptoms, loss of appetite, death from overdose
	Codeine		Swallowed in pill or liquid form		
	Morphine, Heroin		Injected into veins, smoked	Needle marks	
Hallucinogens Drugs that alter perceptions of reality	PCP (Phencyclidine)	Angel Dust, Killer Hog, Weed, Supergrass, PeaCee Pill	Most often smoked, can also be inhaled, (snorted), injected or swallowed in tablets	Slurred speech, blurred vision, incoordination, confusion, agitation, aggression	Anxiety, depression, impaired memory, perception, death from accidents, death from overdose
	LSD	Acid, Cubes, Purple Haze	Usually swallowed	Dilated pupils, illusions, hallucinations, mood swings	Breaks from reality, emotional breakdown, flashback
	Mescaline Psilocybin	Mesc. Cactus, Magic Mushrooms	Usually swallowed in their natural form		
Alcohol		Booze, Hooch, Juice, Brew	Swallowed in liquid form	Impaired muscle coordination, judgment	Heart and liver damage, death from overdose and accidents, addiction
Inhalants Substances abused by sniffing	Gasoline, Airplane Glue, Paint Thinner, Dry Cleaner Fluid		Inhaled or sniffed, often with use of paper or plastic bag or rag	Poor motor coordination, impaired vision, memory and thought	High risk of sudden death, drastic weight loss, brain, liver, and bone marrow damage
	Nitrous Oxide	Laughing Gas, Whippets	Inhaled or sniffed by mask or balloons	Abusive, violent behavior; lightheadedness	Death by anoxia, neuropathy, muscle weakness
	Amyl Nitrite Butyl Nitrite	Poppers, Snappers; Rush, Locker Room	Inhaled or sniffed from gauze or ampules	Slowed thought, headache	Anemia, death by anoxia

Note: Taking drugs of any type during pregnancy can be hazardous to the fetus. Adapted from "Children and Drugs," distributed by Blue Cross and Blue Shield Plans of Vermont and New Hampshire.

*Includes look-a-like drugs that contain caffeine, phenylpropanolamine.

HEALTH RISKS

Alcohol & Other Drug use can have a wide range of short- and long-term, direct and indirect effects. These effects often depend on the specific drug or drugs used, how they are taken, how much is taken, the person's health, and other factors. Short-term effects can range from changes in appetite, wakefulness, heart rate, blood pressure, and/or mood to heart attack, stroke, psychosis, overdose, and even death. These health effects may occur after just one use.

Longer-term effects can include heart or lung disease, cancer, mental illness, HIV/AIDS, hepatitis, and others. Long-term alcohol & other drug use can also lead to addiction. Alcohol & other drug addiction is a brain disorder. Not everyone who uses Alcohol & Other Drugs will become addicted, but for some, alcohol & other drug use can change how certain brain circuits' work. These brain changes interfere with how people experience normal pleasures in life such as food and sex, their ability to control their stress level, their decision-making, their ability to learn and remember, etc. These changes make it much more difficult for someone to stop taking the drug even when it's having negative effects on their life and they want to quit.

Alcohol & other drug use can also have indirect effects on both the people who are taking drugs and on those around them. This can include affecting a person's nutrition; sleep; decision-making and impulsivity; and risk for trauma, violence, injury, and communicable diseases. Alcohol & other drug use can also affect babies born to women who use drugs while pregnant. Broader negative outcomes may be seen in education level, employment, housing, relationships, and criminal justice involvement. <https://www.drugabuse.gov/related-topics/health-consequences-drug-misuse>

Alcohol Use and Abuse

Low doses of alcohol significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts and dangerous risk-taking behavior. Moderate to high doses of alcohol severely alter a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol can be fatal. Approximately 50 percent of all youthful deaths from drowning, fires, suicide, and homicide are alcohol-related.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome (irreversible physical abnormalities and mental retardation).

Dependent persons who suddenly stop drinking are likely to suffer withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions.

E-cigarettes / Vaping - are devices that heat a liquid into an aerosol that the user inhales. The liquid usually has nicotine and flavoring in it, and other additives. The nicotine in e-cigarettes and regular cigarettes is addictive. E-cigarettes are considered tobacco products because most of them contain nicotine, which comes from tobacco.

Besides nicotine, e-cigarettes can contain harmful and potentially harmful ingredients, including:

- ultrafine particles that can be inhaled deep into the lungs
- flavorants such as diacetyl, a chemical linked to serious lung disease
- volatile organic compounds
- heavy metals, such as nickel, tin, and lead
- For more information on vaping and E-cigarettes please visit [the Surgeon General's webpage](#)

Illicit Drugs refer to highly addictive and illegal substances. Illicit drugs include central nervous system stimulants (crack [cocaine](#), cocaine, and amphetamines), central nervous system inhibitors (opiates, heroin and sedative-hypnotics such as [benzodiazepines](#) or barbiturates), or hallucinogens (hemp products such as marijuana or [hashish](#), LSD, and psilocybin)

While the decision to use one of these drugs for the first time is usually a voluntary one, an unexpected addiction can make the decision to quit later significantly harder.

Use of Illicit Drugs

“Designer-Drugs” are produced by underground chemists who attempt to avoid legal definitions of controlled substances by altering their molecular structure. These drugs can be several hundred times stronger than the drugs they are designed to imitate. As little as one dose can cause severe neurochemical brain damage and symptoms such as those in Parkinson's disease (uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage.)

Inhalants, solvents, and aerosol sprays decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage. Deeply inhaling the vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing the oxygen in the lungs or by depressing the central nervous system to the point that breathing stops.

Anabolic steroid use in males can cause withered testicles, sterility, and impotence; in females, irreversible masculine traits can develop along with breast reduction and sterility. Physical effects in both sexes include jaundice, purple, or red spots on the body, swelling of feet or lower legs, trembling, unexplained darkening of the skin, and persistent unpleasant breath odor. While some side effects appear quickly, others, such as heart attacks, liver cancer and strokes, may not show up for years. Drugs distort perception and this can lead users to harm themselves or others. For the specific health risks associated with particular types of drugs, refer to the chart “Common Drugs: Symptoms of Abuse”.

College Gambling

Approximately 75 percent of college students gambled during the past year, betting on the lottery, casino games, cards and sports. Gambling can be fun – as long as you are of legal age and gamble responsibly. Many college students assume gambling is a risk-free activity; however, research has shown that for some college students, gambling for fun can turn into a problem. While the vast majority of college students who are of legal age to gamble do

so responsibly, the most recent research estimates that 6 percent of college students in the U.S. have a serious gambling problem that can result in psychological difficulties, unmanageable debt and failing grades. Today's college students are exposed to gambling both on campus and in the surrounding community.

What is gambling?

Gambling is characterized by the following three criteria: (1) Players wager money or an object of value; (2) this bet is irreversible once placed, and, finally; (3) the game's outcome relies on chance. There are many types of gambling, including: Lottery/numbers, Casino gambling, including table games and slot machines, Professional sports gambling, College sports gambling, Horse/dog races, Internet gambling, Bingo and raffles. For more information please visit [National Center for Responsible Gaming's webpage](#).

CREDIT CARD ABUSE

NY State enacted legislation in 2005 (Article 129-A of the Education Law, Chapters 694 and 713, section 6437) which requires the College to address the issue of credit card abuse. Students need to understand the consequences and realities which are involved with the use of credit cards. Unpaid balances can cause the student to be responsible for significant interest charges, and the possibility of obtaining a poor credit rating. As such, the College prohibits the advertising, marketing, or merchandising of credit cards on our campus to students, except pursuant to an official College credit card marketing policy. The College shall inform students about good credit management practices through programs which may include workshops, seminars, discussion groups and film presentations.

COUNSELING AND DRUG TREATMENT PROGRAMS

Suffolk County Community College's Counseling Offices and Student Health Services provide students with professional help and referral in resolving personal problems and concerns, including those associated with alcohol and substance abuse. They can be contacted at:

Ammerman/Sayville: (631) 451-4053

Eastern: (631) 548-2524

Michael J. Grant: (631) 851-6250

Other sources for assistance and counseling are available. The College lists the following agencies, but makes no recommendation concerning these agencies.

COMMUNITY-BASED DRUG TREATMENT AND PREVENTION/EDUCATION PROGRAMS

For a comprehensive list of drug treatment referral list please visit the [Suffolk County Communities of Solution webpage](#).

Access/Accesso
452 Suffolk Avenue
Brentwood, NY 11717
631-436-6065

401 Main Street
Islip, NY 11751
631-224-5330

Al-Anon
PO Box 490
Farmingville, NY 11738
631-669-2827

Alcoholics Anonymous
113-8 Bay Avenue
Patchogue, NY 11772
631-669-1124

Alternatives Counseling Center
291 Hampton Road
Southampton, NY 11968
631-238-4440

Catholic Charities
Chemical Dependency Services
PO Box 758
31 East Montauk Highway
Hampton Bays, NY 11946
631-723-3362

155 Indian Head Road
Commack, NY 11725
631-543-6200

Concepts for Narcotics Prevention
324 Main Street
Northport, NY 11768
631-261-2670

Family Service League
1490 William Floyd Parkway
E. Yaphank, NY 11967
631-924-3741

Hampton Council of Churches
The Family Counseling Service
40 Main Street Beinecke Building
PO Box 1348
Westhampton Beach, NY 11978
631-288-1954

Phoenix House
2191 3rd Avenue
New York, NY 10035
1(800) COCAINE or
1(800) DRUG-HELP
(Admissions for Phoenix House)
212-831-1555 ext. 7500

**Town of Babylon Division of Drug
and Alcohol Control**
400 Broadway
Amityville, NY 11701
631-789-3700

YMCA of Long Island, Inc.
2545 Middle Country Road
Centereach, NY 11720
631-580-7777

**Suffolk County Department of
Health**
**Division of Alcohol and Substance
Abuse**
Hauppauge Clinic
200 Wireless Blvd.
Hauppauge, NY 11788
631-853-7373

Narcotics Anonymous
Nassau/Suffolk
700 Health Sciences Drive
Stony Brook, NY 11790
631-689-6262

Pederson-Krag Centers
Drug, Alcohol and Mental Health
11 Route 111
Smithtown, NY 11787
631-920-8300

240 Long Island Avenue
Wyandanch, NY 11798
631-920-8250

55 Horizon Drive
Huntington, NY 11743
631-920-8000

3600 Route 112
Coram, NY 11727
631-920-8500

South Brookhaven Health Center
Alcoholism Services – East
550 Montauk Highway
Shirley, NY 11967
631-852-1000

Alcoholism Services – West
365 East Main Street, Section 5
Patchogue, NY 11772
631-854-1222 (Out Patient)
631-447-3048 (Hospital)

South Oaks Hospital
400 Sunrise Highway
Amityville, NY 11701
631-608-5610

Talbot House
Crisis Center
30- C Carlough Road
Bohemia, NY 11716
631-589-4144

Veterans Medical Center
79 Middleville Road
Northport, NY 11768
631-261-4400 ext. 5780 & 5791

GRANT RECIPIENTS

Grant-Funded Employees

In addition to the policies and information stated above, employees who are directly engaged in the performance of work pursuant to the provisions of a federal grant of any amount, or a federal contract of \$25,000 or more, are required to report to Suffolk County Community College if they are convicted of a criminal alcohol and/or drug-related offense, which occurs either on or off college premises while conducting college business, no later than five days after the conviction. An employee so convicted is also subject to appropriate disciplinary action by the College. The College will notify the contracting or granting federal agency within ten days after receiving notice of such conviction.

Pell Grant Recipients

The Anti-Drug Abuse Act of 1988 requires all student applicants for Pell Grants to certify that, as a condition of the Pell Grant, they will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the period covered by the Pell Grant. In addition, the statute provides that if an individual is convicted of drug distribution or possession, the court may suspend his or her eligibility for federal benefits, including federal student financial aid. If an individual is convicted three or more times for drug distribution, he or she may become permanently ineligible to receive Title IV financial aid.

Appendix I

CRIME STATISTICS

In preparing the Suffolk County Community College Crime Statistics Summary, located at the end of this report, all reported incidents are reviewed by the Office of Public and Fire Safety. Any incident reports meeting the definition of those crimes that are required to be reported are counted. In addition, the Student Affairs office collects information concerning reported crimes and disciplinary referrals for alcohol, drug and weapons law violations. The report also includes statistics from the Suffolk County; Riverhead Police Department and Southampton Police Departments for reportable crimes on campus and on public property immediately adjacent to the College. A hard copy of the report is available upon request from the Office of Public and Fire Safety located on each campus. In addition, copies are also available to prospective employees at the Office of Human Resources on the Ammerman Campus and for prospective students at the Associate Dean of Student Services offices on each campus. Copies are also available for review on the College Web site at the following Web location:

www.sunysuffolk.edu/safety

CRIME STATISTICS – AMMERMAN CAMPUS

Reported in accordance with the Federal Bureau of Investigation's Uniform Crime reporting procedures and The Jeanne Clery disclosure of Campus Security Policy and Campus Crime Statistics Act.

(Includes All Crimes Reported to the Office of Public Safety, Campus Authorities and SCPD)

Crime Categories (Includes attempts)	ON CAMPUS			PUBLIC PROPERTY			TOTAL CRIME		
	2018	2017	2016	2018	2017	2016	2018	2017	2016
Criminal Homicide	0	0	0	0	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
SEX OFFENSES									
Rape	0	0	0	0	0	0	0	0	1
Fondling	1	0	0	0	0	0	0	0	1
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
CRIMINAL OFFENSES									
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	1
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES (By Prejudice)									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Religion	0	0	1	0	0	0	0	0	1
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS									
Arrest	0	0	0	0	0	1	0	0	1
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS									
Arrest	0	0	0	0	0	1	0	0	1
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION									
Arrest	0	0	0	0	0	0	0	0	0
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
VAWA OFFENSES									
Stalking	3	2	3	0	0	0	3	2	3
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0

Suffolk County Community College is a commuter college with no residential dormitories or non-campus buildings, for that reason statistics required for those categories have been omitted. The above crime statistics are those crimes that are required to be disclosed by the 1990 Jeanne Clery Act. The crime statistics include crimes reported to the SCPD.

CRIME STATISTICS – EASTERN CAMPUS

Reported in accordance with the Federal Bureau of Investigation's Uniform Crime reporting procedures and The Jeanne Clery disclosure of Campus Security Policy and Campus Crime Statistics Act.

(Includes All Crimes Reported to the Office of Public Safety, Campus Authorities and SHPD)

Crime Categories (Includes attempts)	ON CAMPUS			PUBLIC PROPERTY			TOTAL CRIME		
	2018	2017	2016	2018	2017	2016	2018	2017	2016
Criminal Homicide	0	0	0	0	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
SEX OFFENSES									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
CRIMINAL OFFENSES									
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES (By Prejudice)									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Religion¹	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS									
Arrest	0	0	0	0	0	0	0	0	0
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS									
Arrest	0	0	0	0	0	0	0	0	0
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION									
Arrest	0	1	0	0	0	0	0	1	0
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
VAWA OFFENSES									
Stalking	3	4	2	0	0	0	3	4	2
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0

Suffolk County Community College is a commuter college with no residential dormitories or non-campus buildings, for that reason statistics required for those categories have been omitted. The above crime statistics are those crimes that are required to be disclosed by the 1990 Jeanne Clery Act. The crime statistics include crimes reported to the SHPD except for 2015.

CRIME STATISTICS – MICHAEL J. GRANT CAMPUS

Reported in accordance with the Federal Bureau of Investigation's Uniform Crime reporting procedures and The Jeanne Clery disclosure of Campus Security Policy and Campus Crime Statistics Act.

(Includes All Crimes Reported to the Office of Public Safety, Campus Authorities and SCPD)

Crime Categories (Includes attempts)	ON CAMPUS			PUBLIC PROPERTY			TOTAL CRIME		
	2018	2017	2016	2018	2017	2016	2018	2017	2016
Criminal Homicide	0	0	0	0	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
SEX OFFENSES									
Rape	0	0	0	0	0	0	0	0	0
Fondling	2	1	0	0	0	0	2	1	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
CRIMINAL OFFENSES									
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	2	0	1	0	0	0	2	0	1
Burglary	1	0	0	0	0	0	1	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES (By Prejudice)									
Race	0	0	1	0	0	0	0	0	1
Gender	0	0	0	0	0	0	0	0	0
Religion	0	0	2	0	0	0	0	0	2
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS									
Arrest	0	0	0	0	0	0	0	0	0
Referred for Campus Discipline	0	0	2	0	0	0	0	0	2
DRUG LAW VIOLATIONS									
Arrest	0	0	0	6	0	0	6	0	0
Referred for Campus Discipline	0	0	2	0	0	0	0	0	2
ILLEGAL WEAPONS POSSESSION									
Arrest	0	0	0	0	0	0	0	0	0
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
VAWA OFFENSES									
Stalking	3	3	2	0	0	0	3	4	2
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0

Suffolk County Community College is a commuter college with no residential dormitories or non-campus buildings, for that reason statistics required for those categories have been omitted. The above crime statistics are those crimes that are required to be disclosed by the 1990 Jeanne Clery Act. The crime statistics include crimes reported to the SCPD.

CRIME STATISTICS – RIVERHEAD CULINARY ARTS CENTER

Reported in accordance with the Federal Bureau of Investigation's Uniform Crime reporting procedures and The Jeanne Clery disclosure of Campus Security Policy and Campus Crime Statistics Act.

(Includes All Crimes Reported to the Office of Public Safety, Campus Authorities and RPD)

Crime Categories (Includes attempts)	ON CAMPUS			PUBLIC PROPERTY			TOTAL CRIME		
	2017	2016	2015	2017	2016	2015	2017	2016	2015
Criminal Homicide	0	0	0	0	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
SEX OFFENSES									
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
CRIMINAL OFFENSES									
Robbery	0	0	0	0	1	0	0	1	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES (By Prejudice)									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
LIQUOR LAW VIOLATIONS									
Arrest	0	0	0	0	0	0	0	0	0
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS									
Arrest	0	0	0	0	0	0	0	0	0
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION									
Arrest	0	0	0	0	0	0	0	0	0
Referred for Campus Discipline	0	0	0	0	0	0	0	0	0
VAWA OFFENSES									
Stalking	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0

Suffolk County Community College is a commuter college with no residential dormitories or non-campus buildings, for that reason statistics required for those categories have been omitted. The above crime statistics are those crimes that are required to be disclosed by the 1990 Jeanne Clery Act. The crime statistics include crimes reported to the RPD

CRIME STATISTICS – SAYVILLE DOWNTOWN CENTER

Reported in accordance with the Federal Bureau of Investigation's Uniform Crime reporting procedures and The Jeanne Clery disclosure of Campus Security Policy and Campus Crime Statistics Act.

(Includes All Crimes Reported to the Office of Public Safety, Campus Authorities and SCPD)

Crime Categories (Includes attempts)	ON CAMPUS			PUBLIC PROPERTY			TOTAL CRIME		
	2018	2017	2016	2018	2017	2016	2018	2017	2016
Criminal Homicide	0	0	X	0	0	X	0	0	X
Murder/Non-Negligent Manslaughter	0	0	X	0	X	X	0	0	X
Negligent Manslaughter	0	0	X	0	X	X	0	0	X
SEX OFFENSES									
Rape	0	0	X	0	0	X	0	0	X
Fondling	0	0	X	0	0	X	0	0	X
Incest	0	0	X	0	0	X	0	0	X
Statutory Rape	0	0	X	0	0	X	0	0	X
CRIMINAL OFFENSES									
Robbery	0	0	X	0	0	X	0	0	X
Aggravated Assault	0	0	X	0	0	X	0	X	X
Burglary	0	0	X	0	0	X	0	0	X
Motor Vehicle Theft	0	0	X	0	0	X	0	0	X
Arson	0	0	X	0	0	X	0	0	X
HATE CRIMES (By Prejudice)									
Race	0	0	X	0	0	X	0	0	X
Gender	0	0	X	0	0	X	0	0	X
Religion	0	0	X	0	0	X	0	0	X
Sexual Orientation	0	0	X	0	0	X	0	0	X
Ethnicity	0	0	X	0	0	X	0	0	X
Disability	0	0	X	0	0	X	0	0	X
LIQUOR LAW VIOLATIONS									
Arrest	0	0	X	0	0	X	0	0	X
Referred for Campus Discipline	0	0	X	0	0	X	0	0	X
DRUG LAW VIOLATIONS									
Arrest	0	0	X	0	0	X	0	0	X
Referred for Campus Discipline	0	0	X	0	0	X	0	0	X
ILLEGAL WEAPONS POSSESSION									
Arrest	0	0	X	0	0	X	0	0	X
Referred for Campus Discipline	0	0	X	0	0	X	0	0	X
VAWA OFFENSES									
Stalking	0	0	X	0	0	X	0	0	X
Domestic Violence	0	0	X	0	0	X	0	0	X
Dating Violence	0	0	X	0	0	X	0	0	X

Suffolk County Community College is a commuter college with no residential dormitories or non-campus buildings, for that reason statistics required for those categories have been omitted. The above crime statistics are those crimes that are required to be disclosed by the 1990 Jeanne Clery Act. The crime statistics include crimes reported to the SCPD.

Appendix II – Federal Crime Definitions

The Campus Security Act also delineates what violations need to be reported. The offense definitions are excerpted from the Uniform Crime Reporting Handbook. The definitions of sex offenses are excerpted from the national incident-based reporting edition of the Uniform Crime Reporting Handbook (FBI Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS) definitions).

Hate Crime: when a person is victimized intentionally because of her/his actual or perceived race, religion, gender, gender identity, sexual orientation, national origin, ethnicity or disability.

Robbery: taking or attempting to take anything of value from the care, custody, or control of a person(s) 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 to inflict severe or aggravated bodily injury. This is usually accompanied by the use of a weapon or by means likely to produce great bodily harm or death, although it is not necessary that injury result when a weapon is used.

Aggravated Assault: an unlawful attack by one person upon another to inflict severe or aggravated bodily injury. This is usually accompanied by the use of a weapon or by means likely to produce great bodily harm or death, although it is not necessary that injury result when a weapon is used.

Liquor Law Violations: violations and attempted violations of laws or ordinances prohibiting manufacturing, selling, transporting, furnishing, or possessing intoxicating liquor including, but not limited to, maintaining unlawful drinking places; furnishing liquor to minor or intoxicated person; and drinking on a common carrier.

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

Criminal Homicide, Manslaughter by

Negligence: the killing of another person through gross negligence.

Criminal Homicide, Murder and Non Negligent

Manslaughter: the willful killing of one human being by another.

Burglary: unlawful entry of a structure to commit a crime including, but not limited to, larceny, arson, sexual assault, criminal mischief, and all attempts to do so.

Motor Vehicle Theft: the taking (or attempt) or use of a motor vehicle by persons not having full access.

Drug Abuse Violations: violations of state and local laws related to possession, sale, use, growing or manufacturing of narcotic drugs, marijuana, or other controlled substance.

Weapon Law Violations: violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale or possession of deadly weapons and all attempts to commit any of the aforementioned.

Sex Offenses (forcible): any sexual act directed against another person, forcible and/or against that person's will; or not forcibly against the person's will 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 (age of consent in NYS is 17) or because of his/her temporary or permanent mental incapacity.

Sex Offenses (non-forcible): unlawful, non-forcible sexual intercourse.

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

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent (age of consent in NYS is 17).

Appendix III Crime Definitions New York State

The Violence Against Women Act and its proposed regulations require the inclusion of certain New York State definitions in a campus's Annual Security Report and also require that those definitions be provided in campaigns, orientations, programs and trainings for employees and students. Definitions required include: consent; dating violence; domestic violence; sexual assault; and stalking.

CONSENT: Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

CONSENT, ABBREVIATED: Clear, unambiguous, and voluntary agreement between the participating to engage in specific sexual activity.

DATING VIOLENCE: New York State does not specifically define dating violence. However, dating violence would include the crimes listed elsewhere in this document when committed by a person in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or threat of abuse. It does not include acts covered under the definition of domestic violence.

DOMESTIC VIOLENCE: An act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction or breaching or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person's child. Such acts are alleged to have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act.

FAMILY OR HOUSEHOLD MEMBER: Person's related by

consanguinity or affinity; Persons legally married to one another; Person formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; Any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation.

PARENT: means natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

SEXUAL ASSAULT: New York State does not specifically define sexual assault. However, according to the Federal Regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

SEX OFFENSES; LACK OF CONSENT: Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.

SEXUAL MISCONDUCT: When a person (1) engages in sexual intercourse with another person without such person's consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person's consent; or (3) engages in sexual conduct with an animal or a dead human body.

RAPE IN THE THIRD DEGREE: When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person's consent where such lack of consent is by reason of some factor other than incapacity to consent.

RAPE IN THE SECOND DEGREE: When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.

RAPE IN THE FIRST DEGREE: When a person engages in sexual intercourse with another person (1) by forcible compulsion;

or (2) Who is incapable of consent by reason of being physically helpless; or (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

CRIMINAL SEXUAL ACT IN THE THIRD DEGREE: When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.

CRIMINAL SEXUAL ACT IN THE SECOND DEGREE: When a person engages in oral or anal sexual conduct with another person (1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act.

CRIMINAL SEXUAL ACT IN THE FIRST DEGREE: When a person engages in oral or anal sexual conduct with another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

FORCIBLE TOUCHING: When a person intentionally, and for no legitimate purpose, forcibly touches 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. It includes squeezing, grabbing, or pinching.

PERSISTENT SEXUAL ABUSE: When a person commits a crime of forcible touching, or second or third degree sexual abuse within the previous ten year period, has been convicted two or more times, in separate criminal transactions for which a sentence was imposed on separate occasions of one of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

SEXUAL ABUSE IN THE THIRD DEGREE: When a person subjects another person to sexual contact without the latter's consent. For any prosecution under this section, it is an affirmative defense that (1) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than five years older than such other person.

SEXUAL ABUSE IN THE SECOND DEGREE: When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

SEXUAL ABUSE IN THE FIRST DEGREE: When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

AGGRAVATED SEXUAL ABUSE: For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

AGGRAVATED SEXUAL ABUSE IN THE FOURTH DEGREE: When a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

AGGRAVATED SEXUAL ABUSE IN THE THIRD DEGREE: When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

AGGRAVATED SEXUAL ABUSE IN THE SECOND DEGREE: When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old.

AGGRAVATED SEXUAL ABUSE IN THE FIRST DEGREE: When a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

COURSE OF SEXUAL CONDUCT AGAINST A CHILD IN THE SECOND DEGREE: When over a period of time, not less than three months, a person: (1) Engages in two or more acts of sexual conduct with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

COURSE OF SEXUAL CONDUCT AGAINST A CHILD IN THE FIRST DEGREE: When a person over a period of time, not less than three months in duration, a person: (1) Engages in two or more acts of sexual conduct, or aggravated sexual contact with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than 13 years old.

FACILITATING A SEX OFFENSE WITH A CONTROLLED SUBSTANCE: A person is guilty of facilitating a sex offense with a controlled substance when he or she: (1) knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and (2) commits or attempts to commit such conduct constituting a felony defined in

this article.

INCEST IN THE THIRD DEGREE: A person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

INCEST IN THE SECOND DEGREE: A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, or criminal sexual act in the second degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

INCEST IN THE FIRST DEGREE: A person is guilty of incest in the first degree when he or she commits the crime of rape in the first degree, or criminal sexual act in the first degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.

STALKING IN THE FOURTH DEGREE: When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

STALKING IN THE THIRD DEGREE: When a person (1) Commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime or stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

STALKING IN THE SECOND DEGREE: When a person: (1)

Commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, sligshot, slungshot, shirken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

STALKING IN THE FIRST DEGREE: When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, he or she intentionally or recklessly causes physical injury to the victim of such crime.