



**ANNUAL SECURITY REPORT  
CALENDAR YEAR 2014  
CRIME STATISTICS 2011-2013  
718-518-6880**

**HOSTOS COMMUNITY COLLEGE of  
THE CITY UNIVERSITY OF NEW YORK  
500 GRAND CONCOURSE BRONX NY 10451**

**ARNALDO BERNABE  
PUBLIC SAFETY CHIEF  
HOSTOS COMMUNITY COLLEGE**

### **College Overview**

Hostos Community College's Annual Security Report includes statistics for the previous three years (2011-2013) concerning reported crimes that occurred on campus, in certain off-campus buildings owned or controlled by Hostos Community College, and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

Statistical information and data gathered from records of the Public Safety Department, Campus Security Authorities and the NYPD are included in this report. As required, information regarding a notice of the availability of the Annual Security Report is distributed annually by October 1st. A notice of the availability of the report is also provided to prospective students and employees. A hard copy of this report may be obtained by sending a self-stamped addressed envelope to the Department of Public Safety at 500 Grand Concourse, Bronx, New York, 10451.

The college, a component of The City University of New York, was created by an act of the Board of Education on April 22, 1968, in response to the demands of Puerto Rican and other Hispanic leaders who urged the establishment of a college to meet the needs of the South Bronx. In September of 1970, the College admitted a charter class of 623 students at the site of a former tire factory at 475 Grand Concourse. Enrollment grew rapidly to more than 2,000 students by June of 1974. In the same year, the State Legislature acted to ease an increasing space shortage by passing a special bill to acquire the "500 Building" across the Grand Concourse from the original site. In the same year, Hostos was granted full and unconditional accreditation following a highly favorable evaluation by the Middle States Association.

The fiscal crisis of the mid-1970's resulted in an effort to merge Hostos with another institution as a cost-saving measure. This effort was rebuffed by strong college and community opposition which led the State Legislature to include a guarantee of Hostos' existence in the Landes Higher Education Act, passed on June 9, 1976. To meet growing interest in the college, the campus now has six buildings, three of which have been specially designed to meet the institution's need. Hostos takes pride in its well-equipped science, math, writing, and computer labs, its excellent physical education facilities, and its state-of-the-art theatres.

The campus is located in the Mott Haven section of the Bronx, a borough of New York City with a population of approximately 1.394 million. The campus is situated on the Grand Concourse on a 15-acre site and comprised of 8 buildings located on/ or contiguous to the campus.

The college enrolls approximately seven thousand degree program students who attend day and evening classes. The student population is diverse with nearly all cultures represented, the majority identifying themselves as being of Dominican, Puerto Rican, or of Central or South American decent. In addition, the college, through the Continuing Education and Professional Studies Department serves in excess of twelve thousand individuals during the academic year.

The college employs approximately 550 full-time faculty/staff and 555 part-time/adjunct staff members.

### **The Continuing Education & Workforce Development Department at Hostos Community College**

The Continuing Education & Workforce Development Department at Hostos Community College offers educational, career, and personal development opportunities designed to address the needs of the South Bronx and Upper Manhattan communities. Some class offerings are free; most are available at a reasonable cost. The program offers non-credit courses and certificate programs for adults, children and teens on weekdays, evenings, Saturday and Sunday. For more information, please contact The Continuing Education & Workforce Development Department: 560 Exterior Street (East 149th Street between Exterior Street and River Avenue), Bronx, New York 10451. Phone (718) 518-6656. Email: [cedu@hostos.cuny.edu](mailto:cedu@hostos.cuny.edu).

### **CUNY in the Heights-Branch Campus Continuing Education & Workforce Development at CUNY in the Heights**

The Continuing Education & Workforce Development Department at CUNY in the Heights offers educational, career, and personal development opportunities designed to address the needs of the Upper Manhattan communities. CITH offerings are free; most are available at a reasonable cost. CITH offers non-credit courses and certificate programs for adults, children and teens on weekday evenings, Saturdays and Sunday. Students from the Borough of Manhattan Community College also take college credit bearing courses at this Branch Campus. For more information, please contact CUNY in the Heights: 5030 Broadway, New York, NY 10034. Phone: (212) 567-7132. Email: [cunyintheheights@hostos.cuny.edu](mailto:cunyintheheights@hostos.cuny.edu)

### **Crime Reporting Procedure**

Faculty, staff, students, and others who may be on campus or on the contiguous geographic perimeter of the campus are encouraged to promptly report any past crime, attempted crime, or actual criminal activity to the Department of Public Safety. The department will expeditiously respond to the condition reported and make necessary notifications to the local police precinct when appropriate. Criminal activities, as well as other emergencies, can be reported by:

1. Calling the Department of Public Safety's telephone line (718) 518-6888 or Emergency extension 6911 or 6888 which may be dialed within the college's telephone system.

2. Reporting the information to any member of the Department of Public Safety or in person at the Public Safety Office located in the East Academic Building, Room C-030.
3. All counselors are strongly encouraged when they deem it appropriate to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
4. Victims or witnesses may report crimes to persons designated as Campus Security Authorities, who will then forward only the report of the crime without divulging the name of victim or witness – to the Department of Public Safety for inclusion in the annual crime report. Names and numbers of campus Security Authorities are located in the next section of this report. The College recognizes the importance of confidentiality to victims and witnesses of crimes. For the purposes of providing crime statistics pursuant to the Campus Security Act in the College’s annual crime report, victim and witness information will remain anonymous. However, complete confidentiality cannot be guaranteed in all other contexts. The College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. In many cases, however, that notification will be done without divulging the victim’s identity and will be done only for the purpose of providing a campus-wide safety alert.
5. In the event that the situation you observe or are involved in is of an extreme or life-threatening nature, call 911, the New York City Police Department’s emergency phone number. If you make a 911 call, please also notify the Department of Public Safety. They will also respond to assist and direct the police and other emergency personnel to the reported emergency.
6. **Hate Crime and Bias-Related Incidents** - Bias or hate crimes are crimes 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, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, disability or alienage. Bias-related incidents are behaviors which constitute an expression of hostility against the person or property of another because of the targeted person's race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, disability or alienage. According to New York Penal Law Section 485, a person commits a hate crime when he or she commits a specified criminal offense and either:
  - (1) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
  - (2) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
  - (3) Examples of hate crimes may include, but are not limited to: threatening phone calls, hate mail (including electronic mail), physical assaults, vandalism, destruction of property, and fire bombings.

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 conviction of the offender. Students, staff or faculty who commit bias crimes are also subject to University disciplinary procedures and a range of sanctions up to and including suspension, expulsion or termination of employment. In order to effectively handle incidents of bias related crimes and prevent future occurrences of such crimes, victims or witnesses of a hate crime are encouraged to immediately report incidents in the manner described above. Victims of bias crime can also avail themselves of counseling and support services through the Office of Student Services.

The College updates and advises the campus community about security procedures, including those related to hate crime, via the Annual Security Report.
7. In order to effectively handle incidents of bias related crimes and prevent future occurrences of such crimes, victims or witnesses of a hate crime are encouraged to immediately report incidents in the manner described above. Please remember that any evidence such as graffiti, e-mails, written notes or voice mail messages should be preserved. Victims of bias crime can also avail themselves of counseling and support services through the Office of Student Services and / or the Carlos L. Gonzalez Counseling Center, located at 120 E. 149<sup>th</sup> Street Rm. D-101 - (718) 518-4319.

## **Investigation of Violent Felony Offenses**

In accordance with New York State Law, the College maintains a plan for the investigation of violent felonies, which includes coordination with appropriate law enforcement agencies. In addition, in compliance with New York State Law and subject to applicable federal law, including, but not limited to, the federal Campus Sexual Assault Victims’ Bill of Rights under title 20 U.S. Code 1092 (f) which gives the victim of a sexual offense the right to decide whether or not to report. The College will notify the appropriate law enforcement agency within 24-hours of receiving a report of a violent felony.

## **Daily Crime Log**

The Hostos Community College Department of Public Safety daily crime log is maintained by the Public Safety Department. All reportable criminal incidents, whether they are Clery classified or not, are logged- provided that they have occurred in the reportable geography (On campus and public property immediately adjacent to the campus). It includes the following information: 1) date crime was reported, 2) date and time of the incident, 3) the nature of the crime, 4) the general location of the crime, 5) the disposition, if known and 6) special notes. All crimes reported to the Department of Public Safety are recorded in the daily crime log 60 days from the date of the report. The crime log for the most recent 60-day period is open to public inspection, upon request, during normal business hours. Anyone may have access to the log, whether or not they are associated with the institution. This includes the media. The Department of Public Safety crime log is located at the Public Safety Dispatch Center. The Public Safety Dispatch Center is located in the 450 Grand Concourse building adjacent to the elevator bank on the cellar level. It is available for inspection during regular business hours (9:00 a.m. to 5:00 p.m.). The log is in hardcopy format. The log is updated within two business days of information being reported to the Public Safety Department.

## **Campus Security Authorities**

Members of the college community may make reports of crimes and security incidents to Campus Security Assistants. Campus Security Assistants are considered “Officials” of the college who have a significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official of the college is also defined as any person who has the authority and duty to take action or respond to particular issues on behalf of the institution. Each year, the Public Safety Department requests data, via campus e-mail, from any of the persons designated as Campus Security Authorities by the very nature of their official capacity and role at the college. Any report or information received from the designated Campus Security Authorities is used for inclusion in the Annual Security Report.

### **The following persons are designated as Campus Security Authorities:**

- Vice President of Student Development & Enrollment Management, Nathaniel Cruz, 718-518-4264, Savoy Building, Room D-102H
- Dean of Student Life, Johanna Gomez, 718-518-6556, C-Building, Room. C-330
- Vice President of Continuing Education & Workforce Training & Development, Carlos Molina, 718-518-6658, A-Building, Rm A-335
- Director of Athletics Krishnawattie Dass, 718-518-6551, C-Building, Room. C-383
- Director of Student Activities Jerry Rosa, 718-518-6561, C-Building, Room - C-371
- Director of Human Resources, Shirley Shevach, 718-518-6655, C-Building, Room - B-215
- Director of C.L.I.P Fatiah Makloufi, 718-518-6657, 590 Exterior Street, Room – 718-518-6657, Room E-101
- Program Coordinator of CUNY S.T.A.R.T Program, Joshua Goldblatt, 718-518-6851, A-Building, Room - A-226
- Director of ASAP, Laura McGowan, 718-518-6625, C-Building, Room - C-511-R
- Manager of Student Wellness, Fabian Wander, 718-518-6567, C-Building, Room – C-330
- Director of Liberty Partnership Program, Jose Encarnacion, 718-518-4189, C-Building, Room – C- 491
- Sub Student Leadership Coordinator, Jason Libfeld, 718-518-6541, C-Building, Room – C-392
- Director of College Now Program, Elizabeth Wilson, 718-518-6839, C-Building, Room - C-360

## **Reporting Incidents of Sexual Harassment, Including Sexual Assault & Sexual Misconduct, Stalking and Dating/Intimate Partner/Domestic Violence**

Incidents of Sexual Harassment, Including Sexual Assault and Sexual Misconduct, Stalking, Dating Violence, Intimate Partner Violence and Domestic Violence, allegations of sexual harassment including sexual assault, should be reported to one of the individuals listed below.

Director of Public Safety, Chief Arnaldo Bernabe, room C-030, 718-518-6880, [abernabe@hostos.cuny.edu](mailto:abernabe@hostos.cuny.edu)

Title IX Coordinator/Michele Dickinson, Esq., room A-336, 718-518-4284, [mdickinson@hostos.cuny.edu](mailto:mdickinson@hostos.cuny.edu)

Chief Student Affairs Officer, Johanna Gomez, room C-330, 718-518-6556, [jgomez@hostos.cuny.edu](mailto:jgomez@hostos.cuny.edu)

For more information, please see section "Reporting and Prevention of Sexual Assault and Sexual Misconduct Offenses, Stalking and Dating/Intimate Partner/Domestic Violence" later in this document. For more detailed information on Title IX including community resources, please also see CUNY policies, Getting Help, Understanding and Preventing Sexual Assault and Sexual Harassment please go to Title IX Campus Information (<http://www1.cuny.edu/sites/title-ix/campus/hostos-community-college>).

## **Public Safety and Security Services**

Hostos Community College's main campus grounds, the contiguous geographic perimeter of the main campus and the parking areas are patrolled on a 24-hour basis by Public Safety Officers. Public Safety Officers are sworn law enforcement / NYS Peace Officers under Criminal Procedure Law 2.10 subsection 79 and have the power to make arrests, issues criminal court summonses and conduct criminal investigations. The Hostos Community College Department of Public Safety is responsible for investigating all crimes and incidents that occur on campus. Incidents of a criminal nature that are reported to a Campus Peace Officer are at times referred via the complainant to the NYPD. The department currently consists of a Chief / Director, 2 Lieutenants, 2 Specialists, 6 Sergeants, 1 Corporal and 24 Patrol Officers. All are sworn NYS Peace Officers. Additionally, the college employs 13 Campus Security Assistants. At any given time, contract security officers may be used to fill vacancies. Campus Security Assistants and contract security officers are licensed New York State Security Guards and do not have arrest powers (outside of the powers of a private citizen).

### **Public Safety Escort**

The Department of Public Safety provides safety escorts to any member of the college community who requests such an escort. Escorts are provided within the geographical confines of the institution. Escorts provided outside the confines require approval from the Public Safety Director.

### **Closed Circuit Television**

The Public Safety Department uses closed circuit television cameras in order to enhance campus safety in and around the buildings. These cameras are routinely monitored by members of the department and are set up to record 24 hours a day. The viewing camera patrol is primarily used to ensure that there are no criminal or unsafe activities occurring on the campus interior or exterior, to protect entrances and exits and to dispatch Public Safety personnel to possible emergency situations or unlawful activities. The college also has a fire alarm response system in each building which is monitored by an off-campus 24 hour monitoring service.

### **Public Address System**

A Public Address System is available in the C-450, A-475 and B-500 buildings. Announcements can be made from each respective lobby as well as the public safety dispatch center.

## **Off Campus Residence/ Organizations**

Hostos Community College does not have any off campus officially recognized student organization(s) nor are there any residential or dormitory housing facilities on the campus.

## **Crimes and Safety Hazard Monitoring**

Information about off-campus crimes, health hazards and other potential safety hazards that may impact upon the general welfare of the college community is often disseminated by the public safety department via college email and posted on the public safety website. This information is obtained from the local precincts that patrol the perimeter of the campus and Bronx Community Board # 1 as well as various other local governmental agencies and organizations. The local police precinct that is responsible for the compiling and analyzing of related crimes statistics is the 40th Police Precinct, located at 257 Alexander Avenue, Bronx, New York 10454. Bronx Community Board #1 is located at 3024 Third Avenue Bronx, New York 10455.

## **Emergency Notification & Response**

### **CUNY ALERT SYSTEM**

All students, as well as faculty and staff are strongly encouraged to participate in the CUNY Alert system. The CUNY Alert system is designed to give you immediate and up-to-date information regarding weather, utility and emergency situations. The system can contact you and family or friends, as you designate, via text message, cell phone, landline and/or e-mail. The system can offer all methods of notice, a single method or any combination. It is user friendly and can prove to be invaluable before, during and after an emergency. Simply log onto [www.cuny.edu/alert](http://www.cuny.edu/alert) and follow the instructions. If you have trouble signing up for CUNY Alert, please come to the IT help desk located in the B-500 Grand Concourse Building, room B-425. The system is activated via a web-based system controlled by the New York State Office of Emergency Management.

### **TIMELY WARNINGS TO MEMBERS OF THE COMMUNITY**

The Department of Public Safety in consultation with the Office of the President, Senior Vice President and other senior college officials will be responsible for issuing timely warning notices on campus which are triggered by Clery Crimes that have already occurred but represent an ongoing threat. The Department of Public Safety will issue a timely warning notice for any Clery Crime committed on the campus Clery geography that is reported to the public safety department or the local law enforcement agency and is considered by the college to represent a serious or continuing threat to students and employees. The Department of Public Safety maintains a working and professional relationship with the New York City Police Department and communicates both in person and via written communication during the normal course of business in cases of serious emergencies all public safety supervisors can contact the NYPD/911 system via two-way radios.

Operated under the auspices of the New York State Emergency Management Office, CUNY Alert allows subscribers to receive messages of import regarding safety via email, cell and landline, text message or in any combination thereof. Signing-up is as easy. These notifications are issued when the campus operations are adversely affected by man-made or natural incidents. Access the University website at [www.cuny.edu/alert](http://www.cuny.edu/alert) Members of the college and/or community at large requesting confirmation on the status of an emergency situation should call the Department of Public Safety at 718-518-6888 and/or the college Office of Communications and Public Relations at 718-518-6872.

### **Titles of person(s) and/or areas of the college responsible for emergency notifications are as follows:**

Senior Vice President of Administration & Finance, Esther Rodriguez- Chardavoyne

Director of Public Safety, Chief Arnaldo Bernabe

Assistant VP of Information Technology, Varun Seghal

Department of Public Safety

Department of Information Technology

Department of Communications and College Relations Office

### **IMMEDIATE NOTIFICATIONS**

Unless such notice and warning constitutes a compromise to contain an emergency, or result in an expansion or exacerbation of an emergency, immediate notification of an emergency will take place through one – or a combination of – the following methodologies: (1) CUNY-Alert, (2) Verbal announcement through the School's Emergency Public Address System if a fire or smoke issue is detected, (3) Campus-wide e-mail blast and / or (4) School web-site notice. The following personnel are authorized to make such announcements; Peace Officers, Members of the Emergency Response Policy Group. Again, please note that a circumstance may arise in which it would not be prudent or appropriate to issue an immediate notification if such release would compromise efforts to contain the emergency.

### **EMERGENCY RESPONSE EVACUATION FIRE DRILL TESTS**

The college conducts evacuation and fire drills three (3) times per year in both academic and administrative buildings. During these drills, building occupants are familiarized with campus evacuation procedures. Each building has assigned fire/evacuation floor wardens who provide direction to the college community during drills and actual emergencies which also involve instructions by law enforcement campus personnel. In case of a campus wide evacuation and/or closure, the campus will be evacuated systematically by following standard mass evacuation procedures. Everyone must evacuate when ordered to do so.

### **PUBLICATION OF PROCEDURES**

Emergency response and evacuation procedures are posted on the college website at the following link: <http://www.hostos.cuny.edu/Administrative-Offices/Public-Safety-Department/Emergency-Response-Plan> they are also listed below in this report. The Emergency Response & Evacuation Procedures are reviewed once a year and updated as needed throughout the year. The Public Safety Office, Room C-030, have hard copies of the Emergency Response Procedures.

### **FIRE EMERGENCY PLAN**

Floor wardens and searchers are designated to serve specific areas of the building. When appropriate, they will be activated. They are trained on assisting Public Safety Officers on evacuating buildings. Their job is to facilitate evacuations and common space assembly of all kinds and to pass information to the Public Safety Department. Please heed their directions. When fire alarms ring, please make note of the announcement that immediately follows. It will provide you with instructions on where to assemble. If a false alarm occurs, an "all clear" announcement will follow via the Public Address System. Treat all fire alarms as real unless otherwise directed by the floor wardens or members of the public safety staff. Below are general guidelines for dealing with a fire. But remember, WHEN IN DOUBT CALL 911 OR ACTIVATE A PULL STATION.

1. Become familiarized with the location of stairways, fire extinguishers, fire exits, and pull boxes in building.
2. If a minor fire appears controllable, immediately contact (personally or preferably have someone else call) the Department of Public Safety at 6911. Locate a portable fire extinguisher. Then promptly direct the discharge of the fire extinguisher toward the base of the flame by squeezing the trigger and moving the hose in a side-to-side motion. Do not use water extinguishers on electrical fires.
3. If an emergency exists, activate the building's fire alarm system by releasing a fire pull station.
4. In the case of large fires that do not appear controllable, immediately activate a fire pull station and, if time permits, call 6911 to report the exact location of the fire. If time permits, close the door of the room where the fire exists.
5. When the building evacuation alarm is sounded, always assume that an emergency exists. Touch closed doors; do not open them if they are hot. If the door is cool, brace yourself behind the door and open it slowly. Bracing yourself behind the door prevents the door from being blown open due to the pressure created by the fire. Walk quickly to the nearest exit and alert others to do the same. Do not use the elevators during a fire.
6. Smoke is the greatest danger in a fire, so stay near the floor where the air will be less toxic.
7. Once outside, move to a clear area at least 500 feet away from the affected building. Keep streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews. These essential personnel must be allowed to do their jobs. Our public assembly location is on East 144th Street and the Grand Concourse.
8. Do not return to an evacuated building unless told to do so by a College official.
9. If you become trapped in a building during a fire and a window is available, place an article of clothing (shirt, coat, etc.) outside the window as a marker for rescue crews. Place a wet cloth at the base of doors to keep smoke from entering. Shout at regular intervals to alert emergency crews of your location. Dampen a cloth with water, place it over your nose, and breathe lightly through it. It is understood that these items may not be available to you-hence the importance of moving quickly and knowing your escape routes.
10. Should your clothing catch fire, stop, drop and roll. Rolling on the ground will help smother the fire-this is in fact very effective.

### **HOSTILE INTRUDER**

Don't panic. Keep breathing and keep focused. When an intruder in a campus building is actively causing deadly harm or the threat of imminent deadly harm to people; you must immediately seek cover and contact 911 and the Public safety Department, if at all possible. If you are able to make a call, give as many details as possible relative to location, number of assailants, means of aggression and other pertinent information.

1. Do not sound the fire alarm to evacuate the building. People may be placed in harm's way when they are attempting to evacuate the building.
2. Be aware of alternate exits if it becomes necessary to flee.
3. Persons should lock themselves in classrooms and offices as a means of protection.
4. Persons should stay low, away from windows and barricade their door(s) if possible and use furniture or desks as cover.
5. If possible, cover any windows or openings that have a direct line of sight into the hallway.
6. Students and staff should not attempt to leave the building until told to do so by Public Safety or NYPD. The only exception to this is, given the specific circumstances, a person is certain beyond any doubt, that they are in more danger in staying in the building, than in attempting to escape.

When a hostile intruder is actively causing deadly harm or the threat of imminent deadly harm to people on the campus grounds, we recommend the following course of action:

1. Run away from the threat if you can, as fast as you can.
2. Do not run in a straight line. Run in a zig-zag fashion especially if you are being shot at. If inside, use desks, chairs bookcases to cover and conceal.
3. If outside of the building(s) use buildings, trees, shrubs, and cars as cover.
4. If you can get away from the immediate area of danger, summon help and warn others.
5. If you decide to hide, take into consideration the area in which you are hiding. Will I be found? Is this really a good spot to remain hidden? If you do hide, stay as quiet as possible and calm as possible.
6. If the person(s) is causing death or serious physical injury to others and you are unable to run or hide you may choose to play dead if other victims are around you.
7. Do not give your position away or stand-up until Public Safety or civil authorities give an all-clear signal. If you choose to confront the aggressor, use all manner of materials at hand as weapons-books, chairs, any object near hand.

### **BOMB INCIDENT PLAN**

While it is important to note that the overwhelming majority of bomb threats are unfounded, it is the policy of the college that they are to be taken seriously. Each threat will be thoroughly investigated and will be considered suspect until all avenues of investigation have been explored.

1. A suspicious looking box, package, object or container in or near your work area may be a bomb or explosive material. Do not handle or touch the object. Move to a safe area (far from the object) and call the Department of Public Safety immediately at ext. 6911. Do not operate any electronic devices, radios or light (power) switches.
2. If you receive a bomb threat, remain calm and try to obtain as much information as possible from the caller. Specifically try to ascertain the following:
  - a) The location of the device.
  - b) The time, if any, the device is scheduled to go off.
  - c) The appearance or type of container used for the device.
  - d) The reason for placing the device.
  - e) The size of the bomb.

- f) The type of explosive used in the device.
- g) The name of the caller or organization taking responsibility.
- h) Any additional information that might be available.

3. The person receiving the call should note the following:

- a) Male or female voice.
- b) Time of call.
- c) Mood of caller (excited, nervous, calm, and despondent).
- d) Background noises that may be present at the location of the caller.
- e) Approximate age of the caller.
- f) Any other peculiarities that may be helpful in identifying the source of the call or its purpose.

4. The police will be called and the building may be subject to full or partial evacuated. When evacuating the building, only use stairs. Do not use elevators. Move well away from the building and follow the instructions of floor coordinators and emergency personnel at the scene.

5. If there is an explosion:

- a) Immediately take cover under sturdy furniture.
- b) Stay away from the windows.
- c) Do not light matches.
- d) Move well away from the site of the explosion to a safe location.
- e) Use stairs only, do not use elevators.

## **MEDICAL EMERGENCIES**

1. All medical emergencies should be reported immediately to Public Safety ext. 6911.
2. If the medical emergency is life threatening, call 911 before dialing Public Safety.
3. If you call 911, be prepared to give your name; describe the nature and severity of the medical problem and the location of the victim. Try to answer all of the questions the dispatcher asks you and let him/her hang-up the phone first. Do not move the victim. If you are certified in CPR and First Aid and able to help, then try to assist the victim until help arrives.
4. Look for emergency medical ID's such as bracelets on injured persons and try to keep the victim as comfortable as possible until emergency personnel arrive.
5. If a medical problem is non-life threatening, call the Public Safety Department at ext. 6911. If the victim can be safely moved then he/she will be escorted to the office of the College Nurse, room A-334-C. If, Public Safety personnel believe that a victim should not be moved or that emergency medical care is required immediately, then they will call 911. Please remember that the decision to call or not call 911 is not based on financial situation or insurance status. The focus is on assisting the ill or injured party.
6. The school employs a nurse practitioner. The nurse's office is room A-334C and ext. 6542.
7. While it is common to want to assist the ill person, all persons should FOLLOW THE INSTRUCTIONS OF PUBLIC SAFETY OFFICERS AND ALL FIRST RESPONDERS.

## **MEDICAL EMERGENCIES-MENTAL HEALTH**

The Office of the Dean of Students can be most helpful in assisting anyone who feels in need of counseling or mental health service. College can be stressful for many students. You are not alone and don't have to be alone College counselors are available at 718-518-4319. Whenever an individual demonstrates or reports a risk for self-destructive or suicidal behavior, immediate assistance is needed. If the situation poses an imminent physical danger, call 6911 to reach the Public Safety office or summon the NYPD at 911. If imminent physical danger is not posed then call the Dean of Students office at ext. 6789 or our counselor at ext. 4319. If a response from either of these two areas is unavailable contact Public Safety at ext. 6888.

## **UTILITY FAILURES**

### **Power Failure**

The following actions are to be taken by members of the college community in the event of a power failure:

1. Report any power failure immediately to Public Safety at ext. 6911.
2. Having a flashing attached to a key chain, belt clip or in a bag may be helpful even when power goes out. Never use candles.
3. During daylight, add as much natural lighting as possible by raising blinds.
4. Faculty with classes should remain where they are until notified otherwise.
5. During a power failure or possible power failure, never use an elevator. If you become trapped in an elevator during a power outage, use the emergency "Call for Help" button in the elevator to contact the main security desk. Wait for assistance. Don't panic. Help is on the way. Once power is restored, Public Safety will make an announcement using the school's public address system. Evacuation may not be necessary during a power failure.

### **Plumbing Problem/Flooding**

Cease using all electrical equipment. Notify Public Safety immediately. If necessary vacate the area and prevent anyone else from entering. If a toilet overflows or water is accumulating in a given area, contact Public Safety at ext. 6888.

### **Gas Leaks**

Gas leaks are very rare but can be very serious. If you smell gas, contact security by coming down to the main Public Safety desk or utilize a phone away from the smell of gas. Do not use a mobile phone near a gas leak whether here or at home. Gas vapors can be ignited by static electricity.

### **BIOLOGICAL CHEMICAL OR NUCLEAR ATTACKS**

1. Upon receiving confirmed information of an imminent or ongoing biological, chemical or Nuclear Disaster/Attack that poses great risk to life at the School, the President or her designee shall declare a campus wide emergency.
2. This state of emergency may initiate a lockdown of the building and/or its total evacuation.
3. Notification will be made via college website, voicemail, emergency communication response system and CUNY-Alert if at all possible.
4. Building occupants will be kept abreast of changes as they develop by college officials. During an event at the building the following actions will be taken if possible:
  - a) building wide air-handlers will be turned off and intakes sealed if possible
  - b) building occupants will be directed to enclosed areas of the building unless otherwise directed by civil authorities to provide most insulation and
  - c) updates on emergency will be given, if practicable, by the same methodologies as indicated above

**Note on all emergency notifications: When in the considered opinion of the college, university or civil authorities, dissemination of information on a given emergency may hinder or cause additional harm, such notification may be delayed until such time that it is safe to do so.**

### **Public Safety Awareness & Crime Prevention Programs**

The Department of Public Safety issues safety alert bulletins when deemed necessary and provides Timely Warning Notices (paper/electronic form) to the campus community when serious crimes occur in areas on or near the campus. The department maintains a relationship with the New York City police precincts that are responsible for the public safety of the campus perimeter and its surrounding areas. All persons reporting crimes to the Department of Public Safety are also encouraged to promptly report the incident to the local police precinct or precinct of concern. A record of each report made to the local precinct is maintained as part of the Public Safety Department's annual statistical report. All Members of the college community are encouraged to attend crime prevention seminars that are conducted by the Department of Public Safety and / or invited members of local law enforcement. All incoming students receive information about campus crime prevention programs during initial orientation campus wide events scheduled at the beginning of each semester. To obtain more information on crime prevention, please contact the Department of Public Safety at (718) 518-6888. A number of officers in the Department of Public Safety have attended the Basic Methods of Security Crime Prevention Course taught at the New York City Police Academy. These officers are assigned to conduct crime prevention seminars and at times are assigned to conduct follow-up investigations for crimes committed on campus. They also advise and make recommendations to complainants and victims regarding the prevention of future criminal acts.

Along with the Office of the Senior Vice President of Administration & Finance and the Dean of Facilities Management, the Director of Public Safety conducts ongoing reviews of campus grounds and facilities. Special emphasis is placed on the need to ensure safe accessibility to buildings with particular attention to landscaping hazards as well as inadequate lighting.

All public safety personnel, while on patrol, report potential safety and security hazards as well as door problems and elevator malfunctions. Hazards and potential unsafe conditions can be reported by a member of the college community by contacting the Department of Public Safety at (718) 518-6888.

The Department of Public Safety takes the following preventative measures in an attempt to limit criminal activity: screening visitors, issuing ID cards, controlling access, monitoring closed circuit television cameras and other electronic security systems, patrolling the building and its perimeter, inspecting infrastructure such as doors, locks, lighting and alarm systems, responding to incidents and conducting investigations.

Campus security awareness programs include the distribution of crime prevention notices which provide tips on personal safety and protecting personal property while on and off campus. These notices are routinely sent out to the college community via the College email distribution list, posted on the Public Safety Social Media Web Sites and posted on large laminated posters which are visibly located around the campus. Notices containing specific crime prevention information are sent to students, staff and faculty whenever an incident takes place that poses an ongoing threat to the college community. The Department of Public Safety has a number of crime prevention brochures covering several different topics on how to avoid becoming a victim of a crime that is likely to occur on and off campus. These brochures are available at the Department of Public Safety, 450 Grand Concourse; room C-030. Presentations on personal security, the prevention of sexual assault, sexual harassment, workplace violence and other crimes, and drug and alcohol abuse are offered to the college community in conjunction with new staff orientations. In addition, targeted crime prevention presentations are also given to individual departments when there is specific crime or safety related issues effecting that department. Arrangements can be made for specialized group presentations and individual consultation or counseling via the Department of Public Safety (Room C-030, phone # 718-518-6888).

**Crime Prevention Tips** - Actual and attempted violent crime, including sex crime is virtually unknown on the Hostos campus. However, the possibility cannot be excluded. Accordingly, use general prudence, avoid isolated areas, and report suspicious observations to Public Safety ext. 6888 and / or 718-518-6888.

**On Campus** - While on-campus purse snatchings are unknown and pick pocketing is rare, the theft of unattended laptop computers, purses, pocketbooks, and wallets and their contents is not unheard of. Under no circumstances should cash, credit cards, garments, or other valuables be left unattended in offices and / or furniture - nor should office or furniture locks be relied upon.

**Off Campus** - Local area crime is not within the Hostos Campus jurisdiction but we maintain liaison with the local police precinct to monitor trends and exercise influence. General rules of urban area prudence must be followed day and night, including:

- Avoid under populated or dark areas.
- Keep distant from building facades particularly avoiding empty storefronts.
- Cross the street rather than walk under construction scaffolding or through confined routes particularly during hours of darkness.
- Use corner rather than mid-block subway entrances.
- Be alert to street "scams" (e.g. clustered bystanders, unsolicited help with "accidental" spills, feigned distress, groups asking for directions, dropped money, or other opportunities for profit through "good faith" deposits, gambling, winning ticket cashing or other unusual or illicit enterprises).

- Be aware that jewelry, luggage, furs, cameras, cellphones, camcorders, cash and other conspicuous valuables including expensive portfolios and briefcases may increase robbery risks.
- Wear or hold pocketbooks and equipment straps so that they quickly release in the event of an attempted snatch by running or mobile persons: Wearing them across the body, around the neck or wound around the hand can expose the wearer to the risk of serious injury.

**Bicycles** - Bicycle racks have been provided by New York City's Department of Transportation and are located outside the 475 Grand Concourse building on the Grand Concourse. In addition, Hostos Community College provides bicycle racks at the entrance of the East Academic Complex Parking Lot; located on East 144<sup>th</sup> Street between the Grand Concourse and Park Avenue. Hostos Community College is not responsible for bicycles left at these racks. Bicycles not having motorcycle-grade locks and chains or "U" type heavy-duty bicycle locks are at greater risk of theft. Always lock your bicycle securely, whether you are gone for a few minutes or a few hours. Use a U-lock, securing both wheels and the frame to a stationary object such as a post, fence, tree, or bike rack. For extra security, add a chain or cable with a good padlock. Always park your bike where it can be easily seen.

**Elevators** – When standing inside of an elevator be sure to protect your property by not having pocket books, book bags open and available to being reached in by an unsuspecting person(s).

**Laptops** - Treat your laptop as though it was cash. If you would not place a hundred dollar bill on your desk while out to lunch, do not do it with a laptop either. Always secure your laptop in a locked desk or cabinet when not in use. When traveling in a car, do not leave your laptop on the seat next to you. Keep it out of sight in the trunk or place it under the passenger seat. If you park your vehicle and cannot take the laptop with you, make sure that it is locked in the trunk prior to reaching your destination. Be alert to unfamiliar persons in your work area and immediately report suspicious persons to the Department of Public Safety at extension 6888.

**Data** - Back up data files frequently and keep copies separate and secure. Carefully follow Office of Information Technology guidelines for passwords, anti-virus protection, and data backup. Data transmitted over the Internet or other networks filed on networked computers may be subject to interception/intrusion, inspection, manipulation, or destruction by sophisticated remote attack or equipment malfunction. The preparation, filing or transmission of credit card, banking, proprietary, personal, or other sensitive information should be limited to home computers and those commercial on-line services that provide satisfactory security assurances: Hostos Community College does not offer such assurances and will not accept liability for any data losses or damages.

Promptly report any data or computer irregularities, including virus detections, to the Office of Information Technology at 718-518-6646 or, after hours, to the Department of Public Safety at 718-518-6888.

**Pickpocket Theft Prevention** - Do not be distracted by strangers seeking directions. Be wary when someone tells you that there is something on your clothing such as a condiment when you have not come from an eating establishment. Do not carry valuables in a shoulder bag and do not let the bag hang behind you. Keep the flap to the purse close to your body. Try to carry a purse that has a zipper or locking device of some sort. Carry your wallet in your front or breast pocket. Be wary of people who drop things in front of you, such as change or keys. Keep handbags on your lap and keep your hand on it at all times while on public transportation. Be careful of the person who shoves or pushes you while trying to get to the rear or front of a bus or subway car.

**Personal Safety in Your Car** - Always lock your car after entering and exiting it and try to park in a well-lighted space. Before getting in your car, check the front and back seats to make sure no one is hiding inside. Do this even if your car is locked. Have your keys in hand so you don't have to linger before entering the car and be aware of your surroundings. Do not offer rides to strangers. If you suspect that someone is following you drive to the nearest open public place and sound your horn.

## Access to College Facilities

### **CAMPUS FACILITIES**

As Hostos Community College is a commuter school, there are no residences or dormitories on campus. To date, there are no off-campus student organizations. The College's normal hours of operation are 7:00AM to 10:00 p.m. Monday through Saturday and 7:00 a.m. to 6:00 p.m. on Sundays. Currently enrolled students and employed staff are permitted to be on campus, for the purpose of school related work after these hours with permission of the respective divisional Vice President and Office of Public Safety. College issued identification cards must be on your person any time you are in the College-this is also a University regulation. A valid College ID card is required to get past the security access system in each lobby. Other CUNY students/employees are allowed access to the Library during regular business hours provided that a currently valid photo school ID is presented. Other CUNY students/employees will be signed in once they have presented their valid CUNY College ID card. The Library is closed to all non-CUNY visitors unless written permission has been obtained from the Chief Librarian. The School reserves the right to refuse entry or remove anyone regardless of status for rule infractions or safety reasons.

### **IDENTIFICATION CARDS**

College and University policy require that you carry your validated School issued identification card on your person at all times while in our building or any City University controlled facility. It must be presented upon request by any public safety or administrative agent of the University. These cards are the property of the College. If your card has been lost or stolen, please go to the Bursar Office located at 120 Walton Avenue, Room, B-105 to pay a \$10.00 replacement fee. A defective ID card will be replaced free of charge. The receipt generated should be brought to the Public Safety office, room BC-042-A, where a replacement card will be issued. Please note that all currently enrolled students must have an active validation sticker affixed to their identification card. This sticker is available in the Public Safety office as well.

### **GUESTS**

All visitors to the School are expected to comport themselves in a manner consistent with an academic environment. Guests must sign in at the front Public Safety desk and show identification to the officer on duty. Upon exiting the School, guests must sign out. Guests must generally be in the same area as the host student/employee and may not use School facilities such as copy machines or computers in furtherance of their own work without express permission of a College Official. Guests are subject to the lawful instructions of all members of the Public Safety Department, as well as other College Officials. Guests may not remain in the building after closing or on weekends and holidays unless there is an official event open to the general community. If a guest seems to be intoxicated, refuses to follow procedures of producing identification or follow sign in and sign out procedures, entry to the building will be denied.

### **SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES**



The College's Facilities Department & Public Safety Department utilize professional vendors/contractors who maintain the school's fire alarm/suppression system, access control and CCTV system, fire command and public address system. Interior and exterior lighting are maintained by the facilities department personnel. Any conditions, which appear unsafe, should be directly reported to any Public Safety Officer, as soon as possible or by calling the Public Safety Department at ext. 6888. Public Safety monitors all interior and exterior closed circuit cameras on a continuous basis. An automatic piped water-based fire suppression system is supplemented by numerous dry chemical portable fire extinguishers. Public Safety Officers and Campus Security Assistants patrol the building and grounds several times a tour, every tour, each day of the year. Tours are logged in via a computerized electronic log book. Hostos Community College utilizes a computerized card access system as a means of access to the A-475, B-500, C-450 and D-120 buildings. When activated, authorized College ID Cards are touched to turnstile mounted card readers to open turnstiles. College SMART Classrooms are also protected by electronic locks which must be opened by authorized College ID Cards. The School's locking devices are a restricted key-way type and the college owns the patent. All Public Safety staff carries mobile radios programmed through a repeater to enhance effectiveness. The aforementioned devices are checked during guard tour building rounds and building perimeter tours. Additionally, a special mobile radio located at the front Public Safety desk can communicate with the central office base station. Any and all deficiencies/hazards noted by the college community should be reported to Public Safety for repair/service and or referral. The Public Safety Director, Assistant Directors and Supervisors have direct access to the NYPD Police Dispatcher in the confines of the 40th precinct via the approved NYPD police frequency which is programmed on the two-way radios which they carry.

### **Public Safety Escort**

The Department of Public Safety provides safety escorts to any member of the college community who requests such an escort. Escorts are provided within the geographical confines of the institution. Escorts provided outside the confines require approval from the Public Safety Director.

### **Closed Circuit Television**

The Public Safety Department uses closed circuit television cameras in order to enhance campus safety in and around the buildings. These cameras are routinely monitored by members of the department and are set up to record 24 hours a day. The viewing camera patrol is primarily used to ensure that there are no criminal or unsafe activities occurring on the campus interior or exterior, to protect entrances and exits and to dispatch Public Safety personnel to possible emergency situations or unlawful activities. The college also has a fire alarm response system in each building which is monitored by an off-campus 24 hour monitoring service.

### **Public Address System**

A Public Address System is available in the C-450, A-475 and B-500 buildings. Announcements can be made from each respective lobby as well as the public safety dispatch center.

### **Working Relationships with other Law Enforcement Agencies**

The City University of New York which includes Hostos Community College has a Memorandum of Understanding with the NYPD which covers emergencies, non-emergencies and investigative responses by the NYPD. In accordance with this MOU (Memorandum of Understanding) between the NYPD and the City University of New York dated March 6, 1992, New York City Police officers are not to enter City University property in non-emergency responses unless it has been requested or approved by a College official authorized to make such a request. While the authority of police officers entering the campus on an emergency basis is recognized, the University recommends that police officers notify the designated college officials and/or their designees whenever they must enter university property.

### **Weapons Policy**

No one within the University community (including visitors), except Campus Peace Officers, pursuant to authorization of the College President, shall have in his/her 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 the campus.

### **College Regulations / Code of Conduct**

#### **RULES AND REGULATIONS FOR THE MAINTENANCE OF PUBLIC ORDER PURSUANT TO ARTICLE 129-A OF THE EDUCATION LAW (THE "HENDERSON RULES.")**

The tradition of the University as a sanctuary of academic freedom and center of informed discussion is an honored one, to be guarded vigilantly. The basic significance of that sanctuary lies in the protection of intellectual freedom: the rights of professors to teach, of scholars to engage in the advancement of knowledge, of students to learn and to express their views, free from external pressures or interference. These freedoms can flourish only in an atmosphere of mutual respect, civility, and trust among teachers and students, only when members of the University community are willing to accept self-restraint and reciprocity as the condition upon which they share in its intellectual autonomy.

Academic freedom and the sanctuary of the University campus extend to all who share these aims and responsibilities. They cannot be invoked by those who would subordinate intellectual freedom to political ends, or who violate the norms of conduct established to protect that freedom.

Against such offenders the University has the right, and indeed the obligation, to defend itself.

We accordingly announce the following rules and regulations to be in effect at each of our colleges which are to be administered in accordance with the requirements of due process as provided in the Bylaws of the Board of Higher Education.

With respect to enforcement of these rules and regulations we note that the Bylaws of the Board of Higher Education provide that:

"**THE PRESIDENT.** The president, with respect to his education unit, shall:

- a. Have the affirmative responsibility of conserving and enhancing the educational standards of the college and schools under his jurisdiction;
- b. Be the advisor and executive agent of the Board and of his respective College Committee and as such shall have the immediate supervision with full discretionary power in carrying into effect the Bylaws, resolutions, and policies of the Board, the lawful resolutions of the several faculties;
- c. Exercise general superintendence over the concerns, officers, employees, and students of his educational unit."

#### **1. RULES**

1. A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he interfere with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institutions instructional, personal, administrative, recreational, and community services
2. Individuals are liable for failure to comply with lawful directions issued by representatives of the University/college when they are acting in their official capacities. Members of the academic community are required to show their identification cards when requested to do so by an official of the college.
3. Unauthorized occupancy of University/college facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/college equipment and/or supplies.
4. Theft from, or damage to University/college premises or property, or theft of or damage to property of any person on University/college premises is prohibited.
5. Each member of the academic community or an invited guest has the right to advocate his position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.
6. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/college, or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of the rights or interferes with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.
7. Disorderly or indecent conduct on University/college-owned or controlled property is prohibited.
8. No individual shall have in his possession a rifle, shotgun, or firearm or knowingly have in his possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution. Nor shall any individual have in his possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.
9. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.
10. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University students or employees on University/college premises, or as part of any University/college activities is prohibited. Employees of the University must also notify the College Personnel Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.
11. The unlawful possession, use, or distribution of alcohol by students or employees on University/college premises or as part of any University/college activities is prohibited.

## 2. PENALTIES

1. Any student engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be subject to the following range of sanctions as hereafter defined in the attached Appendix: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsions, ejection, and/or arrest by the civil authorities.
2. Any tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be subject to the following range of penalties: warning, censure, restitution, fine not exceeding those permitted by law or by the Bylaws of The City University of New York or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and, for engaging in any manner in conduct prohibited under substantive rule 10, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program. A tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff charged with engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be entitled to be treated in accordance with applicable provisions of the Education Law, or the Civil Service Law, or the applicable collective bargaining agreement, or the Bylaws or written policies of The City University of New York.
3. Any visitor, licensee, or invitee, engaging in any manner in conduct prohibited under substantive Rules 1-11, shall be subject to ejection, and/or arrest by the civil authorities.
4. Any organization which authorized the conduct prohibited under substantive rules 1-11 shall have its permission to operate on campus rescinded. Penalties 1-4 shall be in addition to any other penalty provided by law or The City University Trustees.

## ADDITIONAL COLLEGE RULES

1. Any student violating any law or regulation established by the College, University, City, State, or Federal Government (including the use of drugs), shall be subject to the formal disciplinary procedures as outlined in Articles 15.3 to 15.5 of the Board of Higher Education Bylaws and Sanctions as listed in the Board of Higher Education Bylaws and Article 129A of the Education Law (CUNY Henderson Rules). The initiation of disciplinary procedures requires notice to the student pursuant to 15.3 of the Board of Higher Education Bylaws.

In emergency or extraordinary circumstances, immediate suspension can be effectuated pending a hearing within seven (7) school days.

2. All other persons who violate New York State or Federal laws including those that govern gambling activities, the use of alcohol, and the possession, distribution, or consumption of any controlled substance will be subject to arrest.

## **University Policy Relating to Drugs and Alcohol** THE CITY UNIVERSITY OF NEW YORK POLICY ON DRUGS AND ALCOHOL

The City University of New York ("CUNY") is an institution committed to promoting the physical, intellectual, and social development of all individuals. As such, CUNY seeks to prevent the abuse of drugs and alcohol, which can adversely impact performance and threaten the health and safety of students, employees, their families, and the general public.

CUNY complies with all federal, state, and local laws concerning the unlawful possession, use, and distribution of drugs and alcohol. Federal law requires that CUNY adopt and implement a program to prevent the use of illicit drugs and abuse of alcohol by students and employees. As part of its program, CUNY has adopted this policy, which sets forth (1) the standards of conduct that students and employees are expected to follow; (2) CUNY sanctions for the violation of this policy; and (3) responsibilities of the CUNY colleges/units in enforcing this policy. CUNY's policy also (1) sets forth the procedures for disseminating the policy, as well as information about the health risks of illegal drug and alcohol use, criminal sanctions for such use, and available counseling, treatment, or rehabilitation programs, to students and employees; and (2) requires each college to conduct a biennial review of drug and alcohol use and prevention on its campus. This policy applies to all CUNY students, employees and visitors when they are on CUNY property, including CUNY residence halls, as well as when they are engaged in any CUNY-sponsored activities off campus.

## **CUNY STANDARDS OF CONDUCT**

The unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by anyone, on CUNY property (including CUNY residence halls), in CUNY buses or vans, or at CUNY-sponsored activities, are prohibited. In addition, CUNY employees are prohibited from illegally providing drugs or alcohol to CUNY students. Finally, no student may possess or consume alcoholic beverages in any CUNY residence hall, regardless of whether the student is of lawful age. For purposes of this policy, a CUNY residence hall means a residence hall owned and/or operated by CUNY, or operated by a private management company on CUNY's behalf. In order to make informed choices about the use of drugs and alcohol, CUNY students and employees are expected to familiarize themselves with the information provided by CUNY about the physiological, psychological, and social consequences of substance abuse.

## **CUNY SANCTIONS**

Employees and students who violate this policy are subject to sanctions under University policies, procedures and collective bargaining agreements, as described below. Employees and students should be aware that, in addition to these CUNY sanctions, the University will contact appropriate law enforcement agencies if they believe that a violation of the policy should also be treated as a criminal matter.

## **STUDENTS**

Students are expected to comply with the CUNY and college policies with respect to drugs and alcohol. Any student found in violation may be subject to disciplinary action under Article 15 of the Bylaws of the Board of Trustees, which may result in sanctions up to and including expulsion from the University. In addition, any student who resides in a CUNY residence hall and who is found to have violated any CUNY or college policy with respect to drugs and alcohol may be subject to sanctions under the CUNY Residence Hall Disciplinary Procedures, up to and including expulsion from the residence hall. In lieu of formal disciplinary action, CUNY may, in appropriate cases, seek to resolve the matter through an agreement pursuant to which the student must see a counselor or successfully participate in a drug and alcohol treatment program. In accordance with the Federal Educational Rights and Privacy Act ("FERPA"), CUNY may also choose—when appropriate—to contact parents or legal guardians of students who have violated the CUNY policy on drugs and alcohol.

## **EMPLOYEES**

Any employee found to have violated this CUNY policy may be subject to disciplinary action, in accordance with the procedures set forth in applicable CUNY policies, rules, regulations, and collective bargaining agreements. Sanctions may include a reprimand, suspension without pay, or termination of employment. In lieu of formal disciplinary action, CUNY may, in appropriate cases, seek to resolve the matter through an agreement pursuant to which the employee must successfully participate in a drug or alcohol treatment program.

## **HOSTOS SCHOOL ALCOHOL POLICY**

In order to ensure the continued enhancement of the positive image and reputation of all members of the college community and in the interest of promoting student and faculty welfare at the college, the following Code of Behavior is in effect at Hostos Community College. Use of alcoholic beverages is prohibited on campus except for the consumption of wine at special events approved by the Office of the President and in consultation with the Office of Public Safety.

## **INFORMATION FOR THE CUNY COMMUNITY ON THE RISKS AND CONSEQUENCES OF DRUG AND ALCOHOL USE**

### **BACKGROUND**

The City University of New York's Policy on Drugs and Alcohol, adopted by the Board of Trustees on June 22, 2009, prohibits the unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol by employees, students or visitors, on CUNY property, in CUNY buses or vans, or at CUNY-sponsored activities. It prohibits all students (regardless of their age) from possessing or consuming alcoholic beverages in CUNY residence halls. It also prohibits CUNY employees from illegally providing drugs or alcohol to CUNY students. As the Policy states, sanctions for violation of the Policy, following appropriate disciplinary proceedings, may include, in the case of students, expulsion from the university, and in the case of employees, termination of employment. This document sets forth additional information required to be provided under federal law, including the legal sanctions for drug and alcohol use, health risks of such use, and information regarding available counseling, treatment, or rehabilitation programs.

### **LEGAL SANCTIONS**

Federal and New York State laws make it a criminal offense to manufacture, distribute, dispense, possess with intent to distribute, or simply possess a controlled substance. Such substances include heroin, cocaine, methamphetamine, ecstasy, LSD, PCP, marijuana, and a number of common pharmaceutical drugs if unlawfully obtained. The sanctions for violation of these laws, ranging from community service and monetary fines to life imprisonment, depend upon the particular offense, the drug type, and the drug quantity. Students convicted under these statutes may also forfeit federal financial aid eligibility.

Note that an individual need not be in actual physical possession of a controlled substance to be guilty of a crime. The unlawful presence of a controlled substance in an automobile is presumptive evidence of knowing possession of such substance by each passenger unless the substance is concealed on the person of one of the occupants. Similarly, the presence of certain substances in plain view in a room can sometimes be presumptive evidence of knowing possession of such substance by anyone in close proximity.

Further, pursuant to New York State law:

- Any person under age 21 who is found to be in possession of alcohol with the intent to consume it may be punished by a fine and/or required to complete an alcohol awareness program and/or to provide up to 30 hours of community service. Alcoholic Beverage Control Law, § 65-c.

- Giving or selling an alcoholic beverage to a person less than age 21 is a class A misdemeanor punishable by a sentence of imprisonment up to one year. Penal Law § 260.20
- Any person who operates a motor vehicle while intoxicated or while his ability to operate such vehicle is impaired by the consumption of alcohol or drugs, is subject to suspension or revocation of driving privileges in the State, monetary fines up to \$1,000, and imprisonment for up to one year. Vehicle and Traffic Law § 1192
- A person under 21 who presents false written evidence of age for the purpose of purchasing or attempting to purchase any alcoholic beverage may be punished by a fine, community service and/or completion of an alcohol awareness program. Alcoholic Beverage Control Law § 65-b(1). Possessing such false evidence may also be criminal possession of a forged instrument, which is a felony in New York, punishable by a fine of up to \$5000, imprisonment up to 7 years, or both. Penal Law § 170.25.
- Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that a person may endanger him or herself or other persons or property, or annoy persons in his vicinity, is a violation, punishable by a fine and imprisonment up to 15 days. Penal Law § 240.40

## HEALTH RISKS

The following is a brief summary of some of the health risks and symptoms associated with use of many of the most-publicized drugs, including alcohol and tobacco. This information was obtained from the National Institute on Drug Abuse (part of the National Institutes of Health of the U.S. Department of Health and Human Services), and the Mayo Clinic. Please note that individuals experience such substances in different ways based on a variety of physical and psychological factors and circumstances.

### LSD (Acid)

LSD is one of the strongest mood-changing drugs, and has unpredictable psychological effects. With large enough doses, users experience delusions and visual hallucinations. Physical effects include increased body temperature, heart rate, and blood pressure; sleeplessness; and loss of appetite.

### Cocaine

Cocaine is a powerfully addictive drug. Common health effects include heart attacks, respiratory failure, strokes, and seizures. Large amounts can cause bizarre and violent behavior. In rare cases, sudden death can occur on the first use of cocaine or unexpectedly thereafter.

### MDMA (Ecstasy)

Ecstasy is a drug that has both stimulant and psychedelic properties. Adverse health effects can include nausea, chills, sweating, teeth clenching, muscle cramping, and blurred vision.

### Heroin

Heroin is an addictive drug. An overdose of heroin can be fatal, and use is associated – particularly for users who inject the drug – with infectious diseases such as HIV/AIDS and hepatitis.

### Marijuana

Effects of marijuana use include memory and learning problems, distorted perception, and difficulty thinking and solving problems.

### Methamphetamine

Methamphetamine is an addictive stimulant that is closely related to amphetamine but has long lasting and more toxic effects on the central nervous system. It has a high potential for abuse and addiction. Methamphetamine increases wakefulness and physical activity and decreases appetite. Chronic, long-term use can lead to psychotic behavior, hallucinations, and stroke.

### PCP/Phencyclidine

PCP causes intensely negative psychological effects in the user. People high on PCP often become violent or suicidal.

### Prescription Medications

Prescription drugs that are abused or used for non-medical reasons can alter brain activity and lead to dependence. Commonly abused classes of prescription drugs include opioids (often prescribed to treat pain), central nervous system depressants (often prescribed to treat anxiety and sleep disorders), and stimulants (prescribed to treat narcolepsy, ADHD, and obesity). Long-term use of opioids or central service system depressants can lead to physical dependence and addiction. Taken in high doses, stimulants can lead to compulsive use, paranoia, dangerously high body temperatures and irregular heartbeat.

### Tobacco/Nicotine

Tobacco contains nicotine, which is highly addictive. The tar in cigarettes increases a smoker's risk of lung cancer, emphysema, and bronchial disorders. The carbon monoxide in smoke increases the chance of cardiovascular diseases. Secondhand smoke causes lung cancer in adults and greatly increases the risk of respiratory illnesses in children.

### Steroids

Adverse effects of steroid use in males may include shrinking of the testicles and breast development. In females, adverse effects may include growth of facial hair, menstrual changes, and deepened voice. Other adverse effects can include severe acne, high blood pressure and jaundice. In some rare cases liver and kidney tumors or cancer may develop.

### Alcohol

Excessive alcohol consumption can lead to serious health problems, including cancer of the pancreas, mouth, pharynx, larynx, esophagus and liver, as well as breast cancer, pancreatitis, sudden death in people with cardiovascular disease, heart muscle damage leading to heart failure, stroke, high blood pressure, cirrhosis of the liver, miscarriage, fetal alcohol syndrome in an unborn child, injuries due to impaired motor skills, and suicide.

## SUBSTANCE ABUSE

You or someone you know may have a problem with drugs and alcohol if you/they are:

- Using drugs and/or alcohol on a regular basis.
- Losing control of the amount of drugs and/or alcohol used after being high or drunk.
- Constantly talking about using drugs and/or alcohol.
- Believing that drugs and/or alcohol are necessary in order to have fun.
- Using more drugs and/or alcohol to get the same effects as in the past.
- Avoiding people in order to get high or drunk.
- Pressuring others to use drugs and/or alcohol.
- Foregoing activities that were once priorities (i.e. work, sports, spending time with family and sober friends).
- Getting into trouble at school, at work, or with the law.
- Taking risks, including sexual promiscuity and driving while intoxicated.
- Lying about things, including the amount of drugs and/or alcohol used.
- Feeling hopeless, depressed, or even suicidal.

If you suspect that you or someone you know has a problem with drugs and/or alcohol, please utilize the resources listed below.

## RESOURCES ON CAMPUS

For assistance and referrals, students should (1) consult the relevant college website; or (2) contact their Student Affairs Office and/or Counseling Center. Any Hostos C.C. student may contact our counselor at 718-518-4319, our nurse practitioner at 718-518-6542 or Disabilities Coordinator at 718-518-4454.

For assistance and referrals, **employees** should consult with the Human Resources office at 718-518-6650. Assistance is also available through union employee assistance programs or through the CUNY Work/Life Program.

CUNY Work/Life Program (800) 833-8707

<http://www.cuny.edu/worklife/>

## RESOURCES OFF-CAMPUS

12 Step Recovery Programs

Narcotics Anonymous (212) 929-6262 <http://www.newyorkna.org/>

Cocaine Anonymous (212) 262-2463 <http://www.ca-ny.org/>

Marijuana Anonymous (212) 459-4423 <http://www.ma-newyork.org/>

Alcoholics Anonymous (212) 647-1680 <http://www.nyintergroup.org/>

Nicotine Anonymous (631) 665-0527 <http://www.nicotine-anonymous.org/>

Al-Anon/Alateen (888) 425-2666 <http://www.al-anonny.org>

### Detoxification and Outpatient/Inpatient Rehabilitation Facilities

#### New York County

Bellevue Hospital Center  
462 First Ave.  
New York, NY 10016  
(212) 562-4141

St. Luke's-Roosevelt Hospital Center  
1000 Tenth Ave.  
New York, NY 10019  
(212) 523-6491

Greenwich House, Inc.  
50B Cooper Square  
New York, NY 10003  
(212) 677-3400

#### Queens County

Flushing Hospital Medical Center  
4500 Parsons Blvd.  
Flushing, NY 11355  
(718) 670-5078  
Samaritan Village, Inc.

#### Kings County

Kings County Hospital Center  
606 Winthrop St.  
Brooklyn, NY 11203  
(718) 245-2630

Interfaith Medical Center  
1545 Atlantic Ave.  
Brooklyn, NY 11213  
(718) 613-4330

Bridge Back to Life Center, Inc.  
175 Remsen St., 10th Floor  
Brooklyn, NY 11201  
(718) 852-5552

#### Bronx County

St. Barnabas Hospital  
4535 East 183rd St.  
Bronx, NY 10457  
(718) 960-6636  
Montefiore Medical Center

144-10 Jamaica Ave.  
Jamaica, NY 11435  
(718) 206-1990

Daytop Village, Inc.  
316 Beach 65th St.  
Far Rockaway, NY 11692  
(718) 474-3800

#### **Richmond County**

Staten Island University Hospital  
375 Seguine Ave.  
Staten Island, NY 10309  
(718) 226-2790

Richmond University Medical Center  
427 Forest Ave.  
Staten Island, NY 10301  
(718) 818-5375

Camelot of Staten Island, Inc.  
263 Port Richmond Ave.  
Staten Island, NY 10302  
(718) 981-8117

New York State Office of Alcoholism and Substance Abuse Services  
Tel: (877) 846-7369  
<http://www.oasas.state.ny.us/>

New York State Smokers' Quitline  
Tel: (866) 697-8487  
<http://www.nysmokefree.com/>

#### **COUNSELING**

A full-time counselor is available to students. The counselor also conducts workshops and facilitates support groups on a number of topics including test anxiety and stress management. The counselor's office phone number is 718-518-4319

The appearance of this information does not imply endorsement by Hostos Community College, which has no control over the accuracy, content or availability of products, goods or services offered by outside entities.

### **REPORTING AND PREVENTION OF SEXUAL ASSAULT, HARASSMENT AND SEXUAL MISCONDUCT OFFENSES, STALKING AND DATING, INTIMATE PARTNER AND DOMESTIC VIOLENCE**

Under the provisions of Title IX of the Education Amendments of 1972 (Title IX), 20 USC §§ 1681 et seq., and its implementing regulations, 34 CFR Part 106, discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance is prohibited. Sexual harassment of students, which includes acts of sexual violence, cyber stalking and unwanted physical contact of any sort, is a form of discrimination prohibited by Title IX. The U.S Department of Education's Office for Civil Rights defines this type of harassment as unwelcome conduct of a sexual nature that can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct, implicated by dating or domestic violence, social or electronic stalking and other adverse activity, creates a "hostile environment" when sufficiently severe or pervasive to limit or interfere with a student's ability to participate in educational activities.

#### **Reporting Incidents of Sexual Harassment, Including Sexual Assault and Sexual Misconduct, Stalking and Dating/Intimate Partner/Domestic Violence**

Allegations of sexual harassment including sexual assault, stalking, or domestic and intimate partner violence should be reported to one of individuals listed below.

Interim Title IX Coordinator/Arnaldo Bernabe, room C-030, 718-518-6880, [abernabe@hostos.cuny.edu](mailto:abernabe@hostos.cuny.edu)

Chief Student Affairs Officer Johanna Gomez, room C-330, 718-518-6556, [jgomez@hostos.cuny.edu](mailto:jgomez@hostos.cuny.edu)

Director of Public Safety Arnaldo Bernabe, room C-030, 718-518-6880, [abernabe@hostos.cuny.edu](mailto:abernabe@hostos.cuny.edu)

For more information, please see section "Reporting and Prevention of Sexual Assault and Sexual Misconduct Offenses, Stalking and Dating/Intimate Partner/Domestic Violence" later in this document. For more detailed information on Title IX including community resources, please also see CUNY policies, Getting Help, Understanding and Preventing Sexual Assault and Sexual Harassment please go to (<http://www.hostos.cuny.edu/about/legal/security-report.html>) click "Title IX Campus Information."

#### **Definitions of Crimes that Must Be Reported Pursuant to VAWA**

The Violence against Women Reauthorization Act of 2013 (“VAWA”), added additional categories of crimes to the Clery Act that CUNY’s schools are now required to report.

### Domestic Violence

“**Domestic violence**” includes felony or misdemeanor crimes of violence committed by an intimate partner or former intimate partner of the victim. Intimate partner includes persons legally married to one another, persons formerly married to one another, persons who have a child in common, regardless of whether such persons are married or have lived together any time, couples who live together or have lived together, or persons who are dating or who have dated in the past, including same sex couples.

New York State has multiple laws addressing domestic violence, and the definition is broad. Generally, domestic and intimate partner violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic and intimate partner violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

### Dating Violence

“**Dating violence**” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Like domestic violence, dating violence includes a pattern of abusive behavior that one person intentionally uses to gain or maintain power and control over another person. Dating violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

The length of the relationship, the type of relationship and the frequency of contact, whether in person or by other forms of communication, are factors that help determine whether a dating; relationship exist.

### Stalking

“**Stalking**” is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear or emotional distress.

Stalking generally refers to repeated behaviors that harass or threaten the victim, such as following a person, appearing at a person’s home or place of business, making repeated and/or harassing calls, leaving written messages or objects, or contacting someone repeatedly via electronic means (i.e. the internet or text messaging).

Unlike other crimes, which normally consist of a single illegal act, stalking is a series of actions that, when taken individually, may be perfectly legal. For instance, sending a birthday card or flowers or standing across the street from someone’s house is not a crime. When these actions are part of a course of conduct that would cause a reasonable person to be afraid or to feel emotional distress, they are illegal.

### Reporting methods other than those listed above:

1. Report the incident to the Department of Public Safety (718) 518-6888. A formal report will be made of the allegation and a copy of the report will be forwarded to the Office of Student Affairs; or
2. Report the incident to the College’s Dean for Student Affairs/Student Development, who at the student’s request, will contact the Department of Public Safety to commence an appropriate investigation; or
3. A student can call the New York City Police Department or 911, or go directly to a hospital. It is important to note that if you are a victim of a sex offense, do not destroy any evidence (including clothing) and do not take a shower or bath.
4. It is important that such physical evidence be preserved in order to assist with any ensuing criminal investigation. If the student believes that she/he may be the victim of date rape by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person’s system for a short period of time. The Department of Public Safety will assist with notification of other law enforcement authorities and/or medical professionals if the student so chooses. Files relating to sex offenses are kept confidential by the Department of Public Safety and by the Office of Student Affairs/Student Development, unless otherwise required by law or CUNY policy.
5. Victims or witnesses may report crimes to persons designated as Campus Security Authorities (listed on the first page of this document), who will then forward only the report of the crime – without divulging the name of victim or witness – to the Department of Public Safety for inclusion in the annual crime report. Names and numbers of Campus Security Authorities are located on the first page of this report. The College recognizes the importance of confidentiality to victims and witnesses of crimes. For the purposes of providing crime statistics pursuant to the Campus Security Act in the College’s Annual Security Report, victim and witness information will remain anonymous. However, complete confidentiality cannot be guaranteed in all other contexts. The College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. In many cases, however, that notification will be done without divulging the victim’s identity and will be done only for the purpose of providing a campus-wide safety alert.
6. In the event that the situation you observe or are involved in is of an extreme or life-threatening nature, call 911, the New York City Police Department’s emergency phone number. If you make a 911 call please, also notify the Department of Public Safety. They will also respond to assist and direct the police and other emergency personnel to the reported emergency.

### Bystander Intervention:

The College encourages all community members, including faculty, students and visitors to take reasonable and prudent actions to prevent and stop an act of sexual harassment or sexual violence that she/he may witness. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. In addition, the College encourages all community members to report any incident of sexual harassment or sexual violence that they observe or become aware of (to) the Title IX Coordinator, and/or the Office of Public Safety and Student Affairs. Community members who chose to exercise this positive option will be supported by the College and protected from retaliation. In compliance with the New York Education Law, the College provides the following information about sexual assault, encourages the reporting of any incident of sexual assault and other sexual offenses, and sets forth measures to facilitate its prevention. Possible sanctions for sex offenses (forcible or non-forcible) follow an on

campus disciplinary procedure (if the accused is found guilty by the Faculty Student Disciplinary Committee); can range from admonition, warning, censure, disciplinary probation, restitution, suspension, ejection and complaint to civil authorities.

CUNY has adopted Policies and Procedures concerning sexual assault, stalking and domestic and intimate partner violence against students, which addresses the prevention of sexual assaults and other forms of violence against CUNY students, on and off CUNY campuses. Specifically, the goal of the Policy is to: 1) provide the most informed and up-to-date sexual assault, domestic/intimate partner violence and stalking prevention education information to CUNY students; 2) create a comprehensive plan for CUNY colleges to follow in the event that a student is the victim of a sexual assault or other act of violence; 3) provide clear and concise guidelines for students to follow in the event that they or someone they know has been the victim of a sexual assault or other act of violence; 4) ensure that all appropriate CUNY personnel receive education and training to assist victims of sexual assaults and other acts of violence; and 5) ensure that disciplinary procedures are followed in the event that the perpetrator is a CUNY student or employee.

### **Preventing Date or Acquaintance Rape**

- Convey strongly that you expect your rights to be respected.
- Meet new acquaintances in public places. Always have your own transportation or travel with good friends.
- Keep money in your pocket or purse for phone calls or pay for transportation if you must leave a situation abruptly.
- Be aware of how much alcohol is being consumed. It's best to avoid using alcohol. While not a direct cause of date rape, alcohol can increase your vulnerability by lowering your alertness and ability to react.
- Clearly define your sexual limit. If someone starts to offend you, be direct. Passivity may be interpreted as permission. Say no clearly when you mean no.
- If you feel that you are being pressured into unwanted sex, say something as soon as you can, before the behavior goes any further.
- It's okay to criticize your date's action and still like your date. However, if you don't say anything, your date won't know what behavior to stop. If your date doesn't listen, leave.
- 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.

### **What to Do if You Are Attacked**

- After an attack, try to be as calm as possible in order to think clearly. Get to a safe place and call for help immediately. If you are in the building, contact security immediately; anywhere else call 911, call a relative or a friend or a rape crisis center. The NYC Police Department Sex Crimes Report Line is always open at 212-COP-RAPE.
- Remain in the same condition as when the attacker left. Do not change, wash, or destroy any clothing or any article that may be evidence.
- Do not wash, douche or comb your hair.
- Have a medical/gynecological exam at the nearest hospital emergency room as soon as possible. The doctor should note and treat any injury and take measures to combat the possibility of sexually transmitted diseases or pregnancy. If you report being raped, the doctor must collect semen smears as evidence.
- Show police any bruises or injuries, however minor, resulting from the attack. Also show injuries, however minor, resulting from the attack. Also show injuries to a friend or relative who might be available as a corroborative witness at the trial. If possible, photograph bruises.
- Leave the crime scene exactly as it is. Do not touch, clean up, or throw anything away.
- Give any clothing that was stained or torn (including undergarments) during the crime to the police.
- When calm, write down every detail about the incident, including: who, what, where, when, and how; what the attacker looked like (height, weight, clothing, type of build, color of skin, hair, eyes, facial oddities, scars jewelry, tattoos etc.); description of any vehicle used or the direction you last saw the attacker running; what kind of force or coercion was used; any objects touched, taken, or left by the attacker; if the attacker said anything, try to remember the words, the grammar, any accents or speech defects; and if there were witnesses, list who and where they might be.
- Seek psychological support as well as medical attention. Even though the actual incident is over, you may suffer from rape trauma syndrome, which includes a variety of difficulties commonly experienced after a sexual assault
- A student can call the New York City Police Department or 911, or go directly to a hospital. If the student wishes, Public Safety will call 911 on their behalf. It is important to note that if you are a victim of a sex offense, do not destroy any evidence (including clothing) and do not take a shower or bath.
- It is important that such physical evidence be preserved in order to assist with any ensuing criminal investigation. If the student believes that she/he may be the victim of date rape by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person's system for a short period of time. The Department of Public Safety will assist with notification of other law enforcement authorities and/or medical professionals if the student so chooses.



### **Who is a perpetrator?**

Many people think that sexual assaults are only perpetrated by vicious strangers on dark, deserted streets. In fact, studies indicate that between 80 and 90 percent of all people who have been raped know their perpetrator(s). This is called “date rape” or “acquaintance rape.” “Date rape” is not a legally distinct or lesser category of rape. It refers to a relationship and situational context in which rape occurs on a date. Rape or any sexual offense, whether on a date or not, is the same criminal offense involving the same elements of force, exploited helplessness or underage participation. With sexual assaults where the victim knows the perpetrator, alcohol use is often involved on the part of either the victim or the perpetrator. However, a sexual assault is still a crime regardless of the intoxication of the perpetrator or the victim.

### **Who is a victim?**

Under New York law, regardless of gender, age, race, sexual orientation, religion, ethnicity, class or national origin. Though women and girls are primary targets of these crimes, men and boys are sexually victimized too, and have been found to suffer the same aftermath as women. Regardless of whether the victim was abusing alcohol and/or underage, she or he is still the victim of the sex offense.

### **When is there lack of consent?**

Under New York law, lack of consent to a sexual contact may be demonstrated in the following ways: (1) forcible compulsion including the use of physical force or threat (express or implied) which places the person in fear of physical injury to self or another; (2) incapacity to consent on the part of the victim; (3) circumstances in which the victim does not expressly or impliedly acquiesce in the actor’s conduct; or (4) circumstances in which the victim clearly expressed by words or actions that he or she did not consent to engage in such sexual act and a reasonable person would have understood such person’s words or actions as an expression of lack of consent to such conduct.

A person is deemed incapable of giving consent if she/he is (a) under the age of 17, (b) mentally incapacitated (which may include incapacity due to the victim’s ingestion of alcohol or drugs), (c) physically disabled or (d) physically helpless (asleep, unconscious or for any other reason physically unable to communicate unwillingness to act, which may also include incapacity due to the victim’s ingestion of alcohol or drugs).

### **Who is responsible for a sexual attack?**

In the absence of consent, the attacker is always responsible for having committed the sexual assault regardless of the victim’s appearance, behavior, or conduct on previous occasions. An attacker cannot assume that the way a person dresses or acts, is an invitation for sexual advances. A person may welcome some forms of sexual contact and be opposed to others. The more impaired a person is from alcohol or drugs, the less likely she/he can give consent; having sex with someone who is “passed out” or sleeping is rape. And regardless of previous sexual activity, if someone refuses sexual contact, the failure to respect that limit constitutes non-consensual sex.

## **College and Community Counseling and Support Services for Sex Offense Victims**

### **On-Campus Assistance**

Victims of a sexual assault are encouraged to contact the Office of the Dean of Students to obtain assistance in accessing medical and counseling services, or to make any necessary changes to the student’s academic program. Victims of such crimes can obtain assistance from the Office of the Dean of Students throughout the disciplinary process. The Office of Security and Public Safety can assist the victim in getting to and from campus classes, filing a police report and obtaining an order of protection against the perpetrator. The victim can also file a complaint with the College against a perpetrator who is a student or employee of the University with the Vice President of Student Affairs and the Office of Public Safety.

In addition, the victim of a sexual assault will be provided with on-campus support in the form of an advocate from the Women’s/Men’s Center (if there is one on campus) or an appropriately trained counselor to assist the victim in handling the various aspects of his/her ordeal, such as: 1) explaining to the victim her/his options of whether to report the incident to campus or law enforcement authorities or not; 2) providing guidance if she/he requires medical attention; 3) providing guidance in obtaining crisis intervention and/or ongoing counseling services (or a referral to obtain the necessary services if such services are not available on campus); and 4) assisting the student throughout the College’s disciplinary process if she/he chooses to file a complaint against the perpetrator.

### **College Support Services**

On Campus: Hostos College Student can contact counselor at 718-518-4319 or the office of the Dean of Students at 718-518-6656.

- Department of Public Safety: East Academic Building, Room C-030  
(718)-518-6888
- Counseling Center: Savoy Building, Room D-101  
(718)-518-4319
- Health Services: Allied Health Building, Room A-334C  
(718)-518-6542
- Department of Student Affairs: East Academic Building, Room C-330  
(718)-518-6552

### **Contacting Outside Agencies**

The Hostos C.C. administration will assist any student requesting to contact outside agencies, including local police, regarding charges and complaints of sexual assault.

### **Off-Campus Resources**

- Manhattan District Attorney, Sex Crimes Unit (212) 335-9373

- Queens District Attorney, Sex Crimes Unit (718) 286-6505
- Bronx District Attorney, Crime Victims Assistance Unit (718) 590-2115; Domestic Violence Services (718) 590-2323
- Brooklyn District Attorney, Sex Crimes Unit (718) 250-3170
- Staten Island District Attorney, Sex Crimes Unit (718) 556-7130
- 212 COP-RAPE:

The New York City Police Department Sex Crimes Report Line, open 24 hours, is answered by a female detective at all times. It takes telephone reports of sex crimes, refers victims to counseling and other community services, provides information on police procedures, etc.

- NYC Task Force Against Sexual Assault (212) 274-3210  
This service is open Monday-Friday, 9:00 a.m. through 5:00 p.m. and provides free literature and referrals to counseling and holds network meetings for professionals in the field.
- NYC Victims Services Agency (212) 577-7777  
This service is open 24 hours, seven days a week and provides crisis intervention for crime victims.

- The Gay and Lesbian Anti-Violence Project (212) 807-0197  
This service is open 10:00 a.m. through 8:00 p.m. Monday through Thursday, and 10:00 a.m. through 6:00 p.m. on Friday. It provides short term crisis counseling, advocacy services, and referrals for long term counseling.

- The following New York State department of Criminal Justice website offers links to many additional resources at [www.criminaljustice.ny.gov/pio/crimevictims.html](http://www.criminaljustice.ny.gov/pio/crimevictims.html)

## **Prevention Education Programs**

Each CUNY College is required to develop materials and programs to educate its students, faculty and staff on the nature, dynamics, common circumstances and effects of sexual assault, domestic/intimate partner violence and stalking, and the means to reduce their occurrence and prevent them. The prevention education should seek to provide the most recent and relevant information, such as education pertaining to bystander intervention, the importance of peer networks and the significance of fostering a community of responsibility. All students during the beginning of each semester receive information about sexual assault prevention and reporting procedures. This information is published annually in this document and is also available on the school's website under Legal Notices, Annual Security Report. In addition the College has institutionalize programming of workshops held each semester open to the College Community about the prevention and reporting of Sexual Harassment and Sexual Assault, workshops on Campus Civility, Public Service Announcements both via college wide e-mail and College Social Media Webpages, as well as the on-going distribution of flyers, brochures and reminder cards pertaining to the Prevention & Reporting of Sexual Harassment and Sexual Assault.

Prevention education materials and programs must be incorporated into campus orientation activities for all incoming undergraduate and graduate students (including transfers), and is required to be made available to all student activity groups, clubs and athletic teams. In addition, all residence halls are required to have a mandatory orientation on sexual assault, stalking and domestic/intimate partner violence prevention. Colleges are encouraged to assist in the organization of peer education groups and to provide resources to such groups so that the groups can provide training and outreach to other students throughout the academic year. Since the abuse of alcohol is frequently involved in occurrences of sexual assault and other forms of violence, it is important that the education program include education about the deleterious effects of alcohol abuse.

In addition, each College is required to provide periodic training relating to the prevention and handling of sexual assaults, stalking and domestic/intimate partner violence for all relevant personnel, including public safety officers, counselors, student affairs staff and residence hall assistants by experts trained in the field. Education and training must also be made available to any interested faculty and staff member. Each campus must have at least one qualified staff or faculty member serve as a designated liaison and trainer for additional trainings.

## **Disciplinary Procedure**

The Colleges shall act promptly in response to information that a student has been sexually assaulted by another member of the CUNY community. Upon receipt of a complaint, the College shall undertake an appropriate investigation. If it appears that there is sufficient evidence to warrant disciplinary charges against a student, such charges shall be brought pursuant to Article 15 of the CUNY Board of Trustees Bylaws. If the matter is brought before a hearing, the complainant and alleged perpetrator are entitled to the same opportunities to have others present, including an advisor of their choice, at their own expense and to be informed, in writing of (1) the outcome of the proceedings at the same time; (2) the procedures for appealing the results; (3) any change in results that occurs prior to the time the results become final; and (4) when the results become final. If a student is found guilty of committing a sexual assault or other act of violence against another CUNY student or employee after a disciplinary hearing, the penalties may include suspension, expulsion from residence halls, or permanent dismissal from CUNY. The complainant and the accused are entitled to:

- a prompt, fair, and impartial investigation and resolution
- and investigation and disciplinary hearing that are conducted by officials who receive annual training on how to conduct fair investigations and hearings that protect the safety of victims and promote accountability and on issues related to domestic violence, dating violence, sexual assault, and stalking.

## **SANCTIONS DEFINED"**

### **A. Admonition.**

An oral statement to the offender that he/she has violated university rules

**B. Warning.**

Notice to the offender, orally or in writing, that continuation or repetition of the wrongful conduct, within a period of time stated in the warning, may because for more severe disciplinary action.

**C. Censure.**

Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any university regulation within a period stated in the letter of reprimand.

**D. Disciplinary Probation.**

Exclusion from participation in privileges or extracurricular university activities as set forth in the notice of disciplinary probation for a specified period of time.

**E. Restitution.**

Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

**F. Suspension.**

Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.

**G. Expulsion.**

Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order of \_\_\_\_\_ expulsion.

**H. Complaint to Civil Authorities.**

**I. Ejection.**

**STUDENT DISCIPLINARY PROCEDURES.**

**Complaint Procedures:**

- a. Any charge, accusation, or allegation which is to be presented against a student, and, which if proved, may subject a student to disciplinary action, must be submitted in writing in complete detail to the office of the chief student affairs officer promptly by the individual, organization or department making the charge.
- b. The chief student affairs officer of the college or his or her designee will conduct a preliminary investigation in order to determine whether disciplinary charges should be preferred. The chief student affairs officer or his or her designee will advise the student of the allegation against him or her and consult with other parties who may be involved or who have information regarding the incident, and review other relevant evidence. Following this preliminary investigation, which shall be \_\_\_\_\_ concluded within thirty (30) calendar days of the filing of the complaint, the chief student affairs officer or designee shall take one of the following actions: (i) Dismiss the matter if there is no basis for the allegation(s) or the allegation(s) does not warrant disciplinary actions. The individuals involved shall be notified that the complaint \_\_\_\_\_ has been dismissed; (ii) Refer the matter to mediation; or (iii) Prefer formal disciplinary charges.
- c. In the event that a student withdraws from the college after a charge, accusation or allegation against the student has been made, and the college prefers formal disciplinary charges, the withdrawn student is required to participate in the disciplinary hearing or otherwise to resolve the pending charges and will be barred from \_\_\_\_\_ attending any other unit of the university until a decision on the charges is made or the charges are otherwise resolved. If the withdrawn student fails to so participate in \_\_\_\_\_ the disciplinary process without good cause, the college may proceed with the disciplinary hearing in absentia and any decision and sanction will be binding.

**Mediation Conference:**

- d. The mediation conference shall be conducted by a qualified staff or faculty member designated by the chief student affairs officer. The following procedures shall be in effect at this conference:
  1. An effort will be made to resolve the matter by mutual agreement.
  2. If an agreement is reached, the faculty or staff member conducting the conference shall report his/her recommendation to the chief student affairs officer for approval and, if approved, the complainant shall be notified, and a written memorandum shall be created memorializing the resolution and any consequences for noncompliance.
  3. If no agreement is reached, or if the student fails to appear, the faculty or staff member conducting the conference shall refer the matter back to the chief student affairs officer who may prefer disciplinary charges.
  4. The faculty or staff member conducting the mediation conference is precluded from testifying in a college hearing regarding information received during the mediation conference.

**Notice of Hearing and Charges:**

- e. Notice of the charge(s) and of the time and place of the hearing shall be personally delivered or sent by the chief student affairs officer of the college to the student at the address appearing on the records of the college, by certified or overnight mail and by regular mail and e-mail to students who have a college email address. The chief student affairs officer is also encouraged to send the notice of charges to any other e-mail address that he or she may have for the student. The hearing shall be \_\_\_\_\_ scheduled within a reasonable time following the filing of the charges or the mediation conference. Notice of at least five business days shall be given to the student in \_\_\_\_\_ advance of the hearing unless the student consents to an earlier hearing.
- f. The notice shall contain the following:

1. A complete and itemized statement of the charge(s) being brought against the student including the rule, bylaw or regulation he/she is charged with violating, and the possible penalties for such violation.
2. A statement that the student has the following rights:
  - (i) to present his/her side of the story;
  - (ii) to present witnesses and evidence on his/her behalf;
  - (iii) to cross-examine witnesses presenting evidence against the student;
  - (iv) to remain silent without assumption of guilt; and
  - (v) to be represented by legal counsel or an advisor at the student's expense.
3. A warning that anything the student says may be used against him/her at a non-college hearing

#### **Faculty-Student Disciplinary Committee Procedures:**

- g. The following procedures shall apply at the hearing before the faculty-student disciplinary committee:
  1. The chairperson shall preside at the hearing. The chairperson shall inform the student of the charges, the hearing procedures and his or her rights.
  2. After informing the student of the charges, the hearing procedures, and his or her rights, the chairperson shall ask the student charged to respond. If the student admits the conduct charged, the student shall be given an opportunity to explain his/her actions before the committee and the college shall be given an opportunity to respond. If the student denies the conduct charged, the college shall present its case. At the conclusion of the college's case, the student may move to dismiss the charges. If the motion is denied by the committee the student shall be given an opportunity to present his or her defense.
  3. Prior to accepting testimony at the hearing, the chairperson shall rule on any motions questioning the impartiality of any committee member or the adequacy of the notice of the charge(s). Subsequent thereto, the chairperson may only rule on the sufficiency of the evidence and may exclude irrelevant, immaterial or unduly repetitive evidence. However, if either party wishes to question the impartiality of a committee member on the basis of evidence which was not previously available at the inception of the hearing, the chairperson may rule on such a motion. The chairperson shall exclude all persons who are to appear as witnesses, except the accused student.
  4. The college shall make a record of each fact-finding hearing by some means such as a stenographic transcript, a tape recording or the equivalent. A student who has been disciplined is entitled upon request to a copy of such a record without cost.
  5. The student is entitled to a closed hearing but has the right to request an open public hearing. However, the chairperson has the right to hold a closed hearing when an open public hearing would adversely affect and be disruptive of the committee's normal operations.
  6. The college bears the burden of proving the charge(s) by a preponderance of the evidence.
  7. The role of the faculty-student disciplinary committee is to listen to the testimony, ask questions of the witnesses, review the testimony and evidence presented at the hearing and the papers filed by the parties and render a determination as to guilt or innocence. In the event the student is found to have committed the conduct charged, the committee shall then determine the penalty to be imposed.
  8. At the end of the presentations by both sides, the student may introduce additional records, such as character references. The college may introduce a copy of the student's previous disciplinary record, where applicable, provided the student was shown a copy of the record prior to the commencement of the hearing. The disciplinary record shall be submitted to the committee in a sealed envelope and shall not be opened until after the committee has made its findings of fact. In the event the student has been determined to have committed the conduct alleged in the charge or charges the records and documents introduced by the student and the college shall be opened and used by the committee for dispositional purposes, i.e., to determine an appropriate penalty if the charges are sustained.
  9. The committee shall deliberate in closed session. The committee shall issue a written decision, which shall be based solely on the testimony and evidence presented at the hearing and the papers filed by the parties.
  10. The student shall be sent a copy of the faculty-student disciplinary committee's decision within five days of the conclusion of the hearing, by regular mail and e-mail for students who have a college e-mail address. The chief student affairs officer is also encouraged to send the decision to any other e-mail address that he or she may have for the student. The decision shall be final subject to the student's right of appeal.
  11. Where a student is represented by legal counsel the president of the college or his or her designee may request that a lawyer from the general counsel's office appear at the hearing to present the college's case.
  12. When a disciplinary hearing results in a penalty of dismissal or suspension for one term or more, the decision is a university-wide penalty and the student will be barred from admission to any other unit of the university while the penalty is being served.
  13. Disciplinary penalties shall be placed on a student's transcript and shall remain there unless the committee's decision, the decision on any appeal under section 15.4 below, or a mediation agreement expressly indicates otherwise.

#### **Appeals:**

An appeal from the decision of the faculty-student disciplinary committee may be made to the president who may confirm or decrease the penalty but not increase it. His/her decision shall be final except in the case of dismissals or suspension for one term or more. An appeal from a decision of dismissal or suspension for one term or more may be made to the board committee on student affairs and special programs. Any appeal under this section shall be made in writing within fifteen days after the delivery of the decision appealed from. This requirement may be waived in a particular case for good cause by the president or board committees as the case may be. If the president is a party to the dispute, his/her functions with respect to an appeal shall be discharged by an official of the university to be appointed by the chancellor or his or her designee.

**Committee structure:**

- a. Each faculty-student disciplinary committee shall consist of two faculty members and two student members and a chairperson, who shall be a faculty member. A quorum shall consist of the chair and any two members, one of whom must be a student. Hearings shall be scheduled promptly (including during the summers) at a convenient time and efforts shall be made to insure full student and faculty representation.
- b. The president shall select in consultation with the head of the appropriate campus governance body or where the president is the head of the governance body, its executive committee, three (3) members of the instructional staff of that college to receive training and to serve in rotation as chair of the disciplinary committee. If none of the chairpersons appointed from the campus can serve, the president, at his/her discretion, may request that a chairperson be selected by lottery from the entire group of chairpersons appointed by other colleges. The chairperson shall preside at all meetings of the faculty-student disciplinary committee and decide and make all rulings for the committee. He/she shall not be a voting member of the committee but shall vote in the event of a tie.
- c. The faculty members shall be selected by lot from a panel of six elected biennially by the appropriate faculty body from among the persons having faculty rank or faculty status. The student members shall be selected by lot from a panel of six elected annually in an election in which all students registered at the college shall be eligible to vote. In the event that the student or faculty panel or both are not elected, or if more panel members are needed, the president shall have the duty to select the panel or panels which have not been elected. No individuals on the panel shall serve on the panel for more than two consecutive years.
- d. In the event that the chairperson cannot continue, the president shall appoint another chairperson. In the event that a student or faculty seat becomes vacant and it is necessary to fill the seat to continue the hearing, the seat shall be filled from the respective faculty or student panel by lottery.
- e. Persons who are to be participants in the hearings as witnesses or have been involved in preferring the charges or who may participate in the appeals procedures or any other person having a direct interest in the outcome of the hearing shall be disqualified from serving on the committee.

**Suspension or Dismissal:**

The board reserves full power to dismiss or suspend a student, or suspend a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of any college, school, or unit of the university in the use of its facilities or in the achievement of its purposes as an educational institution. The chancellor or his/her designee or a president or his/her designee may in emergency or extraordinary circumstances, temporarily suspend a student, or temporarily suspend the privileges of a student organization or group for cause, pending an early hearing as provided in bylaw section 15.3. to take place within not more than ten (10) business days. Prior to the commencement of a temporary suspension of a student, the college shall give such student oral or written notice of the charges against him/her and, if he/she denies them, the college shall forthwith give such student an informal oral explanation of the evidence supporting the charges and the student may present informally his/her explanation or theory of the matter. When a student's presence poses a continuing danger to person or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter

**Definitions of Sex Offenses**

Sexual assault is a crime. Under Article 130 of the New York State Penal Law, it is a sex offense to engage in sexual contact or to engage in sexual intercourse, sodomy or sexual abuse by contact without the consent of the victim or where the victim is incapable of giving consent. Criminal sex offenses are classified in degree according to the seriousness of sexual activity, the degree of force used, the age of the victim and the physical and mental capacity of the offender and victim. Under New York State Penal and Criminal Procedure Laws Sexual Assault is a crime of power, aggression and violence. Terms such as “date rape” and “acquaintance rape” tend to minimize the fact that the act of rape, or any sexual assault, is a serious crime. There is never an excuse or a reason for a person to rape, assault or even touch another person’s private parts without consent. The impact on survivors of such an attack can cause severe and lasting physical, mental and emotional damage.

**See chart on the following page for a list of some of the major sex offenses and their maximum penalties under New York State Law.**

**Under New York State Penal and Criminal Procedure Laws**

<b>Crime</b>	<b>Illegal Conduct</b>	<b>Criminal Sanctions</b>
Rape in the first degree (PL § 130.35)	A person is guilty when being 18 years old or more, he or she engages in sexual intercourse with another person less than 15, or with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. Is a class D felony, with penalties up to 7 years in prison.	Is a class B felony, with penalties up to 25 years in prison.
Rape in the second degree (PL § 130.30)	A person is guilty when being 18 years old or more, he or she engages in sexual intercourse with another person less than 15, or with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated.	Is a class D felony, with penalties up to 7 years in prison.
Criminal sexual act in the first degree (PL § 130.50)	A person is guilty when he or she engages in oral sexual contact or anal sexual contact with another person by forcible compulsion, or with someone who is incapable of consent by reason of being physically helpless, or with someone less than 11 or with someone less than 13 and the actor is 18 or older.	Is a class B felony, with penalties up to 25 years in prison.
Forcible touching (PL § 130.52)	A person is guilty when he or she 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	Is a class A misdemeanor, with penalties up to 1 year in jail.
Sexual abuse in the first degree (PL § 130.65)	A person is guilty when he or she subjects another person to sexual contact: by forcible compulsion, when the other person is incapable of consent by reason of being physically helpless, or when the person is less than 11 years old.	Is a class D felony, with penalties up 7 years in prison.
Aggravated sexual abuse in the first degree (PL § 130.70)	A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11.	Is a class B felony, with penalties up to 25 years in prison.
Aggravated sexual abuse in the third degree (PL § 130.66)	A person is guilty when he or she inserts a foreign object in the vagina, urethra, penis or rectum of another person by forcible compulsion, when the person is incapable of consent by reason of being physically helpless, or when the person is less than 11.	Is a class D felony, with penalties up to 7 years in prison.

Facilitating a sex offense with a controlled substance (PL § 130.90)	A person is guilty when he or she knowingly and unlawfully possesses a controlled substance or any substance prescribed to obtain to another person, without such person's consent and with intent to commit against such person conduct constituting a felony, and commits or attempts to commit such conduct constituting a felony defined in Article 30.	Is a class D felony, with penalties up to 7 years in prison.
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## **Missing Persons**

In accordance with state and federal law, the College maintains procedures for the investigation of reports of missing persons. In addition, in compliance with state and federal law, the College will notify the appropriate law enforcement agency within 24 hours of receiving a report of a missing student who resides in campus housing. The City University of New York Missing Persons Policy is available at: [www.cuny.edu/about/administration/offices/sa/policies/MissingPersonswithoutmemo.pdf](http://www.cuny.edu/about/administration/offices/sa/policies/MissingPersonswithoutmemo.pdf)

## **ADMISSION OF SEX OFFENDERS**

The college reserves the right to deny admission to any student if in its judgment, the presence of that student on campus poses an undue risk to the safety or security of the college or the college community. That judgment would be based on an individualized determination taking into account any information the college has about a student's criminal record and the particular circumstances of the college, including the presence of a child care center, a public school or public school students on the campus.

## **Campus Sex Crimes Prevention Act**

The New York State Division of Criminal Justice Services maintains a registry of convicted sex offenders, which is available to local law enforcement agencies, including CUNY's Public Safety Departments. To obtain information about a Level 2 or Level 3 registered sex offender you may:

- Contact the police department in the jurisdiction in which the offender resides and/or in which the college is located.
- Contact Chief Arnaldo Bernabe, Director of Public Safety, at 718-518-6888
- Call the Division's sex offender registry at 800-262-3257

To obtain information about Level 3 offenders only, you may:

- Contact the Division's sex offender registry web site – [www.criminaljustice.ny.gov/nsor/index.htm](http://www.criminaljustice.ny.gov/nsor/index.htm) and then click on "Search for Level 3 Sex Offenses;" or
- Access the Division's Level 3 subdirectory electronically at the Chief of Public Safety office during regular business hours.

### **Policy Links to:**

#### **THE CITY UNIVERSITY OF NEW YORK CAMPUS & WORKPLACE VIOLENCE PREVENTION POLICY**

Is available at:

[http://www.hostos.cuny.edu/hostos/media/public-safety/campus-and-workplace-violence-policy-\(revised\).pdf](http://www.hostos.cuny.edu/hostos/media/public-safety/campus-and-workplace-violence-policy-(revised).pdf)

#### **PROCEDURES IMPLEMENTING THE CITY UNIVERSITY OF NEW YORK'S POLICIES ON EQUAL OPPORTUNITY, NON-DISCRIMINATION AND AGAINST SEXUAL HARASSMENT**

Is available at:

<https://www.hostos.cuny.edu/Administrative-Offices/Office-of-Compliance-and-Diversity/Policies-on-Non-Discrimination,-and-Against-Sexual>

#### **THE CITY UNIVERSITY OF NEW YORK POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS**

Is available at:

<https://www.hostos.cuny.edu/Administrative-Offices/Office-of-Compliance-and-Diversity/Policies-on-Non-Discrimination,-and-Against-Sexual>

**HOSTOS COMMUNITY COLLEGE CALENDAR YEARS 2011-2013 CRIME STATISTICS CHART ON THE NEXT PAGE. THE STATISTICS INCLUDED ON THESE CHARTS ARE DERIVED FROM REPORTED CRIMINAL INCIDENTS FROM THE FOLLOWING SOURCES:**

1. ALL PUBLIC SAFETY REPORTS
2. ANY REPORTS FROM CAMPUS SECURITY AUTHORITIES
3. LOCAL POLICE PRECINCT