Annual Security Report

September 23, 2009

Start Here. Go Anywhere.

Borough of Manhattan Community College The City University of New York

Prepared by:
Ed Moss
Director of Public Safety, BMCC

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Assistant Director of Public Safety, BMCC
Located in the heart of downtown NYC, students actively participate in the artistic communities of Tribeca and SoHo, the dynamic downtown financial district, and the center of New York City government at City Hall. The main campus of the college is situated on 4.28 acres of land in a building that was designed with the Hudson River harbor in mind — shaped like a ship with its helm pointed to sea. Spanning four blocks from Chambers Street to North Moore Street, It’s equivalent to the Empire State Building lying on its side. Borough of Manhattan Community College (BMCC) is the largest community college in the City University of New York, and the only community college in Manhattan.

**Student body:** (Fall 2009)
- 21,858 students (59.4 percent women, 40.6 percent men)
- Full-time enrollment: 62 percent
- Part-time enrollment: 37 percent
- Median age: 22

**Locations:**
199 Chambers Street, NYC 10007 (Main Campus)
70 Murray Street, NYC 10007
Center for Continuing Education and Workforce Development. 25 Broadway, NYC 8th floor
75 Park Place, 5th Floor NYC 10007 (Administrative Office)
2900 Bedford Avenue, Brooklyn, NY 11210 (off Campus/Brooklyn College)
250 Bedford Park Boulevard West, Bronx NYC (Off Campus/Lehman College)
108 Cooper St. (207th St. and Isham Ave) Hostos Community College/Good Shepherd School
163 W 125th Street (between Lenox and 7th Avenue) (off campus)
The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires colleges and universities to publish an annual security report. The report contains information regarding campus security including such topics as: emergency procedures, crime prevention, and university law enforcement authority, crime reporting policies, sexual assault prevention, disciplinary procedures and other matters of importance related to security on campus. It also contains crime statistics for the previous three calendar years.

Mission Statement
The BMCC Public Safety Service goal is to support the mission of the college by providing a safe, secure, and comfortable environment for students, faculty, staff and visitors. All members of the BMCC/Public Safety Service are expected to respect each individual, and treat everyone with professionalism and civility while maintaining the rules and guidelines that will ensure the safety and security of all persons at the college. Through our web pages we hope to provide you with information to help keep you safe both on campus and at various educational activities.

About Us
The Department of Public Safety maintains 24-hour public safety coverage of the campus. The department consists of a director and, two lieutenants, and a force of 35 campus public safety officers who are sworn peace officers and have powers to arrest granted to them by the State of New-York. Campus PEACE OFFICERS are designated as State of New York peace officers in accordance with Section 2.10, subsection 79 of the New York State Criminal Procedure Law. This status provides them with the same powers of arrest as other New York State Law Enforcement personnel. The department is also presently augmented by 35 contract security officers that are also required to meet strict state requirements and licensing. All public safety and security personnel are trained prior to regular assignment and receive periodic in-service training.

The Department of Public Safety is responsible for the enforcement of all college rules as well as state and local laws. The department works closely with the dean of students relative to incidents and conditions affecting the safety and security of the student body.

The department also maintains a close relationship with the local police precinct and requests assistance when necessary. Information concerning crime and other pertinent data is shared on a regular basis. BMCC Public Safety is supplemented by Andrew’s Guard Service and we also have part-time CSA’s. Everyone at BMCC is encouraged to care not only for themselves, but also for the health and safety of one another. Freshmen receive a security briefing by members of the Department of Public Safety at student orientation which provides students with information about the college and public safety services.
Emergencies Call/Reporting Crime

To report a crime or emergency, call Public Safety at (212) 220-8080. If on campus call 911 or use one of the red or yellow (in the near future all of the call boxes will be red) call boxes located throughout the campus. Offices: The Public Safety Office is located at 199 Chambers St.

The Procedure for Students or Others to Report Criminal Actions or Other Emergencies Occurring on Campus

Students, faculty and staff should promptly report all crimes and emergency situations to The Department of Public Safety. When a report is received, an officer will be dispatched to the caller’s location and when necessary, a follow-up investigation is conducted by the department and coordinated with the local police. In emergency situations, such as a medical or fire emergency, the Department of Public Safety notifies the appropriate emergency personnel. The Department of Public Safety is located in room N102 (24x7) of the North Side of the main campus building and can be reached at (212)220-8080 or by dialing 8080 from any college phone (for emergencies only). Safety at BMCC is everybody’s business. BMCC has taken steps to make the campus safe. Students, faculty and staff are partners with the college in creating an atmosphere that is safe and supports working and learning. The Department of Public Safety provides around the clock services.

Maintenance of campus facilities

The Office of Building and Grounds (Room N 105 212-220-8025) maintains the Campus to minimize hazardous conditions. In addition, BMCC Public Safety conducts regular patrols and inspections in an effort to uncover and report hazards. You are encouraged to call the Office of Public Safety and/or the Office of Buildings and Grounds if you observe any hazardous conditions.

Relationship between: NYPD & CUNY Memorandum of Understanding

The New York City Police Department and the City University of New York have developed a mutual understanding regarding the circumstances under which NYPD personnel shall enter upon CUNY campuses, buildings and other property. This agreement is intended to cover all circumstances that might require a police presence or response, including emergencies, reports of crimes occurring on CUNY property enforcement of criminal laws, arrests of persons suspected of committing crimes and other events or occurrences which, in the judgment of CUNY officials, require NYPD expertise or assistance.

BMCC Public Safety Department will make referrals to Off-Campus Victim Services and/or Other Law Enforcement Agencies.

BMCC Public Safety Department has an excellent working relationship with the New York City Police Department (including a Memorandum of Understanding between the 1st Pct and BMCC) the New York City Police Department Transit Bureau, New York District Attorney’s Office, Federal law enforcement agencies, the Criminal and Family Court systems, and various support centers for victims of crime. BMCC Public Safety Department can also provide you with referrals to other criminal justice service agencies.
**Referral Services**
If you are a victim of a crime on or off campus or if you need help in dealing with any aspect of the criminal justice system, the Public Safety Office is available to refer you to the appropriate agency. The Public Safety Department has an excellent working relationship with the local NYPD 1st Police Precinct, the Manhattan District Attorney's Office, the Criminal and Family Court Systems, and various victim services agencies.

**Crime Prevention**
**Educational Programs**
The Office of Student Activities offers an integrated program of special events, workshops, courses, and research projects on wellness scheduled throughout the year. Campus peace officers in conjunction with other appropriate departmental representatives provide seminars on a host of topics: workplace violence, sexual awareness and responsibility, crime prevention/personal safety, domestic violence, drug awareness and alcohol abuse, and acquaintance rape. The college makes every effort to advise and update students about public safety procedures and security conditions on campus.

**Campus I. D. Cards**
All campus identification cards are issued from the Public Safety/Security Office. Students, staff and faculty may keep the same I.D. card for the length of their enrollment or employment. They are validated each semester with a different color validation sticker to signify current enrollment.

**For Emergencies Call**
To report a crime or emergency, call Public Safety at **(212) 220-8080**. If on campus call **911** or use one of the red or yellow call boxes (in the near future all boxes will be red) located throughout the campus.

**Public Safety Staff**

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Confidential Reporting Policy
Although the College recognizes the importance of confidentiality, federal law requires us to record and act upon certain information affecting the safety of the entire community. The Department of Public Safety operates under federal and New York State laws and has statutory requirements imposed for confidentiality, privacy, and public disclosure of investigatory material. As a general matter of law, the department must acknowledge that an alleged crime has been reported and release basic information about location and time of occurrence. Disclosure of this information is always done so as to protect the victim's privacy.

Confidential Reporting of Crimes
Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics by mailing a written statement to Ed Moss Director of Public Safety, BMCC, 199 Chambers St, NY 10007 or email at emoss@bmcc.cuny.edu, or by calling the Director of Public Safety at (212 220-8076). Also, BMCC encourages pastoral counselors and professional counselors, if and when they deem appropriate, to inform the persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

The BMCC Counseling Center faculty and staff members also inform their clients of the procedures to report crime to BMCC Public Safety on a voluntary or confidential basis, should they feel it is in the best interest of the client.

BMCC Public Safety wishes to advise you of the following: It is required that campus security authorities report crime statistics for inclusion in the college’s Annual Security Report. Campus security authorities are defined as officials of a college who have significant responsibility for student and campus activities, including, but not limited to public safety, student affairs, student activities, and student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the college. Examples would include: administrators, directors, deans, department heads, chairpersons, advisors to students/student organizations, athletic coaches, etc. Professional mental health and pastoral counselors are exempt from reporting obligations, but may refer students to a confidential reporting system.
If you observe any crime listed below, or if any person reveals to you that he/she learned of or was the victim of, perpetrator of, or witness to any crime listed below, please write down the details and contact the Department of Public Safety as soon as possible at ext. 8080 The crimes of concern for our reporting requirements are: murder/non-negligent manslaughter, negligent manslaughter, forcible/non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft and arson, as well as any bias/hate related offenses and any arrests or referrals for disciplinary action for liquor law violations, drug law violations and illegal weapons possession violations

BMCC Security Authorities:
VP Marva Craig (student Affairs) ext 8132 room S343, mcraig@bmcc.cuny.edu
Dir. Athletics Steve Kelly ext 8261, room N203, Skelly@bmcc.cuny.edu
Matilde Punnett, student affairs ext N204, mpunnett@bmcc.cuny.edu
Orville Hill, College discovery, ext 8153 room S325, Ohil@bmcc.cuny.edu
Penelope Jordan, Nurse, ext8257, N303, Pjordan@bmcc.cuny.edu
Harry Mars, Dir. Student Activities, ext8161, S206C, Hmars@bmcc.cuny.edu
Ardie D. DeWalt, Counseling, ext8143, S-331 aldewalt@bmcc.cuny.edu

Exempt from reporting:
You are exempt from reporting when you are acting as a pastoral or professional counselor. For this purpose:

1. A Pastoral Counselor is a person who (a) is associated with a religious order or denomination, (b) is recognized by that religious order or denomination as someone who provides confidential counseling, and (c) is functioning within the scope of that recognition as a pastoral counselor.

2. A Professional Counselor is a person (a) whose official responsibilities include providing mental health counseling to members of the institution’s community and (b) who is functioning within the scope of his or her license or certification.

Other persons who have significant responsibility for student and campus activities are not exempt from reporting if they counsel or advise students and employees, even if they do so in confidence.

Crime Prevention Educational Programs
The Office of Student Activities offers an integrated program of special events, workshops, courses, and research projects on wellness scheduled throughout the year. Campus peace officers in conjunction with other appropriate departmental representatives provide seminars on a host of topics: workplace violence, sexual awareness and responsibility, crime prevention/personal safety, domestic violence, drug awareness and alcohol abuse,
and acquaintance rape. The college makes every effort to advise and update students about public safety procedures and security conditions on campus.

**Safety Tips**
BMCC is proud of its campus safety and security record. The Public Safety Department recommends the BMCC Community follow these simple, common-sense rules.

**Walking on/off Campus**
If possible avoid walking alone. Walk in well lit areas, do not take short cuts. When walking to your vehicle, have your keys ready in your hand. Do not carry large sums of money, conspicuous jewelry, or other valuables. Keep your purse tucked closely under your arm.

**In the Office**
If you are working alone during off-hours, keep your doors locked. Inform the Public Safety service of where you are working so that our patrol officers can give that area special attention, during patrols.

**Theft prevention in the office**
- Don’t leave your handbag unattended in the bottom desk drawer unlocked. Secure your handbag at all times.
- Retrieve keys from persons no longer affiliated with your office.
- Do not leave keys lying around. Report lost keys to the Public Safety Department immediately.
- Lock your door when leaving the office unattended.
- Lock up small items such as calculators, radios and tape recorders when not in use.
- Permanently mark portable office equipment such as staplers, electronic pencil sharpeners, calculators, computer software, etc. with the name of the department and room number to which they belong (call the Public Safety Office for items that require marking with an electric engraver).
- Report all suspicious persons immediately to the Public Safety Department.
- In the classroom never leave your handbag or briefcase unattended.
- When taking a break, secure your valuables or take them with you.

**Theft prevention in parking lots**
- Park in well lit areas.
- Always lock your car and take your keys.
- Always set any alarms or security locks.
- Remove car radio if possible.
- Avoid leaving any packages or valuables in open view inside your automobile.
**Subway safety**
Every Station has an Off-Hours Waiting Area. Off-Hours Waiting Areas may be located near the station booth, in the middle level in a two-level station, or the platform. Yellow signs usually hung from the ceiling mark these well-lit areas. In stations where you can't see the platform from the Off-Hours Waiting Area, an electronic sign alerts you to the arrival of a train.

- There are closed circuit television cameras in the Off-Hours Waiting Areas.
- Avoid waiting at the far end of a platform at any time.
- Ride in the conductor’s car in the middle of the night.
- At night, NYC TA sometimes runs trains with fewer cars. Look for a black and yellow platform sign that tell you where to board the Conductor's Car.

Remember:
- Be careful not to display money in public.
- Hold on to your pocketbook when using the shoulder straps.
- Keep your wallet out of sight and never put your wallet in your rear pocket.
- Be sure your necklaces and other jewelry are not visible.
- Do not doze or fall asleep on the train.

**Tips to avoid date rape**
- Do not drink beverages that you do not open yourself.
- Do not share or exchange drinks with anyone.
- If someone offers you a drink from the bar at a club or party, accompany the person to the bar to order your drink, watch the drink being poured, and carry the drink yourself.
- Do not leave your drink unattended while talking, dancing, using the restroom or making a phone call.
- If you realize that your drink has been left unattended, discard it.
- Do not drink anything that has an unusual taste or appearance.

**Identity theft and prevention**
Identity theft occurs when a criminal uses another person’s personal information to take on that person's identity. Identity theft is much more than misuse of a social security number—it can also include credit card, and mail fraud.

**Tips for prevention:**
What should I shred?
"Dumpster Diving" is a popular pastime of identity thieves as it presents many opportunities to find information than can be worth a lot of money. Shred all paperwork that has an account number (bank statements, credit card statements & receipts, utility bills, etc) a signature, your social security number on medical or legal information—as well as pre-approved credit card offers.
• Never give out your personal information over the phone, unless you have initiated the call and trust the caller.
• Protect your Social Security Number-this is not a number just anyone can have if they ask, always ask why companies or people might want your Social Security Number.
• Order your Social Security Earnings and Benefit Statements once a year to check for fraud.
• Always question the identity of people, and companies that initiate contact with you.
• Do not carry your extra credit card or important identity documents in your purse or wallet unless it is necessary.
• Keep a photocopy of all credit cards (both front and back)
• Never leave your wallet or purse unattended-at work, restaurants, parties etc.
• Reconcile all bank and credit card accounts immediately when you receive them. Challenge all unauthorized transactions immediately.
• Always make sure that if you are making transaction from a computer that it is a secure site.
• Never write down any PIN numbers-memorize them-if you need to write them down, place them in a secure place other than a wallet or purse.
• Be aware of "shoulder surfers" when you are using your credit card or ATM card.
• Whenever possible keep your card in sight during a transaction.

**Drug and Alcohol Policies:**
It is the policy of The City University of New York and BMCC that any action or situation which recklessly or intentionally endangers the mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation or affiliation with any organization, is prohibited. BMCC is a drug and alcohol free campus.

The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by the students or employees on the 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 work place not later than (5) days after such conviction.

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. The legal age for drinking alcohol in New York State is 21, and state law deals harshly with underage drinking. It is also against the law in New York State to sell or give alcohol to anyone under the age of 21.
The possession or use of illegal drugs is a crime in the State of New York. Anyone found in possession of or using such drugs on college property will be severely dealt with and will face criminal charges.

**Sexual Harassment/Abuse:**
It is the policy of The City University of New York and BMCC to prohibit sexual harassment of employees and students. It is a violation of policy for any member of the college community to engage in sexual harassment. It is a violation of policy for any member of the college community to take action against an individual for reporting sexual harassment. This policy is related to and conforms to the Equal Employment Act and Applicable Laws & Penalties Related to Sexual Assault Crimes: Article 130 of the New York State Penal Law deals with sex offenses. The most severe applicable penalties for Article 130 are as follows:

**Sexual Assault Information:**
The circumstances surrounding sexual assaults on college campuses are often quite different from those that occur elsewhere. Many of the incidents occur under circumstances commonly referred to as date rape. Date rape is a sexual assault against a person that is committed by someone the victim knows. The perpetrator may be someone the victim knows well and may have previously been in his or her company. Because of this familiarity, the victim often fails to see the incident as a serious crime and may, in fact, place some of the blame for the incident upon her or himself. Date rape in college surroundings quite often follows the use of alcohol or other drugs by the victim and the perpetrator. Very often, the victims find that they have been placed in a vulnerable position by trying to make new acquaintances or fit in with a new crowd. All students should remember that date rape is another name for a very serious crime. Every person is an individual and should be able to assert his or her wishes in a relationship. Self-awareness and good common sense are your best weapons against date rape.

The Campus Sex Crimes Prevention Act is a Federal Law that was enacted on October 28, 2000 and provides for the tracking of convicted, registered sex offenders who work, attend or volunteer at institutions of higher education. As of October 28, 2002, each state must ensure that all registered sex offenders provide information concerning each institution of higher education where they work, attend or volunteer.

This law also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). All institutions of Higher Education must include a statement in their annual disclosure of statistics to where information concerning registered sex offenders may be obtained. See this year’s crime statistics

The Sex Offender Registry in New York State is maintained by the New York State Division of Criminal Justice Services (DCJS) and they have made available a web-based searchable database of registered offenders. DCJS is required to notify the local law enforcement of the presence of all registered offenders residing in their jurisdiction and those attending, working and/or volunteering at an institution of higher education.
Sex Offender Registry Information — New York “Megan’s Law”
Information regarding a registered sex offender can be obtained by calling the New York
State Sex Offender Registry Information Line at 1-800-262-3257 or online at www.
criminaljustice.state.ny.us/nsor/index.htm

Callers must be 18 years old and must provide their name, address, and telephone number
in order to request information. The Information Line is open Monday- Friday 8:00 a.m. to
5:00 p.m. To learn the status of an individual, callers must provide the individual’s name
and at least one of the following identifiers: the individual’s street address and apartment
number, driver’s license number, social security number or birth date. A physical
description is helpful but is not required. To use the on-line link, the person inquiring must
provide his/her name and address to access information about the registered sex
offenders. Nationwide information is available through the Department of Justice at:
www.nsopr.gov/

Definitions of Abuse and Penalties:
I. Homicide
• Manslaughter by negligence - The killing of another person through gross negligence.
• Murder and non-negligent manslaughter. The willful (non-negligent) killing of one
human being by another

II. Sex Offenses - Forcible
Any sexual act directed against another person, forcibly and/or against that person’s will;
or not forcibly or against the person’s will where the victim is incapable of giving consent.

• (I) Forcible Rapes - The carnal knowledge of a person, forcibly and/or against that
person's will; or not forcibly or against the person's will where the victim is incapable
of giving consent because of his/her temporary or permanent mental or physical
incapacity, or because of his/her youth.

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

• (iii) Sexual Assault with an object - The use of an object or instrument to unlawfully
penetrate, however slightly, the genital or anal opening of the body of another person,
forcibly and/or against that person’s will; or not forcibly or against the persons will
where the victim is incapable of giving consent because of his/her youth or because of
his/her temporary or permanent mental or physical incapacity.

• (iv) Forcible Fondling - The touching of the private body parts of another person for
the purpose of sexual gratification, forcibly and/or against that person’s will; or, not
forcibly or against the person’s will where the victim is incapable of giving consent
because of his/her youth or because of his/her temporary or permanent mental
incapacity.
III. Sex Offenses - Non-Forcible
Unlawful, non-forcible sexual intercourse.

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

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

IV. Robbery

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

V. Aggravated Assault

- An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury resulting from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious physical injury if the crime were successfully completed.)

VI. Burglary

- The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

VII. Motor Vehicle Theft

- The theft or attempted theft of a motor vehicle (including joyriding and all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned).

VIII. Liquor law violation, drug law violation, and illegal weapons possession:

The law also requires that colleges and universities provide statistics for the following categories of arrest or referrals for campus disciplinary action (if an arrest was not made):

Liquor law violation, drug law violation, and illegal weapons possession:

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

- **(ii) Drug Abuse Violations** - Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
The relevant substances include, but are not limited to: opium or cocaine; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

- **(iii) Liquor Law Violations** - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor, maintaining an unlawful drinking place; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned (Drunkenness and driving under the influence are not included in this definition.)

- Hate crimes must also be reported by category of prejudice based on the following: race, gender, religion, sexual orientation, ethnicity, or disability. Crime statistics are also compiled concerning locations: on campus, non campus building or property; public property; and dorms/residential.

- **(I) On-campus** - Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (I) Property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

- **(ii) On-Campus Building or Property** - Any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation, to the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

- **(iii) Public Property** - Means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution or the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

- *For the purpose of paragraph (I) above, on campus is defined as all main travel corridors to and from the college and the perimeter around each of BMCC's buildings*

**NYS Criminal Classification of Sexual Assault Crimes:**
- Sexual Misconduct 130.20 A Misdemeanor Up to 1 year
- Rape 3rd Degree 130.25 E Felony Up to 4 years
- Rape 2nd Degree 130.30 D Felony Up to 15 years
- Rape 1st Degree 130.35 B Felony Up to 25 years
- Criminal Sexual Act 3rd Degree 130.40 E Felony Up to 4 years
Criminal Sexual Act 2nd Degree 130.45 D Felony Up to 15 years
Criminal Sexual Act 1st Degree 130.50 B Felony Up to 25 years
Sexual Abuse 3rd Degree 130.55 B Misdemeanor Up to 3 months
Sexual Abuse 2nd Degree 130.60 A Misdemeanor Up to 1 year
Sexual Abuse 1st Degree 130.65 D Felony Up to 7 years

Changes in Academic or Living Situations Following an Alleged Sexual Assault
BMCC whenever possible, it shall accommodate a student in making changes in academic and/or living situations in BMCC-controlled housing following an alleged sexual assault against him/her, if requested. **It should be noted BMCC has no dormitories, controlled housing or off-campus housing.

Campus Disciplinary Procedures:
If a student is accused of sexual assault, the college may implement a student disciplinary procedure as outlined in section 15.3 of the university by-laws. Because of the enactment of the Higher Education Act amendments of 1992, effective July 3, 1993, student disciplinary proceedings involving charges of sexual assault are amended to include:

• The accuser and the accused are entitled to the same opportunities to have others present during the disciplinary proceedings.
• Both the accuser and the accused shall be informed of the outcome of any student disciplinary proceeding brought alleging a sexual assault.

If You Are The Victim:
The Public Safety Department has formulated guidelines to be followed when dealing with reports of sexual assault. The primary objective of these guidelines is to provide all possible assistance to the victim, apprehend the perpetrator and maintain the confidentiality of the victim as much as possible.

These guidelines are as follows:
• If you are the victim of sexual assault, notify the Public Safety Department (x8080) immediately. The staff will assist you in obtaining emergency medical treatment, police assistance, or counseling if necessary. If requested, a female officer will assist you.
• You are encouraged to receive immediate medical attention. This is important to alleviate fears of sexually transmitted disease and pregnancy. It will also aid in the collecting and preserving of evidence that can be later used in prosecution. Do not wash, douche, or remove clothing worn at the time of the attack before you seek medical attention.
• When calm, make note of the events involving the attack. Inform the NYPD of these details.
• It may be necessary to seek the services of a counselor. College counselors are equipped to assist victims and make referrals to community agencies.

• Whenever a report of sexual assault is received, the director of public safety or their designee will be notified immediately.

• As with all other reports of incidents occurring on campus, the public safety officer taking the report will obtain as much information as possible about the circumstances of the incident. Unlike other reports, the identity of the victim will be kept as confidential as possible. The name, address, and other identifying information will not be included on the incident report.

If a student is found guilty of violating university rules, he/she shall be subjected to the following range of sanctions defined in the Rules and Regulations for the Maintenance of Public Order pursuant to Article 129-A of the Education Law: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, ejection, and/or arrest #32 Criminal activities, if any, at off-campus student organizations (those recognized by the campus) are required to be monitored and recorded through local police agencies. This is required under 20 USC 1092(f) The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It is the policy of BMCC Department of Public Safety to gather the following statistical data from the NYPD 1st Pct on a monthly basis.

In cases of criminal activities at off-campus student organizations the NYPD 1st Pct will create a police report and case number for each incident, pursuant to their own procedures for recording criminal incident reports and using FBI Uniform Crime Reporting standards. The NYPD 1st Pct, upon request from the BMCC Department of Public Safety, send statistics under Clery Act offense categories, for each location which meets the criteria for off-campus student organization. Statistics for the current calendar year will appear in The Clery Act publication "Campus Crime Report," the following academic year.

Policy on Off-Campus Criminal Activity
BMCC does not have any officially recognized student organizations that have housing facilities "off-campus". Or any other establishments, or abodes.

The Borough of Manhattan Community College of The City University of New York affirms its continuing commitment to drug, tobacco, and alcohol education on campus. It is committed to the development of educational and support programs directed toward the use and abuse of drugs, tobacco, and alcohol, whether legal or illegal.

The inappropriate use of alcohol and other drugs threatens the health and safety of students, employees, their families, fellow students, the general public, as well as adversely impairs performance. Towards promoting health, safety, and a positive learning and working environment, Borough of Manhattan Community College of The City University of New York is committed to preventing alcohol and other drug related problems among all members of the College community.
Students are expected to comply with the Rules of Conduct printed in the College Bulletin and/or the Student Handbook. A student who is experiencing difficulty with alcohol or chemical dependency may be referred to the Dean of Students or the Substance Abuse Counselor located in the Counseling Center. Students may also be referred by members of the instructional staff or may seek assistance directly. The Dean of Students may take disciplinary action or recommend that the student meet with a counselor for appropriate referral or assistance through self-help organizations or other outside intervention agencies.

The staff of the Counseling and Advisement Center will become an integral part of helping you achieve your personal, academic, and career goals. The Center is staffed by professional psychologists and social workers who work in strictest confidence to address academic and personal concerns, while the Center’s academic advisors help monitor your academic progress, and provide support. Counselors are available for individual and group sessions, both by appointment and on a walk-in basis.

As you embark on your journey for a college degree, please remember that full counseling services are available in the Counseling and Advisement Center in S-330. Students are strongly encouraged to visit and establish a personal relationship with a counselor.

**Counseling Services**

**Students can call (212) 220-8140 to schedule an appointment.**

As you embark on your journey for a college degree, please remember that full counseling services are available in the Counseling & Advisement Center in S-330.

The College Counseling Services at BMCC is committed to providing professional counseling to our students on an individual basis. Students are encouraged to discuss personal concerns especially as they relate to their educational aspirations. Counselors are trained with masters or doctoral degrees in counseling, psychology, or social work. Some of the counselors speak more than the native English language and thus provide valuable support to our bilingual students. Currently, counseling is available in Spanish.

**Personal/ Individual Counseling**

The BMCC Counseling Center is committed to providing professional counseling for students on an individual basis. Students can discuss academic, personal, and career concerns.

**Group Counseling and Workshops**

Small group counseling is available in addition to individual counseling, career counseling, and crisis intervention.

Some of the concerns/topics addressed in our groups include

- Stress reduction
- Test anxiety
- Relationship issues
Often, workshops are arranged to cover topics such as:

- Note-taking
- Test-taking
- Specialized forums for international student concerns
- Latino related issues

**Crisis Intervention**

Crisis intervention is available as needed by professional counseling faculty.

A crisis can be defined as an event which places an individual in a situation that was not planned or expected. Sometimes, these unexpected events can hinder the individual's capacity to function personally or academically. Counselors can help by providing an objective frame of reference within which to consider the crisis, discuss possible alternatives, and promote healthy functioning.

Here are some examples of possible crisis situations using statements:

- "I'm only 18 years old, and here I am pregnant."
- "I feel as if no one cares, I have no one to talk to, and I just don't know what to do."
- "I couldn't deal with the drinking anymore."
- These are only a few of possible events that can result in a crisis.

If you think you are in need of crisis intervention please stop by the Counseling & Advisement Center (S-330) as soon as possible.

**Confidentiality Guidelines Will Be Followed.**

**Health Services**

**Penelope S. Jordan**  
Room: N-303  
Director (212) 220-8257

Registered nurses are available at BMCC to administer first aid and emergency care to anyone who becomes ill or injured on campus. Other services and materials include: health teaching and counseling, blood pressure screening and monitoring, scales for height and weight, eye tests for drivers, booklets and pamphlets on health topics, and health care referrals. All student health records, as well as consultations between students and nurses, are held in confidence.

**College Strategies for Drug & Alcohol Abuse Education & Prevention**

If a campus member is experiencing difficulty with alcohol or chemical dependency, BMCC can be of assistance. On campus counseling or referral to community based services is available.
Community Referrals:
Al-Anon
350 Broadway, Rm 404
New York, NY 10013-3911
(212) 941-0094

NYS Drug Information Hotline (800) 522-5353

Alcohol Council of Greater NY
352 Park Ave S
New York, NY 10010-1709
(212) 252-7001

American Cancer Society
1-800-ACS-2345

Phoenix
164 W 74th St
New York, NY 10023-2301
(800) COCAINE or (1800-262-2463)

New York Downtown Hospital
170 William Street
New York, NY 10038
(212) 312-5000

St. Vincent’s Hospital
170 West 12th Street
New York, NY 10011
212-604-7000

Crime Codes:
In compliance with the federal law and in an effort to promote the personal safety of the college community, the following information has been prepared for campus review.

Your Right to Know 2002 focuses on the federal requirements under the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act." BMCC must produce and distribute an annual report containing crime statistics and statements of security policy.

The following categories of crime for the campus, certain non-campus properties and certain public property areas that have been reported to local police (1st pct) and the campus public safety department must be disclosed for the most recent 3 years. Homicide
(murder and non-negligent manslaughter, negligent manslaughter,) sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, and arson.

Hate crimes must also be reported by category of prejudice based on the following: race, gender, religion, sexual orientation, ethnicity, or disability. Crime statistics are also compiled concerning locations: on campus, non campus building or property; public property; and dorms/residential.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f) as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student aid programs are subject to it. Violators can be "fined" up to $27,500 by the U.S. Department of Education, the agency charged with enforcement of the Act and where complaints of alleged violations should be made, or face other enforcement action. The Clery Act originally enacted by the Congress and signed into law by President George Bush in 1990 as the Crime Awareness and Campus Security Act of 1990.

Schools have to publish an annual report every year by October 1st that contains 3 years worth of campus crime statistics and certain security policy statements including sexual assault policies which assure basic victims' rights, the law enforcement authority of campus police and where students should go to report crimes. The report is to be made available automatically to all current students and employees while prospective students and employees are to be notified of its existence and afforded an opportunity to request a copy. Schools can comply using the Internet so long as the required recipients are notified and provided the exact Internet address where the report can be found and paper copies are available upon request. A copy of the statistics must also be provided to the U.S. Department of Education.

**Crime Statistics**

Each school must disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other school officials who have "significant responsibility for student and campus activities" such as student judicial affairs directors. Professional mental health and religious counselors are exempt from reporting obligations, but may refer patients to a confidential reporting system which the school has to indicate whether or not it has.

Crimes are reported in the following: 7 major categories, with several sub-categories: 1.) Criminal Homicide broken down by a.) Murder and Non-negligent Manslaughter and b.) Negligent manslaughter; 2.) Sex Offenses broken down by a.) Forcible Sex Offenses (includes rape) and b.) Nonforcible Sex Offenses; 3.) Robbery; 4.) Aggravated Assault; 5.) Burglary; 6.) Motor Vehicle Theft; and 7.) Arson.
Schools are also required to report the following three types of incidents if they result in either an arrest or disciplinary referral: 1.) Liquor Law Violations; 2.) Drug Law Violations; and 3.) Illegal Weapons Possession. If both an arrest and referral are made only the arrest is counted.

The statistics are also broken down geographically into "on campus," "residential facilities for students on campus," non-campus buildings, or "on public property" such as streets and sidewalks. Schools can use a map to denote these areas. The report must also indicate if any of the reported incidents, or any other crime involving bodily injury, was a "hate crime."

**Access to Timely Information**

Schools are also required to provide "timely warnings" and a separate more extensive public crime log. It is these requirements which are most likely to affect the day to day lives of students. The timely warning requirement is somewhat subjective and is only triggered when the school considers a crime to pose an ongoing "threat to students and employees" while the log records all incidents reported to the campus police or security department. Timely warnings cover a broader source of reports (campus police or security, other campus officials, and off-campus law enforcement) than the crime log but are limited to those crime categories required in the annual report. The crime log includes only incidents reported to the campus police or security department, but covers all crimes not just those required in the annual report, meaning crimes like theft are included in the log. State crime definitions may be used.

Schools that maintain a police or security department are required to disclose in the public crime log "any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department." The log is required to include the "nature, date, time, and general location of each crime" as well as its disposition if known. Incidents are to be included within two business days but certain limited information may be withheld to protect victim confidentiality, ensure the integrity of ongoing investigations, or to keep a suspect from fleeing. Only the most limited information necessary may be withheld and even then it must be released "once the adverse effect...is no longer likely to occur. The log must be publicly available during normal business hours. This means that in addition to students and employees the general public such as parents or members of the local press may access it. Logs remain open for 60 days and subsequently must be a Statistic.

CRIME STATISTICS Reported in accordance with the Federal Bureau of Investigation’s Uniform Crime reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Includes All Crimes Reported to Public Safety, Campus Authorities and NYPD**)

In accordance with the Crime Awareness and Campus Security Act of 1990, below listed are the crime statistics as defined by Federal Law.
NOTE: Federal requirements mandate that colleges and universities file their Clery reports in the fall of the year following the year being reported. Example: The 2007 report is filed in the fall of 2008

<table>
<thead>
<tr>
<th>Crime Category</th>
<th>On-Campus</th>
<th>Non-Campus Building</th>
<th>Public Property</th>
<th>Dorm. Residential</th>
<th>Total Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Murder</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>II Forcible Sex Offenses</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>III Non-Forcible Sex Offenses</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>V Aggravated Assaults</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>VI Burglary*</td>
<td>5</td>
<td>4</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>VII Motor Vehicle Theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>VIII Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>IX Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>LI Liquor Law Violations</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Drug-Law Violations</td>
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<td>1</td>
<td>0</td>
<td>0</td>
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<td>X Hate Crimes</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

| Total Crimes             | 8         | 9       | 8           | 0       | 0       | 0           | 6       | 2       | 7    | 0       | 0       | 0    | 14      | 11      | 15   |

* The City University of New York has conducted a centralized review of Larceny reports for the 2006-2008 reporting period and determined that the data contained in (number of reports) supported reclassification of the incidents from Larceny to Burglary (as defined under the FBI UCR)*

Non BMCC, CUNY College Public Safety Links for Clery Reporting:

Brooklyn College:  [http://www.brooklyn.cuny.edu/bc/offices/security/statist.htm](http://www.brooklyn.cuny.edu/bc/offices/security/statist.htm)
Hostos Community College(Non-Campus):
[http://www.hostos.cuny.edu/publicsafety/cleryact/](http://www.hostos.cuny.edu/publicsafety/cleryact/)
Emergency Notifications
Communicating accurate and timely information has never been a more important
necessity than after the tragic situations at Virginia Tech and Northern Illinois University.
To better serve the BMCC Community, CUNY ALERT has been initiated which will allow
thousands of simultaneous messages to be sent anywhere using voice and text based
technologies.

BMCC strongly urges all members of the BMCC Community to sign up for CUNY Alert.
Please use this link to register:  http://www.cuny.edu/special/cuny-alert.html

It is the goal of BMCC to plan for the safe and orderly evacuation of all individuals, during
an emergency. With that goal in mind BMCC conducts drills during the fall, spring and
Summer Semesters. Drills are conducted both day and night and at the main campuses and
at the non-campus locations.

Training:
BMCC Public Safety has certified instructors for Campus CERT(C-CERT), Fire-Warden, and
AED/CPR&First-Aid. The training helps to ensure that we provide a safe and secure
environment, and can promise reliable and knowledgeable First Responder assistance to
our campus community.

Evacuation Procedures:
Evacuation of People with Disabilities
a) Do not use elevators or escalators.
**The NYFD may override the rule against using the elevator in order to evacuate people.

b) Alert the hearing impaired to an emergency and initiate their evacuation.

c) Mobility impaired person/persons who cannot navigate the staircase should
stage at the nearest elevator bank to them. They should remain at
that location until a determination has been by the NYFD concerning the
safest from of evacuation.
   1) Disabled students, faculty, and staff should develop a “buddy system” (should be
   advised at the start of each semester by the Disability Coordinator)
   2) The "buddy system" designates a specific volunteer to assist and take responsibility for
   a person during an emergency on Campus.

d) BMCC Public Safety Staff will do a sweep of the elevator banks on Campus and alert
supervisory staff as to:
Which elevator banks have person/persons staged and the number at each bank

Assisting a person with a disability
e) Assisting mobility impaired/disabled person/persons in an emergency:
**People with disabilities may require assistance from other members of the
BMCC Community. An individual who can safely assist a person with a disability is requested to do.
**Always ask someone with a disability how you can help before attempting any rescue technique or giving assistance. Ask how he or she can best be assisted or moved, and whether they have any special considerations or that needs Assistance Consideration (Blindness or Visual Impairment)

The following special considerations apply to assisting persons with blindness or visual impairment:
**Do not grasp a visually impaired person's arm; ask if he or she would like to hold onto your arm as you exit.

Give verbal instructions about the evacuation route using estimated distances and directional terms (Ex: twenty feet forward, turn right)

G) Evacuating a disabled or injured person yourself is a last resort. Consider your options and risks of injuring yourself and others in an evacuation attempt. Do not make an emergency situation worse. Evacuation may be difficult and uncomfortable for both the rescuers and the people being assisted. Some people have conditions that can be aggravated or triggered if they are moved incorrectly. **Emergency Evacuation Chairs been placed strategically through the College at the following locations:

The "Evac Chairs should only be sued as a last resort and only by someone who is properly trained operating the Evac-Chairs.
South Side
7 South/stair 5
5 South/stair 5
4 South/stair 4

North Side
7 North/stair 1
5 North/stair 1
6 North/stair 2

Murray St.
14th Floor adjacent to the front desk of Continuing Ed.
11th Floor adjacent to rooms 1106a~1106b.
Evacuation of the 199 Chambers Street building.

When the emergency alarm sounds, stop whatever you are doing and exit the building as quickly and as calmly as possible. The alarm has a loud repeating bell sound accompanied by flashing strobe lights. Follow the evacuation path posted in the room to the nearest staircase.

1) Do Not panic

2) Do not ignore the alarm

3) Do not use the elevator or escalator. The escalators will come to a slow, controlled stop and the elevators return to the first floor for use by emergency personnel.

4) Follow the directions of the Fire Wardens, C-CERT Team Members and Public Safety Staff.

5) Do not return to your classroom of office for any reason.

6) BMCC has a voice enunciator system to assist you in an emergency. Listen carefully to any instructions given.

7) Please assist those needing special help.

Evacuation Procedures at 70 Murray

Evacuation
In the event of an evacuation or other emergency BMCC Public Safety will coordinate its efforts with the 75 Park Place Security and building management emergency protocols. When the audible alarm sounds begin and the strobe lights flash, follow the procedures listed below:

A.) Gather your belongings and listen for instructions over the public address system. You may be instructed to proceed to the staircase indicated on the emergency evacuation diagram posted in your classroom or office (Staircases are located near the bank of elevators on each floor of the building and are lit during emergencies);

OR

B.) Follow the instructions of the fire warden on your floor.

Please Note: The Murray Street building follows a different evacuation protocol than 199 Chambers Street. It is imperative that you listen carefully and follow the directions over the public address system from the Fire Safety Officers in charge.
Elevators and Escalators
During an evacuation, elevators and escalators are NEVER to be used.

The senior fire official at the scene will determine if the elevators can be used to evacuate persons with disabilities from their staging areas.

A.) All staircases at 70 Murray have emergency lighting and the re-entry floors are clearly marked.

B.) Do not return to your floor until advised do so by the Fire Safety Director or the public address system announcements.

Reporting Emergencies

A.) There are red BMCC Emergency Call Boxes in the hallways, on each floor. These Call Boxes will connect you directly to BMCC’s Public Safety office;

OR

B.) You can dial: x8080 (or 212. 220-8080) which will connect you directly to BMCC’s Public Safety, 24 hours a day.

Shelter in Place

Introduction
Although remote, there is always an emergency possibility that you will be instructed not to evacuate the campus, immediately. In these cases, it is absolutely imperative that you listen carefully to and follow the instructions given over the emergency public address system or from members of the college’s public safety staff.

Public Safety could instruct you to Shelter in Place when for example:

a) There is a release of airborne containments such as chemical materials, biological agents, or radioactive particles in the vicinity.

B) There is an armed or threatening intruder on campus that has not been isolated.

c) Infrastructure failures such as transportation, roads, extreme weather conditions, etc.

What to do:
Shelter in Place means that you should remain on campus and if instructed, inside a classroom or office. Shelter in Place is prescribed when it appears to be more dangerous outside than inside. As with evacuations, instructions to Shelter in Place will require you to act immediately.

a) Follow the directions given by public safety
b) If you see an armed individual, move to safety immediately and call 911, the college’s emergency number (212 220 8080), or use the call boxes located in the hallways or inform the nearest member of the college staff

c) Close all doors and windows

**Emergency Management**
Once notified of such emergencies, the college’s emergency management and incident response teams will establish a command center to coordinate responses with appropriate city, state or federal agencies.

**Emergency Lockdown**
Introduction
Traditionally college campus preparations for emergencies have relied principally on the fire drill or full evacuation of buildings approach. However it is also critically important that we know how to respond to emergencies that require a Shelter in Place or an Emergency Lockdown response. These emergencies procedures are the **opposite of an evacuation**. No fire alarms will be used to inform students, faculty and staff of the emergency. Instead, the college will initiate an emergency lockdown by using the emergency public address system or by instructions given by public safety staff.

Emergency Lockdown and response protocols are of two types-Shelters in place and the implementing of tight perimeter control that prevent students, staff and faculty from entering the campus.

Campus response to an armed or threatening hostile intruder
An environmental hazard which involves (accidental or intentional) the release of harmful substance or extremely dangerous weather conditions.

What to do
Emergency lockdown means that there is an emergency condition that you are being instructed to remain on the campus and if instructed, to take refuge inside a classroom or office. As with evacuation, if you are instructed to Lockdown or shelter in Place, you must act immediately. An emergency lockdown is only ordered when there is a good reason to believe it is more dangerous outside than inside the building or enclosed room.

Follow the directions given over the public address system or public safety

If you see an armed individual, move to safety immediately can call 911, the college’s emergency number, (212 220 8080) use the call boxes located in the hallways of inform the nearest member of the college staff.

Close all window and doors

Depending on the type of emergency, you will be given additional instructions but it is important to remain calm through there emergency.

**Emergency Management**
Once notified of such emergencies, the college’s emergency management and incident
response teams will establish a command center to coordinate responses with appropriate
city, state or federal agencies.

Also BMCC is committed to providing a secure and secure environment so that the
academic mission of the College can flourish. At BMCC Training and strong professional
relationships are the anchor points of having a Ready Emergency Team.

BMCC has C-CERT trained Team Members working at all times, the Campus also has trained
Fire-Wardens and Staff, Faculty and Students trained in CPR/AED/and First Aid. Assist
emergency personnel besides conducting emergency drills in every campus, BMCC
conducts table-top and field functional exercises.

CUNY Alert is a new emergency notification system that will enable each of the University’s
campuses to advise students, faculty and staff of an emergency (a severe hurricane or
snowstorm, for example), and provide timely information to protect lives and minimize
campus disruption. CUNY has worked with the State Emergency Management Office to
utilize the state’s all-hazards alert and notification system, NY-Alert, for use by the CUNY
campuses.

Depending upon the severity of the incident, CUNY Alert messages can range from specific
instructions to general warnings. These notifications will be sent to members of your
campus community who have signed up for CUNY Alert. Messages can be received via cell
phone (text and/or voice), land line telephone and e-mail. You must “opt in” to receive
alerts, and you can choose your preferred format or formats to receive the messages.

Stay alert! Sign up at your campus today for CUNY Alert!

How to Sign Up
To sign up for CUNY Alert at your campus visit www.cuny.edu/alert for step-by-step
instructions. You’ll be asked to provide at least one email address. You may also include a
cell phone number and a provider to receive text message alerts and a phone number,
either cell or land line, to receive voice alerts. You may list one phone number for each of
these options, but you should be aware that the alert system will attempt to contact every
number you list. Therefore, we advise that you list your preferred number for text
messaging and/or your preferred number for voice messages. We suggest that you avoid
using a CUNY phone number so that you can be reached at all times.

Policy Statement Addressing Timely Warnings
Timely Warnings
In the event that a situation arises, either on or off campus, that, in the judgment of the
President of the College or his/her designee, constitutes an ongoing or continuing threat, a
campus wide “timely warning” will be issued. The warning will be issued through the
College’s Alert Emergency Notification System (i.e. text and e-mail messages) to students,
faculty, and staff the warning” will be posted on the College’s web page and main phone
number.
The City University of New York Workplace Violence Policy and Procedures

The City University of New York has a long-standing commitment to promoting a safe and secure academic and work environment that promotes the achievement of its mission of teaching, research, scholarship and service. All members of the University community - students, faculty and staff - are expected to maintain a working and learning environment free from violence, threats of harassment, violence, intimidation or coercion. While these behaviors are not prevalent at the University, no organization is immune. The purpose of this policy is to address the issue of potential workplace violence in our community, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

Policy

The City University of New York prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from University property and are subject to disciplinary and/or personnel action up to and including termination, consistent with University policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. Complaints of sexual harassment are covered under the University’s Policy against Sexual Harassment.

The University, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee or student on University property unless necessary to transact University-related business. This policy particularly applies in cases where the employee or student suspects that an act of violence will result from an encounter with said individual(s).

Scope

All faculty, staff, students, vendors, contractors, consultants, and others who do business with the University, whether in a University facility or off-campus location where University business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the University, such as former employees, former students, and visitors. When students have complaints about other students, they should contact the Office of Student Affairs at their campus.

Definitions

1. Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual’s legal rights of movement or expression, or disrupts the workplace, the academic environment, or the University’s ability to provide services to the public. Examples of workplace violence include, but are not limited to:
2. Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).

3. Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).

4. Menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.

5. Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials. No one within the University community, shall have in their possession a firearm or other dangerous weapon, instrument or material that can be used to inflict bodily harm on an individual or damage to University property without specific written authorization from the Chancellor or the college President regardless of whether the individual possesses a valid permit to carry the firearm or weapon.

**Reporting of Incidents**

1. General Reporting Responsibilities

   Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not be ignored by any member of the University community. Workplace violence should promptly be reported to the appropriate University official (see below). Additionally, faculty, staff and students are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined above. It is important that all members of the University community take this responsibility seriously to effectively maintain a safe working and learning environment.

2. Imminent or Actual Violence

   Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call the Campus Public Safety Office immediately, or call 911.

3. Acts of Violence Not Involving Weapons or Injuries to Persons

   Any person who is the subject of a suspected violation of this policy involving violence without weapons or personal injury, or is a witness to such suspected violation, should report the incident to his or her supervisor, or in lieu thereof, to their respective Campus Public Safety Office. Students should report such incidents to the Office of Student Affairs at their campus or in lieu thereof, their campus Public Safety Office. The Campus Public Safety Office will work with the Office of Human Resources and the supervisor or the Office of Student Affairs on an appropriate response.

4. Commission of a Crime

   All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.
5. False Reports
Members of the University community who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

6. Incident Reports
The University will report incidents of workplace violence consistent with the College Policies for Incident Reporting under the Campus Security Policy and Statistical Act (Cleary Act).

Responsibilities
1. Presidents
The President of each constituent college of The City University of New York, the Chief Operating Officer at the Central Office, and the Deans of the Law School and the Sophie Davis School of Biomedical Education shall be responsible for the implementation of this policy on his or her respective campus. The responsibility includes dissemination of this policy to all members of the college community, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, constituting a Workplace Violence Advisory Team (See #7. below), and ensuring that all administrators, managers, and supervisors are aware of their responsibilities under this policy through internal communications and training.

2. Campus Public Safety Office
The Campus Public Safety Office is responsible for responding to, intervening, and documenting all incidents of violence in the workplace. The Campus Public Safety Office will immediately log all incidents of workplace violence and will notify the respective supervisor of an incident with his/her employee, or notify the appropriate campus official of an incident with a student. All officers should be knowledgeable of when law enforcement action may be appropriate. Public Safety will maintain an internal tracking system of all threats and incidents of violence. Annual reports will be submitted to the President (at the same time as the report noted below) detailing the number and description of workplace violence incidents, the disposition of the incidents, and recommend policy, training issues, or security procedures that were or should be implemented to maintain a safe working and learning environment. These incidents will be reported in the Annual Report of the College Advisory Committee on Campus Security consistent with the reporting requirements of Article 129A Subsection 6450 of the NYS Education Law (Regulation by Colleges of Conduct on Campuses and Other College Property for Educational Purposes).

Officers will be trained in workplace violence awareness and prevention, non-violent crises intervention, conflict management, and dispute resolution.

Officers will work closely with Human Resources when the possibility of workplace violence is heightened, as well as on the appropriate response to workplace violence
incidents consistent with CUNY policies, rules, procedures and applicable labor agreements, including appropriate disciplinary action up to and including termination.

When informed, Public Safety will maintain a record of any Orders of Protection for faculty, staff, and students. Public Safety will provide escort service to members of the college community within its geographical confines, when sufficient personnel are available. Such services are to be extended at the discretion of the Campus Public Safety Director or designee. Only the President, or designee, in his/her absence, can authorize escort service outside of the geographical confines of the college.

3. Supervisors
Each dean, director, department chairperson, executive officer, administrator, or other person with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report to their respective Campus Public Safety Office any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint or incident to the Campus Public Safety Director and immediate supervisor, the supervisor should keep it confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings.

Supervisors are required to contact the Campus Public Safety Office immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

4. Faculty and Staff
Faculty and staff must report workplace violence, as defined above, to their supervisor. Faculty and staff who are advised by a student that a workplace violence incident has occurred or has been observed must report this to the Campus Public Safety Director immediately. Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been, engaged in by the employee’s supervisor should be brought to the attention of the Campus Public Safety Director.

Employees who have obtained Orders of Protection are expected to notify their supervisors and the Campus Public Safety Office of any orders that list CUNY locations as protected areas.

Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor, or the Campus Public Safety Office. Confidentiality will be maintained to the extent possible.
Upon hiring, and annually thereafter, faculty and staff will receive copies of this policy. Additionally, the policy will be posted throughout the campus and be placed on the CUNY website and on the college’s website, as appropriate.

5. Office of Human Resources
The Office of Human Resources at each campus is responsible for assisting the Campus Public Safety Director and supervisors in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; notifying the Campus Public Safety Office of workplace violence incidents reported to that office; and consulting with, as necessary, counseling services to secure professional intervention.

The Office of Human Resources is responsible for providing new employees or employees transferred to the campus with a copy of the Workplace Violence Policy and Procedures and insuring that faculty and staff receive appropriate training. The Office of Human Resources will also be responsible for annually disseminating this policy to all faculty and staff at their campus, as well as posting the policy throughout the campus and on the college’s website, as appropriate.

6. Students
Students who witness violence, learn of threats, or are victims of violence by employees, students or others should report the incident immediately to the Campus Public Safety Office. If there is no imminent danger, students should report threatening incidents by employees, students or others as soon as possible to the Campus Public Safety Office or Office of Student Affairs. Students will be provided with workplace violence awareness information (including information regarding available counseling services) upon registration each year.

7. Workplace Violence Advisory Team
A college President shall establish a Workplace Violence Advisory Team at his/her college. This Team, working with the College Advisory Committee on Campus Security, will assist the President in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its site; assessing the college’s readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention, intervention, and interviewing techniques in responding to workplace violence. This Team will also develop workplace violence prevention tools (such as pamphlets, guidelines and handbooks) to further assist in recognizing and preventing workplace violence on campus. It is recommended that this Team include representatives from Campus Public Safety, Human Resources, Labor Relations, Counseling Services, Occupational Health and Safety, Legal, and others, including faculty, staff and students, as deemed appropriate by the President.

In lieu of establishing the Workplace Violence Advisory Team, a President may opt to expand the College Advisory Committee on Campus Security with representatives from the areas recommended above to address workplace violence issues at the campus and perform the functions outlined above.
8. University Communications
All communications to the University community and outside entities regarding incidents of workplace violence will be made through the University Office of University Relations after consultation with the respective President or his/her designee.

**Education**
Colleges are responsible for the dissemination and enforcement of this policy as described herein, as well as for providing opportunities for training in the prevention and awareness of workplace violence. The Office of Faculty and Staff Relations will provide assistance to the campuses in identifying available training opportunities, as well as other resources and tools, (such as reference materials detailing workplace violence warning signs) that can be incorporated into campus prevention materials for dissemination to the college community. Additionally, the Office of Faculty & Staff Relations will offer periodic training opportunities to supplement the college’s training programs.

**Confidentiality**
The University shall maintain the confidentiality of investigations of workplace violence to the extent possible. The University will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that the safety and well being of members of the University community would be served by such action.

**Retaliation**
Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

**The City University Of New York Domestic Violence And The Workplace Policy & Procedures Policy Statement**
The City University of New York ("CUNY") disapproves of violence against women, men, or children in any form, whether as an act of workplace violence or in any employee’s personal life. Domestic violence can spill over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover. CUNY is committed to full compliance of all applicable laws governing domestic violence in the workplace, to promoting the health and safety of its employees, and to making a significant and continual difference in the fight to end domestic violence. CUNY will review this policy annually and will notify all employees and the New York State Office for the Prevention of Domestic Violence ("OPDV") of any revisions.

**Definitions**
For purposes of this policy, the following terms will be defined as follows.
Domestic Violence: A pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over 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 at 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. Abuser: A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

Victim: The person against whom an abuser directs coercive and/or violent acts.

Policy
I. Employee Awareness
A. CUNY will provide its Domestic Violence and the Workplace Policy to all employees.

B. CUNY employees will review and follow this policy and procedures.

C. CUNY will provide to all employees, and post in locations of high visibility, such as bulletin boards and break rooms, health/first aid offices, university phone directories, and on-line information data bases, a list of resources for survivors and perpetrators of domestic violence, the phone numbers and descriptions of national and local domestic violence resources batterers’ intervention programs as well as the information for the New York State Office for the Prevention of Domestic Violence. Also posted prominently will be the names and contact information of CUNY personnel who are trained and available to serve as confidential sources of information, support, and referral.

D. Included in the documentation provided to all employees will be information informing employees that New York State law prohibits insurance companies and health maintenance organizations from discriminating against domestic violence victims. The law prohibits designation of domestic violence as a preexisting condition. An insurance company cannot deny or cancel an insurance policy or require a higher premium or payment because the insured is or has been a domestic violence victim. [§2612 of the Insurance Law.].

E. CUNY will integrate information on domestic violence into existing materials and literature, policies, protocols, and procedures, including its Workplace Violence Prevention Policy & Procedures and existing health and wellness programs, as appropriate. CUNY will take all reasonable actions to educate employees regarding the effects of domestic violence, ways to prevent and curtail violence, and methods to report such violence to authorities.

II. Non-Discriminatory And Responsive Personnel Policies For Victimized Employees
A. CUNY will not discriminate against victims of domestic violence or persons perceived as domestic violence victims in employment determinations and will be responsive to the needs of victims of domestic violence.
B. CUNY will not make inquiries about a job applicant’s current or past domestic violence victimization and employment decisions will not be based on any assumptions about or knowledge of such exposure.

C. CUNY will abide by all relevant New York State laws making it a crime for employers to penalize an employee who, as a victim or witness of a criminal offense, is appearing as a witness, consulting with a district attorney, or exercising his/her rights. CUNY, with at least one prior day notification, will allow time off for victims or subpoenaed witnesses to exercise their rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law [Penal Law §215.14]. If there are any questions or concerns regarding the leave that must be granted to victims or subpoenaed witnesses, employees should contact their human resources director for assistance and clarification.

D. CUNY, upon request of the employee, will assist the employee in determining the best use of his/her attendance and leave benefits when an employee needs to be absent as a result of being a victim of domestic violence. If an employee requests time off to care for and/or assist a family member who has been a victim of domestic violence, CUNY will evaluate the employee’s request for leave for eligibility under existing law and collective bargaining agreements applicable to the employee.

E. In instances when an employee victim of domestic violence has difficulty producing the documentation necessary to justify absences due to his/her status as such victim, CUNY will make all reasonable efforts, in consultation with employee victims of domestic violence, to identify the documentation necessary to justify absences from work and assist the employee with his/her safety-related needs to satisfactorily meet the identified documentation requirement without compromising the employee’s safety.

F. When appropriate, available and permissible, employees who are victims of domestic violence and who separate from a spouse (or terminate a relationship with a domestic partner, if covered), will be allowed to make reasonable changes in benefits at any time during the calendar year where possible, in accordance with statute, regulation, contract and policy.

G. CUNY encourages victims of domestic violence who are subject to discipline due to job performance or conduct problems, to notify appropriate supervisory, managerial or human resources staff of their situation. Said employees will be afforded all of the proactive measures outlined in this policy, and will be provided clear information about performance expectations, priorities, and performance evaluation. If a disciplinary process is initiated, special care will be taken to consider all aspects of the victimized employee’s situation, and all available options in trying to resolve the performance problems will be exhausted, including making a referral to any Employee Assistance Program, consistent with existing collective bargaining agreements, statutes, regulations and policy.

H. CUNY encourages any employee who is terminated or voluntarily separates from employment due to domestic violence-related performance problems to notify appropriate
human resources staff in order to investigate the employee’s potential eligibility for unemployment insurance. CUNY will respond quickly to any requests for information that may be needed in the claims process. New York State law provides that a victim of domestic violence who voluntarily separates from employment may, under certain circumstances, be eligible for unemployment insurance benefits. [§593 of NYS Labor Law.]

III. Workplace Safety Plans
Each campus within the CUNY system has prepared a domestic violence workplace safety response plan and each campus and worksite is prepared to provide reasonable means and personnel to assist victimized employees in developing and implementing individualized domestic violence workplace safety plans, consistent with existing collective bargaining agreements, statutes and regulations. Said workplace safety response plans are on file on each campus and worksite with the relevant security personnel and with the University-level liaison to OPDV.

A. CUNY has designated a University liaison to OPDV to ensure University wide implementation of the domestic violence and the workplace policy, and to serve as the primary liaison with OPDV regarding the domestic violence and the workplace policy. Said liaison’s name and contact information will be provided with copies of this policy to employees and will be listed on all additional literature and postings.

B. CUNY has designated campus-level liaisons on each campus to further ensure campus-level implementation of the domestic violence and the workplace policy, to serve as the campus-level liaison within CUNY regarding the domestic violence and the workplace policy, and to be available to employees in need of support.

C. Each campus-level liaison will be identified in University and college-level materials and his/her name, phone number and office location will be clearly posted.

D. Any employee who obtains a temporary or permanent order of protection is encouraged to provide the relevant security personnel and supervisory personnel with a copy of the petition and court order. Additionally, the employee is encouraged to provide the relevant security personnel and supervisory personnel with the following information on the abuser: a photograph or physical description, description of the abuser’s automobile and license plate number, and any other information CUNY needs for the security of the workplace. CUNY is committed to compliance and assistance with enforcement of all known court orders of protection, particularly orders in which abusers have been ordered to stay away from the work site of the victim. If requested by the victim of domestic violence or law enforcement, CUNY will cooperate in situations concerning an alleged violation of an order of protection.

E. In the event that a person is observed engaging in threatening behavior, each CUNY campus public safety department will implement its emergency security response plan, including procedures for contacting the appropriate law enforcement agency, and will provide employees with clear instructions about what to do and whom to contact.
F. Upon notice from a victimized employee, each campus public safety department, working with the employee, the campus-level liaison and the employee’s supervisor will develop and implement individualized workplace safety plans, which may include, when appropriate, advising co-workers and, upon request, the employee’s bargaining representative, of the situation; setting up procedures for alerting security and/or the police; temporary relocation of the victim to a secure area; options for voluntary transfer or permanent relocation to a new work site; change of work schedule; reassignment of parking space; escort for entry to and exit from the building; responding to telephone, fax, e-mail or mail harassment; and keeping a photograph of the abuser and/or a copy of any existing court orders of protection in a confidential on-site location and providing copies to security personnel. Plans must address additional concerns if the victim and the offender is both employed by CUNY.

IV. Accountability For Employees Who Are Offenders

CUNY will not tolerate nor excuse conduct that constitutes workplace domestic violence. CUNY will hold accountable any and all employees who engage in the following behavior: (1) using CUNY resources to commit an act of domestic violence; (2) committing an act of domestic violence from or at the workplace or from any other location while on official CUNY business; or (3) using their job related authority and/or CUNY resources in order to negatively affect victims and/or assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence.

A. In cases in which CUNY has found that an employee has threatened, harassed, or abused an intimate partner at the workplace using CUNY resources such as work time, workplace telephones, FAX machines, mail, e-mail or other means, said employee will be subject to corrective or disciplinary action in accordance with existing collective bargaining agreements, statutes and regulations. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution.

B. In cases in which CUNY has verification that an employee is responsible for a domestic violence-related offense, or is the subject of any order of protection, including temporary, final or out-of-state order, as a result of domestic violence, and said employee has job functions that include the authority to take actions that directly impact victims of domestic violence and/or actions that may protect abusers from appropriate consequences for their behavior, CUNY will determine if corrective action is warranted, in accordance with existing collective bargaining agreements, statutes and regulations.

C. In cases in which any employee intentionally uses his/her job-related authority and/or intentionally uses state resources in order to negatively impact a victim of domestic violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, or protect an abuser from appropriate consequences for his behavior, said employee will be subject to corrective or disciplinary action, in accordance with existing collective bargaining agreements, statutes and regulations. If appropriate, law enforcement will be contacted, which may result in arrest, criminal charges, and/or prosecution.
V. Firearms
Pursuant to New York State and federal law, a person convicted of a domestic violence-related crime or subject to an order of protection, under certain circumstances, forfeits the right to legally possess a firearm or long gun. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition.

A. In addition to complying with the law, employees who are authorized to carry a firearm as part of their job responsibilities are required to notify CUNY if they are arrested on a domestic violence-related offense and/or served with an order of protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the issuing agency or to the appropriate police agency.

B. Should an employee fail to comply with the requirements set forth above, said employee will be subject to corrective or disciplinary action, in accordance with existing collective bargaining unit agreements, statutes or regulations. In addition, the appropriate law enforcement agency will be notified for possible criminal action.

VI. Training
CUNY will train management and supervisory personnel on this policy and will provide continuing educational opportunities for employees using materials provided by or approved by OPDV.

A. All persons designated as liaisons, whether the University-level liaison or college-level liaison and all liaison-identified support personnel will complete OPDV’s one-day training on Domestic Violence and the Workplace as soon as practicable after the appointment is made. Training will prepare support personnel to identify possible signs and indicators of victimization, make appropriate referrals to domestic violence service providers, work with professionals to assist identified victims with safety planning, and develop individualized responses. Training will also include information on the physical, social and cultural realities that may affect victims of domestic violence, the ways in which domestic violence impacts the workplace, including the potential impact on worker productivity and the safety risks to on-site personnel and visitors.

B. Campus-level liaisons will designate, as appropriate, managers, supervisors, employee assistance professionals, human resources personnel, union and labor representatives or security staff for additional training on domestic violence issues which may include the one-day OPDV training.

C. CUNY will also make training in the prevention and awareness of domestic violence and its impact on the workplace available for all staff. Training will include information on the physical, social and cultural realities that may affect victims of domestic violence, the ways in which domestic violence impacts the workplace, including the potential impact on worker productivity and safety risks.

VII. Reporting Requirements
As directed by OPDV, CUNY is obligated to document all incidents of domestic violence that happen in the workplace, including the number of employees who report domestic violence, the number of employees who request information/services and the number of referrals made to domestic violence service providers. The information gathered will not contain any identifying personal information. Said information will be forwarded by each college to the University liaison to OPDV for further reporting to OPDV at the time and in a manner determined by OPDV. Such documents will be kept confidential to the extent permitted by law and policy and the provisions of section (VIII) detailed below.

**VIII. Confidentiality**
Information related to an employee being a victim of domestic violence will be kept confidential, to the extent permitted by law and policy, and will not be divulged without the consent of the victimized employee, unless CUNY determines that maintaining said confidentiality puts the victim or other employees at risk of physical harm, is required by law, or is deemed necessary to enforce an order of protection. The limitations on confidentiality will be discussed with each victim who seeks assistance from supervisory or security staff. In such circumstances where a determination has been made that maintaining confidentiality puts the victim or other employees at risk of physical harm, is required by law, or is deemed necessary to enforce an order of protection, only those individuals (employees and/or safety and security personnel and/or rescue and first aid personnel) as deemed necessary by CUNY to protect the safety of the victim and/or other employees or to enforce an order of protection will be given information concerning incidents of domestic violence.

CUNY will disclose only the minimum amount of information necessary to protect the safety of the victim and/or other employees or to enforce an order of protection. Where possible, CUNY will provide to the victim of domestic violence notice of the intent to provide information to other employees and/or safety personnel. Nothing herein will prevent CUNY from investigating an act or acts of domestic violence that happens within the workplace. Examples of situations where confidentiality cannot be maintained include the following:

A. Supervisors/managers may be informed about a domestic violence incident that happens in the workplace, or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee’s co-workers.

B. First aid and safety personnel may be informed about a domestic violence incident that happens in the workplace or a report of domestic violence, if it is necessary to protect the safety of the employee or the employee’s co-workers.

C. Government officials investigating a domestic violence incident that happens in the workplace, or a report of domestic violence, will be provided relevant information on request.

**IX Law Enforcement And Legislation**
CUNY will cooperate to the fullest extent legally possible with law enforcement and other appropriate government agencies. In addition, this policy will be interpreted and applied in accordance with all applicable local, state and federal laws as well as all existing collective bargaining agreements, policies and regulations.

**Henderson Rules:**

**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/she interfere 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.

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/her 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 their 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/her possession a rifle, shotgun, or firearm or knowingly have in his/her 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/her 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 employees in the workplace, or the performance by University employees in the workplace of any work while under the influence of an unlawfully obtained controlled substance, 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.