

HOW TO REPORT AN INCIDENT OF SEXUAL VIOLENCE, SEXUAL ASSAULT OR DOMESTIC VIOLENCE

SPHCON encourages, but does not require, you as a victim, survivor, or witness to Sexual Offense(s) (reporting individuals) to report the incident to one or more of the following resources:

First, you may (but are not required to) report a Sexual Offense to local law enforcement (such as the Albany Police Department or the Troy Police Department), and/or the New York State Police for the sole purpose of documentation. You may also (but are not required to) report it to local law enforcement and/or State Police so that they may investigate the matter and identify an offender. You may contact local and state law enforcement as follows:

Albany Police Department
Address: 165 Henry Johnson Blvd.
Albany NY 12210

Emergencies: 9-1-1
Non-Emergencies: (518) 438-4000
Website: <http://www.albanyny.org/Government/Departments/PoliceDepartment.aspx>

New York State Police, Troop G
General Address: 760 Troy Schenectady Road, Latham, NY 12110
General Phone: (518) 783-3211
Zone 4 – Albany Address: Concourse, Empire State Plaza, Albany, NY 12242
Zone 4 – Albany Phone: (518) 474-5331

If you want or need assistance in notifying the local Police Departments or State Police, you should contact SPHCON's Security Office who will assist you in doing so. St. Peter's Hospital Security can be contacted at 518-525-1522.

If you choose to contact law enforcement, you may have the further option to (but are not required to) pursue the case through the criminal justice system, where you will be assisted by the District Attorney's office, the local or state Police Department and the support and advocacy services of your choice.

Second, you may (but are not required to) report the Sexual Offense to St. Peter's Hospital Security Office. This may trigger the judicial process of SPHCON, which may result in the removal of the offender from the campus. It also assists SPHCON in complying with Federal requirements for reporting offenses occurring on campus. You may (but are not required to) report Sexual Offenses anonymously to St. Peter's Hospital Security, preserving your privacy and only reporting the particulars of the incident.

Third, you may also (but are not required to) report the Sexual Offense to a Compliance Officer (identified below) or any senior officer of SPHCON or St. Peter's Hospital.

When you first disclose an incident to a representative of SPHCON, you will be presented with (1) a copy of the *SPHCON Manual of Sexual Offense Policies & Procedures For Students and Employees* (Part B of the Student Handbook), (2) a written explanation of your rights and options, whether the incident occurred on or off-campus, and (3) the following information: "You have the right to make a report to campus security, local law enforcement, and/or state police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution."

You will have the right to emergency access to the Title IX Coordinator or another appropriate official who has been designated by the Title IX Coordinator to provide emergency assistance (the "Designee"). The Designee may be an official of SPHCON or an official of an off campus resource. The Title IX Coordinator or Designee will be available upon the first instance of disclosure by a reporting individual to provide immediate information and assistance regarding (1) options to proceed, including other reporting options; (2) where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible; and (3) the criminal justice process, including that it utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney. The Title IX Coordinator or Designee will also explain whether he or she is authorized to offer you confidentiality or privacy, and will inform you about other reporting options.

The Title IX Coordinator will generally be available for emergency access on weekdays between the hours of 9am to 5pm, at the following: Diana O'Brien, Title IX Coordinator; 518-331-1160 or diana.obrien@sphp.com

When the Title IX Coordinator is not available, emergency access to the Hospital's Administrator-on-Call is available by calling the switchboard at 518-525-1550.

Be aware that certain SPHCON officials with significant responsibility for student and employee activities may be required by law to disclose the occurrence of the event. If you make a report to an official who is required by law to disclose the occurrence of the event, but you request confidentiality, the Title IX coordinator will evaluate the confidentiality request, by weighing the request against SPHCON's obligation to provide a safe, non-discriminatory environment for all members of its community. If it is determined that the incident must be disclosed, your name will be kept confidential, and you will be offered privacy to the greatest extent possible. If it is determined that the incident must be kept confidential, SPHCON will still assist with academic, housing, transportation, employment, and other reasonable and available accommodations.

Even SPHCON officers and employees (such as faculty and staff) who cannot guarantee

confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution. Your identity will remain private at all times if you wish to maintain privacy.

SPHCON will make every effort to ensure that you are asked to describe the incident to as few representatives of SPHCON as possible, and are not required to unnecessarily repeat a description of the incident.

Fourth, in addition to, or in lieu of, reporting a Sexual Offense to one or more of the above, you may (but are not required to) make a confidential report to any St. Peter's Hospital pastoral counselor, the student counseling service (the Employee Assistance Program) where you may meet with a psychologist or social worker, a nurse-practitioner (at the Student Health Services Office), or another other person with a professional license or who is supervised by such a person. These employees are exempt from any requirement to further disclose your report to them, unless you want and ask them to do so. These employees can assist in obtaining services for you.

Fifth, you may confidentially disclose the Sexual Offense and obtain services from the state or local government.

Sixth, you can also make an anonymous report to confidential hotlines provided by New York state agencies and not-for-profit entities. These hotlines include:

New York State Domestic and Sexual Violence Hotline: 1-800-942-6906.

Equinox Hotline: 518-432-7865.

Unity House Hotline: 518-272-2370.

The National Domestic Violence Hotline: 1-800-799-7233.

The National Sexual Assault Hotline: 1-800-656-4673.

Safe Horizon Hotlines: 800-621-4673 (domestic violence), 866-689-4357 (victims of other crimes, 1-212-227-3000 (rape & sexual assault victims).

Seventh, if the accused is an employee of SPHCON or St. Peter's Hospital, you can report the Sexual Offense to St. Peter's Hospital's Human Resources Department, or request that another employee assist you in reporting to the Human Resources Department.

SPHCON encourages you, as the victim of Sexual Offense(s) to report the incident(s), in any of the manners described above. However, again, you are not required to report the offense to, or to seek assistance from SPHCON, law enforcement, or campus authorities. SPHCON will not pressure any student or employee to disclose a crime or violation, or to participate in the judicial, conduct, or criminal justice processes.

Reporting an incident **does not**:

- obligate you to prosecute;
- subject you to inappropriate scrutiny or judgment by the person receiving the report; or suggest in any way that you are at fault for the crime or violation, or should have acted in a different manner to avoid the crime or violation.

Reporting an incident **does**:

- ensure that you, as a victim of a Sexual Offense, receive necessary medical testing and treatment; and provides the opportunity for collection of evidence critical to a prosecution, which cannot be obtained later;
- ensure that you have knowledge of and access to professional, confidential counseling from a counselor specifically trained in the area of Sexual Offenses.