

**MERCYHURST COLLEGE
NORTH EAST CAMPUS**

2001 ANNUAL SECURITY REPORT

FOR DISTRIBUTION ON OCTOBER 1, 2002

XX

Mercyhurst College North East

The North East Campus consists of 7 buildings on about 84 acres of land. The campus is bordered to the north by Sunset Drive, to the south by West Division Street, to the east by Lake Street, and to the west by North Pearl Street. The North East Campus also includes grape vineyards, a farmhouse and a number of outbuildings to the northwest of the college, a police academy building located at 17 West Main Street, and a swimming pool building located at 43 North Lake Street.

There are about 200 students living at the Mercyhurst College North East Campus, and there are approximately 60 full-time and 20 regular part-time employees working at the campus.

State and Federal Campus Security Acts

In late 1987, the Pennsylvania House of Representatives enacted House Bill 1900, which was signed into law on May 26, 1988 as Act 73, "The College and University Security Information Act." In general, Act 73 requires each college and university in Pennsylvania to compile information regarding campus crime and to publish information concerning campus security policies, procedures, and programs. This State law also requires campuses to report crime statistics to the Pennsylvania State Police in accordance with the Uniform Crime Reporting Act, and then to make the reported statistical information available to those who request it.

In 1990, the Federal Statute, PL 101-542, known as "The Student Right To Know and Campus Security Act," now known as the "Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act," was enacted, and has generally the same requirements as the State law. The Federal Act, however, requires that crime statistical information be provided to the United States Department of Education on an annual basis.

All students and employees and prospective students and employees must be advised that this information is available, and college security policies and procedures must be published and provided to all students and employees on an annual basis.

Mercyhurst College recognizes its responsibility to comply with state and federal law. Questions and/or complaints regarding compliance with these Acts may be addressed to the Department of Police and Safety, Chief of Police, Mercyhurst College, Erie PA, 16546.

The Mercyhurst North East Police and Safety Department

The Mercyhurst College Police and Safety Department is committed to providing a safe and secure environment for the entire Mercyhurst College community. The Department has an authorized compliment of ten full-time and ten part-time officers. The Mercyhurst College Chief of Police and Safety oversees the department. Police and Safety Department personnel are scheduled to be on duty at all times. Coverage at the North East Campus is 24 hours a day, 365 days a year.

All campus officers must, at a minimum, have Act 235 training within one year of their date of hire. Act 235 training is a forty-hour course that includes constitutional law, Pennsylvania Crimes Code, limited authority, detainment, and defensive skills. Most officers are Act 120 trained. Six part-time officers are also assigned to the camera and communications center located at the department of police and safety office at the main campus.

Mercyhurst College police officers have full arrest powers on all property owned or controlled by Mercyhurst College, and on all public property adjacent to both the Main and North East campus. A close liaison is maintained with the Pennsylvania State Police, the North East Borough Police Department, and the Erie Police Department. In major incidents or investigations, the Pennsylvania State Police or the North East Borough Police will assist the Mercyhurst College North East Police and Safety Department. If requested, these departments will assume entire responsibility for the incident and/or investigation.

Mercyhurst College safety officers are not police officers and therefore do not have law enforcement authority, including powers of arrest. They are, however, governed by the same rules, regulations, and standard operating procedures (SOP), and perform the same duties, as the college police officers.

Weapons are not permitted on either the Mercyhurst College Main or North East Campus. Police and Safety officers are unarmed, but may carry non-lethal weapons, such as pepper-spray or expandable batons, if they are properly trained and certified in their use.

The Mercyhurst College Police and Safety Department strives to create an environment that is conducive to good living and learning by supporting the Mercyhurst College mission, and by recognizing the individual's right to pursue their personal goals. The department enforces State and Federal laws and Mercyhurst College rules and regulations, and at the same time strives to protect the rights of each and every individual.

Reporting Crime

Any person who is the victim of a crime, either on or off campus, is encouraged to report the incident to the appropriate law enforcement agency. Victims and witnesses, as well as professional and pastoral counselors, are encouraged to report crimes on a voluntary, confidential basis. The college reports crimes occurring on campus to state and federal authorities as required by law.

Mercyhurst College North East can be reached during the day at (814) 725-6100. Additionally, the Police and Safety Department can be reached at 725-6103, the North East Dean of Administration, Mr. James Lanahan, can be reached at 725-6135, and the North East Executive Dean, Dr. Gary Brown, can be reached at 725-6118. These departments and individuals should be contacted to report crimes for statistical inclusion, and/or to initiate timely warnings pursuant to crimes that have occurred.

During power failures or emergencies, an officer can also be reached by dialing the Mercyhurst College Main Campus Police and Safety Department cell phone number at 881-7359. The on duty communications officer will handle requests for assistance or information, and will dispatch a police or safety officer to respond when necessary and/or requested. The North East Campus on-duty officer can also be reached by dialing him/her directly at cell phone number 881-5024.

The address and telephone numbers for the State and Borough Police departments that have law enforcement authority and respond to incidents and requests for assistance at the Mercyhurst College North East Campus are:

Pennsylvania State Police
4320 Iroquois Avenue
PO Box 10607
Erie, Pa. 16514
Phone: (814) 898-1641

North East Borough Police Department
58 East Main Street
North East, Pa. 16428
Phone: (814) 725-8606

The Pennsylvania State Police and North East Borough Police Department can be contacted **for emergency purposes only** by dialing **911**.

Monitoring Criminal Activity at Off-Campus Sites

Mercyhurst College does not have any off-campus student organizations recognized by the college that are engaged in activities by Mercyhurst College students. Nor does Mercyhurst College have any off-campus housing facilities. The campus does, however, maintain a close relationship with state, city and municipal law enforcement agencies having jurisdiction on Mercyhurst College campus, and in areas surrounding the campus. Formal requests are made of each of these agencies for annual crime statistics.

Alcohol Policy

In keeping with the College Mission Statement that “Mercyhurst is a *Catholic* institution... dedicated to the *lifelong development of the whole person*,” we affirm the posture of the College to uphold the legal requirements of the Commonwealth of Pennsylvania in regard to the possession, transportation, consumption and distribution of alcoholic beverages. Furthermore, we recognize our moral obligation to ensure the well-being of each member of the Mercyhurst community by taking whatever steps necessary to discourage and prevent the wanton and reckless and illegal consumption of alcohol that may render short-term and/or long-term harm to the consumer, to his/her neighbor, and to the physical premises of this campus. In order to accomplish this goal, the following guidelines and rules and regulations are set forth:

Legal Requirements

As residents of Pennsylvania and members of the Mercyhurst community students have a right to be informed of the law and a responsibility to obey the law, including the following:

Section 6308 of the Pennsylvania Crimes Code states, “A person is guilty of a summary offense if he/she, being less than 21 years of age, attempts to purchase, purchases, consumes, possesses or transports any alcohol, liquor, or malt, or brewed beverages.”

Section 493 of the Pennsylvania Liquor Code states, “It shall be unlawful for any...person. To sell, furnish or give away liquor or malt or brewed beverages, or to permit any liquor or malt or brewed beverages to be sold, furnished or given, to any person visibly intoxicated, ...or to any minor, or to habitual drunkards, or persons of known intemperance habits.”

The Supreme Court of Pennsylvania stated in the case of *Congini v. Portersville Valve Co.*, 504 Pa. 157, 470 a. 2d. 515 (1983) that social hosts are negligent per se in serving alcohol to the point of intoxication to a person less than twenty-one years of age, and they can be held liable for injuries proximately resulting from the minor’s intoxication.” That liability can extend to include claims for injuries to the intoxicated minor.

College Requirements

Municipal ordinances, the Pennsylvania Liquor Code and related state statutes and federal law govern all matters relating to alcohol. The drinking age in the state is 21 years of age. No person under the age of 21 is permitted to consume, transport or possess any alcoholic beverages. As a member of the student body one is required to observe municipal, state, and federal laws. It is the College's policy, as well, to adhere to all municipal, state, and federal laws, including those governing the use of alcohol.

Drug Policy

Municipal ordinances, and state and federal law govern all matters relating to drugs. It is the College's policy as well, to adhere to all municipal, state, and federal laws, including those governing the use of drugs.

Mercyhurst College does not condone the medically unsupervised use, possession, sale, manufacture, or distribution of illegal drugs or drug paraphernalia.

When such activity occurs on campus, the College *shall* initiate appropriate measures, which may include disciplinary action. When such activity occurs off campus, the College *may* consider disciplinary action if the College determines that the activity has a substantial adverse effect upon the College members of the College community. Violators will be subject to penalties, which may include separation from the College. In addition, the College may report such matters to the appropriate enforcement agencies for criminal disposition.

1. Residents are responsible and accountable for the behavior of their guests and will be sanctioned if their guests violate the Drug Policy.
2. Any violation of the Drug Policy will result in the confiscation of any related paraphernalia.

Sexual and Other Harassment Policy

Mercyhurst College believes that everyone is entitled to equal opportunity regarding all aspects of his or her involvement with the college. It is therefore necessary that all members of the college community ensure that no individual or group is discriminated against due to race, color, creed, sex, sexual orientation, age, national origin, ancestry, marital status, physical and mental handicap, education, or any other condition.

The college does not and will not tolerate harassment, sexual or otherwise, of any kind by any member or members of the faculty, administration, staff, or student body. While the college subscribes to federal and state laws, which declare harassment to be unacceptable and illegal conduct, its policy is also predicated on the moral truth that all individuals are entitled to be treated with dignity, and to be free from unwelcome physical and verbal intrusions to their bodies and to their minds.

The Mercyhurst College sexual harassment and affirmative action officer is responsible for developing policy regarding sexual harassment on campus. An offender is always subject to college discipline. However, the sexual harassment officer, along with campus advocates, also ensure that proper counseling and safeguards are available to victims of any type of sexual harassment or assault. Various information sessions are provided to incoming students regarding the serious nature of and potential disciplinary action, and/or criminal charges that can result from any form of sexual harassment or assault.

The sexual harassment and affirmative action officer for Mercyhurst College is Tina Fryling. Her office address is Preston 115, and her telephone number is 814-824-2352. Ms. Fryling can provide assistance regarding information and consultation, resolution of informal complaints, and the filing of formal complaints. All discussions with Tina Fryling, any of the Mercyhurst College sexual harassment advocates, or the office of Mercyhurst College Counseling Services (814-824-2468 or 2561) are completely confidential.

Sexual Assault Policy

Notification is hereby provided that the Sexual Assault Victims' Bill of Rights (the Ramstad Amendment) includes the following provisions:

- Both accuser and accused have the right to have others present (in support or advisory roles) during a campus disciplinary hearing;
- Both parties have the right to be informed of the outcome of any disciplinary hearing involving sexual assault;
- Students have the right to be informed of their options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses;
- Survivors have the right to be notified of available counseling, mental health or student services for victims of sexual assault, both on campus and in the community; and
- Students have the right to be notified of their options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available.

WHAT TO DO IF YOU ARE A VICTIM OF IMPROPER SEXUAL CONDUCT

1. If you need assistance you should contact a resident assistant, police and safety officer, or counselor discuss the procedures you wish to follow.
2. Do not change clothes or shower.
3. Go to the hospital for treatment of injuries, a medical examination, and a collection of evidence of sexual assault.
4. Determine whether you would like to pursue action either through the college judicial system or the criminal court system or both. The college will assist you in notifying the appropriate college personnel and the local law enforcement agency to accomplish this.
5. Seek counseling to help cope with what has occurred.
6. Report the crime to the Mercyhurst College North East Administration, and/or the Police and Safety Department. If you do not wish to report the incident to the police, or are unsure as to what you want to do, you should contact the Director of the Counseling Center at X-2468 or 2561.

NOTIFYING THE MERCYHURST COLLEGE POLICE AND SAFETY DEPARTMENT

In addition to notifying a member of the Mercyhurst College administration of improper sexual conduct, we strongly encourage students who are victims of improper sexual conduct to cooperate with the law enforcement agency having jurisdiction at the North East campus to bring about a prosecution in the criminal court system. All rapes and other felonies will be investigated by the

Pennsylvania State Police or the North East Borough Police Department with the cooperation and assistance of the Mercyhurst College North East Security Department and the Mercyhurst College Department of Police and Safety.

When an incident of sexual assault is reported to a college employee, and the victim is willing to make a formal complaint to the Mercyhurst Police and Safety Department or the law enforcement department having jurisdiction, the employee should:

1. Contact the Mercyhurst North East Campus Police and Safety Department at 725-6103.
2. The Police and Safety Department will:
 - a. Advise the victim of her or his option to file a report to bring about criminal charges with the Police and Safety Department and the college through the Sexual Harassment Officer;
 - b. Transport the victim to the appropriate hospital for medical treatment;
 - c. Notify the victim of their option of access to existing counseling services on campus and in the community;
 - d. Notify the Director of the Counseling Center
3. The Director of the Counseling Center will:
 - a. Maintain contact with the Sexual Harassment Officer and coordinate counseling support services for the victim;
 - b. Work with the Academic Dean to arrange alternative classes and/or Dean of Administration to arrange for a change of housing, if the victim so requests, and if such classes and housing are reasonably available.

If the complainant does not want to report the incident to the police, or is unsure what she/he wants to do, the college employee should:

1. Contact the Director of the Counseling Center at 824-2468 or 2561.
2. The Director of the Counseling Center will:
 - a. Meet with the complainant to discuss the incident and explain the options available, including the process for taking disciplinary action if she/he wants to file a formal complaint through the college;
 - b. Ensure medical attention is provided if necessary;
 - c. Work with the Academic Dean to arrange alternative classes and/or Dean of Administration to arrange for a change of housing, if the victim so requests, and if such classes and housing are reasonably available.
3. If the complainant decides to file a formal complaint through the college, the Director of the counseling Center will:
 - a. Contact the Sexual Harassment Officer;
 - b. Contact the chief judicial officer;
 - c. Initiate a formal investigation into the charges.

PROCEDURES FOR CAMPUS DISCIPLINARY ACTION

Disciplinary hearings will be held in accordance with the standards set forth in the student handbook regarding the Student Judicial Board.

THE HEARING SHALL BE CONDUCTED DURING THE TRADITIONAL ACADEMIC YEAR AND ACCORDING TO THE FOLLOWING GUIDELINES:

- Hearings normally shall be conducted in private; however, admission of any person to the hearing shall be at the discretion of the Judicial board.
- In instances involving more than one student, individual hearings will be provided.
- The accused has the right to be assisted by an advisor or his/her choice and at his/her own expense. However, the accused is responsible for presenting his/her own case and therefore, advisors are not permitted to speak or to participate directly in any hearing before a Judicial Board.
- The accused, the Dean of Residence Life and Student Conduct, and the Judicial board shall have the privilege of presenting witnesses, who shall be subject to cross examination by the Judicial Board only.
- Permanent records, exhibits and written statements may be accepted as evidence for consideration at the discretion of the Judicial Board.
- All procedural questions are subject to final decision by the Judicial Board.
- The hearing shall be taped by the chairperson.
- Proceedings under the Student Code are not criminal proceedings, and shall not be construed as such. Mercyhurst College recognizes its responsibility to provide judicial procedures which reflect due process provisions. The College adopts, for the purpose of this Code, the following protection for students: adequate notice of the hearing; advance notice of matters requiring student response; impartial proceedings; an opportunity to provide evidence and witnesses in defense; and the right to appeal.
- **ALL INFORMATION, DOCUMENTATION, AND TESTIMONIES ARE STRICTLY CONFIDENTIAL FOR ALL INVOLVED PARTIES!**
- The Judicial Board has the capability to recommend a decrease, increase, or no change of the previous decision made by the Dean of Residence Life and Student Conduct. However, the Dean of Residence Life and Student Conduct or the President of Mercyhurst College may increase the sanctions only upon the recommendation of the Judicial Board.
- In cases dealing with innocence or guilt, the Judicial board may recommend that the previous sanction made by the Dean of Residence Life and Student Conduct be revoked.
- When the Judicial Board can not come to a majority decision (in case of a tie), the previous sanction stands.

- Both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sexual offense.

SANCTIONS FOR IMPROPER SEXUAL CONDUCT

Following are the MINIMUM sanctions for sexual offenses:

1. Sexual Harassment (unwelcome sexual advances, requests for sexual favors, or other visual, verbal and physical conduct of a sexual nature, whether explicit or otherwise, all constitute sexual harassment):
 - a. Depending on the degree and type of offense, sanction will range from 25 hours of community service to expulsion;
 - b. Written apology to the victim;
 - c. Disciplinary probation.
2. Sexual Assault:
 - a. Possible expulsion.

Security, Safety and Crime Prevention Programs

Safety and security issues are reviewed during resident assistant, student union, and other meetings in an effort to foster a trusting and productive relationship with students and staff. Additional efforts include:

- A handout is given to each resident student when they arrive on campus detailing various precautions students can take to lessen their chances of being a victim of a sex offense.
- Resident Assistants participate in extensive training from Rape Crisis, Crisis Intervention and the College Counseling Center that addresses these issues and how the Resident Assistants should respond when dealing with someone they suspect has been a victim of a sexual offense
- New Resident Assistants attend an on-going training class through the first term that addresses safety and security issues.
- Resident Assistants and Assistant Directors discuss various precautions students should take to lessen their chances of becoming a victim of a sex or other offense during mandatory meetings.
- In September, as a part of freshman orientation, the college sponsors two programs. The first program involves information regarding human sexuality, healthy relationships and personal responsibility. The second, entitled Hypnotic Intoxication, features an alcohol consumption, behavior and responsibility for self and friends lecture and the actual hypnotism of several students who then act out many alcohol related behaviors.
- In September, Erie County Department of Health, Rape Crisis, and Victim Witness personnel are scheduled to come to the College and speak about available services.

- In October, during National Collegiate Alcohol Awareness Week, sponsors such as the Pennsylvania Bureau of Liquor Control Enforcement, Pennsylvania State Police, SADD, MADD, BACCHUS, SAFENET, and Rape Crisis set up tables in the Student Union Building, to provide information to the College Community. Demonstrations are often scheduled using the Alcohol 101 and the “Drunk Goggles” program sponsored by the Pennsylvania Liquor Control Board.
- In December, during National AIDS Awareness Week, tables are set up in the Student Union Building to provide information pertaining to sexual issues and decisions.
- In March, during Women’s History Month, information is provided and programs are offered pertaining to sexual and other personal relationships, sexual assault, and the availability of counseling services.
- Throughout the year, workshops are randomly scheduled on subjects such as self-defense, date rape, crisis response, and conflict management.
- A Student Government ad hoc committee consisting of students, faculty, and administrators has been formed to examine issues related to sexuality, dating, date rape and sexual orientation. This committee is working to develop strategies to be implemented both in and outside of the classroom.
- An Ophelia Project group of women is active at the college to help address the issues of adolescent and young adult sexuality. The Ophelia Project is geared towards women and girls, and the Mercyhurst College group works in conjunction with the local Erie Ophelia Project.

Timely Warning Policy

The Mercyhurst College Security Department will issue timely warnings to the college community whenever emergency, safety, and/or other security issues arise that pose a potential threat to students, faculty, or staff, whether the event(s) giving rise to the warnings occur on or off campus. Timely warnings may be made in any of the following ways:

1. A letter may be sent to all employees and students.
2. Information may be published in the college student newspaper .
3. Information may be published in the college newsletter.
4. Information may be displayed on electronic signs located in the cafeteria and the student union building on Main Campus.
5. Information may be posted on the police and safety department home page.
6. Flyers may be posted on college bulletin boards, and/or distributed by assistant housing directors and resident assistants.

Access to Campus Facilities and Residences

Mercyhurst has all of its facilities open during the normal workday. Guests of the college are invited to visit specific areas. During theatrical, athletic, and other special events particular areas are open and/or available at specific times to both the general public and the Mercyhurst college community.

Housing, Maintenance, and Facilities Information

There are two residence halls located within the North East campus main structure: one is male, and the other is co-ed. There are fourteen townhouses located north of the building proper, and both male and female students may occupy these apartments.

Freshmen are assigned to the residence halls using information provided by them on their submitted data sheet, or upon their request for a specific roommate. Upperclassmen select each other in either the residence halls with doubles or singles (on a space-available basis) or in the apartments. Transfers are assigned according to their preferences for hall or apartment living. Changes may be made at the end of each trimester upon request of the resident and/or at the discretion of the college.

At both male and female residence halls, guests are required to check in at the desk and leave photo identification that is returned when they leave. Visits by members of the opposite sex are limited to visiting hours. Guests must be 19 years of age, or siblings or the resident, to enter the resident halls.

All residents are informed of housing policies on their contracts, during an initial meeting at the beginning of the term, and via the student handbook. Additional meetings are held and memoranda are sent on an as-needed basis.

Students wishing to stay on campus during breaks must make special arrangements with the college, and are reminded that since there will be fewer students around they should be especially cautious.

Guests may not stay on campus unless registered with a resident assistant, and then only for a maximum of 3 days. Prospective freshmen brought to campus are supervised by the admissions staff and are not permitted in regular student rooms unless they are invited.

High-pressure sodium and metal halide lamps light the campus. Police and Safety Department personnel report safety concerns to the maintenance department either immediately or on a daily basis. A continuous attempt is made to trim and/or eliminate large bushes and other obstructions around entranceways or paths. Safety hazards are corrected when discovered or reported. An emergency call box is located at the outside entrance of the Main Mercyhurst North East building.

Background checks are conducted on everyone hired by the police and safety and maintenance departments, and all other departments are encouraged to carefully check references and resumes of their applicants.

Daily Crime Log

The Police and Safety Department must maintain a daily crime log, which list all crimes reported to the Police And Safety Department that are committed on campus and on public grounds immediately adjacent to the campus. The crime log must contain information concerning the nature, date, time, and general location of each crime, and the disposition of the incident, if known. The crime log for the Mercyhurst College North East Campus is maintained at the North East Campus Administrative Office. Mercyhurst College students, faculty, administrators, staff, and the general public can view the crime log between the hours of 8:30 AM and 4:30 PM on any weekday.

Student Responsibility Regarding Safety and Security

Mercyhurst College is a very safe and secure college. However, with all of the available activities on campus, it can be easy to become careless about safety and security issues.

The cooperation and involvement of each member of the Mercyhurst College community in campus safety and security is critical. Community members must assume responsibility for their own personal safety and for the security of their own property, as well as the property and assets of the college, and are expected to take necessary precautions to avoid being victimized. Those responsibilities include, but are not limited to:

1. Report any safety and security concerns to the Department of Police and Safety at 725-6103, or the Dean of Administration at 725-6135.
2. Apartment and residence hall room doors should be locked at night and anytime the apartment or room is unoccupied.
3. Strangers should never be allowed into apartments or residence halls. If and when a stranger is found to be wondering in and around student apartments or residence halls, their presence should be immediately reported to the Security Department.

Students with cars or other vehicles must park them in designated areas, and should keep them locked at all times. Valuables left in cars should be locked inside the vehicle trunk.

Campus Security Act Definitions

MISCELLANEOUS

Campus Security Act Authority:

Those individuals or organizations specified by the institution's statement of campus security policy to whom criminal offenses should be reported, and other officials of the institution who have significant counseling responsibilities.

CRIME DEFINITIONS

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 the results from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime was successfully completed.

Arson:

To unlawfully and intentionally damage, or attempt to damage, any real or personal Property by fire or incendiary device.

Burglary:

The unlawful entry of a structure to commit a crime there in. (On campus this is breaking into an office that is not normally open for public access, or breaking into a residence hall bedroom).

Hate Crimes:

Any of the crimes listed, and other crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim, that are reported to campus Police and Safety Department, or local police agencies.

Manslaughter:

The killing of another person through negligence.

Murder:

The willful (non-negligent) killing of one human being by another.

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.

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 consent.

Forcible Rape

The carnal knowledge of a person, forcibly and/or against the 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).

Forcible Sodomy

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

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 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.

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.

Sex Offenses, Non-forcible (Unlawful, non-forcible sexual intercourse):

Incest

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

Statutory Rape

Non-forcibly sexual intercourse with a person who is under the statutory age of consent.

Theft:

The unlawful taking of property or services belonging or provided by another thus depriving its owner of its use or compensation.

LOCATION DEFINITIONS

Campus

Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, excluding residence halls. (Includes all academic, administrative, and athletic buildings on the main campus, all campus parking lots and common areas).

Non-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 learning that is used in direct support of, or in relation to, the educational institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public property

All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used in direct support of, or in a manner related to the institution's educational purposes.

Crime Statistics

The statistics provided in this year's 2001 annual security report have been compiled and published using guidelines provided by the Pennsylvania College and University Security Act and the federal Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act as amended in 1998. The crime rates were calculated by multiplying the number of recorded crimes by 100,000 to obtain the population base, and then dividing that number by the full-time equivalent (FTE) population of students and employees (759 on the Mercyhurst North East Campus for 2001).

The Mercyhurst College Dean of Public Safety prepares this report using the following procedures:

1. All Police and Safety Department incident and other reports are reviewed.
2. All Residence Life reports are reviewed.
3. The Daily Crime Log is reviewed.
4. The Police and Safety, Housing, and Student Affairs Departments are surveyed, as well as other individuals having significant responsibility for student and campus activities.
5. All disciplinary letters issued by the Dean of Discipline are reviewed.
6. A request is made to all law enforcement agencies having jurisdiction at Mercyhurst College facilities to provide information regarding incidents investigated and arrests made on Mercyhurst College property and public property within a reasonable contiguous geographic area of the college.

It is noted that a formal police investigation and a subsequent formal police report is not required in order for criminal activity to be included in annual security report statistics. Students need only report the incident to any college official who has a significant responsibility for student and campus activity.

UNIFORM CRIME REPORTING STATISTICS NORTH EAST CAMPUS			
TYPE	1999 crime/crime rate	2000 crime/crime rate	2001 crime/crime rate
Murder & Negligent Manslaughter	0/0	0/0	0/0
Manslaughter by Negligence	0/0	0/0	0/0
Forcible Rape	0/0	0/0	0/0
Robbery	0/0	0/0	0/0
Assault	1/185	1/175	3/395
Burglary	0/0	1/175	1/132
Larceny/Theft	5/923	4/701	19/2503
Motor Vehicle Theft	0/0	0/0	0/0
Other Assaults	0/0	0/0	0/0
Arson	0/0	0/0	0/0
Forgery and Counterfeiting	0/0	0/0	0/0
Fraud	0/0	0/0	0/0
Stolen Property: Receiving, Possessing	0/0	0/0	0/0
Vandalism	10/1845	15/263	22/2899
Weapons: Carrying and Possessing	0/0	0/0	0/0
Liquor Laws	5/923	6/105	18/2372
Sex Offenses (Except Rape/Prostitution)	0/0	0/0	0/0
Drug abuse Violations	1/185	2/350	7/922
Drunkenness	4/738	0/0	0/0
Disorderly Conduct	3/554	1/175	1/132
Vagrancy	0/0	0/0	0/0
Hate Crimes	0/0	0/0	1/132
All Other Offences (Except Traffic)	0/0	0/0	4/527

CAMPUS CRIME STATISTICS

MERCYHURST NORTH EAST CAMPUS

CATEGORY	VENUE	1999	2000	2001
CRIMINAL HOMICIDE: MURDER & NON-NEGLIGENT MANSLAUGHTER	On Campus***	0	0	0
	In Dormitories and Other Residential Facilities	0	0	0
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
NEGLIGENT MANSLAUGHTER	On Campus***	0	0	0
	In Dormitories and Other Residential Facilities	0	0	0
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
SEX OFFENSES: FORCIBLE	On Campus***	0	0	0
	In Dormitories and Other Residential Facilities	0	0	0
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
SEX OFFENSES NON-FORCIBLE	On Campus***	0	0	0
	In Dormitories and Other Residential Facilities	0	0	0
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
ROBBERY	On Campus***	0	0	0
	In Dormitories and Other Residential Facilities	0	0	0
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
AGGRAVATED ASSAULT	On Campus***	0	0	0
	In Dormitories and Other Residential Facilities	0	0	0
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
BURGLARY	On Campus***	0	4	1
	In Dormitories and Other Residential Facilities	0	4	1
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
ARSON	On Campus***	0	0	0
	In Dormitories and Other Residential Facilities	0	0	0
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
MOTOR VEHICLE THEFT	On Campus***	0	0	0
	In Dormitories and Other Residential Facilities	0	0	0
	In or On a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0

NUMBER OF ARRESTS FOR:

CATEGORY	VENUE	1999	2000	2001
LIQUOR LAW VIOLATIONS	On Campus ***	0	0	0
	In Dormitories or other Residential Facilities	0	0	0
	In or on a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
DRUG RELATED VIOLATIONS	On Campus ***	0	0	0
	In Dormitories or other Residential Facilities	0	0	0
	In or on a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0
WEAPONS VIOLATIONS	On Campus ***	0	0	0
	In Dormitories or other Residential Facilities	0	0	0
	In or on a Non-Campus Building or Property	0	0	0
	On Public Property	0	0	0

NUMBER OF DISCIPLINARY REFFERALS FOR:

CATEGORY	VENUE	1999	2000	2001
LIQUOR LAW VIOLATIONS	On Campus	5	11	52
	Off Campus	0	0	0
DRUG RELATED VIOLATIONS	On Campus	1	4	10
	Off Campus	0	0	0
WEAPONS VIOLATIONS	On Campus	0	0	0
	Off Campus	0	0	0

There was one “hate” crime reported during the period of 2001. This hate crime was associated with the disorderly conduct incident listed in the above Uniform Crime Reporting Statistics table.

*** This category includes all on-campus incidents, including “In Dormitories or other Residential facilities”. Therefore, the two categories are not cumulative, but duplicative.

Questions concerning The College and University Security Information Act and The Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act may be addressed to the Chief of Police, Mercyhurst College, 501 East 38th Street, 16546, or by calling (814) 824-2304.