

# TEXAS A&M UNIVERSITY SCHOOL OF LAW 2017 Annual Security Report

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In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f), 34 CFR 668.46)

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This Annual Security Report is available at the following Texas A&M University Risk and Compliance websites.

<http://urc.tamu.edu/media/1157084/LawAnnualSecurityReport.pdf>.

Numerous links to websites are included. Email [vpfa-urc-compliance-officer@exchange.tamu.edu](mailto:vpfa-urc-compliance-officer@exchange.tamu.edu) for assistance if any link does not function.

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## Texas A&M University School of Law

### **Preparation of the Annual Security Report and Disclosure of Crime Statistics**

Enacted in 1990, The Crime Awareness and Campus Security Act was designed to assist the campus community in making decisions which affect their personal safety by requiring institutions of higher education provide certain campus security information to current and prospective students and employees annually. The Higher Education Act of 1998 and the subsequent amendments of the implementing regulations (34 C.F.R.668.46) significantly expanded institutions' obligations under the Act. The Act was also renamed the "Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act" (hereafter the Clery Act).

The Texas A&M University School of Law (law school) Office of Facilities Coordination, Student Affairs, and Finance & Administration are responsible for preparing and distributing the Annual Security Report to comply with the Clery Act. The Annual Security Report is published every year by October 1st and contains three years of selected campus crime statistics and certain campus security policy statements in accordance with the Clery Act. The 2017 Annual Security Report contains crime statistics for calendar years 2016, 2015, and 2014. The full text of this report can be located on the law school's website at <https://law.tamu.edu/about-us/clery-report>.

Annual Security Report statistics for crimes, arrests, and referrals are compiled using campus incident reports and information reported to the law school Business Coordinator, the Assistant Dean for Student Affairs, other university officials, and local law enforcement (Fort Worth Police Department). Faculty, staff and students may anonymously report criminal or unethical behavior through Crime Stoppers at 817-469-TIPS (8477) or online at [www.fortworthpd.com](http://www.fortworthpd.com) website and clicking on "Submit a tip online".

### **Annual Security Report Notifications**

Each year, an e-mail notification is sent to all current students, faculty, and staff providing the web site to access the Annual Security Report. Upon request, prospective students and employees may obtain a written paper copy of the report from the law school Business Coordinator's office at 1515 Commerce Street, Fort Worth, Texas 76102 or by calling 817-212-3908 or emailing [lakotacoan@law.tamu.edu](mailto:lakotacoan@law.tamu.edu). The report is found at the following website at <https://law.tamu.edu/about-us/clery-report>.

Prospective employees are notified of the availability of the Annual Security Report through an email distributed when applying for a vacant position. Website access to the Annual Security Report is provided by Human Resources through a link called "Safety and Security Notices" located on the right menu bar of the Texas A&M Job Path website (<https://jobpath.tamu.edu>) and through a link under the "Safety and Security Notices" heading on the Required Employee Notices & Important Reminders webpage (<http://employees.tamu.edu/employees/required-notices/>).

Prospective students are notified of the availability of the Annual Security Report through an email distributed when applying for admission. Website access to the Annual Security Report is provided by the Office of Admissions through a link titled “Campus Safety” located at the bottom of the Admissions webpage (<http://admissions.tamu.edu/>). A copy of the report can also be obtained by contacting the law school Assistant Dean of Student Affairs at 817-212-4020.

## **Campus Law Enforcement Policies**

### **Police Department Overview**

The law school outsources campus security for its main campus building and additional on-campus property surrounding the main building. While the security guards are unarmed, they are vigilantly aware of the campus and surroundings and report crimes of suspicious activity to the Fort Worth Police Department and any Campus Security Authority (CSA) immediately. Suspicious activity such a loitering on or contiguous to the property, vehicles, or any buildings used by the law students or employees should be reported to security immediately.

The guards are on duty from open to close seven days a week and can be contacted at 817-212-3999 (2-3999 on a campus phone). There is a security guard at the front entrance of the law school who is required to log visitors into the main campus building. Visitors are required to provide legal picture identification before allowing entrance, to state their business during their stay, and the guards are to call forward to the office or person to whom the visitor wishes to see. The guard staff is also required to tour, either by foot or by motorized carts, all law school property and surrounding immediate areas such as law school vehicle parking lots.

Escorts are provided to/from the parking lots to/from the main law school campus building by calling the guard station at 817-212-3999 (2-3999 on a campus phone).

### **Jurisdiction**

All criminal incidents are referred to the Fort Worth Police Department who has police jurisdiction over the law school campus and the power to arrest. All crime victims and witnesses are strongly encouraged to immediately report crime to the Fort Worth Police Department and law school campus security. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

### **Arrest Authority**

Law school campus security and/or the Fort Worth Police Department will respond, as appropriate, to all calls for assistance. The campus guards are unarmed and do not have authority to detain or make arrests, but have the authority to patrol the law school campus including parking lots to monitor parking spaces and their authorized use.

### **Enforcement Authority**

All reports to law school campus security are investigated and are referred to law enforcement authorities when appropriate. Criminal matters involving university students may also be referred to the law school Assistant Dean for Student Affairs for disciplinary action.

### **Working Relationships and Agreements**

Law school campus security has a working relationship with local law enforcement agencies, the law school facilities department, and the Assistant Dean for Student Affairs at the law school who administers student disciplinary matters. No written memorandum of understanding is in effect between the Texas A&M University law school and local or state law enforcement agencies.

A request for timely information sharing is distributed to local law enforcement agencies annually. The request is specific to informing law school campus security about situations reported to the given local law enforcement agency that may warrant an emergency response or timely warning notification.

### Monitoring Non-Campus Locations

Neither law school students nor their officially recognized student organizations inhabit non-campus housing.

The Office of the Assistant Dean for Student Affairs maintains contact with recognized law school student organizations. Institutional sponsored travel by students or officially recognized student organizations to locations outside of campus may result in the location meeting the criteria for Clery non-campus property. Law school security does not monitor or record criminal activity at these non-campus locations or provide security. The local law enforcement agency with jurisdiction at the location monitors criminal activity at the non-campus property and responds when police services are requested.

### Professional Standards

The Texas A&M University law school maintains a reciprocal relationship with the community to assure we provide excellent service which is vital to achieving our overall mission to sustain a safe and secure campus. All members of the Texas A&M community can expect to be treated in a courteous and professional manner by members of the campus community. Texas A&M University will not tolerate an employee who acts unprofessionally or does not provide an appropriate level of service.

The quality of our service is dependent, in part, on feedback from the community we serve. Please help us improve our department by bringing your complaints and compliments to the attention of any of the following individuals in a timely manner:

- Law school campus security at 817-212-3999
- Law school Business Services at 817-212-3908 or by email to [lakotacoan@law.tamu.edu](mailto:lakotacoan@law.tamu.edu), or in writing to the Assistant Dean for Finance and Operations, Margaret Demers, Texas A&M University School of Law, 1515 Commerce Street, Fort Worth, Texas 76102

### Campus Law Enforcement Telephone Directory

Emergencies- Police/Fire/Medical	911 (on or off campus)	Texas A&M University Law School Security	817-212-3999
Tarrant County Sheriff's Department	817-884-1111	Fort Worth Police Department NPO, Officer Joel Stary	817-944-6152
Texas A&M University Police Department	979-845-2345		

## Reporting Crimes

### Incident Reporting and Response

The safety of our students, faculty, staff, and visitors is a top priority at the law school. In the event of an emergency situation, always contact the Fort Worth Police Department first by calling 911. Community members, students, faculty, staff and guests are also encouraged to report inappropriate behavior, all crimes, and public safety related incidents to the law school campus security department in a timely manner by calling 817-212-3999. Any suspicious activity or person observed in parking lots or loitering around vehicles, buildings, or any property directly surrounding the law school facilities should be reported immediately to

campus security. The security department is expected to respond to reports immediately and appropriately. Response includes dispatching a security officer to attend to the needs of the victim and secure the scene and, as situations warrant, contact outside services such as local law enforcement, the fire department, or emergency personnel to respond to the incident.

Members of the law school campus community should report suspected instances of abuse, neglect, or exploitation, especially of children, persons 65 years or older, and adults with disabilities. If a professional has cause to believe that a child, elder, or disabled person has been abused or neglected, by state law the professional must make a report not later than 48 hours after learning of the abuse or neglect (even if the belief is premised on incomplete or dated information) to any local or state law enforcement agency, the Department of Family and Protective Services, the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred, or the agency designated by the court to be responsible for their protection.

### **Reporting Criminal Offenses to University Officials: Campus Security Authorities**

In addition to reporting to the law school campus security department or calling 911, you may report a crime of which you are aware to the following areas at the law school:

All offices are located in the law school main building at 1515 Commerce St., Fort Worth, TX

Name	Phone	Location
Business Coordinator I, Lakota Coan, <a href="mailto:lakotacoan@law.tamu.edu">lakotacoan@law.tamu.edu</a>	817-819-3908	Office 163-1
Law School Interim Dean, Thomas Mitchell, <a href="mailto:thomas.mitchell@law.tamu.edu">thomas.mitchell@law.tamu.edu</a>	817-212-3935	Office 166
Assistant Dean for Student Affairs, Rosalind Jeffers, <a href="mailto:rjeffers@law.tamu.edu">rjeffers@law.tamu.edu</a>	817-212-4020	Office 247
Assistant Dean for Finance & Administration, Peg Demers, <a href="mailto:mdemers@law.tamu.edu">mdemers@law.tamu.edu</a>	817-212-4082	Office 168
Associate Dean for Academic Affairs, Cynthia Alkon, <a href="mailto:calkon@law.tamu.edu">calkon@law.tamu.edu</a>	817-212-3956	Office 172
Assoc. Dean Evening Programs, Laredo Programs, Planning & Compliance, Stephen Alton, <a href="mailto:salton@law.tamu.edu">salton@law.tamu.edu</a>	817-212-4115	Office 128

Crime reports provided to campus security authorities are used by the school to fulfill its responsibility to annually disclose accurate crime statistics and to issue or facilitate the issuance of timely warnings or emergency notifications. Campus security authority crime reports should include sufficient detail such as dates and locations, and where appropriate, personally identifying information, including name and contact information, if available.

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety related incidents to law school security and Fort Worth Police in an accurate and prompt manner when the victim of such crimes elects or is unable to make such a report. Law school security and the university officials listed above will assist individuals reporting in notifying the proper law enforcement authorities, if the individual chooses. It is our goal to provide assistance wherever the report is made and include Clery countable crimes in our annual security report.

Contracted professional counseling personnel, who are exempt from the reporting requirements of the Clery Act, are available to law school students and employees. As the counseling services are generated through referral using a network of local providers, there are no institutional procedures in place for professional counselors to encourage voluntary, confidential crime reporting for inclusion in the annual disclosure of



crime statistics. The law school has no pastoral counselors who are exempt from reporting requirements under the Clery Act.

### **Confidential and Anonymous Reporting of Crimes**

The law school security department encourages anyone who is the victim or witness to any crime to promptly report the incident to them or to local law enforcement. While confidentiality cannot be guaranteed, incident reports will be kept private to as great a degree as legally possible. Voluntary, confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made by victims, witnesses, and others to the campus security authorities listed above. Faculty, staff, and students may anonymously report criminal or unethical behavior through the Fort Worth Police Department Crime Stoppers at 817-469-TIPS (8477) or online [www.fortworthpd.com](http://www.fortworthpd.com) website and clicking on “Submit a tip online”.

### **Timely Warning Policy**

This policy applies to the issuance of timely warnings (crime alert) required by the Clery Act to the campus community. It delineates the process for issuance of crime alerts by senior members of management. The circumstances in which a crime alert will be generated include, but are not limited to, the receipt of a report to campus security, or any campus security authority, of a crime reportable under the Clery Act that poses a serious or continuing threat to the campus community. Crimes that may warrant a crime alert under the Clery Act include, but are not limited to, major incidents of arson, murder/non-negligent manslaughter, robbery, aggravated assault, sex offenses, or other crimes as determined necessary. Anyone with information warranting a crime alert should report the circumstances to law school security or the campus security authorities (listed below) by telephone, email or in person. If the law school security or another campus security authority is not notified of a crime in a manner that would allow timely notice, a crime alert may not be issued, depending on the circumstances. All situations will be evaluated on a case by case basis.

After the consideration of all available facts of the situation, such as the nature and whether or not a continuing danger to the campus community exists, the determination to issue a crime alert is made on a case by case basis by any one of the following campus security authorities:

Law School Security at 817-212-3999 (1515 Commerce Street, Fort Worth, Texas 76102)

Facilities Manager, Matt Pellegrino at 817-212-4195 or [mpellegrino@law.tamu.edu](mailto:mpellegrino@law.tamu.edu)

Law School Interim Dean, Thomas Mitchell at 817-212-3935 or [thomas.mitchell@law.tamu.edu](mailto:thomas.mitchell@law.tamu.edu)

Assistant Dean for Student Affairs, Rosalind Jeffers at 817-212-4020 or [rjeffers@law.tamu.edu](mailto:rjeffers@law.tamu.edu)

Assistant Dean of Finance and Administration, Margaret Demers at 817-212-4082 or [mdemers@law.tamu.edu](mailto:mdemers@law.tamu.edu)

Associate Dean for Academic Affairs, Cynthia Alkon at 817-212-3956 or [calkon@law.tamu.edu](mailto:calkon@law.tamu.edu)

Associate Dean for Evening Programs, Planning & Compliance, Stephen Alton at 817-212-4115 or [salton@law.tamu.edu](mailto:salton@law.tamu.edu).

The law school Assistant Dean for Student Affairs or designee is then responsible for writing and issuing (sending) a crime alert. Crime alerts are issued through email to students (from the Office of the Assistant

Dean of Student Affairs) and employees (from the Finance and Administration Office) in a manner that is timely and will aid in the prevention of similar occurrences. Crime alerts contain sufficient information about the nature of the identified threat so members of the campus community can take appropriate action to protect themselves or their property. The crime alert will generally include:

- A readily understandable description of the type of crime or occurrence.
- The general location, date, and time of the offense.
- A physical description of the suspect(s), if available, if there is sufficient detail that would reasonably help identify a specific individual suspect or group of suspects.
- Possible connection to other incidents.
- Date and time the alert was issued.
- Suggested measures which members of the university community can take to help protect themselves.

It is important to note that in some cases the law school may need to withhold some facts if releasing the information would compromise an ongoing investigation or the identity of the victim. Victim names and other identifying information of victims are never included in crime alerts.

## **Emergency Response and Evacuation Policy**

The procedures disclosed in this section apply to emergency situations occurring on the law school campus, i.e. on-campus property. The institution does not have separate procedures for emergency situations occurring on non-campus property.

### **Emergency Notification System**

Code Maroon Law Alert is law school's emergency notification system for the law school community. This alert system gives the ability to communicate health and emergency information by some or all of the following mechanism: SMS text message, Texas A&M email, Dallas-Fort Worth local television stations CBS, NBC, and ABC, Twitter, and RSS.

The law school uses the system only to provide official notification of these critical emergencies (i.e., situations that pose an imminent threat to the community). It is the policy of the law school to immediately notify the campus community via the Code Maroon Law Alert Emergency Notification System upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The law school may receive such information from entities including, but not limited to: local law enforcement, fire department, National Weather Service, Fort Worth Emergency Management Office, and/or FEMA.

The law school has an Emergency Operations Plan in place that informs students and employees about threats to their health and safety. This plan includes investigating emergencies to determine validity through all available sources. According to the information available, a determination will be made by any one of the authorized law school individuals (see individuals authorized to determine whether or not a crime alert should be issued) regarding whether or not the a significant emergency or dangerous situation exists involving an immediate threat to the health or safety of the campus community. If so, a Code Maroon Law Alert will be immediately issued.

The Code Maroon Law Alert emergency notification message does not replace the crime alert requirement. They differ in that the crime alert requirement applies only to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e., gas leaks, tornadoes, active shooter, etc.) If



an emergency notification is issued, the institution is not required to issue a crime alert based on the same circumstances.

The law school campus security authorities (see page 6) act as the emergency response team by overseeing the issuance of emergency notifications to the law school campus. The team will evaluate all situations to confirm that there is a significant emergency or dangerous situation on campus. Confirmation must be reasonable. The law school will not wait to issue an emergency notification due to incomplete information or lack of confirmation. Once this determination has been made, the Dean of the law school, or designee, will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Victim names and other identifying information of victims are never included in emergency notifications.

Law school personnel authorized to issue a Code Maroon Law Alert are: Level One and Two Code Maroon Law Alert Authority, Matt Pellegrino (Facilities Operations, 817-819-1163, [mpellegrino@law.tamu.edu](mailto:mpellegrino@law.tamu.edu)), and Level Three and Four Code Maroon Law Alert Authority, Margaret Demers (Assistant Dean for Finance and Administration, 817-212-4082, [mdemers@law.tamu.edu](mailto:mdemers@law.tamu.edu)). In all cases where notifications are issued, the entire law school campus receives the distribution, not portions or segments of the campus. Individuals receiving the emergency notification will also be advised with updated information, as needed, using the same method(s) as the original notification.

The law school conducts pre-scheduled testing of the Code Maroon Law Alert emergency notification system during the fall and spring semesters. After each test, or actual alert, the functionality of each communication device within the notification system is analyzed, and a report with the results of the findings is provided to the members of the task force on campus emergencies.

### **Registering for Emergency Notifications**

To register to receive Code Maroon Law Alerts by text message, students and employees who have been issued a UIN, a NetID, and have a password can register their personal cell number to receive text message alerts. Emergency alerts are automatically sent to all Texas A&M email addresses belonging to law school students and employees regardless of registration. The system also pushes the emergency notification messages by Twitter and RSS. To register, go to <http://law.tamu.edu/emergency-information> and click on the statement under the CODEMAROONLAW icon, then follow the directions. The public cannot register for Code Maroon Law Alerts.

### **Disseminating Information to the Larger Community**

The law school does not disseminate emergency information to the entire larger community outside the campus; however, notification is provided to local law enforcement as necessary through phone communication from the law school Facilities Manager.

### **Emergency Preparedness**

In preparation for any emergencies, students and employees receive instructions and training appropriate to the nature of the emergency in accordance to the Emergency Operations Plan for the law school. Depending on the nature of the emergency, students and employees receive instructions to evacuate the building, evacuate to the lowest level of the building, stand-in-place, etc. according to the Emergency Operations Plan for the law school. The plan includes emergency response and evacuation procedures that are tested and evaluated annually.

The law school conducts announced and unannounced emergency training exercises each year. These may include training classes, tabletop exercises, and drills which are designed to assess and evaluate the emergency plans and response capabilities of the law school. The law school Safety Committee is responsible for documenting testing to include a description of the exercise, date, time, whether announced or unannounced. The Safety Committee is also responsible for publicizing emergency response and evacuation procedures through an email each fall to law school students and employees in conjunction with a test. Each department is provided with an Emergency Information Manual, which includes policies and procedures to be followed in the event of an emergency on campus.

## **The Daily Crime Log**

A daily crime log is recorded daily, on paper, by law school security or other trained personnel. This summary document identifies the nature of the crime, location of each alleged offense, the date and time(s) of occurrence, the date the crime was reported to law school security, and disposition. The hard copy Daily Crime Log is available free of charge and upon request from the law school Office of Student Services at Texas A&M University School of Law, 1515 Commerce Street, Fort Worth, Texas 76102 or by calling 817-212-4001.

## **Security of and Access to Campus Facilities**

### **General Provisions**

The law school is open to students, parents, employees, contractors, guests and invitees.

### **Residence Halls**

No on-campus housing or residence halls are owned or controlled by the law school.

### **Parking**

The law school has three surface lots located at 1401 Calhoun St., 1501 Calhoun St., and 1701 Calhoun St. The parking lots are monitored by a security patrol guard from 8:30 a.m. to midnight. Each parking lot is equipped with two emergency phones that are readily visible and identifiable by the bright blue lights located on top of the phones cabinets. Instructions adjacent to the keypads advise customers that the call will be immediately forwarded to local 911.

The law school Legal Clinic is located at 307 W. 7<sup>th</sup> St., LL50, Fort Worth, Texas 76102. Parking is available through platinum parking in the parking garage attached to the building. The garage provides an attendant during the hours of 8:00 a.m. and 7:00 p.m. After 7:00 p.m., vehicles are moved to the 2<sup>nd</sup> floor and locked by the attendants. Owner's keys are left with building security to be picked up by the owner when the patron is ready to leave. Law school security does not provide security for the 7<sup>th</sup> St. building or parking garage.

### **Academic and Administrative Buildings**

Law school identification and security access cards are provided to law school students and employees for access to the main law school campus building and the Legal Clinic facility. Persons who do not hold a law school identification and security access card must enter through the west (main) entrance of the facility, present a legal picture ID to the security registration guard, state the nature of business during use of the facility, and sign in. All visitors are required to wear a temporary name badge while on campus. The check in security guard will call the necessary department to advise that a guest has arrived. The law school campus security guards have full authority to check identification before giving a guest access to the facilities and to escort unauthorized persons off the property.

The law school main campus building is open from 7:00 a.m. to midnight. The law library, located in the main campus building, is open from 7:30 a.m. to midnight Monday through Friday, 9:00 a.m. to midnight Saturday, and 10:00 a.m. to midnight Sunday. However, the law library is restricted to students, faculty, staff, and alumni after 8:00 p.m. Hours and public access is subject to change due to holiday and exam schedules.

## **Maintenance of Campus Facilities**

The Facilities Operations department is responsible for maintaining campus facilities. This includes interior and exterior security lighting, monitoring equipment and other physical safety areas. Safety related issues may be reported by contacting law school security at 817-212-3999 (2-3999 on campus phone) or facilities operations at 817-212-4125.

## **Alcoholic Beverages, Illegal Drugs, and Weapons**

### **Education Programs**

The university provides drug/alcohol counseling, treatment and rehabilitation programs for students and university employees. For more information, employees should review University Rule 34.02.01.M1, Substance Abuse Prevention, at <http://rules-saps.tamu.edu/PDFs/34.02.01.M1.pdf> and students should visit <http://studentlife.tamu.edu/hp/>.

Additionally, according to the Drug-Free Schools and Communities Act, the university reviews its programs, services, and policies to prevent unlawful possession, use, or distribution of alcohol and illicit drugs. The results of the biennial review are published at <http://urc.tamu.edu/media/628893/DFSCA.pdf>.

### **Alcohol Policy**

The following alcohol policy applies to the law school.

As an institution interested in the intellectual, physical and psychological well-being of the campus community, Texas A&M University deems it important to curtail the abusive or illegal use of alcoholic beverages. All members of the university community and guests are required to comply with federal and state laws regarding the possession, use, and service (including sales) of alcoholic beverages ([System Policy 34.02, Drug and Alcohol Abuse and System Policy 34.03, Alcoholic Beverages](#)). Except as permitted or expressly authorized by state law, alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age ([Texas A&M University Student Rules, Appendix VIII](#)).

Additionally, in accordance with [Texas A&M University Student Rules, Appendix VIII](#) and [University Rule 34.03.01.M1 Alcoholic Beverages](#), alcohol possession and use of alcoholic beverages are prohibited on Texas A&M University premises and university sponsored events unless expressly authorized by University Rule 34.03.01.M1. Service of alcoholic beverages on Texas A&M University property (including sales) is limited to institutional entities that hold a valid liquor license according to University Rule 34.03.01.M1. Authorized service entities are listed in University Rule 34.03.01.M1. Consequences for policy violations could result in sanctions by the university and/or criminal charges/arrest by UPD for state law violations.

The law school Assistant Dean of Student Affairs (817-212-4020) and the Office of the Dean of Student Life (979-845-3111) at the main campus are committed to promoting responsible decision making regarding alcohol and other drugs through educational programming, resources, and referrals for students through the Student Assistance Program and Work-Life Services Program (1-855-270-3379). The Deer Oaks Employee Assistance Program (888-993-7650) manages the alcohol and drug abuse and rehabilitation program available to law school employees. The Deer Oaks Employee Assistance Program also provides licensed counseling and referral services.

## **Illegal Drugs Policy**

The following illegal drugs policy applies to law school.

Federal law prohibits the unlawful possession, use, sale, or distribution of drugs. Texas state law prohibits the possession, use, sale, manufacture, or delivery of a controlled substance without legal authorization. A controlled substance includes any drug, substance or immediate precursor covered under the Texas Controlled Substances Act, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens. The possession of drug paraphernalia is also prohibited under Texas state law. Drug paraphernalia includes all equipment, products and material of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Texas Controlled Substances Act. According to [System Policy 34.02, Drugs and Alcohol Abuse](#), all students and employees are expected to abide by federal and state laws pertaining to controlled substances and illicit drugs. Alleged violations of these laws may result in criminal charges and may also be adjudicated through the campus conduct procedures. ([Texas A&M University Student Rules, Appendix VII](#); [System Policy 34.02, Drug and Alcohol Abuse and Rehabilitation](#))

The law school Assistant Dean of Student Affairs (817-212-4020) and the Office of the Dean of Student Life (979-845-3111) at the main campus are committed to promoting responsible decision making regarding alcohol and other drugs through educational programming, resources, and referrals for students through the Student Assistance Program and Work-Life Services Program (1-855-270-3379). The Deer Oaks Employee Assistance Program (888-993-7650) manages the alcohol and drug abuse and rehabilitation program available to law school employees. The Deer Oaks Employee Assistance Program also provides licensed counseling and referral services.

## **Weapons Policy**

The following weapons policy applies to the law school.

In accordance with [Texas Penal Code Ch. 46.03](#), it is a felony to intentionally, knowingly, or recklessly possess a firearm, illegal knife, or prohibited weapon on the physical premises of a school or educational institution, to include any buildings or passenger transportation vehicles under the direct control of the educational institution. The following exception applies. A license to carry holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of Texas A&M (all land and buildings owned or leased by Texas A&M) or in a university vehicle, unless prohibited by state law, federal law, or [University Rule 34.06.02.M1, Carrying Concealed Handguns on Campus](#).

Currently license to carry holders may carry a concealed handgun in law school facilities with the exception of their clinical facilities located at 307 W. 7<sup>th</sup> Street, Fort Worth, TX 76102. Per University Rule 34.06.02.M1 other prohibited areas include but are not limited to campus daycares, counseling centers, health care facilities, collegiate and interscholastic sporting events, certain high hazard and high risk research areas/laboratories, specific premises where formal disciplinary hearings are conducted, and locations with official Texas Penal Code 30.06 signage. The open carry of handguns is prohibited everywhere on campus including all land and buildings owned or leased by Texas A&M University. [University Rule 34.06.02.M1](#) and [Student Conduct Code 24.4.14](#) contain additional weapons policy information.

## **Sexual Assault, Dating Violence, Domestic Violence, and Stalking**

In accordance with federal law and [System Regulation 08.01.01 Civil Rights Compliance](#), the law school prohibits illegal discrimination on the basis of sex and prohibits sexual assault, dating violence, domestic

violence, stalking (as those terms are defined for the purposes of the Clery Act), and related retaliation. The following are definitions and statements of policy that address sexual assault, dating violence, domestic violence, and stalking, whether it occurs on or off campus, when it is reported to a university official. The policies in this section also apply to the other forms of sexual harassment<sup>1</sup> as defined in System Regulation 08.01.01, Civil Rights Compliance.

### **Procedures for Reporting Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation**

Individuals reporting sexual assault, dating violence, domestic violence, or stalking have the option of notifying law school campus security and local law enforcement authorities. Below is a list of local law enforcement agencies. Reports can be filed with the agency where the incident occurred. Law school campus security will assist in notifying the proper law enforcement agency.

Agency	Phone
Fort Worth Police Department	911
Tarrant County Sheriff's Department	817-884-3099
Law School Campus Security	817-212-3999

The Fort Worth Police Department is available to receive and investigate reports of sexual assault, dating violence, domestic violence, and stalking; assist in securing medical attention; participate in evidence preservation and collection; conduct criminal investigations of crimes; and inform the individual of legal and administrative options. Criminal investigations may occur independent from a conduct proceeding and are handled in accordance the Texas Penal Code, the Texas Code of Criminal Procedure, and information from the Tarrant County District Attorney's Office. Law enforcement will help individuals understand the process of obtaining protective orders, restraining orders, or similar lawful orders issued by the courts.

A student should, and an employee must, promptly report incidents of illegal discrimination, sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), and/or related retaliation that they become aware of, experience, or observe. A third party should also promptly report incidents. At the law school the information should be reported to an official university contact in accordance with Table 1 – Official Contacts below, including the Texas A&M University Title IX Coordinator (979-845-0977, [TitleIX.Coordinator@tamu.edu](mailto:TitleIX.Coordinator@tamu.edu)). Depending on the circumstances, the contacts will coordinate responsibilities when necessary.

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<sup>1</sup> Sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature constitute sexual harassment when this conduct is so severe, persistent or pervasive that it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work or educational performance, or creates an intimidating or hostile work or educational environment. Unwelcome means that an individual did not request or invite it and considers the conduct to be undesirable or offensive. Submission to the conduct or failure to complain does not always mean that the conduct was welcome. Sexual harassment may be quid pro quo ("this for that") or may constitute a hostile environment. Sexual harassment includes non-consensual sexual contact, sexual assault, sexual exploitation, and stalking, dating violence, and domestic violence when based on sex.

**Table 1 – Official Contacts**

If the alleged offender is a:	• Student	• Faculty	• Staff • Third party	Any complaints can be reported to the Title IX Coordinator
Then the official contact is:	Asst. Dean of Student Affairs, 1515 Commerce St., Fort Worth, TX 76102 817-212-4020, <a href="mailto:studentlife@law.tamu.edu">studentlife@law.tamu.edu</a>	Dean of Faculties, 108 YMCA Building, College Station, TX 77843-1126, 979-845-4274, <a href="mailto:Dofinvestigations@tamu.edu">Dofinvestigations@tamu.edu</a>	Assistant Dean Finance and Administration, 1515 Commerce St., Fort Worth, TX 76102 817-212-4082, <a href="mailto:studentlife@law.tamu.edu">studentlife@law.tamu.edu</a>  OR  Director of Organizational Consulting & Resolution Management, Human Resources, 750 Agronomy Rd., Suite 1201, College Station, TX 77843-1255, 979-862-4027, <a href="mailto:ocrm@tamu.edu">ocrm@tamu.edu</a>	Title IX Coordinator, 750 Agronomy Rd., Suite 2101, College Station, TX 77843-1280, 979-845-0977, <a href="mailto:TitleIX.Coordinator@tamu.edu">TitleIX.Coordinator@tamu.edu</a>

The official contacts have procedures in place to inform individuals of their rights to file criminal charges as well as the availability of services on and off campus. Individuals are notified of their right to report the incident to the local police and law school campus security immediately, but also have the right to decline to notify such authorities. The official contact or designee will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. The steps include access to medical care, assistance in notifying the Fort Worth Police Department or appropriate law enforcement authorities if the victim so chooses, and other interim protective measures to provide for the safety of the individual and campus community. The official contact or designee will take steps to address the conduct, protect and assist the individual reporting, and remediate effects. The investigation process, initiated by the official contact, allows for resolution of the conduct to include rendering a final result regarding the complaint and, if the complaint is found to have merit, taking action to prevent recurrence of the conduct and related retaliation.

Official contacts provide a written explanation of rights and options to each individual reporting sexual misconduct including sexual assault, dating violence, domestic violence, and stalking (whether the offense occurred on or off campus) regardless of whether the individual chooses to report the incident to local law enforcement. The handout includes information regarding

- the importance of preserving physical evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order;
- procedures about how and to whom the alleged offense should be reported;
- the option to notify proper law enforcement authorities including local police;



- the option to be assisted by campus authorities in notifying law enforcement if the individual chooses;
- the option to decline to notify such authorities;
- the rights of individuals and the institution's responsibilities for orders of protection, no contact orders (no contact restrictions), restraining orders, or similar lawful orders issued by criminal, civil, or tribal court or the institution;
- information about how the institution will protect confidentiality;
- existing on-campus and community resources/contacts (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to students, faculty, and staff)
- the options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures;
- protection from retaliation, and
- an explanation of procedures for institutional disciplinary action in cases of alleged sexual assault, dating violence, domestic violence, and stalking.

### **Guidelines or Suggestions to Follow After an Incident of Sexual Assault, Dating Violence, Domestic Violence or Stalking (as applicable to the specific incident)**

- Go to a safe place as soon as you can.
- Contact the Fort Worth Police Department at 911.
- Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action. JPS Hospital in Fort Worth (817-702-1110) has a sexual assault program with trained Sexual Assault Nurse Examiners and a forensic unit offering detailed physical examinations, evidence collection and expert testimony.
- Try to preserve all physical evidence. Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all the clothing you were wearing at the time of the attack in a paper, not plastic bag.
- Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
- Personnel are available to help explain your options, give you information, and provide emotional support. Personnel include: any designated university official listed in Table 1 – Official Contacts, Student Assistance Program and Work-Life Services Program (1-855-270-3379), Deer Oaks Employee Assistance Program (888-993-7650) and the Women's Center/Rape Crisis and Victims Services (817-927-2737).

### **Medical Treatment (as applicable to the specific incident)**

It is important to seek immediate and follow-up medical attention for several reasons: first, to assess and treat any physical injuries you may have sustained; second, to test for sexually transmitted infections or pregnancy and treat or take preventive measures; and third, to gather and preserve evidence that may assist in proving that the alleged criminal offense occurred or is occurring or may be helpful in obtaining a protection order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of the evidence may be diminished. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection.

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## **Confidentiality/Privacy**

Students and employees have the option to disclose confidentially. Licensed counselors and licensed health care personnel, who receive reports when acting in this capacity as part of their official employment, may keep reports of violations confidential. However, for the purposes of reporting and maintaining public safety, the individuals to whom disclosures occur may share information about an incident in a way that does not identify the individuals concerned. Publically available recordkeeping, including for purposes of Cley Act reporting and disclosures, such as the annual security report and the daily crime log, will be made without inclusion of personally identifying information<sup>2</sup> about the complainant. The Student Assistance Program & Work-Life Services (1-855-270-3379) and the Deer Oaks Employee Assistance Program (888-993-7650) are confidential mental health counseling services available to students and employees, and the employee's benefits-eligible dependents respectively. The law school does not provide licensed health care service to students or employees.

While the law school wishes to create an environment in which individuals feel free to discuss concerns and make complaints, the law school may be obligated to take action when its officials are informed that sexual assault, dating violence, domestic violence, and/or stalking may be occurring. Information is considered private but not confidential when shared with university personnel and officials who do not possess a legal confidentiality exemption. Although the confidentiality of information received, the privacy of the individuals involved, and the wishes of the reporting party, complainant, and/or alleged offender cannot be guaranteed, they will be protected to as great a degree as is legally possible.

The law school is committed to protecting the privacy of reporting parties, complainants, and alleged offenders. Given the sensitive nature of reports, information will be maintained in a secure manner and will only be disclosed to school officials who are responsible for handling the law school's response. The expressed wishes of the reporting party, complainant, and/or alleged offender regarding privacy will be considered by the official contact in the context of the law school's obligation to act upon the complaint and the right of the charged party to be informed about the charges against him/her. The official contact or designee is responsible for evaluating requests for privacy. If the individual does not disclose any identifying information about him/herself or any other party involved (e.g. names, department, or unit) during the inquiry, response on the part of the law school may be limited.

Although individuals reporting sexual assault are not required to file criminal charges, the following program is offered in the State of Texas. In accordance with the Texas Code of Criminal Procedure, Chapter 57, when reporting certain sex offenses to a Texas law enforcement agency, victims may use a pseudonym to protect their identity. The offenses applicable to this program are identified in Chapter 62 of the Texas Code of Criminal Procedure, defined by the Texas Penal Code, and include sexual assault. The pseudonym will replace the victim's name in all public files and records concerning the offense, including police records, press releases, and records of judicial proceedings.

## **Resources, Rights, and Options**

Following an allegation of sexual assault, dating violence, domestic violence, stalking, and/or related retaliation the individual reporting, the alleged offender, and other affected individuals have certain resources,

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<sup>2</sup> Personally identifying information is defined as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including a first and last name; a home or other physical address; contact information (including a postal, email, or internet protocol address, or telephone or facsimile number); a social security number, a driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

rights, and options available to them. Parties with an inquiry or complaint are informed of resources, rights, and options in writing when official contacts receive notification of an incident whether it occurred on or off campus and regardless of whether the individual elects to pursue a criminal complaint. Available assistance is also covered through prevention and awareness education. Additional information about any of the resources, rights, and options discussed in this section can be requested from the official contacts listed in Table 1 – Official Contacts.

The following are on-campus and community resources available to complainants, alleged offenders, and others.

#### Law Enforcement

Name	Phone	Address	Website
Fort Worth Police Department	911 (911 or 9-111 on a campus phone) or 817-335-4222	350 W. Belknap St. Fort Worth, TX 76102	<a href="https://www.fortworthpd.com/">https://www.fortworthpd.com/</a>
Tarrant County Sheriff's Department	817-884-3099	200 Taylor St. Fort Worth, TX 76196	<a href="http://access.tarrantcounty.com/en/sheriff.html">http://access.tarrantcounty.com/en/sheriff.html</a>
Law School Campus Security	817-212-3999	1515 Commerce St. Fort Worth, TX 76102	n/a
Fort Worth Police Department NPO, Joel Stary	817-944-6152	350 W. Belknap St. Fort Worth, TX 76102	<a href="mailto:Joel.Stary@fortworthtexas.gov">Joel.Stary@fortworthtexas.gov</a>

#### Counseling and Mental Health

Name	Phone	Address	Website
Student Assistance Program and Work-Life Services Program	1-855-270-3379 (TTY: 711)	n/a	<a href="http://law.tamu.edu/current-students/student-affairs/student-wellness/student-assistance-program-work-life-services">http://law.tamu.edu/current-students/student-affairs/student-wellness/student-assistance-program-work-life-services</a>
Deer Oaks Employee Assistance Program	888-993-7650	n/a	<a href="http://assets.system.tamus.edu/files/benefits/pdf/wellness/dofactsheet.pdf">http://assets.system.tamus.edu/files/benefits/pdf/wellness/dofactsheet.pdf</a>

#### Medical and Health Services

Name	Phone	Address	Website
JPS Hospital	817-702-1110	1500 S. Main Fort Worth, TX 76104	<a href="https://www.jpshhealthnet.org/">https://www.jpshhealthnet.org/</a>
Texas Health Harris Methodist Hospital	817-250-2000	1301 Pennsylvania Ave. Fort Worth, TX 76104	<a href="https://www.texashealth.org/fortworth/pages/default.aspx">https://www.texashealth.org/fortworth/pages/default.aspx</a>
No on-campus medical/health services are in place at the law school campus.			

#### Support, Advocacy, Legal Assistance, and Other Resources

Name	Phone	Address	Website
Student Affairs (conduct)	817-212-4020	1515 Commerce St. Fort Worth, TX 76102	<a href="https://law.tamu.edu/current-students/student-affairs">https://law.tamu.edu/current-students/student-affairs</a>
Student Assistance Services	979-845-3113	See website	<a href="http://sas.tamu.edu">http://sas.tamu.edu</a>

Name	Phone	Address	Website
Student Legal Services <sup>3</sup>	979-862-4502	See website	<a href="http://studentlife.tamu.edu/sls">http://studentlife.tamu.edu/sls</a>
Women's Resource Center	979-845-8784	See website	<a href="http://wrc.tamu.edu">http://wrc.tamu.edu</a>
GLBT Resource Center	979-862-8920	See website	<a href="http://studentlife.tamu.edu/glbtc">http://studentlife.tamu.edu/glbtc</a>
Texas Lawyers Assistance Program (TLAP) for Law Students	1-800-343-8527	n/a	<a href="http://law.tamu.edu/current-students/student-affairs/student-wellness/texas-lawyers-assistance-program-for-law-students">http://law.tamu.edu/current-students/student-affairs/student-wellness/texas-lawyers-assistance-program-for-law-students</a>
Women's Resource Center of Tarrant County	817-927-2737 or 817-927-4000	1723 Hemphill Fort Worth, TX 76110	<a href="http://womenscenterctc.org/">http://womenscenterctc.org/</a>
Fort Worth Police Department Victim Assistance	817-392-4390	350 W. Belknap St. 3 <sup>rd</sup> Floor Fort Worth, TX 76102	<a href="http://www.fortworthpd.com/Programs/Victim-Assistance.aspx">http://www.fortworthpd.com/Programs/Victim-Assistance.aspx</a>
Safe Haven of Tarrant County	817-701-7233	1100 Hemphill St. Suite 303 Fort Worth, TX 76104	<a href="http://www.safehaventc.org/">http://www.safehaventc.org/</a>
Tarrant County Victim Assistance Program	817-884-3697	200 Taylor St. 7 <sup>th</sup> Floor Fort Worth, TX 76196	<a href="http://access.tarrantcounty.com/en/sheriff/operations-bureau/criminal-investigations/victim-assistance.html">http://access.tarrantcounty.com/en/sheriff/operations-bureau/criminal-investigations/victim-assistance.html</a>
Recovery Resource Council	877-332-6329	2700 Airport Freeway Fort Worth, TX 76111	<a href="http://www.recoverycouncil.org/">http://www.recoverycouncil.org/</a>
One Safe Place	817-916-4323	1100 Hemphill St. Fort Worth, TX 76104	n/a
The Gatehouse	817-912-0317	670 Westport Pkwy. Fort Worth, TX 76051	<a href="https://www.gatehousegrapevine.com/">https://www.gatehousegrapevine.com/</a>
National Sexual Assault Hotline	(800) 656-HOPE	n/a	<a href="https://rainn.org/get-help/national-sexual-assault-hotline">https://rainn.org/get-help/national-sexual-assault-hotline</a>
National Domestic Violence Hotline	(800) 799-SAFE	n/a	<a href="http://www.thehotline.org">http://www.thehotline.org</a>
No on-campus support, advocacy, or legal assistance services are in place at the law school campus.			

### Visa and Immigration Assistance

Name	Phone	Address	Website
International Student Services Charlotte Ku, Associate Dean for Global Programs	817-212-4039	Texas A&M University School of Law Campus, Office 137	<a href="http://iss.tamu.edu">http://iss.tamu.edu</a>
U.S. Citizenship and Immigration Services, Texas – San Antonio Field Office	(800) 375-5283	8490 Fourwinds Drive San Antonio, TX	<a href="http://www.uscis.gov/about-us/find-uscis-office/field-offices/texas-san-antonio-field-office">http://www.uscis.gov/about-us/find-uscis-office/field-offices/texas-san-antonio-field-office</a>

<sup>3</sup> Student Legal Services does not render advice to students in a dispute against other Texas A&M University students or against Texas A&M University and does not represent students in court.

Student Financial Aid

Name	Phone	Address	Website
Financial Aid	817-212-4090 or 800-733-9529	1515 Commerce St. Fort Worth, TX 76102	<a href="https://law.tamu.edu/prospective/financial-aid">https://law.tamu.edu/prospective/financial-aid</a>
Scholarships & Financial Aid	979-845-3236	2 <sup>nd</sup> Floor of the Pavilion Texas A&M Campus	<a href="https://financialaid.tamu.edu/">https://financialaid.tamu.edu/</a>
Veteran Services	979-845-8075	2 <sup>nd</sup> Floor of the Pavilion Texas A&M Campus	<a href="http://veterans.tamu.edu">http://veterans.tamu.edu</a>
Federal Student Aid Call Center	(800) 433-3243	n/a	<a href="https://studentaid.ed.gov/">https://studentaid.ed.gov/</a>

Institutional Rights and Options (Interim Measures)

The law school is obligated to offer and provide assistance to the complainant, the alleged offender, and other affected individuals in obtaining a range of accommodations, interim protective measures, and remedies. The law school is obligated to comply with the individual's reasonable request for a living and/or academic situation change following an allegation of dating violence, domestic violence, sexual assault, or stalking. Upon the request of a student involved with the report, the Office of Student Affairs (817-212-4020) and/or the Office of Academic Affairs (817-212-3956) can assist with issues including, but not limited to, changing academic, living, transportation, and working situations and obtaining no contact restrictions. The various options are provided if requested, appropriate, and reasonably available, regardless of whether the individual chooses to report the incident to law enforcement. Human Resources (817-212-4082) and the Dean of Faculties Office (979-845-4274) provide similar assistance to staff and faculty.

When an allegation of sexual assault, dating violence, domestic violence, or stalking is made, the law school will take prompt steps to provide interim measures or remedies before the completion of the investigation. In determining which institutional interim measures to impose and the reasonableness of the related measures, the official contact considers the request; the safety of the parties involved and the university community; the specific needs of the individuals; the severity or pervasiveness of the allegations; continuing effects; sharing of dining facilities, classes, transportation, or job locations; other judicial measures already in place; and other factors as appropriate. Accommodations are provided to the full extent possible considering law classrooms and other administrative space, excluding clinics, are located in one building. Measures provided by the institution vary and may include, but are not limited to, the following.

- Addressing academic concerns such as transferring, withdrawing, or retaking classes and rescheduling exams or assignments
- Changing work schedules, job assignments, or other arrangements
- Obtaining a voluntary leave of absence or, if in the first semester of law school, a voluntary withdrawal
- Dealing with financial concerns including providing financial aid guidance
- Limiting an individual's access to certain campus facilities or activities
- Assistance in obtaining access to medical, legal (protective orders, criminal trespass warnings), and counseling support
- Imposing an institutional no contact restriction (described below)

*No contact restrictions:* A no contact restriction is an interim protective measure issued by the institution that prohibits two parties from contacting one another through any means. No contact restrictions can be issued in addition to court ordered protection but may also serve as an alternative for those who do not want to seek a court order. A complainant or an alleged offender can request a no contact restriction directed at a

student through the Office of Student Affairs at 817-212-4020. The Assistant Dean of Student Affairs may issue a restriction at any time prior to or during a conduct investigation based on information provided by the requestor. A no contact restriction may also be implemented as a sanction subsequent to a finding of responsibility. If good cause for a no contact restriction is determined, both parties are notified of the restrictions in writing. Records are maintained in the student conduct system.

No contact restrictions directed at employees can be requested from the Assistant Dean of Finance and Administration at 817-212-4082 (staff) and from the Dean of Faculties Office at 979-845-4274 (faculty).

Individuals should be aware that direct contact, refusal to leave a protected area, appearing at a location one reasonably knows the protected party is at, third-party contact, or even an anonymous contact are all potential violations of a no contact restriction. Violations should be reported to the office that issued the restriction and may result in further disciplinary action.

*Confidentiality/Privacy of Accommodations and Protective Measures:* Information is considered private but not confidential when shared with university personnel and officials who do not possess a legal confidentiality exemption. Although the confidentiality of information received, the privacy of the individuals involved, and the wishes of the reporting party, complainant, and/or alleged offender cannot be guaranteed, they will be protected to as great a degree as is legally possible. The law school will maintain as private any accommodations or protective measures provided to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or protective measures. The official contacts are responsible for determining what information and to whom information will be disclosed based on the circumstances of the allegation, the individuals involved, and related safety needs. Official contacts use discretion and only disclose information to key officials at the institution who perform the tasks necessary for obtaining or providing the particular accommodation or protective measure. Areas receiving information may include, but are not limited to: the Office of Student Affairs, Scholarships and Financial Aid, Student Activities, academic departments (direct supervisor, Dean, or Associate Dean), or non-academic departments (direct supervisor, Vice President, or designee). Prior to disclosure, the official contact will inform the individual of the information that will be shared, with whom it will be shared, and why.

### Legal Rights and Options

The law school provides information and assistance in obtaining lawful orders issued by criminal, civil, or tribal court including protective orders and criminal trespass warnings as discussed below. Failure to comply with any of the terms of these interim protective measures may be considered a separate conduct violation in the institutional disciplinary proceeding.

*Protective Orders:* Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual's home, workplace, and/or children's schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the district attorney (Tarrant County Criminal District Attorney's Office, 817-884-1623, [pounit@tarrantcountytx.gov](mailto:pounit@tarrantcountytx.gov)), or a private attorney. Information and forms associated with applying for a protective order are found on the following webpage:

<http://access.tarrantcounty.com/en/criminal-district-attorney/civil-division/protective-orders.html>



The application for a protective order must be filed in either the county where the applicant lives or the county where the recipient lives. The applicant's address can be kept confidential. If the legal criteria for a protective order is met, the county or district attorney's office will prepare and file all of the paperwork necessary to request a protective order from a court. Such orders provide effective tools for law enforcement when they are called upon to protect an individual and their family. Additionally, an emergency protective order may be recommended and automatically issued by the court following the original report and arrest of the alleged offender. A hearing is held at a later date to determine if the order should be extended or modified.

Local law enforcement agencies are notified of all existing protective orders in their area. If the requestor or other institutional personnel become aware that a protective order is violated, Fort Worth Police should be contacted immediately at 817-335-4222. The Tarrant County Sheriff's Department (817-884-3099) can also be contacted for protective order violations. Law school campus security (817-212-3999) can assist with this process. Violating protective orders generally carry authority for the violator's immediate arrest by the responding law enforcement agency.

All of the provisions in protective orders are enforced in court. Other institutional personnel cannot enforce a protective order but must exercise reasonable care to take appropriate protective action when notified of a potential violation.

*Criminal Trespass Warning:* A criminal trespass warning is an interim protective measure issued by the Fort Worth Police Department directed at those who are considered a danger to the campus community or a danger to a certain individual in the campus community. The warning advises the alleged offender to leave the premises and forbids him/her from entering and/or remaining on certain property which can cover either the entire campus or a specific campus location. To request a criminal trespass warning, contact Fort Worth Police at 817-335-4222 and request to speak with an officer. The officer issues the criminal trespass warning if the alleged offender is determined to pose a risk to campus safety based on information provided by the requestor as it relates to applicable state law. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning.

Law enforcement officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, Fort Worth Police should be contacted immediately at 817-335-4222. A violation of the criminal trespass warning occurs when the individual is issued a warning but refuses to leave campus or is subsequently found in a prohibited area based on the trespass warning. The requestor and other institutional personnel should take appropriate action by contacting Fort Worth Police for a responding officer when they become aware of a potential violation of a criminal trespass warning. Fort Worth Police generally enforces these warnings by charging violators with criminal trespass resulting in arrest and/or fine.

*Other Legal Options:* The Texas A&M University Police Department's Community Services Division (979-845-0070) and the Fort Worth Police Department's Victim Assistance Unit (817-392-4390) are available to provide information about personal safety, Texas Crime Victim's Rights, Texas Crime Victims Compensation Fund and other information upon request. Or visit the Office of the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

## **Investigations and Disciplinary Proceedings<sup>4</sup> for Sexual Assault, Dating violence, Domestic Violence, Stalking, and Related Retaliation**

A student should, and an employee must, promptly report incidents of illegal discrimination, sexual harassment, and/or related retaliation that they become aware of, experience, or observe. A third party should also promptly report incidents. Once an individual discloses information to an official contact, according to Table 1 – Official Contacts (in person, electronically, or by phone) they will be considered to have filed a complaint with the law school, and the investigation process is initiated regardless of whether the complainant chooses to pursue criminal charges. A written statement of events may be requested at the time the complaint is filed. The official contact will promptly notify the Title IX Coordinator or designee and the System Ethics and Compliance Office of the allegation of sexual assault, dating violence, domestic violence, or stalking. The law school responds to complaints in a prompt and equitable manner. Due diligence is exercised in determining what occurred and further action that may be warranted based on the information provided.

The complaint is reviewed to determine if there is sufficient information to proceed with an investigation or if additional information is needed. If the information is insufficient the official contact or designee may, in consultation with the Office of General Counsel, conduct an inquiry into the circumstances of the complaint. If information is sufficient, the official contact or designee will appoint the investigating authority with assistance from the Texas A&M University Title IX Coordinator and the Title IX Deputy Coordinator at the main campus (if applicable) to initiate the investigation. In assigning investigators to cases, the official contact examines the relationships of those involved so that proceedings are conducted by investigators who do not have a conflict of interest or bias for or against the complainant or the alleged offender. Investigators may also decline the assignment if they feel they cannot render an unbiased decision. Individuals conducting investigations, at a minimum, receive training annually which covers grievance models that address sexual assault, dating violence, domestic violence, and/or stalking, and how to conduct an investigation and hearing process that protects the safety of individuals involved and promotes accountability through prompt and equitable treatment.

Proceedings from an allegation of sexual assault, dating violence, domestic violence, or stalking are provided in a prompt, fair, and impartial manner from the initial investigation to the final result, including any appeals. They are consistent with the institution's policies and transparent to the complainant<sup>5</sup> and alleged offender. A preponderance of the evidence standard<sup>6</sup> (more likely than not) is used. Proceedings provide both the complainant and alleged offender the same opportunities to have others present during any institutional proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor (any individual who provides the complainant or alleged offender support, guidance or advice) of their choice. The choice or presence of an advisor is not limited for either the complainant or the alleged offender in any meeting or institutional disciplinary proceeding, however, restrictions regarding the extent to which the advisor may participate in the proceedings may be established and applied equally to both parties. All

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<sup>4</sup> For the purposes of this section, proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and the complainant, alleged offender, and other affected individuals concerning accommodations or protective measures.

<sup>5</sup> For the purposes of this section, "Investigations and Disciplinary Proceedings for Sexual Assault, Dating Violence, Domestic Violence, and Stalking", the complainant is assumed to be the victim. A non-victim complainant may not be afforded all the rights described in this section. Non-victim complainants are provided protection against retaliation for making a complaint.

<sup>6</sup> System Regulation 08.01.01 *Civil Rights Compliance* specifies a standard used to determine the merits of the allegation(s) as the preponderance of the evidence, i.e. more likely than not. Student conduct proceedings use this standard and identify it as "preponderance of information."

parties, including advisors, are informed of participation restrictions before a proceeding is conducted so that parties understand and respect the limitations. Proceedings provide both parties with the right to present evidence and witnesses and the right to be informed of the outcome of the investigations. Following are the law school's investigation procedures which are conducted in the manner prescribed in [System Regulation 08.01.01, \*Civil Rights Compliance\*](#) and the Student Rules and University SAPs that are noted after each section below.

#### If the alleged offender is a student

The law school conducts the investigation while the main campus retains oversight. The investigative authority, composed of one or more people, will review the complaint, interview the complainant, the alleged offender, and witnesses, if applicable, and ascertain details and circumstances associated with the complaint. Investigations are intended to collect and provide an investigation report with detailed information in connection with a reported incident involving Texas A&M University students. The purpose of an investigation is three fold: to provide the Assistant Dean of Student Affairs sufficient information to determine if the incident warrants further university action; to collect information (not determine responsibility); and to determine departmental jurisdiction. Conducting an investigation is not a process that is designed to "prove" a student did something wrong or to find a student responsible for a student rule violation.

After the investigative authority completes the investigation report, the Office of General Counsel reviews and approves it for legal sufficiency. The investigation report is then reviewed by the official contact to make the determination to investigate further, complete the investigation and initiate a student conduct conference, or dismiss the complaint. If further investigation or a conduct conference is warranted, the alleged offender and the complainant are informed of the allegations and information surrounding the allegations. If warranted based on the information from the investigation, the student conduct conference is initiated to determine whether a violation of student rules occurred. The student conduct conference is facilitated by the Office of Student Affairs which is authorized by the Assistant Dean for Student Affairs or designee to conduct proceedings and establish a Student Conduct Administrator and a Student Conduct Panel. The student conduct process provides that:

- Timely and equal access to any information that will be used after the investigation but during formal and informal conduct conferences will be provided to the complainant, alleged offender, and appropriate officials.
- During the student conduct process the alleged offender and complainant have timely notice of meetings at which the complainant or alleged offender, or both, may be present. However, the student conduct panel may accommodate concerns for personal safety, well-being, and fears of confrontation of the complainant, alleged offender, and other witnesses during the conference at the discretion of the Student Conduct Administrator. The complainant is not required to attend the student conduct conference.
- The complainant and alleged offender have the right to be assisted by an advisor of their choice at their own expense. However, the complainant and the alleged offender are responsible for presenting their own information. Students who are charged in the same fact pattern, or who are not in good standing with the university are not eligible to serve as an advisor at conduct proceedings. Admission of any other person to the student conduct conference shall be at the discretion of the Student Conduct Administrator.

After the student conduct conference, a result is reached/rendered by the student conduct panel. Sanctions are determined by the student conduct panel. One or any combination of the following sanctions may be imposed for a student conduct violation related to dating violence, domestic violence, sexual assault, or stalking: expulsion, suspension, conduct probation for a definite or indefinite period, conduct review,

restrictions, community or university service, educational requirements, reprimand, required counseling, no contact restriction, and letter of enrollment block. If a suspension is imposed, the student is eligible to apply for reenrollment after the suspension period has elapsed. Actual readmission to the university will be determined by the academic rules in place at the time of application for reenrollment. If admitted, the student is required to attend a mandatory meeting with the law school Student Conduct Administrator (817-212-3819) prior to course registration. Potential sanctions do not differ between dating violence, domestic violence, sexual assault, and stalking. For more detail, see [Texas A&M University Student Rule 27, Sanctions](#).

The range of the sanctions that can be applied vary significantly. When the Student Conduct Administrator or the Student Conduct Panel is determining the most appropriate sanction or combination of sanctions, an assessment is done on a case by case basis and the following factors may be considered:

- Nature of the violation (seriousness of the violation, harm caused, effects of the violation)
- Prior violations/previous disciplinary history of the alleged offender on record with student conduct (only used in the sanctioning phase, not in the finding of responsibility)
- Mitigating/aggravating circumstances surrounding the incident (mitigating means reasons the sanction should be lessened and aggravating means reasons the sanction should be more severe)
- Motivation for the behavior (why the student engaged in the behavior, evidence of malicious intent)
- Developmental and educational impact for the individual and community (perception to the student and community, what the sanction can teach the student, how the sanction can help the student develop as a community member and individual)

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 55 business days excluding any appeal period; however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Extensions are granted by the Title IX Coordinator or designee. Written notice of the delay and the reason for the delay is provided to the complainant and the alleged offender. Results<sup>7</sup>, including any sanctions, are provided simultaneously and in writing to both the complainant and alleged offender. Appeals<sup>8</sup> may be made by the complainant and/or the alleged offender. Appeals must be filed within 5 business days from receipt of the results. Procedures for the complainant and/or the alleged offender to appeal are provided with the documentation of results. Changes based on appeal and when such results become final are provided to both the complainant and alleged offender simultaneously and in writing. For more detail, see [Texas A&M University Student Rule 47, Investigation and Resolution of Complaints Against Texas A&M Students for Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Related Retaliation \(SDDSR\)](#).

#### If the alleged offender is faculty

In accordance with Table 1 - Official Contacts, the official contact receiving the report (TAMU Dean of Faculties Office) is located on the main campus in College Station. Upon receipt of the complaint, the official contact notifies the alleged offender that a complaint has been filed against him/her. The

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<sup>7</sup> Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the decision and the sanctions, i.e. how the institution weighted the evidence and information presented during the proceeding, how the evidence and information support the decision and sanctions, and how the institution's standard of evidence was applied.

<sup>8</sup> Results (decision and/or sanctions) can be appealed on the following bases, as applicable: (a) a procedural error or omission that significantly impacted the outcome; (b) new evidence, unknown or unavailable during the investigation that could have significantly impacted the outcome; or (c) the appropriateness or severity of the sanctions.

investigative authority meets with the complainant to confirm the allegations and notifies the alleged offender of the basis of the allegation. At any point in the investigation process, the alleged offender may be suspended with pay, reassigned, and/or placed in another type of temporary status pending completion of the investigation. The TAMU Dean of Faculties Office will assign the investigative authority<sup>9</sup>. The investigative authority will review the complaint, and interview the complainant, the alleged offender, and witnesses, if applicable, to determine what occurred. The investigation is conducted in a manner that includes timely notice of meetings at which the complainant or alleged offender, or both, may be present. Timely and equal access to any information that will be used during the investigation is provided to the complainant, the alleged offender, and appropriate officials.

After the investigative authority completes the investigation report, the Office of General Counsel reviews and approves it for legal sufficiency. The investigation report is then provided to the Dean of Faculties. The report may contain a listing of allegations, requested relief, a description of relevant documentation reviewed, a list of witnesses interviewed, an analysis of each allegation based on interviews, and conclusions and rationale. The Dean of Faculties reviews the report and renders a decision in writing on the merits of the complaint and any sanctions (if applicable). The result specifies whether the allegations are substantiated, not substantiated, or there is insufficient evidence to make that determination. The Dean of Faculties or designee considers only information contained in the investigation report. If the report is incomplete or otherwise insufficient, the Dean of Faculties or designee will return the report to the investigative authority to address any unresolved issues.

One or any combination of the following sanctions may be imposed in response to a finding of misconduct related to dating violence, domestic violence, sexual assault, or stalking: written warning or reprimand, required training and/or counseling, no contact restriction, probation for a definite or indefinite period, and dismissal/employment termination. Potential sanctions do not differ between dating violence, domestic violence, sexual assault, and stalking. The range of the sanctions that can be applied vary significantly. When the Dean of Faculties or designee is determining the most appropriate sanction or combination of sanctions, an assessment is done on a case by case basis and the following factors may be considered.

- Nature of the misconduct (seriousness of the misconduct, harm caused, effects of the misconduct)
- Prior misconduct/previous disciplinary history of the alleged offender on record with the Dean of Faculties Office (only used in the sanctioning phase, not in the finding of responsibility)
- Mitigating/aggravating circumstances surrounding the incident (mitigating means reasons the sanction should be lessened and aggravating means reasons the sanction should be more severe)
- Motivation for the behavior (why the individual engaged in the behavior, evidence of malicious intent)
- Developmental and educational impact for the individual and community (perception to the individual and community, what the sanction can teach the individual, how the sanction can help the individual develop as a community member)

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 55 business days excluding any appeal period; however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Extensions are granted by the Dean of Faculties. Written notice of the delay and the reason for the delay is provided to the complainant and the alleged offender. Results (see footnote

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<sup>9</sup> If the alleged offender is faculty, the investigative authority consists of two members of the Academic Civil Rights Investigation Committee (ACRIC), a standing committee of faculty members appointed by the deans of the colleges, schools, libraries, and branch campuses and the Dean of Faculties and Associate Provost.

7), including any sanctions, are provided simultaneously and in writing to both the complainant and alleged offender by the Office of the Dean of Faculties. Results are also be provided to the investigative authority.

Appeals (see footnote 8) may be made by the complainant and/or the alleged offender. Appeals must be filed within 10 business days from receipt of the results. Procedures for the complainant and the alleged offender to appeal are provided with the documentation of results. Changes occurring based on appeal and when results become final are provided to both the alleged offender and complainant simultaneously and in writing. For more detail, see [University SAP 08.01.01.M1.02, Investigation and Resolution of Complaints Against Faculty Members for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges](#).

#### If the alleged offender is staff or a third party

When a complaint is reported and sufficient information determined, the alleged offender (if an employee) is informed of the allegations and the facts surrounding the allegations. At any point in the investigation process, the alleged offender (if employed by Texas A&M University) may be suspended with pay, reassigned, and/or placed in another type of temporary status pending completion of the investigation and final resolution of the allegations. The law school conducts the investigation while the main campus retains oversight. The investigative authority will review the complaint, and interview the complainant, the alleged offender, and witnesses, if applicable, to determine what occurred. The investigation is conducted in a manner that includes timely notice of meetings at which the complainant or alleged offender, or both, may be present. Timely and equal access to any information that will be used during the investigation is provided to the complainant, the alleged offender, and appropriate officials.

After the investigative authority completes the investigation report, the Office of General Counsel reviews and approves it for legal sufficiency. The investigation report is then finalized by the official contact. The report includes a statement of allegations, a list of witnesses interviewed, relevant documents, and may conclude that each allegation is substantiated, unsubstantiated, or there is insufficient evidence to make that determination. The official contact forwards the finalized report to the Vice President for Human Resources and Organizational Effectiveness (VPHROE) or designee who renders a final decision, including any sanction (if applicable). The VPHROE or designee considers only information contained in the investigation report. If the report is incomplete or otherwise insufficient, the VPHROE or designee will return the report to the investigative authority to address any unresolved issues.

One or any combination of the following sanctions may be imposed in response to a finding of misconduct related to dating violence, domestic violence, sexual assault, or stalking: written warning or reprimand, required training and/or counseling, no contact restriction, probation for a definite or indefinite period, suspension, and dismissal/employment termination. If a suspension is imposed, the staff member is employed without pay during the suspension period and eligible for reinstatement to their prior position after the suspension period has elapsed. The length of the suspension is determined on a case by case basis. Potential sanctions do not differ between dating violence, domestic violence, sexual assault, and stalking.

The range of the sanctions that can be applied vary significantly. When the VPHROE or designee is determining the most appropriate sanction or combination of sanctions, an assessment is done on a case by case basis and the following factors may be considered.

- Nature of the misconduct (seriousness of the misconduct, harm caused, effects of the misconduct)
- Prior misconduct/previous disciplinary history of the alleged offender on record with the Human Resources Office (only used in the sanctioning phase, not in the finding of responsibility)
- Mitigating/aggravating circumstances surrounding the incident (mitigating means reasons the sanction should be lessened and aggravating means reasons the sanction should be more severe)



- Motivation for the behavior (why the individual engaged in the behavior, evidence of malicious intent)
- Developmental and educational impact for the individual and community (perception to the individual and community, what the sanction can teach the individual, how the sanction can help the individual develop as a community member)

The goal is to resolve complaints in a reasonably prompt timeframe of approximately 55 business days excluding any appeal period; however, extenuating circumstances requiring additional time may necessitate an extension with good cause. Extensions are granted by the VPHROE. The Title IX Coordinator or designee is also notified of an extension request when sent to the VPHROE. Written notice of the delay and the reason for the delay is provided to the complainant and the alleged offender. Results (see footnote 7), including any sanctions, are provided simultaneously and in writing to both the complainant and the alleged offender. Results are also be provided to the investigative authority and the supervisor and department head(s) of the alleged offender, if applicable.

Appeals (see footnote 8) may be made by the complainant and/or the alleged offender. Appeals must be filed within 10 business days of the date the decision was rendered. Procedures for the complainant and the alleged offender to appeal are provided with the documentation of results. Changes occurring based on appeal and when such results become final are provided to both the complainant and the alleged offender simultaneously and in writing. For more detail, see [University SAP 08.01.01.M1.01, Investigation and Resolution of Complaints Against Non-Faculty Employees and Third Parties for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges](#).

#### For all investigations and disciplinary proceedings

Throughout the process, individuals are provided information which defines retaliation, retaliation reporting procedures, and possible protective actions such as no contact restrictions. The university will take reasonable action to protect the complainant, the alleged offender, and those providing witness statements on behalf of either party or supporting either party in other ways from related retaliation. Actions may come prior to, during, or following an investigation of a complaint. Instances of related retaliation are prohibited, will be investigated, and may result in conduct charges or disciplinary actions.

The official contact will follow-up on situations in which violations are found to see if there have been any new incidents or retaliation and will respond promptly to address continuing or new problems.

### **Prevention and Awareness Programs<sup>10</sup>**

Primary prevention programs are directed at incoming students and new employees. The primary programs are defined as programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

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<sup>10</sup> For the purposes of this section awareness programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. Programs to prevent dating violence, domestic violence, sexual assault, and stalking means comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

The law school provides culturally relevant, inclusive primary prevention and awareness education to incoming students at new student orientation to clearly define sexual assault, dating violence, domestic violence, stalking, and consent. A video presentation identifies sexual assault, dating violence, domestic violence, and stalking as prohibited conduct and provides information regarding bystander intervention, risk reduction in recognizing warning signs of abusive behavior, ways to avoid potential attacks, and victims' rights and options. The training includes procedures victims should follow if sexual assault, dating violence, domestic violence, or stalking occurs and procedures the institution will follow when one of these crimes is reported. This includes, but is not limited to, the importance of preserving evidence, options for notifying law enforcement and campus authorities, procedures for institutional disciplinary action and conduct proceedings, possible sanctions following a proceeding, on-campus and community resources, rights and options for obtaining lawful orders, assistance in receiving interim measures and remedial action, how the institution will protect the confidentiality of victims and other necessary parties, and protection from retaliation.

The Offices of the Dean of Student Life implemented an online training module (Haven) focused on sexual harassment, sexual assault, dating violence, domestic violence, and stalking. During the Fall of 2017, Texas A&M University undergraduate, graduate, and professional students at all campuses, with the exception of Texas A&M University Qatar students, are required to complete Haven training. New students will be required to complete the training each semester thereafter.

New employees currently receive web-based *Creating a Discrimination Free Workplace* training mandated by The Texas A&M University System. Employees are required to complete the training every two years thereafter.

Ongoing prevention and awareness campaigns are directed at students and employees. The ongoing campaigns are defined as programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking using a range of strategies with audiences throughout the institution. The same information included in the institution's primary prevention and awareness programs are incorporated into ongoing prevention and awareness campaigns. The university supports ongoing campaigns for students and employees to promote awareness and preventions of sexual assault, dating violence, domestic violence, and stalking as described below.

The Consensual Language, Education, Awareness, and Relationships Office (CLEAR) on the main campus provides Green Dot Bystander Intervention training that addresses the dynamics and frequency of sexual assault; safety against and prevention of sexual assault, dating violence, domestic violence, and stalking; recognizing signs of unhealthy relationships; and active bystander intervention. CLEAR promotes prevention of power-based interpersonal violence at the university by offering education and training on the topics of bystander intervention, consensual language, healthy relationships, and responding to and assisting survivors of sexual assault. These programs occur throughout the year and are available upon request (<http://studentlife.tamu.edu/clear>, [clear@tamu.edu](mailto:clear@tamu.edu) or 979-845-6241). The law school's Office of Student Affairs recently completed the Green Dot facilitation component so that related training is available at the law school for students and employees annually.

The Women's Resource Center at the main campus provides advocacy, education, prevention programs, support, and referral services for female and male students, faculty, and staff. The WRC develops presentations on a variety of topics related to sexual violence, partner violence, and stalking (<http://studentlife.tamu.edu/wrc>, [wrc@tamu.edu](mailto:wrc@tamu.edu), or 979-845-8784). In the Fort Worth area, the Women's Resource Center of Tarrant County provides advocacy, education, prevention programs and support service

for female and male students, faculty, and staff and can be contacted at (817) 927-2737, <http://womenscentertc.org/>.

The Human Resources Department on the main campus offers training for employees regarding violence and sexual harassment in the workplace that covers employee rights, responsibilities, and strategies for preventing sexual violence and reporting complaints.

The law school distributes a notice of nondiscrimination to students and employees annually which describes university resources, support, and reporting procedures to those impacted by sexual harassment and sexual violence. The nondiscrimination notice is maintained on the webpage, [notice of nondiscrimination](#). A law school webpage called Know Your IX (<http://law.tamu.edu/current-students/student-affairs/title-ix>) provides similar information in a video which was produced by The Texas A&M University System. The video addresses sexual harassment, sexual violence (including dating violence, domestic violence, and stalking), risk reduction, awareness, victim rights/options, reporting, and institutional assistance.

All students are provided a written notification about existing resources for law school students including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both on the law school campus and in the Fort Worth community. The Assistant Dean of Student Affairs distributes an email to all students annually and Human Resources provides a similar email to all law school employees annually.

### **Bystander Intervention and Risk Reduction<sup>11</sup>**

Everyone has a role in changing community knowledge, attitudes and behaviors. Change happens as each person is able to identify risky situations and take action to confront, interrupt, or prevent acts of sexual violence. Bystander intervention programs can help individuals observe a situation and determine an appropriate intervention where someone could use some help. Bystander intervention means just that; people taking care of others. If you find a friend in a situation that concerns you, consider the following strategies to intervene safely and effectively.

- Create a distraction to interrupt the flow of events
- Involve others to help you
- Make an excuse to remove a friend from the situation
- Point out the unwanted behavior in a safe and respectful manner
- Call for help, if needed

Sexual assault is never a victim's fault. However, there are ways that may reduce the risk of being sexually assaulted including being prepared, alert, and assertive. Consider the following tips:

- Be aware of your surroundings
- Practice responsible drinking; alcohol is a factor in many sexual assaults
- Never leave your drink unattended
- Don't accept drinks from someone you don't know or trust
- Stay with your friends and make sure your friends stay with you

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<sup>11</sup> For the purposes of this section bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

- Be careful of online relationships
- Trust your instincts

We are reminded to think about relationships, specifically relationships that may be, or become abusive. Be aware of the signs:

- Is one of the partners verbally and emotionally abusive?
- Is one of the partners isolating the other from friends and family?
- Is one of the partners controlling, intimidating or always jealous?
- Is there a threat of harm?

## Other Considerations

### Retaliation

The law school prohibits retaliation. An officer, employee, or agent of the law school may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of the Clery Act.

### Victim Notification

In accordance with the Higher Education Opportunity Act, upon written request, the law school will disclose to the alleged victim of any crime of violence, or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the law school against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph.

Institutions are required to provide both the alleged offender and the complainant with simultaneous written notification of any result of any institutional conduct proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. In these cases, it is not necessary for the victim to make a written request.

### Sex Offender Registry

In accordance with federal regulations, the campus security department is providing a link to the Texas Department of Public Safety Sex Offender Registry. The university is required to issue a statement advising the campus community where law enforcement agency information regarding registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice to each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

Pursuant to Texas Code of Criminal Procedures Article 62.005, the Texas Department of Public Safety (DPS) established this website for official public access to the DPS Texas Public Sex Offender Registry found at <https://records.txdps.state.tx.us/SexOffender/>.

### Definitions of Clery Act Offenses

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter By Negligence:** The killing of another person through gross negligence.

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent (see consent section below).

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Consent:

[Texas A&M University Student Conduct Code](#)

According to the [Texas A&M University Student Life Rules, 24. Student Conduct Code](#), attendance at a university is not compulsory. The voluntary attendance of a student at a university is a voluntary entrance into the academic community. By such voluntary entrance, the student voluntarily assumes obligations of performance and behavior reasonably imposed by the university. These obligations are generally much higher than those imposed on all citizens by the civil and criminal law. A university may discipline students to secure compliance with these higher obligations as a teaching method or to sever the student from the academic community. Definitions in the Student Conduct Code are used only for the purposes of the Student Conduct Code. The Vice President for Student Affairs or designee reserves the right to interpret and enforce this Code of Conduct.

According to the [Texas A&M University Student Life Rules, 24. Student Conduct Code 24.1.6](#) the term consent, solely for the purposes of the Sexual Misconduct policy, means clear, voluntary, and positive verbal or non-verbal communication that all participants have agreed to the sexual activity. Consent must occur prior to or at the same times as the sexual activity. Consent must remain clear, voluntary, and positive throughout the sexual activity. Consent must be given for the current sexual contact. The existence of a prior relationship or prior sexual activity does not automatically ensure consent for current or future sexual contact. There must be consent for each specific type of sexual contact throughout the sexual activity. Consent must be given by each participant involved. A person must be 17 years of age or older to be able to consent to sexual activity if the other participant(s) involved are more than three years of age older than that person. A person who is clearly or visibly incapacitated is not able to give consent to sexual activity. According to the [Texas A&M University Student Life Rules, 24. Student Conduct Code 24.4.20.1](#), an individual who is mentally incapacitated, unconscious, or unaware that the sexual abuse is occurring is considered unable to give consent. The type of force employed may involve physical force, coercion, intentional impairment of an individual's ability to appraise the situation through the administering of any substance, or threat of harm to the victim.

Texas A&M University System Regulation

System Regulation 08.01.01, Civil Rights Compliance provides guidance in complying with local, state and federal civil rights laws and regulations. This regulation applies to complaints and/or appeals of employment or disciplinary actions made by faculty, administrators, staff, students and/or third parties alleging illegal discrimination, sexual harassment and/or related retaliation.

According to System Regulation 08.01.01, Civil Rights Compliance, consent is clear and voluntary agreement to engage in a specific sexual activity. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent.

Texas Penal Code

According to the Texas Penal Code, Sec. 1.02. Objectives of Code, the general purposes of the Texas Penal Code are to establish a system of prohibitions, penalties, and correctional measures to deal with conduct that unjustifiably and inexcusably causes or threatens harm to those individual or public interests for which state protection is appropriate.

*Consent* is defined in the Texas Penal Code, Section 1.07(11) as assent in fact, whether express or apparent. Without consent is also defined in the Texas Penal Code, Section 22.011(b) within the definition of sexual assault (see below).

*Sexual Assault* is defined in the Texas Penal Code, Section 22.011 as follows.

- (a) A person commits an offense if the person:
  - (1) intentionally or knowingly:
    - (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;
    - (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or
    - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
  - (2) intentionally or knowingly:
    - (A) causes the penetration of the anus or sexual organ of a child by any means;
    - (B) causes the penetration of the mouth of a child by the sexual organ of the actor;
    - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
    - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
    - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
- (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
  - (1) the actor compels the other person to submit or participate by the use of physical force or violence;
  - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
  - (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
  - (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;



- (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
  - (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
  - (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
  - (8) the actor is a public servant who coerces the other person to submit or participate;
  - (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
  - (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
  - (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.
- (c) In this section:
- (1) "Child" means a person younger than 17 years of age.
  - (2) "Spouse" means a person who is legally married to another.
  - (3) "Health care services provider" means:
    - (A) a physician licensed under Subtitle B, Title 3, Occupations Code;
    - (B) a chiropractor licensed under Chapter 201, Occupations Code;
    - (C) a physical therapist licensed under Chapter 453, Occupations Code;
    - (D) a physician assistant licensed under Chapter 204, Occupations Code; or
    - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
  - (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
    - (A) licensed social worker as defined by Section 505.002, Occupations Code;
    - (B) chemical dependency counselor as defined by Section 504.001, Occupations Code;
    - (C) licensed professional counselor as defined by Section 503.002, Occupations Code;
    - (D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;
    - (E) member of the clergy;
    - (F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
    - (G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
  - (5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
- (d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
- (e) It is an affirmative defense to prosecution under Subsection (a)(2):
- (1) that the actor was the spouse of the child at the time of the offense; or
  - (2) that:
    - (A) the actor was not more than three years older than the victim and at the time of the offense;

- (i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
  - (ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
- (B) the victim:
- (i) was a child of 14 years of age or older; and
  - (ii) was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.
- (f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based upon the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

*Dating Violence* is defined in the [Texas Family Code, Section 71.0021](#) as follows.

- (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:
- (1) is committed against a victim:
    - (A) with whom the actor has or has had a dating relationship; or
    - (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
  - (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- (b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
- (1) the length of the relationship;
  - (2) the nature of the relationship; and
  - (3) the frequency and type of interaction between the persons involved in the relationship.
- (c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

*Family Violence* is defined by the [Texas Family Code, Section 71.004](#) as follows.

- (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;
- (2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or
- (3) dating violence, as that term is defined by Section 71.0021.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

*Stalking* is defined in the [Texas Penal Code, Section 42.072](#) as follows.

(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

- (1) constitutes an offense under Section 42.07 (see below), or that the actor knows or reasonably should know the other person will regard as threatening:
  - (A) bodily injury or death for the other person;
  - (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
  - (C) that an offense will be committed against the other person's property;
- (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- (3) would cause a reasonable person to:
  - (A) fear bodily injury or death for himself or herself;
  - (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
  - (C) fear that an offense will be committed against the person's property; or
  - (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:

- (1) the laws of another state;
- (2) the laws of a federally recognized Indian tribe;
- (3) the laws of a territory of the United States; or
- (4) federal law.

(c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.

(d) In this section:

- (1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.
- (2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

#### Sec. 42.07. Harassment.

(a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:

- (1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;
- (2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
- (3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
- (4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
- (5) makes a telephone call and intentionally fails to hang up or disengage the connection;
- (6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; or
- (7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

(b) In this section:

- (1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. The term includes:
  - (A) a communication initiated by electronic mail, instant message, network call, or facsimile machine; and
  - (B) a communication made to a pager.
- (2) "Family" and "household" have the meaning assigned by Chapter 71, Family Code.
- (3) "Obscene" means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function.

(c) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if the actor has previously been convicted under this section.

**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.

**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 a means likely to produce death or great bodily harm. (It is not necessary that injury result 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 were successfully completed).

**Burglary:** The unlawful entry of a structure to commit a felony or 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 acts.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).

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

**Hate Crime:** A criminal offense reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes, hate crimes include any of the following offenses that are motivated by bias: Murder and non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property. Following are the bias categories.

**Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g. color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g. Asians, blacks, or African Americans, whites.

**Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g. male or female.

**Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g. Catholics, Jews, Protestants, atheists.

**Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

**Gender Identity:** A preformed negative opinion or attitude toward a person (or group of persons) based on their actual or perceived gender identity, e.g. bias against transgender or gender non-conforming individuals (a person who does not conform to the gender-based expectations of society).

**Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

**National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

**Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced aged or illness.

**Additional Hate Crime Definitions:**

**Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property (Except "Arson"):** To willfully or maliciously damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Arrests and Referrals for Disciplinary Action:** Arrest is defined as persons processed by arrest, citation, or summons. Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. Clery Act statistics are disclosed for arrests and referrals regarding state local violations of liquor, drug abuse, and weapons laws. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

**Weapons: Carrying, Possessing, Etc.:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Classify as a weapons: carrying, possessing, etc. violation: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed (except as permitted by state law and institutional policy through state law) or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the aforementioned acts.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine



and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). Classify as a drug abuse violation: all drugs, without exception, that are illegal under local or state law where your institution is located and all illegally obtained prescription drugs.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Classify as a liquor law violation: the manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the aforementioned acts.

## Definitions of Clery Act Locations

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

**Non-campus:** Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution.

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**On-campus Student Housing Facilities (Residential Facilities):** No on-campus student housing facilities are owned or controlled by the law school, therefore, on-campus student housing statistics are not required to be disclosed.

## Texas A&M University, School of Law - Reportable Crimes

Criminal Offenses					
Offense	Year	On Campus Property	Non-Campus Property	Public Property	Unfounded Crimes <sup>s</sup>
Murder / Non-negligent Manslaughter	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Manslaughter By Negligence	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Sex Offenses, Rape	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Sex Offenses, Fondling	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Sex Offenses, Incest	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Sex Offenses, Statutory Rape	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Robbery	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Burglary of Structure	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2014	0	n/a	0	0
	2015	2	0	0	0
	2016	0	0	3	0
Arson	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0

Hate Crimes					
Offense	Year	On Campus Property	Non-Campus Property	Public Property	Unfounded Crimes <sup>s</sup>
Hate Crimes *	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0

Violence Against Women Reauthorization Act of 2013 (VAWA) Offenses					
Offense	Year	On Campus Property	Non-Campus Property	Public Property	Unfounded Crimes <sup>s</sup>
Domestic Violence	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Dating Violence	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Stalking	2014	1	n/a	0	0
	2015	0	0	0	0
	2016	1	0	0	0

Arrests and Disciplinary Referrals					
Offense	Year	On Campus Property	Non-Campus Property	Public Property	Unfounded Crimes <sup>§</sup>
Arrests: Weapons Carrying, Possessing, Etc.	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Disciplinary Referrals: Weapons Carrying, Possessing, Etc.	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Arrests: Drug Abuse Violations	2014	0	n/a	0	0
	2015	0	0	3	0
	2016	3	0	4	0
Disciplinary Referrals: Drug Abuse Violations	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Arrests: Liquor Law Violations	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2014	0	n/a	0	0
	2015	0	0	0	0
	2016	0	0	0	0

The following are in reference to the reportable crimes table.

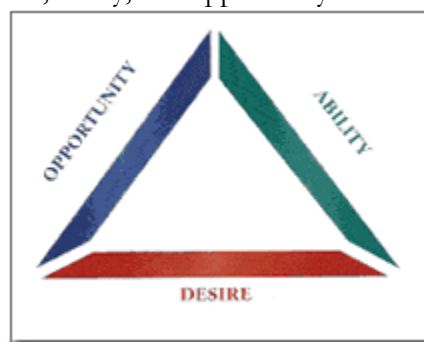
\* In 2014, 2015, and 2016 there were no reported criminal incidents involving hate/bias.

§Unfounded crimes (those that a commissioned peace officer has investigated and found to be false or baseless and are subsequently withheld from the crime statistic) are required to be disclosed beginning in calendar year 2014.

Calendar years 2014-2015 crime statistics included in this report were determined in accordance with the Clery federal register (34 C.F.R.668.46) as of October 20, 2014, and guidance in the Handbook for Campus Safety and Security Reporting (Handbook) published by the U.S. Department of Education in February 2011 which was effective when the crimes occurred and statistics were collected. Subsequently, the Handbook was updated in June 2016 and is used for reporting Clery crime statistics for calendar year 2016.

## Crime Prevention and Security Awareness

It is important for all of us to understand our role in the reduction of crime. A conceptual aid often employed by crime prevention practitioners is referred to as the Crime Triangle. For any crime to occur three elements must be present: desire, ability, and opportunity.



Members of the law school community easily recognize there is little that can be done to control the criminal's ability and desire. The law school community's greatest strength in the prevention of crime is our initiative to reduce or eliminate the opportunity for a crime to occur.

A primary goal of the law school security department is the prevention of crime before it occurs. Because security personnel cannot be everywhere all the time, they need the help of all members of the law school community to take an active role in their personal safety and property protection. Crime prevention is important to the campus community and you can help by reporting any crime or suspected crime immediately to the law school security department. By doing so, you may be preventing someone else from becoming a victim of a more serious crime. Following are programs that are designed to encourage students and employees to be responsible for their own security and the security of others

Students, faculty and staff should help to ensure their safety and the safety of their property by practicing fundamental crime prevention techniques. Safety and crime prevention information is published periodically in available campus publications. The law school makes every effort to accommodate any reasonable requests for training students and employees regarding recognition of crime, preventing crime, and responding to crime. Training efforts include Campus Safety Awareness week which is held each spring and is available to all law school faculty, staff, and students. It incorporates presentations regarding Title IX, building safety, security, logistical safety, and includes situational awareness focused on reporting suspicious activity and contacting local law enforcement. In these presentations information is provided regarding campus security procedures and practices. Materials included in the training are from the “If you See Something, Say Something” national campaign. Fire drills are also conducted each fall.

The Fort Worth Police Department is also dedicated to providing quality service in partnership with the community to communicate security procedures and practices and create a safe environment. The following describes the interactive endeavors available to the citizens of Fort Worth.

- National Night Out is hosted each fall to heighten awareness of crime prevention.
- Several Crime Prevention Specialists are employed to serve each Fort Worth division.
- Crime Watch and Business Watch creates enhanced ongoing crime reporting, burglary preventions, physical security, personal safety and awareness through training and a partnership between police and citizens.
- Other crime prevention programs such as security surveys completed by a representative of the police department, vehicle identification number etching, safety fairs, kids programs, a burglary deterrent program, and other presentations are available upon request.
- Citizens Police Academy is a 12 week program, one night per week, for citizens to learn about the specific areas of the police department.

## Important Telephone Numbers

Area Code 817 (for all numbers listed below)

Emergencies—from off campus phone / Cell phones Police/Fire/Medical	911	Law School Security	212-3999
Fort Worth Police	335-4222	Fort Worth Fire	922-3000
Tarrant County Sheriff	884-3099	Counseling & Referral, Alcohol & Other Drugs	1-855-270-3379
Law School Facilities	212-4125	Crime Stoppers	817-469-TIPS
Department of Public Safety	882-8263	Office of Student Affairs	212-4020
Fort Worth Transportation Authority	215-8600	Student Services/Registrar	212-4001

## Other Annual Security Reports and Annual Fire Safety Reports

Annual Security Reports and Annual Fire Safety Reports for other Texas A&M University locations are as follows and are available at the following Texas A&M University Risk and Compliance website:

<http://urc.tamu.edu/clery-act/clery-annual-reports/>.

### Other Texas A&M University Annual Security Reports

Texas A&M University College Station

<http://urc.tamu.edu/media/1157075/CSAnnualSecurityReport.pdf>

Texas A&M University O.D. Butler, Jr. Animal Science Complex and University Farm

<http://urc.tamu.edu/media/1492363/UnivFarmAnnualSecurityReport.pdf>

Texas A&M University RELSIS Campus

<http://urc.tamu.edu/media/1492354/RELSISAnnualSecurityReport.pdf>

Texas A&M University at Galveston

<http://urc.tamu.edu/media/1157087/GalvestonAnnualSecurityReport.pdf>

Texas A&M University at Qatar

<http://urc.tamu.edu/media/1157081/QatarAnnualSecurityReport.pdf>

Texas A&M University Mays Business School at CityCentre

<http://urc.tamu.edu/media/1157078/MaysAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Bryan

<http://urc.tamu.edu/media/1157090/HSCBryanAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Dallas

<http://urc.tamu.edu/media/1157093/HSCDallasAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Houston

<http://urc.tamu.edu/media/1157096/HSCHoustonAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Kingsville

<http://urc.tamu.edu/media/1157099/HSCKingsvilleAnnualSecurityReport.pdf>

Texas A&M University Health Science Center McAllen

<http://urc.tamu.edu/media/1157102/HSCMcAllenAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Round Rock

<http://urc.tamu.edu/media/1157069/HSCRRAAnnualSecurityReport.pdf>

Texas A&M University Health Science Center Temple

<http://urc.tamu.edu/media/1157072/HSCTempleAnnualSecurityReport.pdf>

Texas A&M University Higher Education Center at McAllen

<http://urc.tamu.edu/media/1492360/HECMcAllenAnnualSecurityReport.pdf>

### Other Texas A&M University Annual Fire Safety Reports

Texas A&M University College Station

<http://urc.tamu.edu/media/1157614/CSAnnualFireReport.pdf>

Texas A&M University at Galveston

<http://urc.tamu.edu/media/1157611/GalvestonAnnualFireReport.pdf>

Texas A&M University Health Science Center Kingsville

<http://urc.tamu.edu/media/1197453/KingsvilleAnnualFireReport.pdf>