



# Sam Houston State University Police Department Annual Security Report 2008

To meet compliance for the Student Right-to-Know and Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Sam Houston State University Police Department collect and publishes required information regarding this campus' crime statistics, policies, and services. The information that has been collected and it has been outlined in this document. It is the goal of the Sam Houston State University Police Department to provide the best police services to the University community in the most professional manner. This provides focus in meeting our defined mission: "The Department of Public Safety Services' primary objective is to protect all persons within its jurisdiction, to insure that all are as free from criminal attack as possible, secured in their properties, which will permit them to develop life skills within a safe and peaceful academic environment."

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## Law Enforcement Authority and Interagency Relations

### **Law Enforcement Authority**

[§ 204(C)(i)] University Police officers have full law enforcement authority on property owned and controlled by the university, including streets contiguous to and running through the campus. University Police officers are licensed "Peace Officers" by the state of Texas. University Police officers are authorized by State statute to enforce federal and state laws within their jurisdiction, in addition to rules and regulations issued by the Board of Regents of Sam Houston State University on property under the control and jurisdiction of Sam Houston State University. Under Section 51.203, Texas Education Code; Campus Peace Officers, states in part, "The governing boards of each state institution of higher education and public technical institute may employ and commission peace officers for the purpose of carrying out the provisions of this

subchapter. The primary jurisdiction of a peace officer commissioned under this section includes all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education or technical institute that employs the peace officer or otherwise in the performance of their duties.” The University Police enjoy a good working relationship with federal, state, local, city and county law enforcement authorities. The University Police Department’s working relationship with other area law enforcement agencies ensures that crimes and alcohol violations at these off-campus sites may be reported to the University Police and if further assistance is needed at on campus locations.

Uniformed University Police officers patrol the campus area 24 hours each day in marked police units with a police radio system. In addition, during the day, uniformed student parking control personnel are on patrol in the parking areas; each person is issued a two-way radio for contact within the university police system. In the evening and early morning hours there are uniformed student foot patrol personnel patrolling the main campus and provide escort service to anyone whom may be concerned with their safety. The university assigns housing safety personnel to each housing facility to unlock the entry for the residents. The housing units are locked from 11:00 p.m. - 7:00 a.m., except on Saturday when the buildings are locked at 1:00 a.m. Residents must have a key or be admitted by the housing safety personnel on duty. Housing managers and residents assistants are on duty in the Housing Units.

### **Crime Reporting by the University Police Department**

***Disseminating Information on Campus Crime*** - The University has taken measures to ensure that the university community is fully aware and or notified of campus crimes. These measures include but are not limited to the following:

***Media Relations:*** The Public Relations Office prepares news releases on crimes for distribution to campus media, the Huntsville news media, and other media outlets as needed. Furthermore, the University Police Department prepares news releases and publishes them to the Public Safety Services web page at [www.shsu.edu/~upd\\_www/](http://www.shsu.edu/~upd_www/).

***University Newspaper:*** The Houstonian (a campus newspaper) carries stories on serious criminal offenses.

***Crime Stoppers:*** The Huntsville Police and the University Police, develop information regarding criminal activity. When information is needed or one wishes to report a crime, the local Crime Stopper program is used. Information is published for local news media using the Crime Stopper Program.

***Emergency Alert Notification:*** The Chief of Police or other designated University employee may alert Faculty, Staff, or Students by other means that may include campus e-mail, postings on designated websites, through interdepartmental communications, or through an emergency alert system (messages provided through telephone, e-mail, and/or text messages). At this time the University Police Department uses the Katsafe Emergency Notification System to Alert the campus community of emergency related information (During September of 2008, the system was used to provide information regarding Hurricane Ike).

### **Campus Procedures for Reporting Crimes or Emergencies**

[§ 204(A)] All criminal offenses that occur on campus should be reported to the University Police Department immediately. The Sam Houston State University Police is operational twenty-four hours a day, year around. The University Police Department is housed on campus in the Sam South Complex. You have easy access either by telephone, dialing 911, (936) 294-1794, or by going to the University Police Building, Sam South, located at 2424 South Sam Houston Avenue. This location is clearly marked on university campus maps. University Police officers are licensed police officers and are trained to respond to criminal actions or other emergencies that may occur on campus. All University Police reports are entered into computers and are printed on approved standard forms for criminal offenses.

### **Emergency Call Boxes and Telephones**

The university currently has sixteen emergency free standing call boxes located in strategic locations across campus. In addition, most residence halls have emergency telephone boxes outside the main entrance to the halls. The call boxes allow direct communication with the police department and provide a rapid means for reporting emergencies and crimes, in addition to requesting police assistance. University telephones, after punching “9” for an outside line, may be used to dial 911 (i.e., 9,911).

Crimes that occur on campus may also be reported to any campus security authority, as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, listed as follows:

- Provost and Vice President for Academic Affairs;
- Vice President of Finance and Operations;
- Vice President of Student Services;
- Vice President of Enrollment Management;
- Vice President of University Advancement;
- Any Associate Vice President;
- Any Dean of a particular College;
- The Dean of Students’;
- A director of any campus department;
- Academic Advisors;
- Housing or Resident Managers;
- Athletics – Directors and Coaches

Anonymous reports regarding criminal activity are encouraged to be made through Crime Stoppers. **Those persons who choose to make reports anonymously should contact (936)294-9494.**

### **Confidential Crime Reporting Procedures**

According to new law, the 1998 amendments to 20 U.S.C. Section 1092(f) have defined those who are considered not to be a campus security authority. Those who are acting in the capacity as a campus “Pastoral Counselor” or a campus “Professional Counselor” are not considered as a

campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics.

*Pastoral Counselor:* An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

*Professional Counselor:* An employee of an institution whose official responsibilities include providing psychological counseling to member of the institution's community and who is functioning within the scope of his or her license or certification.

### **Access to Campus Facilities**

[§ 204(B)] Section 51.209 of the Texas Educational Code states "The governing board of a state institution of higher education or its authorized representatives may refuse to allow persons having no legitimate business to enter on property under the board's control, and may eject any unauthorized person from the property on his refusal to leave peaceably on request. Identification may be required of any person on the property." It is advised that members of the university community should have their university issued identification card with them at all times. The Sam Houston State University Police have been vested with the above authority by the Board of Regents.

### **Maintenance and Security of Campus Facilities**

Uniformed University Police officers patrol the campus area 24 hours each day in marked police units, and all vehicles and officers have a law enforcement radio assigned. In addition, during the day, uniformed student parking control personnel are on patrol in the parking areas; each person is issued a two-way radio for contact within the university police system. In the evening and early morning hours there are uniformed student foot patrol personnel patrolling the main campus that provide escort services to anyone whom may be concerned with their safety. The university assigns housing safety personnel to each housing facility to unlock the entry for the residents. The housing units are locked from 11:00 p.m. - 7:00 a.m., except on Saturday when the buildings are locked at 1:00 a.m. Residents must have a key or be admitted by the housing safety personnel on duty. Housing managers and residents assistants are on duty in the Housing Units. It should be noted that some of the housing facilities use a keyless entrance system. The BearkatOne Card (the student's ID) is used to gain access into the residential complex. Students who reside in these complexes should abide by Residence Life Policy regarding entry and exit.

The Physical Plant has an emergency after normal hours call out policy for maintenance and repair for educational and non-residence buildings on campus. These calls are received and processed through the University Police Department dispatcher. In residence halls, the hall director will determine if the physical plant personnel should handle the emergency. The responding physical plant personnel shall sign in at the University Police Department. In most cases this should be before responding to the emergency call. However, if this would cause an unnecessary delay resulting in further damages, injuries, losses, etc., the craftsmen may log in at

the University Police upon completion of the emergency work. Every craftsman who is called out will log his or her arrival and exit times with the University Police. A call-out sheet is provided to the University Police for the purpose of logging all information regarding an emergency call-out. Physical Plant personnel will at all times, while on duty wear their photo identification badge in a manner that it is plainly visible to others.

To report a safety hazard or concern, visit the following link:

[http://www.shsu.edu/~ppl\\_www/forms/safety.html](http://www.shsu.edu/~ppl_www/forms/safety.html)

Or, one may also visit the University Safety Office for additional information at the listed following link: <http://www.shsu.edu/safety/>

### **Evacuation and Lockdown Notifications**

If there is an emergency on campus, there may be a call for individual to evacuate from campus or possibly shelter in place. Therefore, every member of the campus community is encouraged to sign up for the emergency notification system the University has in place. Access to the emergency notification system (KatSafe) sign up is located on the Sam Web under the “Miscellaneous” sub-navigation heading. It should be noted that only current students, faculty and staff are eligible to receive this emergency notification. If you are a current campus community member and are having difficulties registering for the emergency notification system, please contact the Computer Services Help Desk.

The University’s Emergency Response plan is located at the following link:

[http://www.shsu.edu/safety/documents/erpfinalcopy\\_000.pdf](http://www.shsu.edu/safety/documents/erpfinalcopy_000.pdf)

### **Security Awareness and Crime Prevention**

[§ 204(D)] An example of the type of information given to students during each semester is provided below. This information is presented by the Residence Life Department during their housing unit group meetings with residents. Officers meeting with students on campus supply this information also. This type information is also published in the campus newspaper. Dean of Students personnel also discuss this information at all orientation sessions for new students.

If a crime is to be committed, the offender must have the desire, ability, and opportunity to commit the crime. Law enforcement can do little to remove the offender’s desire and ability to commit crimes, but together **WE** can remove the element of opportunity. **THIS IS CRIME PREVENTION.** Together we can remove the temptation of opportunity by taking a few simple precautions.

### **General Safety**

**FIRE** – In case of fire or when the fire alarm sounds:

- Evacuate the building immediately
- Do not use the elevators

- Assist those with mobility problems
- Contact University Police at 936-294-1000 (4-1000 on campus)
- Report to supervisor at the designated site
- Do not re-enter the building until instructed

#### **SEVERE WEATHER:**

- Stay away from windows
- Take immediate shelter
- Monitor local radio and television stations and Today@Sam for University closings
- Contact University Police at 936-294-1000 (4-1000 on campus)

#### **MEDICAL EMERGENCIES:**

- Contact University Police at 936-294-1000 (4-1000 on campus)
- Provide your name, location, number injured and description of injuries
- Stay on the phone for instructions on what to do

#### **DISRUPTIVE BEHAVIOR:**

- Contact University Police at 936-294-1000 (4-1000 on campus)
- Give your name, location, what is happening and number of people involved (shooters/victims) if known
- If possible, exit the building or area immediately
- If exit is impossible, get to a room, lock or barricade the door, keep quiet, remain in place until all clear is given by law enforcement officials

#### **BOMB THREATS/SUSPICIOUS ITEMS:**

- Pay close attention to the exact words the caller is using, document the call
- Contact University Police at 936-294-1000 (4-1000 on campus)
- Do not touch or handle suspicious items or packages
- Keep others away from area
- Notify your supervisor

#### **HAZARDOUS SITUATIONS:**

- Contact University Police at 936-294-1000 (4-1000 on campus)
- Provide information on type and size of spill (if known)
- Evacuate the immediate area and building as directed
- Get decontamination instructions from authorities
- Do not re-enter area until all clear is given

Sam Houston State University provides this report to comply with the Students Right To Know and Campus Security Act of 1990. Sam Houston State University is a state-assisted institution of higher education located in Huntsville, Texas. The campus, including its agriculture facilities,

consists of approximately 225 acres in and outside the city of Huntsville, Texas, which has a population of approximately 35,000. The university enrolls approximately 16,500 students supported by 1,500 plus faculty and staff.

## **Safety Tips**

### ***Protect Your Property:***

1. Lock your residence every time you leave, even for a short time. This includes your motor vehicle.
2. Do not leave valuables lying out in the open or in unlocked vehicles.
3. Engrave your driver's license number on all valuable property.
4. Record the serial numbers and brand names of all property of value.

### ***Protect Yourself:***

1. Lock your doors when you take a nap or retire for the evening. Do not block open entry doors to residence halls after hours.
2. Require identification before admitting someone unfamiliar into your residence or your vehicle.
3. Avoid walking alone at night, if possible, and stay on lighted routes.
4. Report suspicious persons or circumstances. This could stop a crime before it happens. You may offer confidential assistance to the University Police directly or through the Dean of Students' Office.

Crime prevention is important to the campus community and you can help by reporting any crime or suspected crime to your University Police immediately. By doing so, you may be preventing someone from becoming a victim of a serious crime.

[§ 204(E)] Throughout the academic year there will be group programs and individual counseling on crime prevention presented by the University Police, Huntsville Police, the local Sheriff's Department, Residence Life, and the Dean of Students' Office. There are also programs given by the College of Criminal Justice.

## **SHSU Code of Student Conduct**

[§ 204(C)(ii)] Sam Houston State University's Code of Student Conduct and Discipline 5.1, Acquaintance with Policies, Rules, and Regulations, states the following: Each student is expected to be fully acquainted with all published policies, rules, and regulations of the university, copies of which shall be available to each student for review in a specific place on each campus. The university will hold each student responsible for compliance with these policies, rules, and regulations. Students are also expected to comply with all federal and state laws. THIS PRINCIPLE EXTENDS TO CONDUCT OFF CAMPUS WHICH IS LIKELY TO HAVE AN ADVERSE EFFECT ON THE UNIVERSITY OR ON THE EDUCATIONAL PROCESS.

## **Rights and Responsibilities on Campus**

Students, faculty, staff, and visitors are expected to maintain standards of personal discipline that are in harmony with the educational goals of Sam Houston State University, to observe federal, state, and local laws, university rules and regulations, and to respect the rights, privileges, and property of others. Students, staff, and faculty are encouraged to give accurate information to the University Police when reporting crimes, as The Texas Penal Code, Chapter 37., Section 37.08. False Report to Peace Officer, states: (a) A person commits an offense if he: (1) reports to a peace officer an offense or incident within the officer's concern, knowing that the offense or incident did not occur; or (2) makes a report to a peace officer relating to an offense or incident within the officer's concern knowing that he has no information relating to the offense or incident. An offense under this section is a Class B misdemeanor.

Filing a false report to the University Police could place a student in violation of the Code of Student Conduct and Discipline, under section 5.2, (1). The University Police may request a copy of an offense report from any law enforcement agency, if such report reflects conduct of a student which is deemed to have an adverse effect on Sam Houston State University or the educational process. The University Police may forward a report regarding such incident to the Dean of Students' Office.

### **SHSU Discipline**

Section 5.9 (20) of Chapter VI of the Rules and Regulations of the Board of Regents, Texas State University System provides for disciplinary action against any student who engages in conduct that is prohibited by state, federal, or local law and for illegal use and for unauthorized use of intoxicating beverages, and illegal use of any drug, narcotic or controlled substance.

A student who, by a preponderance of the evidence, under these Rules and Regulations, is found to have illegally possessed, used, sold or distributed any drug, narcotic, or controlled substance, whether the infraction is found to have occurred on or off campus, shall be subject to discipline, ranging from mandatory, university or college approved counseling to expulsion. Mitigating or aggravating factors in assessing the proper level of discipline shall include, but not necessarily be limited to, the student's motive for engaging in the behavior; disciplinary history; effect of the behavior on safety and security of the university or college community; and the likelihood that the behavior will recur. A student who has been suspended, dismissed, probated or expelled from any system component shall be ineligible to enroll at any other system component during the applicable period of discipline. The registrar of each component is authorized to make an appropriate notation on the student's transcript to accomplish this objective and to remove the notation when the student's disciplinary record has been cleared. A second infraction for a drug-related offense shall result in permanent expulsion from the component and from all other institutions in The Texas State University System.

The Sam Houston State University Drug-Free Work Place Policy (ER-10), which became effective March 1989, prohibits the unlawful use, possession, or distribution of illicit drugs and alcohol by employees. University employees who violate this prohibition are subject to the sanctions set out in the policy, including possible discharge.

### **Drug & Alcohol Policies – Health Risks**

## **Students**

The university will impose a minimum disciplinary penalty of suspension for a specified period of time or suspension of rights and privileges, or both, for conduct related to the use, possession, or distribution of drugs that are prohibited by state, federal, or local law. Other penalties that may be imposed for conduct related to the unlawful use, possession, or distribution of drugs or alcohol include disciplinary probation, payment for damage to or misappropriation of property, suspension of rights and privileges, suspension for a specified period of time, expulsion, or such other penalty as may be deemed appropriate under the circumstances.

## **Employees**

The unlawful use, possession, or distribution of drugs or alcohol will result in a disciplinary penalty of disciplinary probation, demotion, suspension without pay, or termination, depending upon the circumstances.

## **Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low amounts significantly impair the judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Moderate to high levels of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high levels cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower levels of alcohol use can lead to dependence on alcohol. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and the liver. Prolonged alcohol abuse causes bleeding from the intestinal tract, damage to nerves and the brain, psychotic behavior, loss of memory and coordination, damage to the liver often resulting in cirrhosis, impotence, severe inflammation of the pancreas, and damage to the bone marrow, heart, testes, ovaries, and muscles. Damage to the nerves and organs is usually irreversible. Cancer is the second leading cause of death in alcoholics and is 10 times more frequent than in non-alcoholics. Females who drink during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at a greater risk than other children of becoming alcoholics.

## **Tobacco (Nicotine)**

The smoking of tobacco products is the chief avoidable cause of death in our society. Smokers are more likely than nonsmokers to contract heart disease. Some 30 percent of cancer deaths are linked to smoking. Chronic obstructive lung diseases such as emphysema and chronic bronchitis are 10 times more likely to occur among smokers than among nonsmokers. Smoking during pregnancy poses serious risks such as spontaneous abortion, preterm birth, low birth weights, and

fetal and infant deaths. Because nicotine is highly addictive, addicts find it very difficult to stop smoking. Fewer than 20 percent of typical smokers succeed in stopping on the first try.

## **Designer Drugs**

Illegal drugs are defined in terms of their chemical formulas. To circumvent these legal restrictions, underground chemists modify the molecular structure of certain illegal drugs to produce analogs known as designer drugs. These drugs can be several hundred times stronger than the drugs they are designed to imitate. Many of the so-called designer drugs are related to amphetamines (MDMA, X, speed). Bootleg manufacture creates overdose and contamination risks. These substances can produce severe neurochemical damage to the brain. The narcotic analogs (fentanyl, china white) can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression and paranoia. As little as one dose can cause brain damage. The analogs of phencyclidine cause illusions, hallucinations, and impaired perception.

## **Cocaine**

Cocaine stimulates the central nervous system. The use of cocaine can cause death by cardiac arrest or respiratory failure. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose. Injecting cocaine with contaminated equipment can increase the risk of AIDS, hepatitis, and other diseases. Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive, and its effects are felt within ten seconds. The physical effects include dilated pupils, increases pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures.

## **Other Stimulants**

Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headaches, blurred vision, dizziness sleeplessness, and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure. In addition to the physical effects, users reported feeling restless, anxious and moody. Higher doses intensify the effects. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions and paranoia.

## **Anabolic Steroids**

Anabolic steroids are a group of powerful compounds closely related to the male sex hormone testosterone. Steroid users subject themselves to more than effects ranging in severity from liver cancer to acne, as well as psychological as well as physical reactions. The liver and cardiovascular and reproductive systems are most seriously affected by steroid use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Psychological effects include very aggressive behavior known as “roid rage” and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years.

### **Hallucinogens or Psychedelics**

Lysergic Acid (LSD), mescaline, peyote, and phencyclidine (PCP or “angel dust”) cause illusions and hallucinations, and their use impairs and distorts one’s perception of surroundings, causes bizarre mood changes and results in visual hallucinations that involve geometric forms, colors, and persons or objects. The physical effects may include dilated pupils, elevated body temperatures, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors. It is common to have bad psychological reactions to LSD, mescaline, and psilocybin. The user may experience panic, persistent memory problems, and speech difficulties. Users who discontinue use experience “flashback” consisting of distortions of virtually any sensation for long periods after discontinued use. Mood disorders, such as depression, anxiety and violent behavior, also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior. Large doses may produce convulsions and coma, as well as heart and lung failure. Withdrawal may require psychiatric treatment for the accompanying persistent psychotic states. Suicide is not uncommon.

### **Solvent Inhalants, e.g., Glue, Lacquers, Plastic Cement**

The immediate negative effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long term use may result in hepatitis or brain damage. Deeply inhaling the vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing the oxygen in the lungs or by depressing the central nervous system to the point that breathing stops. Long term use can cause weight loss, fatigue, electrolyte imbalance, and muscle fatigue. Repeating sniffing of concentrated vapors over time can permanently damage the nervous system. Fumes from these substances cause problems similar to alcohol. Incidents of hallucinations and permanent brain damage are more frequent.

### **Marijuana (Cannabis)**

All forms of cannabis have negative physical and mental effects. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that students do not retain knowledge when they are “high.” Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce

paranoia and psychosis. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer causing agents than tobacco smoke. Long term users of cannabis may develop psychological dependence and require more of the drug to get the same effect. The drug can become the center of their lives.

## Narcotics

Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users may experience constricted pupils, watery eyes, and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Tolerance to narcotics develops rapidly and dependence is likely. The use of contaminated syringes may increase the risk of such diseases as AIDS, endocarditis, and hepatitis. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms.

### Penalties under Federal and State Law

#### **PENALTIES UNDER STATE AND FEDERAL LAW I. Texas Law**

| <b>Offense/Authority</b>  | <b>Minimum Punishment</b>   | <b>Maximum Punishment</b>   |
|---|---|---|
| Manufacture or delivery of controlled substances (drugs)<br><i>Health &amp; Safety Code § 481.113</i> | Confinement in the Texas Department of Corrections (TDCJ) for a term of not more than 10 years or less than 2 years, or confinement in a community correctional facility for not more than 1 year, and a fine not to exceed \$10,000. | Confinement in TDCJ for life or for a term of not more than 99 years or less than 20 years, and a fine not to exceed \$500,000. |
| Possession of controlled substances (drugs)<br><i>Health &amp; Safety Code § 481.115</i>              | Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$1,000.   | Confinement in TDCJ for life or for a term of not more than 99 years or less than 10 years, and a fine not to exceed \$100,000. |
| Delivery of Marijuana<br><i>Health &amp; Safety Code § 481.120</i>                                    | Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$1,000.   | Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed 250,000.   |
| Possession of Marijuana<br><i>Health &amp; Safety Code § 481.120</i>                                  | Confinement in jail for a term not to exceed 180 days, and a fine not to exceed \$1,000.  | Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed \$250,000. |

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|---|--|--|
| Driving While Intoxicated<br>(Includes intoxication from alcohol, drugs, or both)<br>Penal Code § 49.04, 49.09, and 12.34, TABC § 106.041 | Confinement in jail for a term of not more than two years or less than 72 hours, and a fine of not more than \$2,000 or less than \$100. | Confinement in jail for a term of not more than two years or less than 30 days, or confinement in TDCJ for a term of not more than 5 years or less than 60 days, and a fine of not more than \$2,000 or less than \$500. |
| Public Intoxication   | A fine not to exceed \$200.  |  |
| Purchase of alcohol by a minor  | Fine of not less than \$25 nor more than \$200.  | For a subsequent offense, a fine of not less than \$100 nor more than \$500.   |
| Consumption of alcohol by a minor   | Fine of not less than \$25 nor more than \$200.  | For a subsequent offense, a fine of not less than \$100 nor more than \$500.   |
| Possession of alcohol by a minor  | Fine of not less than \$25 nor more than \$200.  | For a subsequent offense, a fine of not less than \$100 nor more than \$500.   |
| <i>Alcoholic Beverage</i>   |  |  |
| Purchase of alcohol by a minor<br><i>Alcoholic Beverage Code § 106.06</i>   | Fine not less than \$100 nor more than \$500 or confinement in jail for not more than 1 year, or both.                                   | For a subsequent offense, a fine of not less than \$500 nor more than \$1000 or confinement in jail for not more than 1 year, or both.   |
| <b>II. Federal Law</b>  |  |  |
| <b>Offense/Authority</b>  | <b>Minimum Punishment</b>  | <b>Maximum Punishment</b>  |
| Manufacture, distribution or dispensing drugs (includes marijuana)<br><i>21USCS § 841</i>   | A term of imprisonment not more than 1 year, and a minimum fine of \$1000.   | A term of life imprisonment without release (no eligibility for parole) and a fine not to exceed \$800,000 (for an individual) or \$20,000,000 (it other than an individual).  |
| <i>Possession of drugs (including marijuana)</i><br><i>21USCS § 844</i>   | Imprisonment for not less than 1 year or a fine of not more than \$1000.   | Imprisonment for not more than 20 years or less than 5 years, and a fine of not less than \$5000 plus costs of investigation and prosecution.  |
| Operation of a Common Carrier under the influence of alcohol or drugs<br><i>18USCS Appx. 2D2.3 and 18 USCS Appx. 5A</i>                   | Imprisonment for not less than 1 year.   | Imprisonment for up to 15 years, and a fine not to exceed \$250,000.   |

## **Dangerous Weapons on Campus**

### PARAGRAPH 4.5 OF CHAPTER VII ON PAGES VII-9 AND 10

4.5 - Prohibition on Weapons. It is a violation of these *Rules and Regulations* to possess, carry or otherwise cause a firearm, handgun or other prohibited weapon, licensed or otherwise, concealed or otherwise-to be brought onto the premises of a System Component.

4.51 - "Premises of a System Component" as used in this *Section* means a structure and the land (including parking lots, garages, or other appurtenances, on which the structure is situated) over which this Board has ownership or control. This prohibition extends to leased, borrowed or other facilities where a System or Component function, event, or activity takes or is taking place. But does not apply to: a) academic programs or Component sponsored or approved events in which the Component explicitly authorizes the use of handguns: b) law enforcement personnel acting in performance of their duties; or, c) the transporting of such firearms/handguns, or other prohibited weapons for registration with and storage by the Component public safety office.

4.52 - "Prohibited Weapon," as defined by *Texas Penal Code, section 46.01*, includes the following:

4.521 - "Club," meaning an instrument that is specifically designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person- (for example, a blackjack, nightstick, mace. Numbchuck or tomahawk);

4.522 - "Explosive weapon," meaning any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror (whether such a weapon is designed, made, or adapted for delivery shooting);

4.523 - "Firearm," meaning any device designed, made, adapted, or readily adaptable to expel a projectile through a barrel by using the energy generated by an explosion or burning substance (excluded are antique or curio firearms manufactured before 1899 or replicas thereof, provided they do not use rim fire or center fire ammunition) including, but not necessarily limited to handguns, machine guns, rifles, "zip guns," stun guns, and "short-barrel firearms":

4.524 - "Illegal knife," meaning any bladed, hand instrument that: a) has a blade over five and one-half inches: b) is capable of inflicting serious bodily injury or death on a person by cutting, stabbing, or throwing (for example, a dagger, dirk, stiletto, poniard, bowie knife, switchblade knife, sword, or spear):

4.525 - "Knuckles," meaning any instrument that consists of finger rings or guards made of a hard substance and that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles;

4.526 - "Hoax bomb," meaning a device that: a) reasonably appears to be an explosive or incendiary device; or, b) by its design causes alarm or reaction of any type by police, public safety, or other administrators at a system component, who are charged with assuring campus safety:

4.527 - "Chemical dispensing device," meaning a device (other than a chemical dispenser sold commercially for personal protection) that is designed, made, or adapted for the purpose of dispensing a substance capable of causing adverse psychological or physiological effect on a human being.

#### Explanation

The current rule speaks to firearms, handguns, or other prohibited weapons but does not define the term, "other prohibited weapons" clearly. At least one of the System campuses prohibits: a) possession or use, of any firearm, ammunition, weapon, or facsimile on university property; b) possession of any explosive device, fireworks, liquid or object that is flammable; and, c) bomb threats. Some of these particular violations are clear in the current rule while others are not as clear and have been the subject of campus debate. Generally, the reference to the Texas *Penal Code* causes people to look for the text references in other locations, and it is helpful to iterate clearly the definition of "prohibited weapon" in this rule.

Defining the term "land" as part of the "premises of a System Component" is important since we have activities sponsored by university entities, thus creating liability for the university, on land outside of an actual building. We also have jurisdiction over any university sponsored activity that might occur on property that is not owned by the university, and a duty of care may be owed to those in attendance.

The campuses have commissioned police officers that carry weapons as part of their job functions, and these officers also have formal or informal mutual aid agreements with the host cities to assist when necessary. The proposed change codifies existing practice that the prohibition does not apply to law enforcement personnel, acting in discharge of duty.

### **Campus Awareness, Education, Counseling, & Rehabilitation Programs**

#### AVAILABLE DRUG COUNSELING OR REHABILITATION SERVICES CAMPUS SERVICES

##### **Students**

The university Counseling Center is available to assist students in dealing with alcohol and substance abuse problems. Confidential treatment, education, and referrals are available to students at no cost. The Counseling Center may be reached by dialing (936) 294-1720.

##### **Employees**

The Texas State University System group health insurance program provides for treatment of drug and alcohol abuse for all benefits eligible employees. Human Resources Department will provide assistance to employees seeking treatment for drug or alcohol abuse.

## **COMMUNITY SERVICES**

- Alcoholics Anonymous, 1214 12th Street, Huntsville, Texas; (936) 291-3376
- Montgomery-Walker County Council on Alcohol and Drug Abuse, 724 Thomason, Huntsville, Texas; (936) 291-7433

### **Campus Awareness and Education**

The Counseling Center, the Dean of Students' Office, and the Department of Public Safety Services may have specific materials available, or other material information upon request, for all persons. Informational or instructional programs are organized by specific departments or committees on campus in regards to alcohol & drug abuse and sexual assault defense tactics.

### **Sexual Assault Policy**

#### **Statement of Policy**

Sam Houston State University is committed to creating and maintaining an environment that discourages sexual assault. Sexual assault is defined within the context of this policy as sexual intercourse or other sexual act committed against another without their consent.

#### **What to do if you are sexually assaulted:**

- A. If you believe that you are still in danger, you should call the University Police Department at 936-294-1000.
- B. Seek medical attention as soon as possible. You can call the campus Health Center at 936-294-1805 during regular business hours or go to the Emergency Room at the Huntsville Memorial Hospital. Be sure to tell the examining physician or nurse that you were sexually assaulted.

#### **Making a complaint of sexual assault:**

- A. Sexual assault is a crime. If you have been sexually assaulted, SHSU strongly recommends that you make a report to the police who, where warranted, will pursue criminal charges. However, the decision to make a report to the police must be made by the victim. Except where the university believes there is a threat of imminent harm to the university, the university will not make a report of an alleged sexual assault to the police without the victim's consent.
- B. Sexual assault also violates SHSU's rules and regulations governing student conduct. The university has instituted this policy to protect the accused, and to maintain the confidentiality of the identity of those involved to the extent possible.
  1. How to report sexual assault at SHSU:

A student who chooses to make a complaint through the University's internal disciplinary proceedings must make a report to one of the University's designated Sexual Assault Officers. These Officers are located in the Dean of Students' Office.

2. What happens once a complaint is made?

The Office of Judicial Affairs will investigate the allegation. This will require interviews with the victim and the alleged assailant. In some circumstances, interviews with other persons who have knowledge of the circumstances surrounding the alleged incident may also be conducted. Whenever possible, the Sexual Assault Officer will not reveal the identity of the victim during the investigative process. In any event, the Sexual Assault Officer will not reveal the identity of the victim without the victim's consent.

### **What to do if you are accused of sexual assault:**

A. Take the allegation seriously.

B. You may wish to consult an attorney, especially if a criminal complaint has or may be filed with the local police.

## **SEXUAL HARASSMENT**

It is the policy of Sam Houston State University to review and resolve complaints of sexual harassment by any member of the university community, including faculty, staff, students, or visitors. Sexual harassment is a form of sex discrimination and will be treated as such by the university. Sexual harassment occurs when any person, regardless of gender, is the recipient of unwelcome sexual advances, unwelcome requests of sexual favors, or other unwelcome verbal, visual or physical conduct of a sexual nature.

Quid pro quo harassment occurs when submission to sexually harassing conduct (as stated above) is made either explicitly or implicitly a term or condition of an individual's education or employment, or when submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting the individual's education or employment. Quid pro quo harassment is equally unlawful whether the student resists and suffers the threatened harm or submits and thus avoids the threatened harm.

Hostile environment sexual harassment occurs when sexually harassing conduct (as stated above) by an employee, by another student, or by a third party is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an education program or activity, or creates an intimidating, hostile, offensive or demeaning education or work environment.

Each supervisor has a responsibility to maintain the workplace free of all sex discrimination, including sexual harassment. This duty includes discussing this policy with all employees plus assuring students that they are not to endure sexual harassment from university employees or other students. Allegations of sex discrimination will be given immediate attention, and the person charging harassment may do so without fear of retaliation or reprisal. However, false accusations may result in disciplinary action up to and including termination.

Students wishing information and/or consultation concerning sexual harassment may obtain a complete unabridged copy of this policy (which is contained in the Administrative Policies and Procedures Manual in the Newton Gresham Library) or contact the Dean of Students' Office.

### Crime Statistics

Crime statistics can be found and generally are updated on daily basis at <http://www.shsu.edu/~upd> [www.upd/stats.html](http://www.upd/stats.html) .

On the following page is an image of the end of year statistics for 2008 as reported by the University Police Department.

January 1, 2008 - December 31, 2008

|                                   | On Campus | Off Campus | Student | Faculty | Staff | Non-Student | Arrest | Citation | Cleared | Referred |
|-----------------------------------|-----------|------------|---------|---------|-------|-------------|--------|----------|---------|----------|
| <b>ALCOHOL</b>                    |           |            |         |         |       |             |        |          |         |          |
| Minor in Possession               | 55        | 1          | 52      |         |       | 4           | 3      | 56       | 56      | 52       |
| Public Intoxication - Minor       | 15        | 5          | 16      |         |       | 4           | 20     | 20       | 20      | 16       |
| Public Intoxication               | 13        | 26         | 16      |         | 1     | 19          | 36     | 37       | 40      | 16       |
| Driving Under the Influence-Minor | 2         | 7          | 5       |         |       | 4           | 4      | 9        | 9       | 5        |
| Driving While Intoxicated         | 2         | 49         | 28      |         |       | 23          | 50     |          | 51      | 30       |
| Open Container                    |           | 6          | 1       |         |       | 5           | 4      | 6        | 6       | 1        |

|                                      | On Campus | Off Campus | Student | Faculty | Staff | Non-Student | Arrest | Citation | Cleared | Referred |
|--------------------------------------|-----------|------------|---------|---------|-------|-------------|--------|----------|---------|----------|
| <b>DRUGS</b>                         |           |            |         |         |       |             |        |          |         |          |
| Possession of Marijuana              | 20        | 16         | 16      |         |       | 19          | 35     |          | 36      | 17       |
| Possession of a Controlled Substance | 5         | 6          | 4       |         |       | 7           | 11     |          | 11      | 4        |
| Possession of Drug Paraphernalia     | 23        | 5          | 22      |         |       | 6           | 16     | 27       | 28      | 22       |
| Possession of Dangerous Drug         | 2         | 3          | 3       |         |       | 2           | 5      |          | 5       | 3        |
| Delivery of Marijuana                |           | 1          |         |         |       | 1           | 1      |          | 1       |          |

|                                     | On Campus | Off Campus | Student | Faculty | Staff | Non-Student | Arrest | Citation | Cleared | Referred |
|-------------------------------------|-----------|------------|---------|---------|-------|-------------|--------|----------|---------|----------|
| <b>Offense Reports</b>              |           |            |         |         |       |             |        |          |         |          |
| Allowing Unlicensed Driver to Drive |           |            | 1       |         |       |             |        | 1        | 1       | 1        |
| Assault aggravated                  | 2         |            | 2       |         |       |             |        |          | 1       | 1        |
| Assault non-aggravated              | 5         |            | 5       |         |       |             | 1      | 2        | 5       | 5        |
| Assault on Public Servant           | 2         |            | 2       |         |       |             | 2      |          | 2       | 2        |
| Burglary of a Building              | 1         |            |         |         |       | 1           |        |          |         |          |
| Burglary of a Coin Operated Machine |           |            |         |         |       |             |        |          |         |          |
| Burglary of a Habitation            | 4         |            | 4       |         |       |             |        |          |         |          |
| Burglary of a Motor Vehicle         | 23        | 2          | 18      |         |       | 7           | 1      |          | 1       |          |
| Credit Card Abuse                   | 10        | 1          | 10      |         | 1     |             | 1      |          | 2       |          |

|  |    |    |    |   |    |   |    |    |    |    |
|--|----|----|----|---|----|---|----|----|----|----|
| Criminal Mischief                      | 44 |    | 24 |   | 10 | 5 | 3  | 1  | 8  | 11 |
| Criminal Trespass                      | 14 |    | 8  |   |    | 6 | 11 |    | 10 | 7  |
| Deceptive Business Practice            |    | 1  |    |   |    | 1 |    |    |    |    |
| Disorderly Conduct                     | 3  | 3  | 5  |   |    | 1 | 2  | 2  | 5  | 5  |
| Driving While License Suspended        |    | 5  | 2  |   |    | 3 | 5  | 3  | 5  |    |
| Duty Upon Striking a Vehicle           | 1  |    | 1  |   |    |   |    | 1  | 1  | 1  |
| Evading Arrest/Detention               | 10 | 7  | 10 |   |    | 1 | 12 |    | 14 | 10 |
| Expired MVR                            |    | 1  | 1  |   |    |   | 1  | 1  | 1  |    |
| Fail to Maintain Single Lane of Travel |    |    |    |   |    | 1 |    | 1  | 1  |    |
| Failure to ID                          | 3  | 9  | 3  |   |    | 9 | 12 |    | 12 | 3  |
| Failure to Stop/Give Information       | 2  |    | 2  |   |    |   |    | 1  | 1  |    |
| Forgery                                | 3  | 1  | 2  |   | 2  |   |    |    | 1  |    |
| Graffiti                               | 3  |    |    |   | 3  |   |    |    |    |    |
| Harassment                             | 5  |    | 5  |   |    |   | 1  |    | 1  | 2  |
| Injury to a Child                      | 1  |    |    |   |    | 1 | 1  |    | 1  |    |
| Interfering w/Duties of Peace Officer  |    | 2  | 1  |   |    | 1 | 2  |    | 2  | 1  |
| Minor in Possession of Tobacco         | 2  |    |    |   |    | 2 |    | 2  | 2  |    |
| No Driver's License                    |    | 11 | 3  |   |    | 8 | 6  | 11 | 11 | 3  |
| No Insurance                           |    | 6  | 2  |   |    | 4 | 6  | 6  | 6  |    |
| Other                                  | 2  |    | 2  |   |    |   |    |    |    |    |
| Poss of Prohibited Weapon              |    | 1  |    |   |    | 1 | 1  |    | 1  |    |
| Provide Tobacco to Minor               |    | 1  |    |   |    | 1 |    | 1  | 1  |    |
| Reckless Damage                        | 2  |    | 2  |   |    |   |    | 2  | 2  | 2  |
| Resisting Arrest/Transport             | 1  | 4  | 2  |   |    | 3 | 5  |    | 5  | 2  |
| Retaliation/Obstruction                | 3  | 1  | 3  |   |    | 1 | 3  |    | 3  | 3  |
| Robbery                                | 3  |    | 2  |   |    | 1 | 1  |    | 1  |    |
| Sexual Assault                         | 3  |    | 2  |   |    | 1 |    |    | 1  | 2  |
| Sexual Assault (aggravated)            | 2  |    | 1  |   |    | 1 |    |    | 1  |    |
| Tampering with Evidence                | 4  | 1  | 3  |   |    | 2 | 5  |    | 5  | 3  |
| Terroristic Threat                     | 3  | 1  | 3  |   |    | 1 | 2  |    | 3  | 1  |
| Theft                                  | 42 | 2  | 32 | 2 | 3  | 5 | 3  | 1  | 7  | 3  |
| Theft of Service                       | 3  |    | 1  |   | 1  | 1 | 2  |    | 2  |    |
| Traffic/ Other                         |    | 2  | 1  |   |    | 1 | 2  | 1  | 2  | 1  |
| Unlawful Carrying Weapon               | 1  | 5  | 1  |   |    | 5 | 6  |    | 6  | 2  |
| UUMV                                   | 1  |    | 1  |   |    |   |    |    |    |    |

|                               | On Campus | Off Campus | Student | Faculty | Staff | Non-Student | Arrest | Citation | Cleared | Referred |
|-------------------------------|-----------|------------|---------|---------|-------|-------------|--------|----------|---------|----------|
| <b>Administrative Reports</b> |           |            |         |         |       |             |        |          |         |          |
| Assist Outside Agency         | 14        | 41         | 20      |         | 1     | 33          | 34     |          | 56      | 9        |
| Criminal Trespass Warning     | 68        | 2          | 10      | 1       |       | 59          |        |          | 70      | 9        |
| Damaged University Property   | 10        |            | 3       | 1       | 4     | 1           |        |          | 3       |          |
| Damaged Vehicle               | 47        | 1          | 37      | 2       | 6     | 3           |        |          | 16      | 3        |
| Fire                          | 4         |            | 1       |         | 3     |             |        |          | 4       |          |
| Fleet Accident                | 2         | 3          |         |         | 4     | 1           |        |          | 5       |          |
| Found Property                | 2         |            | 1       |         |       |             |        |          | 1       |          |
| Interpersonal Conflict        | 11        | 1          | 12      |         |       |             |        |          | 12      | 12       |
| Lost Property                 | 1         | 1          | 1       |         | 1     |             |        |          | 1       |          |
| Medical Assist                | 50        |            | 36      | 4       | 1     | 9           |        |          | 40      | 5        |

|                           |     |     |    |   |   |  |  |  |     |    |
|---------------------------|-----|-----|----|---|---|--|--|--|-----|----|
| Seizure                   | 1   |     |    |   | 1 |  |  |  | 1   |    |
| Suspicious Incident       | 2   |     | 1  | 1 |   |  |  |  | 2   | 1  |
| Violation Student Conduct | 15  | 4   | 21 |   |   |  |  |  | 21  | 21 |
| Welfare Concern           | 15  | 1   | 14 |   | 2 |  |  |  | 16  | 14 |
|                           | 540 | 237 |    |   |   |  |  |  | 303 |    |

### Registered Sex Offenders

Persons who are registered sex offenders, including faculty, staff, and students, and are on campus are required to register with their respective law enforcement agency and notify the Sam Houston State University Police Department. The Sam Houston State University Police Department maintains a list of registered sex offenders and makes the information public. This information can be located at [http://www.shsu.edu/~upd\\_www/upd/offenders.html](http://www.shsu.edu/~upd_www/upd/offenders.html).

### Student Right Know

The Student Right to Know and Campus Security Act, in Section 103, Title I requires institutions to provide information about the completion or graduation rate of degree seeking, full time undergraduate students entering the institution. In place of completion or graduation rates, institutions may elect to publish the percentage of students in each entering class who re-enroll each successive year until completion or graduation. These are called persistence rates. SHSU has elected to provide both forms of information.

The persistence rates for first time freshmen who entered Sam Houston State University in summer or fall semester and also who were enrolled for 12 or more hours of credit during their first fall semester are reflected in this table.

| Ethnicity        | Enrolled F'03<br>Returned F'04 | Enrolled F'04<br>Returned F'05 | Enrolled F'05<br>Returned F'06 | Enrolled F'06<br>Returned F'07 | Enrolled F'07<br>Returned F'08 | 5-Yr Average |
|------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------|
| White            | 64%                            | 69%                            | 70%                            | 69%                            | 71%                            | 69%          |
| African American | 74%                            | 75%                            | 78%                            | 77%                            | 74%                            | 76%          |
| American Indian  | 69%                            | 57%                            | 75%                            | 66%                            | 54%                            | 64%          |
| Hispanic         | 70%                            | 71%                            | 72%                            | 71%                            | 73%                            | 71%          |
| Asian            | 85%                            | 86%                            | 71%                            | 59%                            | 74%                            | 75%          |
| International    | 92%                            | 83%                            | 73%                            | 52%                            | 93%                            | 79%          |
| Overall*         | 67%                            | 70%                            | 72%                            | 70%                            | 72%                            | 70%          |

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Box 2329  
Huntsville, Texas 77341-2329  
936/294-1794  
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