

Finance & Operations Policy FO-64
Sam Houston State University Policy on Clery Campus Security Authorities

Purpose: The purpose of this policy is to identify the Sam Houston State University (SHSU) Campus Security Authorities (CSAs) and their obligations under the Clery Act.

Applicability of Policy: This policy applies to all members of the University community and provides information to University visitors, prospective students and prospective employees. This policy is not an exhaustive statement of the procedures for CSAs in the performance of their duties as each CSA will receive training to understand their obligations.

Policy: SHSU, a component of the Texas State University System, encourages staff, faculty, students, and its visitors to report all crimes to the Sam Houston State University Police Department.

SHSU recognizes that under certain circumstances, a victim of a crime may desire anonymity and/or is uncomfortable contacting the police. SHSU has selected the following employment positions as CSAs in compliance with the Clery Act. The SHSU CSAs present a broad spectrum of personnel that may be in a position to be approached by a victim to report a crime. SHSU CSAs include:

- All University Police Personnel
- Provost, Associate Provosts and Assistant Provosts
- Vice Presidents, Associate Vice Presidents and Assistant Vice Presidents
- Deans, Associate Deans and Assistant Deans
- Directors of Campus Departments;
- Academic Advisors;
- Residence Life Managers and Resident Advisors
- Athletics Directors and Coaches

Clery Compliance Officer

- 1) The SHSU Clery Compliance Officer is the SHSU PD Chief of Police or his or her designee. Each year the SHSU PD Police Chief shall email the CSAs and notify them of the name and contact number of the SHSU Compliance Officer. The SHSU PD Police Chief shall also notify CSAs of any mid-year changes to the compliance officer position.
- 2) By the end of each reporting year, the Clery Compliance Officer will notify each CSA to email the Clery Compliance Officer with confirmation of the number of reports of Clery crimes received and dates they were reported. This information is required for inclusion in the SHSU Clery Act statistical reporting.
- 3) Select method and materials for annual training of CSAs.

Sam Houston State University
A Member of The Texas State University System

Duties of CSAs

SHSU CSAs shall report to SHSU PD any information the CSA receives regarding crimes, criminal activities, and allegations of crimes as defined under the Clery Act when the CSA determines the report is made in good faith. CSAs must advise victims/crime reporters of the option to file a report with law enforcement and shall assist victims/crime reporters with contacting law enforcement, as necessary and appropriate. CSAs shall use the form attached to this policy to notify the SHSU PD Chief of Police of reports, regardless of whether the victim chooses to file a law enforcement report. These reports may be submitted to the SHSU PD Chief of Police via email at kmorris@shsu.edu. When the victim requests anonymity, the CSA may withhold the individual's name from their report, but cannot guarantee anonymity should the SHSU PD Chief of Police determine there is a possible endangerment to the campus community. CSAs should maintain an individual log of reports received and those forwarded to UPD for at least seven (7) years.

SHSU Human Resources shall

- 1) Notify each CSA via email, that they are recognized by this component as a CSA. A copy of the CSA notification emails will be forwarded to the Clery Compliance Officer.
- 2) Ensure that each job title listed above includes the duties of a CSA within the position's classification description.
- 3) Facilitate annual training as provided by the Clery Compliance Officer for each CSA regarding reporting duties and ensure that any changes to this policy are forwarded to all CSA's.
- 4) Timely notify the Clery Compliance Officer of any changes made in the personnel designated as CSAs.

This policy will be reviewed on an annual basis (January of Each Year) for possible changes or improvements to the policy, or when notified by the recognized Clery Compliance Officer that updating is required, with policy change occurring in a timely manner.

Policy Submitter: Officer Joe Thornton, Sam Houston State University
Policy Approved by: TSUS Legal Counsel and J. Carlos Hernandez, VPFO
Date: November 20, 2014
Next Review Date: January 2, 2016

References:
20 U.S.C. § 1092
34 C.F.R. § 668.46



Campus Security Authority Crime Report Form

CSA: _____

Date: _____

Crime reported by: _____ Phone number: _____

Classification (see definitions below): _____ Date incident occurred: _____

Time incident occurred _____ Location incident occurred (On or Off Campus, public property, please be specific): _____

Type Weapon involved, if any: _____ Any other type of weapon, if any: _____

Type Motor Vehicle involved, if any: _____

Brief description of the incident:

Check the appropriate answer to the following questions:

Did the crime occur in a building or on the street? Yes _____ No _____

Did the crime occur on school owned, controlled, leased property, or property by written agreement? Yes _____ No _____

Did the crime occur at a University-sponsored activity or event? Yes _____ No _____

Murder/Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence.

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

Forcible Rape: Carnal knowledge of a person forcibly and/or against the person's will; or not forcibly or against that person's will where the victim is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity (or because of his or her youth).

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.



Campus Security Authority Crime Report Form

Sexual Assault with an Object: Use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable or giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling: Touching of the private parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her mental incapacity.

Sex Offenses-Non-Forcible: Unlawful, non –forcible sexual intercourse.

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

Statutory Rape: Non-forcible sexual intercourse with a person who is under the age of consent.

Robbery: The taking or attempting to take anything from value of 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.

Robbery with Firearm: Use of any firearm as a weapon or employed as a means of force to threaten the victim or put the victim in fear.

Robbery with a Knife or Cutting Instrument: Use of a knife, broken bottle, razor, ice pick or other cutting instrument as weapon or as a means of force to threaten the victim or put the victim in fear.

Robbery with Other Dangerous Weapon: Use of a club, acid, explosive, brass knuckles, mace, pepper spray or other dangerous weapon used or use is threatened.

Robbery Strong Arm: Includes muggings and similar offenses where personal weapons such as hands, arms, feet, fists, and teeth are used or use is threatened to deprive victim of possessions.

Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Aggravated Assault with Firearm: Firearm of any type is used or is threatened to be used. Includes revolvers, semi-automatic pistols, shotguns, zip guns, rifles, etc.

Aggravated Assault with a Knife or cutting Instrument: Aggravated Assault with Other Dangerous Weapon: Assaults wherein weapons such as knives, hatchets, axes, cleavers, scissors, glass, broken bottles and ice picks are used as cutting or stabbing objects or when threatened to be used.

Aggravated Assault with Other Dangerous Weapon: Use or threatened use of any object as a weapon in which serious injury does or could result. Weapons include mace, pepper spray, clubs, bricks, jack handles, tire irons, bottles or other blunt objects to club or beat victims. Includes explosives, acid, lye, poisoning, scalding, and burnings.

Aggravated Assault with Hands, Fists, Feet and Teeth: Attacks using personal weapons, (hands, fists, feet, etc.) that result in serious or aggravated injury.

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

Burglary Forcible Entry: All offenses where force of any kind is used to unlawfully enter a structure for the purpose of committing a theft or felony. Entry through the use of tools; breaking or forcing windows, doors, transom or ventilators, cutting screens, walls or roofs, and if known use of master keys, picks, unauthorized keys, celluloid, a mechanical contrivance such as a pass or skeleton key or any device that leaves no outward mark but forces a lock. Include concealment inside a building followed by exiting the structure.

Burglary Unlawful Entry-No Force: Entry by use of an unlocked door or window. Include thefts from open garages, open warehouses, open or unlocked dwellings, and open or unlocked common basement areas where entry is someone other than the lawful tenant.



Campus Security Authority Crime Report Form

Burglary Attempted Forcible Entry: Forcible entry is attempted but not completed.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. There are three classes of motor vehicles: (1) autos, (2) trucks and buses, (3) and other vehicles.

Autos: Sedans, station wagons, coupes, convertibles, sport utility vehicles, minivans and other similar motor vehicles that serve the primary purpose of transporting people from one place to another. Autos used as taxis and station wagons licensed as trucks must be classified as autos.

Trucks/Buses: Includes the theft of those vehicles specifically designed (but not necessarily used) to transport people and cargo.

Other Vehicles: Motor vehicles that meet the UCR definition such as snowmobiles, motorcycles, motor scooters, trail bikes, mopeds, golf carts, all-terrain vehicles and motorized wheelchairs.

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

Structural: Houses, townhouse, duplexes, apartments, hotels, inns, dormitories, boarding houses, barns, garages, warehouse stores, restaurants, offices, churches, jails, schools, colleges, hospitals, monuments and buildings under construction.

Mobile: Cars, trucks, buses, motorcycles, trailers, planes, boats.

Other: Crops, timber, fences, signs, merchandise stored outside a structure.

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

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzadrine).

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

Crime definitions from the Uniform Crime Reporting Handbook or NIBR Edition for Sexual Crimes

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.

- (1) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- (2) For the purpose of this definition, dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse and does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed

- (1) By a current or former spouse or intimate partner of the victim.
- (2) By a person with whom the victim shares a child in common.
- (3) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
- (4) 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.
- (5) 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.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- (1) Fear for the person's safety or the safety of others; or
- (2) Suffer substantial emotional distress.



Campus Security Authority Crime Report Form

USE REVERSE TO REPORT HATE CRIMES

We are also required to report statistics for bias-related (hate) crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse violations and/or weapons: possessing carrying, etc. (see definitions on the front page) and larceny-theft, destruction/damage/vandalism of property, intimidation, and simple assault (see definitions below).

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

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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.

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.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A bias-related (hate) crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc... the assault is then also classified as a hate crime.

If a bias-related (hate) crime was reported to you, please fill out the top section of Page 1 and then complete the following information about the type of bias involved in the crime.

Type of Crime (List classification as defined above): _____

Type of Bias (circle one):	Race	Religion	Ethnicity/National Origin
	Gender	Sexual Orientation	Disability

Victim has received Sam Houston State University Student Rights Notification

Send report via email or mail to: **Kevin Morris, Chief of Police Campus Box 2329,**
kmorris@shsu.edu

Requests for more information or questions can be addressed to Officer Joe Thornton at: jft010@shsu.edu



Campus Security Authority Crime Report Form

Basic Campus Map to aid in locating offense

Additional map aids can be found at <http://www.shsu.edu/map/>

