



CLERY ACT &
CRIME REPORTING

Campus Security Authority Reference Manual

FOR CLERY REPORTING

TEXAS A&M UNIVERSITY-TEXARKANA

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REVISED: FEBRUARY 17, 2020

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CLERY ACT REPORTING

INTRODUCTION

The purpose of the Clery Act is to provide the campus community with accurate, complete, and timely information about crime and the safety of the campus environment so that they can make informed decisions to keep themselves safe.

The federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires institutions of higher education, receiving federal student aid, to report specified crime statistics on college campuses and to provide other safety and crime information to members of the campus community.

The Clery Act requires universities to report campus crime statistics to the Department of Education (ED) on an annual basis. At Texas A&M University-Texarkana (TAMUT), the Clery Compliance Officer gathers and compiles the crime statistics information from Campus Security Authorities for Clery reporting. This manual provides guidance to employees and other individuals associated with TAMUT who have responsibilities under the Clery Act.

A Campus Security Authority (CSA) is a Clery-specific term that encompasses the following groups of individuals and organizations associated with an institution whose functions involve significant responsibility for student and campus activities: security and law enforcement officers, special events security staff, deans (or other senior student administrative personnel), coaches, residence hall staff, physicians or nurses in a campus health center, overseers and advisors to student clubs and organizations, and staff involved in student discipline and campus judicial proceedings.

CSAs have an important role in university compliance with the Clery Act. CSA crime reports are used by the university to fulfill its responsibility to annually disclose Clery crime statistics, and to issue timely warnings for Clery crimes that pose a serious or continuing threat to the campus community.

Although we want the campus community to report criminal incidents to law enforcement, we know that this does not always happen. A victim of a crime may be more inclined to report it to someone other than the campus police. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that Clery considers “Campus Security Authorities.”

Department of Education Clery Act Guidance may be found at:

2020 and Prior:

<https://www2.ed.gov/admins/lead/safety/handbook.pdf>

Current:

<https://www2.ed.gov/admins/lead/safety/cleryappendixfinal.pdf>

CSA RESPONSIBILITY

Under Clery, a crime is “reported” when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender. It does not matter whether or not the individuals involved in the crime or reporting the crime, are associated with the institution. If a campus security authority receives the crime information and believes it was provided in good faith, he or she should document it as a crime report. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.

What you must disclose, therefore, are statistics from reports of alleged criminal incidents. It is not necessary for the crime to have been investigated by the police or a campus security authority, nor must a finding of guilt or responsibility be made to disclose the statistic. If you are in doubt as to whether a crime has been reported, rely on the judgment of law enforcement professionals.

If someone tells you about a crime or an incident that may be a crime, you must record the information on a CSA Crime Report / Clery Crime Statistic Report Form and submit the report to the TAMUT Police Department as soon as possible.

It is very important to provide as much information as possible on the form including personally identifying information, if it is available, to aid law enforcement. If a victim requests confidentiality, tell the person you are required to report the incident as an anonymous statistic but will not identify anyone involved if the victim wishes to remain anonymous. Other laws (such as Title IX), however, may require that you reveal details about the incident. If you need further guidance about your Title IX obligations, contact Mr. Carl Greig, TAMU-T’s Title IX Coordinator.

What should you say to someone who reports a crime to you?

Sample CSA Statement:

“As part of my position as a campus security authority, I am required to report non-personally identifiable details of this incident to the university police for data gathering. My report will contain only the information you provide. Do you have any questions? Would you like to see a copy of the report and help me fill it out?”

*** Forms can be located at TAMUT Police Department (UPD) website and should be submitted to the UPD as soon as possible ***

What MUST Be Included in the Report:

1. Location of Crime - provide a detailed description as police will have to categorize as follows:
 - On Campus
 - On Campus, in a residence hall
 - On public property adjacent to campus
 - On non-campus property owned or controlled by the University or a recognized
 - student organization

2. Time
 - Date and Time when the crime or incident occurred
 - Date and Time when the person reported it to you

3. Brief description of the incident

HELPFUL Information to Include in the Report:

- Name of the Victim (if the victim wishes to be identified)
- Identities of any known suspects or witnesses
- Use of any weapon in the commission of the crime
- Any injuries involved
- Get as accurate and complete a description of what happened as you can

Please Remember:

- Your job is to report the information the person is willing to tell you
- The decision to identify someone is not yours to make..
- You don't have to prove what happened or who was a fault.
- You are not supposed to find the perpetrator.



*The Clery Act is **a consumer information law**. The Clery Compliance Officer does not perform criminal investigations. Our duty under Clery is to **gather information** to promote awareness, safety, and transparency. The CSA reports are reviewed to determine if a Timely Warning is needed, and then are compiled into data/statistics for the Annual Security and Fire Safety Report.*

CRIMINAL OFFENSES THAT ARE REQUIRED TO BE REPORTED

CRIMINAL OFFENSES

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.

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.

Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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 joy riding)

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.

SEX OFFENSES

Rape: is 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. This offense includes the rape of both males and females.

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

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

VAWA OFFENSES (Violence Against Women Act)

Domestic Violence: is a felony or misdemeanor crime of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.

Dating Violence: is defined as 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 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.

Stalking: is engaging in a course of conduct directed at a specific person that would cause a reasonable person to - (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

ARRESTS & DISCIPLINARY REFERRALS FOR VIOLATION OF WEAPONS, DRUG ABUSE & LIQUOR LAWS

Criminal Offenses AND Disciplinary referrals are required to be reported under Clery.

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, Benzedrine)

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. (*Drunkness and Driving Under the Influence are not included in this definition.*)

HATE CRIMES

A&M University-Texarkana is also required to report statistics for hate (bias) related 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 (see definitions above) and larceny/theft, destruction/damage/vandalism of property, intimidation, and simple assault (see definitions below).

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

Destruction/Damage/Vandalism of Property: is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property

without the consent of the owner or the person having custody or control of it.

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.

ADDITIONAL HATE CRIME REQUIRED INFORMATION

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 hate or bias related 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/bias crime.

If a hate (bias) related crime was reported to you, please fill out the Crime Statistic Report Form and complete the section relating to the Type of Bias involved in the crime.

Type of Bias:

Race

Sexual Orientation

Religion

Disability Gender

Gender Identity

Ethnicity/National Origin

**NOTE: The above listed definitions From the Handbook for Campus Safety and Security Reporting*

CSA FORM (CLERY CRIME STATISTIC REPORT FORM) available here:

https://it-lf-ecmf2.ads.tamu.edu/Forms/Clery_CSA_Crime_Report

Accessible 24/7 on the TAMUT Clery Compliance webpage, under University Police:

The screenshot shows the Texas A&M University-Texarkana website. The top navigation bar includes links for Current Students, Future Students, Faculty & Staff, Veterans, Alumni & Friends, and Make a Gift. Below this is a secondary navigation bar with COVID-19, Admissions, Academics, Campus Life, Athletics, and Quicklinks. The left sidebar contains a menu with links for About, Facility Rental, Eagles at RELLIS Campus, Visit-Us, President's Message, Mission Statement, Administration (highlighted), Accounting, Administrative Forms, Associate Provost, Budget Office, and Business Office. The main content area is titled 'Clery Act Compliance' and includes a breadcrumb trail: HOME → ABOUT → ADMINISTRATION → UNIVERSITY POLICE → CLERY ACT COMPLIANCE. The text on the page reads: 'Welcome to the A&M-Texarkana Campus Safety Section. We are very concerned about the safety and security of all A&M-Texarkana students and employees. Our objective is to provide quality information and services to students, faculty, staff, and external entities in an efficient and timely manner. This web page was designed to keep our students and employees advised of the rules and regulations concerning campus safety at A&M-Texarkana. By selecting one or more of the links or documents below we hope you'll find the answers to your most frequently asked questions.' Below this text are two links: '2020 Annual Fire Safety and Security Report' and 'Campus Security Authority Crime Report'. A large orange arrow points to the 'Campus Security Authority Crime Report' link. A 'BACK TO TOP' button is visible in the bottom right corner of the page.

QUESTIONS?

Please contact Loren Loftin, Clery Compliance Officer, at LLoftin@tamut.edu or 903.334.6676

VICTIM ASSISTANCE

In addition to filing a CSA Crime Statistic Report, it is important to offer options and referrals for necessary services. Below you will find contact information for basic referrals.

Student Conduct

Name	Phone	Address	Website
TAMU-T Title IX Coordinator – Mr. Carl Greig	903-223- 3062	University Center, UC 125 7101 University Avenue, Texarkana, TX 75503	http://catalog.tamut.edu/student-affairs/titleix/

Law Enforcement

Name	Phone	Address	Website
TAMU-T UPD	903-334- 6611	Central Plant, 7101 University Avenue, Texarkana, TX 75503	www.tamut.edu/about/administration/university-police/index.html
Texarkana Texas Police Department	903-798- 3116	100 N. State Line Ave. #16, Texarkana, TX 75501	http://ci.texarkana.tx.us/393/Police-Department/
Texarkana Arkansas Police Department	903-798- 3130	100 N. State Line Ave. #17, Texarkana, TX 75501	http://arkpolice.txkusa.org/

Counseling and Mental Health

Name	Phone	Address	Website
TAMU-T Employee Assistance Program	1-888-993- 7650	See website	http://www.tamut.edu/About/Administration/Human-Resources/EAP.html
TAMU-T Student Counseling Office	903-223- 3186	University Center Room 427	http://www.tamut.edu/Campus-Life/Counseling-Center/index.html

Southwest Arkansas Counseling & Mental Health Center, Inc.	870-773-4655	2904 Arkansas Blvd., Texarkana, AR 71854	https://www.swacmhc.com/home.html
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Medical Services

Name	Phone	Address	Website
TAMU-T Health Services	903-223-3186	University Center Room 427	http://www.tamut.edu/Campus-Life/Student-Health-Services/index.html
Family Medical Group	903-831-6848	See website	http://www.fmgoftexarkana.com/index.html
CHRISTUS St. Michael Health System	903-614-1000	2600 St. Michael Drive, Texarkana, TX 75503	https://www.christushealth.org/st-michael
Wadley Regional Medical Center	903-798-8000	1000 Pine St., Texarkana, TX 75501	https://www.wadleyhealth.org/

Support, Advocacy, Legal Assistance, and Other Resources

Name	Phone	Address	Website
Rape Crisis Center	903-793-4357	424 Spruce Street, Texarkana, TX 75501	https://www.dvptxk.org/
National Domestic Violence Hotline	1-800-799-SAFE	See website	http://www.thehotline.org/
Family Violence Legal Line	1-800-374-HOPE	See website	https://www.texasadvocacyproject.org/free-legal-services/legal-phone-lines
Family Law Hotline	1-800-777-FAIR	See website	https://www.sll.texas.gov/self-help/where-to-go-for-help/legal-hotlines/
National Sexual Assault Hotline	1-800-656-4673	See website	https://www.rainn.org/get-help/national-sexual-assault-hotline

Sexual Assault Legal Hotline	1-888-296-SAFE	See website	http://www.txnd.uscourts.gov/texas-advocacy-project
Texas Department of Family and Protective Services	1-800-252-5400	See website	https://www.dfps.state.tx.us/About_DFPS/default.asp
Bowie County Texas District Attorney	903-735-4800	601 Main Street, Texarkana, TX 75501	http://www.co.bowie.tx.us/default.aspx?Bowie_County/District.Attorney