

VICTIM'S RIGHTS AND OPTIONS

Texas A&M University - Texarkana

If you or someone you know has experienced dating violence, domestic violence, sexual violence, or stalking, please know that you are important and not alone. We are here to support you and help you consider your options.

Victims of sexual assault, domestic violence, dating violence, and stalking have multiple options regarding the involvement of law enforcement and University authorities, including the option to:

- Notify law enforcement authorities, including on-campus and local police.
- Be assisted by university authorities in notifying law enforcement; or
- Decline to notify such authorities.

Whether or not a victim chooses to involve law enforcement or a university disciplinary authority, the University provides victims with information on, and access to, existing counseling, health, mental health, survivor advocacy, legal assistance, visa and immigration assistance, student financial aid, and other support and resources.

Guidelines or Suggestions to Follow After an Incident of Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence or Stalking

If a student or an acquaintance is a reporter of an act of sexual assault, domestic violence, dating violence, or stalking, the following may serve as a resource for receiving and connecting to services:

- **Get to a Safe Place** – the reporter should seek a safe location such as an apartment/home, residence hall, or the residence of a trusted friend or relative.
- **Contact the University Police or 911** – The reporter may choose to file a report with the University Police Department or the local Texarkana Texas Police Department. The reporter may also choose to file a report with the University Title IX Office.
- **Get Medical Attention as Soon as Possible.**
- **Try to Preserve all Physical Evidence.** Place clothing in a paper, not a plastic bag. Save text messages, social networking pages, e-mails, pictures, or other documents that might be useful to police or investigators.
- **Write it Down** - You should try to write down as much information about the circumstance of the incident including a description of the suspect.

The TAMUT Police Department is located in the Central Plant Building or can be reached by calling 903-334-6611. Any member of the University staff or faculty can help direct the reporter to call the University Police or the local police department. The police may conduct an investigation based on potential criminal activity related to the situation reported, but please be aware that a police investigation is different from an investigation through the Title IX Office, which is located at the University Center, Room 414J, 7101 University Avenue, Texarkana, TX

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75503 and can be contacted at 903-334-6755. You may file complaints simultaneously with the Police and the Title IX Office. The reporter also has the right to decline to call the University Police or local police.

Medical Treatment

Seek medical treatment as soon as possible. The reporter's health and safety are the most crucial factor. A doctor or nurse can check for injuries that may not be visible and can treat for possible sexually transmitted diseases. Hospital staff may also perform a sexual assault exam to collect evidence. This exam can be completed even if the reporter chooses not to involve the police and file a report. This exam will help preserve evidence in case the reporter decides to file a police report at a later date. The reporter may also elect to go to their own family care physician for medical assessment and treatment. Medical professionals are not required to call law enforcement because an adult patient they are treating has been sexually assaulted (if the reporter is a minor, they will have to call the police). Reporters of domestic violence and dating violence should also see a doctor for treatment and documentation of injuries received.

If the reporter elects to have a sexual assault examination, they should do their best to preserve evidence. Do not shower, bathe, eat, drink, wash hands, or brush teeth until after the exam.

If the reporter believes he or she was drugged, he or she should wait to urinate until arriving at the hospital. However, if the reporter cannot wait to collect his or her first urine at a local medical facility, the reporter should collect urine in a clean container with a lid and take it to the emergency room or police station.

Both CHRISTUS St. Michael Hospital Emergency Room and Wadley Regional Medical Center Emergency Room have Sexual Assault Nurse Examiners who can provide a forensic examination.

Their addresses are listed below:

CHRISTUS St. Michael Hospital

2600 St. Michael Drive

Texarkana, TX 75503

Wadley Regional Medical Center

1000 Pine Street

Texarkana, TX 75501

Confidentiality and Privacy

Confidentiality

While the university wishes to create an environment in which individuals feel free to discuss concerns and make complaints, the university may be obligated to take action when its officials are informed that sexual assault, dating violence, domestic violence, and/or stalking may be occurring. Information is considered private but not confidential when shared with university personnel and officials who do not possess a legal confidentiality exemption. Although the confidentiality of information received, the privacy of the individuals involved, and the wishes of

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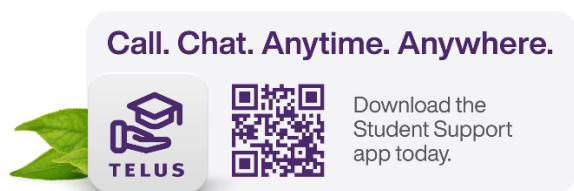
the reporting party, complainant, and/or alleged offender cannot be guaranteed, they will be protected to as great a degree as is legally possible.

Confidentiality and Licensed Counseling Staff

Students and employees have the option to disclose information confidentially to individuals designated as confidential employees. Licensed counselors and licensed health care personnel who receive reports when acting in this capacity as part of their official employment will not reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of eighteen. Additionally, confidential employees will not report to the institution except as required by law. Publicly available recordkeeping must not include personally identifying information. Incidents are shared in a way that does not identify the individuals. For example, licensed healthcare providers share de-identified information related to crimes that may be statistics in the Clery Annual Security and Fire Safety Report and/or disclosed in the daily crime log without identifying the individuals concerned.

The Student Counseling Center can be reached at 903-223-3186 during office hours to schedule appointments and receive general information. Currently enrolled students can access Student Health Services after business hours at 903-276-8276 to speak to licensed health care personnel.

Additionally, Texas A&M University System offers its students TELUS Health Student Support App for immediate, 24/7 professional counseling via phone call, chat, or an option to schedule multiple sessions with a consistent counselor for short-term treatment. See the QR code below to download the app.



Privacy

The University will weigh the request for privacy and respond with the below considerations:

1. Confidential Reporters. Confidential Reporters are the Counselors in the Student Counseling Center. Confidential Reporters are required to provide general non-identifying information as required to comply with the Clery Act and must report to the Title IX Coordinator any type of sex-based incident made known to them but may not include any information that would violate that person's expectation of privacy. Exceptions to confidentiality/privacy include reports of child abuse, abuse, or neglect of

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disabled or elderly persons, and when a party poses an imminent danger to themselves or others.

2. A report to a university employee is a report to a “responsible employee” which requires disclosure to the university’s Title IX Office. A complainant will be afforded privacy and confidentiality to the extent possible under the law, including a request that no investigation be conducted. The University’s determination will weigh the request against any reasonably foreseeable risk to the health and welfare of the community, whether there have been multiple allegations, and/or the seriousness of the allegation. The University must inform the complainant of its intention to investigate or comply with the request not to investigate.
3. If the University honors the request for privacy, a reporter must understand that the University’s ability to meaningfully investigate the incident and pursue disciplinary action against the alleged respondent(s) may be limited.

There are times when the University may not be able to honor a reporter’s request in order to provide a safe, nondiscriminatory environment for all students.

1. The University has designated the following individual(s) to evaluate requests for privacy once a “responsible employee” is on notice of alleged sexual assault:
 - A. Title IX Coordinator
 - B. Two Title IX Deputy Coordinators
2. When weighing a reporter’s request for privacy or that no investigation or discipline be pursued, such individuals will consider a range of factors, including the following:
 - A. The increased risk that the alleged respondent(s) will commit additional acts of sexual abuse or other violations.
 - B. Whether there have been other sexual violence complaints about the same alleged respondent.
 - C. Whether the alleged respondent(s) has a history of arrests or records from a prior school indicating a history of violence.
 - D. Whether the alleged respondent(s) threatened further sexual violence or other violence against the reporter or others.
 - E. Whether multiple respondent(s) committed the sexual violence.
 - F. Whether the sexual violence was perpetrated with a weapon.
 - G. Whether the reporter is a minor.

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- H. Whether the University possesses other means to obtain relevant evidence of sexual violence (e.g., security cameras or personnel, physical evidence, University Police Department reports).
 - I. Whether the reporter's report reveals a pattern of behavior (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.
3. The presence of one or more of these factors will lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors are present, the University will likely respect the reporter's request for privacy.
 4. If it is determined that the reporter's privacy cannot be maintained, the reporter will be notified in writing prior to starting an investigation and will, to the extent possible, only share information with staff responsible for coordinating or conducting the investigation.

Following an allegation of sexual assault, dating violence, domestic violence, stalking, and/or related retaliation the individual reporting, the alleged offender, and other affected individuals have certain resources, rights, and options available to them. Parties with an inquiry or complaint are informed of resources, rights, and options in writing when official contacts receive notification of an incident whether it occurred on or off-campus, and regardless of whether the individual elects to pursue a criminal complaint or disciplinary measures. Available assistance is also covered through prevention and awareness education. Additional information about any of the resources, rights, and options discussed in this section can be requested from official contacts (such as the Office of Student Affairs, Student Counseling Services, Human Resources, and the University Police Department).

Legal Rights and Options

Protective Order: In addition to the option of pressing criminal charges against a respondent, the victim may apply for a legal order of protection from a court. A protective order protects complainants of dating violence and domestic violence by ordering the respondent not to commit further acts of violence against the complainant; not to harass, threaten, annoy, alarm, abuse, torment, or embarrass the complainant; not to communicate with the complainant in a threatening or harassing manner; and to stay away from the complainant's residence, work, or school. An application for a protective order is free. If the complainant is 18 years old or older, the complainant can seek a protective order for himself or herself. If the complainant is under eighteen, the complainant can have any adult apply for one on their behalf. To apply for a protective order for dating violence, the respondent must be someone s/he is dating, or someone s/he used to date, and s/he must have physically harmed the complainant or attempted or threatened to harm the complainant physically. The application for a protective order must be filed in the county in which the complainant or the respondent lives. The court will grant a protective order once the complainant proves that dating violence has occurred and that it is likely to occur again. Should the complainant choose to seek out a protective order, the

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complainant may apply for one through the Domestic Violence Unit at the Bowie County District Attorney at 903-735-4800.

Criminal Trespass Warning: A criminal trespass warning is an interim protective measure issued by the University Police Department which is directed at those who are considered a danger to the campus community or a danger to a certain individual in the campus community. The warning advises the alleged offender to leave the premises and forbids him/her from entering and/or remaining on certain property which can cover either the entire campus or a specific campus location. To request a criminal trespass warning, contact the University Police Department at 903-334-6611 and ask to speak with an officer. The University Police Department officer issues the criminal trespass warning if the alleged offender is determined to pose a risk to campus safety based on information provided by the requestor as it relates to applicable state law and/or University Police Department policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning. If a criminal trespass warning is violated, the University Police Department should be contacted immediately at 903-334- 6611. A violation of the criminal trespass warning occurs when the individual is issued a warning but refuses to leave campus or is subsequently found in a prohibited area based on the trespass warning. The requestor and other institutional personnel should take appropriate action by contacting the University Police Department for a responding officer when they become aware of a potential violation of a criminal trespass warning. The University Police Department generally enforces these warnings by charging violators with criminal trespass resulting in an arrest and/or fine. If the complainant, alleged offender, or member of the university community has obtained an order of protection, civil no-contact order, or any other measure against another member of the university community, the order should be provided to the official contact or designee. In conjunction with the University Police Department and other university officials, the official contact or designee will take all reasonable and legal actions to implement the order. Other Legal Options: The University Police Department is available to provide information about personal safety, Texas Crime Victim's Rights, Texas Crime Victims' Compensation Fund, and other information upon request. Or visit the Office of the Texas Attorney General's website at:

<https://www.texasattorneygeneral.gov/crime-victims/crime-victims-compensationprogram>

Local Resource Directory: The following are on-campus and community resources available to complainants, respondents, and others:

Law Enforcement:	Phone	Address	Website
TAMUT University Police	903-334-6611	Central Plant, 7113 University Ave, Texarkana, TX 75503	https://www.tamut.edu/university-police/index.html

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Texarkana Texas Police Department	903-798-3116	100 N. Stateline Ave. #16, Texarkana, TX 75503	https://www.texarkanatexas.gov/393/Police-Department
Texarkana Arkansas Police Department	903-798-3130	100 N. Stateline Ave. #17 Texarkana, TX 75501	http://arkpolice.txkusa.org/
Counseling and Mental Health: TAMUT Student Counseling Center	903-223-3186	Central Plant, 7113 University Ave, Texarkana, TX 75503	https://tamut.edu/campus-life/Counseling-Center/index.html
Life/Work Solutions Counseling	1-888-993-7650	Employee Assistance Program - See website for details.	https://tamut.edu/administration/human-resources/benefits/eap.html
Southwest Arkansas Counseling & Mental Health Center, Inc.	870-773-4655	2904 Arkansas Blvd. Texarkana, AR 71854	https://www.swacmhc.com/home.html
The Trevor Project (LGBTQ Support Organization)	1-866-488-7386 (24hr hotline)	National Organization – See website for details.	https://www.thetrevorproject.org/
Title IX Coordinator	903-334-6755	Compliance Office University Center, Room 414J 7101 University Avenue, Texarkana, TX 75503	http://tamut.edu/title-ix/index.html
Deputy Title IX Coordinators	903-223-1351 & 903-223-3012	Office of Student Life, UC Suite 125 & Human Resources, UC 420, 7101 University Avenue, Texarkana, TX 75503	http://catalog.tamut.edu/student-affairs/titleix

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Family Medical Group	903-831-6848	See website for details.	http://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 Street Texarkana, TX 75501	https://wadleyhealth.org
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
National Law Hotline	1-800-777- FAIR	See website	https://guides.sll.texas.gov/legal-hotlines
National Sexual Assault Hotline	1-800-656-4673	See website	http://www.nsvr.org/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 Services	1-800-252-5400	See website	https://www.dfps.state.tx.us/About_DFPS/default.asp
Bowie County District Attorney	903-735-4800	601 Main Street, Texarkana, TX 75501	http://www.co.bowie.tx.us/page/bowie.district.attorney
U.S. Citizenship and Immigration Services	1-800-375-5283	126 Northpoint Dr., Houston, TX 77060	https://www.uscis.gov/about-us/find-a-uscis-office/field-offices
Texas Workforce Commission	903-794-4163	1702 Hampton Rd., Texarkana, TX 75503	http://www.twc.state.tx.us/

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TAMUT Office of Financial Aid	903-334-6601	BASS 125	https://www.tamut.edu/enrollment-services/financial-aid/index.html
TAMUT Veterans Services	903-334-6602	BASS Suite 132	https://tamut.edu/enrollment-services/veterans-services/index.html
Federal Student Aid Call Center	1-800-433-3243	N/A	https://studentaid.gov/
TELUS Health Student Support	N/A	N/A	https://apps.apple.com/us/app/telus-health-student-support/id1112006222