

# 2007 ANNUAL SECURITY REPORT- LEGACY

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# Southern Methodist University Police Department

## Annual Security Report—SMU in Legacy

January 01, 2007 - December 31, 2007

### Introduction

The security and well being of our community is of great concern to Southern Methodist University. The SMU Police Department and all other employees of the University are dedicated to keeping the campus a great place to live and work. However, this type of environment depends on the cooperation and involvement of individuals in safeguarding themselves and others.

#### ***The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act***

Pursuant to 20 United States Code section 1092(f), the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act," and the Code of Federal Regulations (CFR) requires that each institution of higher education in the United States which participates in federal student aid programs must produce and distribute an annual report containing crime statistics and statements of security policy. Failure to provide required information or the inclusion of inaccurate information may result in fines up to \$27,500 per violation imposed by the U.S. Department of Education (DOE).

#### **The Campus Security Act – Legal Requirements**

- Publish an annual report every year by October 1<sup>st</sup> that contains three (3) years worth of crime statistics and certain security policy statements including sexual assault policies.
- Disclose crime statistics for the campus, unobstructed public areas immediately adjacent to or running through the campus, and certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other University/College officials who have "significant responsibility for students and campus activities".
- Provide "timely warning" notices of those crimes that have occurred and pose an "ongoing threat to students and employees".
- Disclose in a public crime log any crime that occurred on campus or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department."

This publication, in keeping with the requirements of the Clery Act, is designed to aid in the cooperative effort of providing the public with specific information on campus security, crime statistics for the most recent three-year period, alcohol and drug use, crime prevention, police operations and authority, policies relating to reporting crime and campus disciplinary procedures.

Each year, a bulk e-mail notification is made to all employees and enrolled students regarding the availability of the Annual Security Report. A printed copy of this report may be obtained by writing the SMU Police Department at P.O. Box 750334, Dallas, TX 75275 or by coming in person to the SMU Police Department administrative offices located at 3128 Dyer Street in Patterson Hall during normal business hours Monday - Friday. This report is also published on the SMU Police Department web page at [www.smu.edu/pd/2007/annualreport2007-Legacy.pdf](http://www.smu.edu/pd/2007/annualreport2007-Legacy.pdf).

## **Campus Security**

### **Facilities Security**

The SMU-In-Legacy campus is located at 5236 Tennyson Parkway within the city limits of Plano. The campus is situated in Legacy Park Business District. The campus is composed of four buildings utilized to conduct credit and non-credit courses, certification programs and conference services.

Most campus buildings and facilities are accessible to members of the campus community, guests and visitors during normal business hours. Access to buildings after normal business hours, weekends and holidays is restricted unless they are sites for specific classes or special events. Some buildings may be accessed after normal business hours through prior approval of the building facility manager.

There are no residential facilities located on the SMU-In-Legacy campus.

Visitors to campus are welcome, but are expected to adhere to all campus regulations and policies. Visitors are encouraged to stop by the Facilities Office located in Building 3 for information on university regulations. The University reserves the right to restrict the access of any person who does not adhere to University policies and procedures. ANY person may be required, upon request by the Police Department or University Official, to present identification while on campus.

Employees and students are required to have an SMU ID CARD in their possession at all times and to present their SMU ID CARD upon request by a University Official. The SMU ID CARD is available at the Park N' Pony Office located on the 2<sup>nd</sup> floor of the Hughes-Trigg Student Center on the main campus in Dallas.

Faculty, staff, students, guests and visitors are encouraged to report all suspicious people to SMU-In-Legacy staff.

### **Maintenance, Grounds and Lighting**

University facilities, lighting, and landscaping are maintained so as to reduce hazardous conditions. Malfunctioning lights and other unsafe conditions are reported to the Facilities Office in Building 3 for repair or correction on a daily basis.

### **Crime Prevention Programs**

The SMU Police Department conducts crime prevention and information sessions at each scheduled student/parent orientation meeting. Prospective students and parents are encouraged to ask questions of a safety and security nature. They are presented with the information on how to obtain a copy of the Annual Security Report. At the beginning of the school year, the police department also briefs incoming international students, as well as all students who live in the residence halls. Upon invitation, the department provides crime prevention programming to any student organizations and faculty/staff gatherings. Officers are encouraged to make unscheduled "crime prevention contacts" with students and employees of SMU as they patrol the campus.

Crime prevention is a tool utilized to encourage students, faculty and staff to be aware of ways to reduce their chances of becoming victims of crime. While it is impossible to prevent all crime, awareness is the key to preventing the opportunity for crimes to be committed. The SMU Police Department offers the following crime prevention programs and services free of charge:

**SHARP Program**: The Sexual Harassment, Assault and Rape Prevention program, taught by one of the SMU Police Officers, is offered once a week throughout each semester through the Dedman Center for Lifetime Sports on the main campus. This is a self-defense program designed specifically for women. The program is also conducted in the residence halls and sorority houses.

## **SMU AWARE**

This is a campus preparedness program developed by the SMU Risk Management Department to handle emergency/disaster situations. An emergency response plan has been developed to handle everything from everyday emergencies to emergencies on a larger scale such as tornados, floods, hazardous material spills, and terroristic threats. The SMU Police Department is committed to emergency preparedness planning to ensure the safety of everyone on our campus.

### **Silent Witness Anonymous Reporting Program** (Part of the SMU AWARE campaign)

The Silent Witness Program was created to provide SMU community members and other persons a way to confidentially report suspicious or criminal activity while remaining anonymous. Anonymous tips may be provided in two different formats. A person may call **214-SMU-2TIP** (214-768-2847) to provide information anonymously via a voice-recorded phone line. This phone line is not answered and the caller's number is not received or traced. Information may also be provided online at [www.smu.edu/2tip](http://www.smu.edu/2tip). A person completes an online form, which is sent via untraceable e-mail, directly to the police department. **YOUR ANONYMOUS TIP COULD STOP A CRIME:** By calling the **2TIP** phone line or utilizing the **2TIP** webpage and providing information on suspicious or criminal activity, individuals may assist police in protecting the campus while maintaining their anonymity. **HELP US PROTECT YOUR CAMPUS!! BE A SILENT WITNESS!**

### **Operation ID:**

This is an on-going program that involves engraving a driver's license or student identification number on valuable items of personal property. Engravers are available at the SMU Police Department.

## **Monitoring of Off-Campus Student Activity**

When a SMU student is involved in an off-campus incident, SMU police officers may assist with the investigation in cooperation with local, state or federal law enforcement. The Plano Police Department routinely work and communicate with the SMU Police Department on any serious incidents occurring in the immediate neighborhood and business areas surrounding the Legacy campus.

## **Authority and Jurisdiction of the University Police**

### **Law Enforcement Authority of Campus Security Personnel**

Southern Methodist University police officers are licensed by the Texas Commission on Law Enforcement Officer Standards and Education. These officers are sworn law enforcement officers commissioned under the provisions of the Texas Education Code § 51.212 and are vested with all of the powers, privileges, and immunities of peace officers while on the property under the control and jurisdiction of Southern Methodist University or otherwise in the performance of their assigned duties.

However, there is currently no police officer assigned to the Legacy campus. SMU in Legacy contracts with a third party vendor to provide security guard services to the campus during evening hours of operation.

Security of the campus is augmented by random patrol of the Plano Police Department. Reports of criminal activity may be reported to the Facilities Staff, security guards or the Plano Police Department. The Plano Police Department has the responsibility and duty to enforce all local, state and federal laws and to effect arrests and refer criminal cases to the City of Plano and Collin County judicial systems. Criminal violations will be processed through the Collin County District Attorney's Office or Federal criminal justice system.

## **Municipal Law Enforcement Jurisdiction**

Plano police officers regularly patrol the campus and augment SMU PD during criminal incidents and emergencies. The Plano Police Department and the Plano Fire Department are within a one-block radius of the Legacy campus and provides police services, fire fighting and emergency paramedic services to the campus.

## **Reporting Crime**

### **Procedures for Reporting Crimes and Other Emergencies**

All University community members and guests of the University are encouraged to report suspected criminal activity to the police as soon as possible. Fires, health emergencies and all criminal activity should be immediately reported to the Plano Police Department via the 911 system or to personnel in the Facilities Office either in person at Building 3, Room 134. Violations of University policies and procedures by anyone may be reported to other University Officials including the Dean of Student Life Office in Room 302, Hughes-Trigg Student Center (main campus) or by calling 214-768-4563.

The Police Department also has a Silent Witness Program where community members can provide information regarding suspicious and criminal activity without providing their identity. Anonymous tips may be provided in two different and confidential formats. A person may call **214-SMU-2TIP** (214-768-2847) to provide information anonymously via a voice-recorded phone line. Information may also be provided online at [www.smu.edu/2tip](http://www.smu.edu/2tip). A person completes an online form, which is sent via untraceable e-mail, directly to the police department.

Community members are encouraged to report all crimes, to include off campus incidents. SMU Police Department will assist community members in reporting all off campus incidents to the appropriate law enforcement agencies. Local law enforcement agency phone numbers are listed in the Helpful Phone Numbers section.

### **Reporting Crimes to Other Campus Security Authorities**

#### **Who Are Campus Security Authorities?**

The *Clery Act* also mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to campus security authorities. Campus security authorities include the following:

- A member of a campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security, but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, the following areas:

- Vice President for Student Affairs
  - Dean of Student Life
  - Director of Residence Life and Student Housing
  - All Head Coaches and Assistant Coaches for all areas in the Athletic Department.
  - All Associate Athletic Directors
  - Law School – Associate Dean for Student Affairs
  - Director of SMU-in-Legacy
  - Director of SMU-in-Taos
- **An official is defined as** any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Examples of individuals who DO NOT meet the criteria for being campus security authorities include a faculty member who does not have any responsibility for student and campus activity beyond the classroom, clerical staff, custodians and maintenance personnel and cafeteria staff. A pastoral or professional counselor on campus does not have significant responsibility for student and campus activity and are exempt from reporting crimes to the campus police. However, physicians and nurses of the Memorial Health Center who treat a victim of a violent crime that occurred on the campus or a facility, under the control of the university, must disclose the reported crime to the university police. They are not required to release the names of victims/patients.

### **Responsibilities of Campus Security Authorities**

Because of the law’s complex reporting requirements, the most reasonable and effective way to manage the reporting is as follows: If Campus Security Authorities observe any crime listed below, or if any person reveals to a Campus Security Authority, in good faith, that he/she learned of or were the victim of, perpetrator of, or witness to any crime listed below, the Campus Security Authority must immediately notify the SMU Police Department.

Crimes that should be reported are:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- All hate crimes involving bodily injury
- All liquor, drug or weapons law violations resulting in an arrest

Definitions of these crimes may be found beginning on page 8 of this report or the SMU Police web site at [www.smu.edu/pd](http://www.smu.edu/pd) .

Clery Act crimes reported to local municipal police will be included as long as the municipal police agency notifies the SMU Police and the reported crime occurred in an area for which the institution is responsible.

### **Reporting Crimes Outside of the Patrol Jurisdiction of SMU PD**

The SMU Police Department makes a good faith effort to stay informed of all criminal activity involving students at off-campus locations. Surrounding municipal agencies, state law enforcement agencies and federal agencies routinely inform campus police about incidents where their officers contact SMU students.

## **Timely Warnings**

### **CRIME ALERT**

In order to keep the SMU community informed about serious crimes and security issues, timely warnings may be issued in the form of a Crime Alert. Crime Alerts are issued on a case-by-case basis in a manner that will provide notification to the campus community about certain reportable criminal incidents that occur on or very near the campus. The institution must also believe the criminal incident poses a continuing threat to the community and the alert will aid in the prevention of similar crimes in the future.

The crimes that typically result in a timely warning are referred to herein as "Clery Act Crimes". These crimes, as defined by 34 CFR 668.46(b) (c), are listed below:

<b>Criminal Homicide</b> (1) Murder and Non-Negligent Manslaughter (2) Negligent Manslaughter
<b>Forcible Sex Offenses</b> (1) Forcible Sexual Assault (2) Forcible Sodomy (3) Sexual Assault with an Object (4) Forcible Fondling
<b>Non-Forcible Sex Offenses</b> (1) Incest (2) Statutory Rape
<b>Robbery</b>
<b>Aggravated Assault</b>
<b>Burglary (this does not include burglary of a motor vehicle)</b>
<b>Motor Vehicle Theft</b>
<b>Arson</b>

These crimes must have occurred within those areas of the campus that are specifically defined in 34 CFR 668.46(a). These areas are broken down into four categories:

On Campus Property

Residential Facilities (Definitions for these categories can be viewed by visiting [www.securityoncampus.org](http://www.securityoncampus.org))

Non-Campus Property

Public Property

**\* SMU will not necessarily issue timely warnings for every Clery Act criminal incident that is reported since that specific incident may not pose a continuing threat to the community. Certain Clery Act crimes like motor vehicle theft, for example, occur infrequently on the campus at random locations. Suspect information is often never provided or determined. This is also true of the Plano area. Individuals should exercise due care and caution to avoid being victimized. Check out the crime prevention tips posted by the SMU Police to deter these crimes or attend a crime prevention briefing.**

### **CRIME ALERT (Off Campus)**

SMU may post a Crime Alert (Off Campus) for certain Clery Act crimes occurring outside the jurisdiction of the SMUPD, when timely notification is received by the SMU PD and the offense is considered to represent a serious or continuing threat to the students and employees of SMU-in-Legacy due to the nature of the crime, and/or proximity to the campus

Even though this action is not required by law, SMU strongly believes in supporting the spirit of the Clery Act by informing the community about certain crimes that are reported in the areas immediately surrounding our campus; yet still outside the normal SMU police patrol area.

### **When are timely warnings issued?**

In accordance with the published guidelines used to interpret 34 CFR 668(e), the decision to issue a timely warning is made on a case-by-case basis in light of all facts surrounding the crime, including factors such as the nature of the crime, the continuing danger to the community, and the possible risk of compromising law enforcement efforts. Neither the Clery Act nor the Department of Education defines "timely". The Department of Education has stated the warning should be issued as soon as the pertinent information is available.

SMU will attempt to issue the warning within 24 hours from the time the offense is reported to the SMU Police. Furthermore, timely warnings may be issued for other offenses not covered by this regulation if a determination is made that the warning will aid in preventing similar offenses from occurring.

### **How are Timely Warnings Issued?**

Timely warnings will be printed on brightly colored posters and distributed around the SMU-in-Legacy campus in all dining areas, academic buildings and administrative buildings. The SMU News and Information office may send out a campus wide email message containing the alert information if deemed necessary. The Daily Campus newspaper will also be asked to print the warning in the next available issue. Timely Warnings will also be published on the SMU Police Department web page.

In extreme cases where there is an imminent and immediate threat to the university community, SMU (Office of Emergency Management) has designed a redundant notification system that employs campus-wide text messages, voice messages, emails, web pages and city sirens that are public address capable. In addition, low-tech solutions include bullhorns, walkie-talkies, and runners delivering messages word of mouth, all with the goal of notifying the campus community, regardless of disaster-related communication failures.

### **Crime Definitions:**

***Murder – Non-negligent Manslaughter***

The killing of another person intentionally and with premeditation.

***Negligent Manslaughter***

The killing of one human being by another through gross negligence.

***Robbery***

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

***Aggravated Assault***

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

***Burglary***

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

***Motor Vehicle Theft***

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

***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; and 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, and codeine); marijuana; synthetic narcotics (Demerol, Methadone), and dangerous non-narcotic drugs (GHB, Rohypnol, and Ecstasy).

***Liquor Law Violations***

The violation of laws or ordinances prohibiting: manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; driving under the influence as a minor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Public Intoxication and Driving While Intoxicated are Penal Code violations and are not included in this definition.)

**Sex Offenses Definitions From the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program*****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.

**A. Forcible Rape**-The carnal knowledge of a 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 because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

**B. Forcible Sodomy**-Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the persons 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.

**C. Sexual Assault With An Object**-The 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 the 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.

**D. Forcible Fondling**-The touching of the private body 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 temporary or permanent mental incapacity.

#### **Sex Offenses-Non-forcible**

##### **Unlawful, non-forcible sexual intercourse.**

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

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

#### **Arson**

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

## **Monitoring and Recording Criminal Activity**

The SMU Police Department tracks and records index crimes occurring on **ALL** SMU campuses and in those areas immediately contiguous to the main campus where many students live and frequently access. These crimes are categorized as:

- Non-campus buildings or property owned or controlled by student organizations that are recognized by the University.
- Non-campus buildings or property owned or controlled by the University that are used in direct support of, or in relation to, the University's educational purposes, are frequently used by students, and are not in the same reasonable contiguous geographic area of the University; and
- Public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to and accessible from the campus. The jurisdiction of the SMU Police department does not extend to public property contiguous to the campus; therefore the department has a limited role in investigating criminal activity at these locations. The department's role is limited to information sharing, cooperation, and coordination with the investigating local law enforcement agency.

**SMU - LEGACY CAMPUS  
CRIME ON CAMPUS REPORT 2005 - 2007**

<b>Offense Type</b>	<b>Year</b>	<b>On Campus</b>	<b>Residential Facilities</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>Total</b>
<b>Murder and Non-Negligent Manslaughter</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Negligent Manslaughter</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Forcible Sex Offenses</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Forcible Sex Offenses- Not Reported to Police</b> <small>(reported to other campus officials)</small>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Non-Forcible Sex Offenses</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Non-Forcible Sex Offenses- Not Reported to Police</b> <small>(reported to other campus officials)</small>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Robbery</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Aggravated Assault</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Burglary</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Motor Vehicle Theft</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	8	0	0	0	8
<b>Arson</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0

**SMU - LEGACY CAMPUS**  
**Arrests for Liquor Law, Drug and Weapons Violations**

<b>Offense Type</b>	<b>Year</b>	<b>On Campus</b>	<b>Residential Facilities</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>Total</b>
<b>Liquor Law Violations</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	1	1
<b>Drug Violations</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Weapons Violations</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0

**SMU - LEGACY CAMPUS**  
**Judicial Referrals for Liquor Law, Drug and Weapons Violations**

<b>Offense Type</b>	<b>Year</b>	<b>On Campus</b>	<b>Residential Facilities</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>Total</b>
<b>Liquor Law Violations</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Drug Violations</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0
<b>Weapons Violations</b>	2005	0	0	0	0	0
	2006	0	0	0	0	0
	2007	0	0	0	0	0

## **Hate Crimes - Legacy Campus (2005-2007)**

Reported by category of prejudice, any crime reported that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.

There were no hate crimes reported at the Legacy campus in 2005, 2006 and 2007.

## **Crimes Reported by the City of Plano, Texas**

No criminal incidents occurred on the SMU-in-Legacy campus or within the contiguous area surrounding the SMU-in-Legacy campus for 2005 or 2006. The Plano Police Department reported a liquor law violation arrest (Driving While Intoxicated/Minor) on public property in 2007. All of this information was provided to the SMU Police Department by the Plano Police Department.

## **Sex Offender Registry and Access to Related Information**

The federal **Campus Sex Crimes Prevention Act**, enacted on October 28, 2000, went into effect October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders and requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

State law requires persons convicted of or placed on deferred community supervision for certain offenses to register as sexual offenders. Offenders who committed "sexually violent" offenses (most contact offenses) must register for the remainder of their life, even after completing probation or parole. Others (some non-contact offenses) may quit registering ten years after completing their term of supervision.

Law enforcement authorities are required to inform the University when registered sex offenders indicate they are living, working or volunteering services on campus. To learn whether information of this nature has been provided to the University, contact the SMU Police Department at 3128 Dyer Street, Patterson Hall or call 214-768-1582.

You can access the sex offender registration files free of charge through the Texas Department of Public Safety web page at [www.txdps.state.tx.us](http://www.txdps.state.tx.us).

## **Alcohol Policy**

The University is dedicated to providing a healthy, comfortable and productive environment for students, faculty, staff, and guests. All members of the University community are expected to maintain self-control. Conduct should be consistent with ideals of academic excellence, health, and responsible social behavior, including recognition of the rights of others. In recognition of the University being owned by the South Central Jurisdiction of the United Methodist Church, community members are urged to adhere to the Social Principles of the United Methodist Church, which states:

We affirm our long-standing support of abstinence from alcohol as a faithful witness to God's liberating and redeeming love for persons. Since the use of alcohol and illegal drugs is a major factor in crime, disease, death, and family dysfunction, we support educational programs encouraging abstinence from such use. (*The Book of Discipline of the United Methodist Church*, para.66j).

It is also recognized that Southern Methodist University is a community of free and open inquiry in which adults are encouraged to make responsible decisions in their lives, including abstinence from or careful use of alcohol. The University recognizes the freedom of conscience that determines such issues, but cautions that such freedom does not imply license to violate the law or university policy.

### **Texas State Law**

All members of the University community should at all times be cognizant of and comply with state and local liquor laws. **It is unlawful in the state of Texas for any person under the age of 21 to possess, purchase, or drink alcoholic beverages, except when with either a parent or adult spouse.** Providing alcoholic beverages to minors other than where the law provides is prohibited. A violation of this policy subjects the offender(s) to internal disciplinary and/or law enforcement action.

### **Possession and Consumption**

The University prohibits the possession and consumption of alcoholic beverages on any campus facility, with the exception of adult individual residential rooms and during certain special events such as official University receptions and in specified areas on home football game days. For both exceptions, those individuals possessing and consuming the alcoholic beverages must be 21 years of age or older. Kegs and other similar containers - including, but not limited to, 1/2 kegs, party balls or pony kegs - are **not permitted** anywhere on campus. Various functions sponsored by the Office of Development will continue to operate under special policies.

### **University Education Programs**

The Southern Methodist University Alcohol and Drug Abuse Prevention, Education and Intervention Program philosophy is rooted on the premise that problems associated with the use and abuse of alcohol and other drugs transcend individual responsibility. We believe that the community in which it occurs shares in the responsibility for its prevalence to the extent it accepts, condones and enables individual and group behavior that is supportive of the use and abuse of alcohol and other drugs. An extension of this philosophy is the firm belief that communities have the responsibility to take ownership of the problem, identify effective responses and institutionalize these responses. It is within this philosophical framework that we developed the program at SMU.

### **Center for Alcohol & Drug Abuse Prevention**

Memorial Health Center, 2nd Floor  
6211 Bishop Boulevard  
P.O. Box 750195  
Dallas, Texas 75275-0195  
ph. 214-768-4021

The Memorial Health Center is located at 6211 Bishop Blvd on the SMU Campus, just to the north of the Meadows School of the Arts and south of the Umphrey-Lee Center.

**Hours:** 8:30 a.m. to 5:00 p.m. - Monday through Friday

The Center offers several Substance Abuse Education Classes to include AlcoholEdu for College, E-Toke, Marijuana 101 (online), 'Because I Care' and other on campus and off campus (state-certified) classes. The university has created a Task Force on Substance Abuse Prevention, as well as supporting a peer-education program called BACCHUS (Boosting Alcohol Consciousness Concerning the Health of University Students). A 'Live Responsibly' campaign was started in 2007 establishing a dedicated website for information related to alcohol and drug abuse, as well as other emergency and medical resources.

For more information regarding the Center for Alcohol and Drug Abuse Preventions and related programming, visit <http://www.smu.edu/healthcenter/alcoholeducation>.

Additional information regarding Drug Free Schools and Campus Act/Penalties for Drug and Alcohol Offenses can be found at:

**Drug Free Schools and Campus Act:**

[http://www.smu.edu/healthcenter/alcoholeducation/adp\\_drugfreeinfo.asp](http://www.smu.edu/healthcenter/alcoholeducation/adp_drugfreeinfo.asp)

**Penalties for Drug/Alcohol Offenses:**

[http://www.smu.edu/healthcenter/alcoholeducation/adp\\_drugfreedetails.asp](http://www.smu.edu/healthcenter/alcoholeducation/adp_drugfreedetails.asp)

## **Drug Policy**

Every SMU student shall be responsible for compliance with all local, state, and federal laws regarding controlled substances including, but not limited to, their use, sale, distribution, possession, or manufacture. Violations of any local, state, or federal law regarding controlled substances may subject the person to disciplinary proceedings in the University Judicial System without regard to any proceedings in local, state, or federal courts.

When the standards of conduct regarding illicit drugs are violated, sanctions may be imposed by the judicial system. Possible sanctions include, but are not limited to, a fine, assignment to community service, notification of parents, suspension, time-frame suspension, or expulsion.

Sanctions upon conviction in the criminal court system for possession, distribution, or manufacture of controlled substances range from fines and probation to imprisonment. Amounts of fines, terms of probation, or years of imprisonment generally are contingent upon the circumstances and amounts of drugs in possession, sale, distribution, or manufacture.

### **University Education Programs**

The Southern Methodist University Alcohol and Drug Abuse Prevention, Education and Intervention Program philosophy is rooted on the premise that problems associated with the use and abuse of alcohol and other drugs transcend individual responsibility. We believe that the community in which it occurs shares in the responsibility for its prevalence to the extent it accepts, condones and enables individual and group behavior that is supportive of the use and abuse of alcohol and other drugs. An extension of this philosophy is the firm belief that communities have the responsibility to take ownership of the problem, identify effective responses and institutionalize these responses. It is within this philosophical framework that we developed the program at SMU.

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## **Sexual Assault Policy**

SMU is a community of trust whose very existence depends on adherence to standards of conduct. Student conduct that violates these standards is handled through the University Judicial System. Cases of alleged student misconduct involving serious physical or psychological harm are referred to the Serious Offense Judicial Board. This includes cases involving sexual misconduct and/or sexual assault or attempted sexual assault. (What follows is a summary of policies and procedures on sexual misconduct and sexual assault. Please consult the University Judicial Code section for these policies and procedures in their entirety.)

### **WHAT CONSTITUTES SEXUAL ASSAULT?**

#### **Texas Penal Code § 22.011 states:**

A person commits an offense if the person:

(1) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of another person by any means without that person's consent;

- (B) causes the penetration of the mouth or another person by the sexual organ of the actor, without that person's consent; or
  - (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
- (2) intentionally or knowingly:
- (A) causes the penetration of the anus or sexual organ of a child by any means;
  - (B) causes the penetration of the mouth or a child by the sexual organ of the actor;
  - (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;
  - (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or
  - (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.
    - (b) A sexual assault under Subsection (a) (1) is without the consent of the other person if:
      - (1) the actor compels the other person to submit or participate by the use of physical force or violence;
      - (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;
      - (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
      - (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it
      - (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
      - (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
      - (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
      - (8) the actor is a public servant who coerces the other person to submit or participate;
      - (9) the actor is a mental health services provider
      - (10) the actor is a clergyman
      - (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2 Family Code.

## **EDUCATIONAL PROGRAMS THAT PROMOTE AWARENESS**

The Coordinator of Psychological Services for Women conducts educational programs on sexual assault for students through the Wellness Program, the Orientation Week Program, the Extended Orientation Program (EOP) in the residence halls and seminars for specific groups as requested. In addition, confidential, ongoing counseling for student survivors of sexual assault is available with the Coordinator of Psychological Services for Women and can be arranged through the Counseling and Testing Center. Confidential, ongoing counseling for faculty and staff survivors of sexual assault is available through the Counseling and Testing Center on a fee basis.

Women's Center (located on the Main Campus): The Women's Center of Southern Methodist University empowers women and men on campus through educational programming and leadership opportunities designed to increase awareness of gender equity issues. Through advocacy, information, and referral services, the Women's Center provides a safe haven for students struggling with issues of injustice and

oppression. The Women's Center annually sponsors a Women's Symposium. The Center also unites with other community and campus partners on violence prevention, which includes sexual assault.

The Women's Center is located in the Hughes Trigg Student Center on the third floor.  
Hours are from 8:30 a.m. - 5:00 p.m. Monday through Friday.  
Extended hours and weekends are available by reservation only.  
Call 214-768-4792 or fax 214-768-3475 to schedule

## **WHAT TO DO IF YOU HAVE BEEN SEXUALLY ASSAULTED**

Students, faculty, and staff are encouraged to report sexual assaults to Plano Police Department, as well as the SMU Police Department, whether the assault occurs on or off campus, no matter who the alleged assailant is. Students may report sexual assaults to the Plano Police, SMU Police, the Dean of Student Life Office, any University official, or the SMU Women's Center. Reporting a sexual assault to University officials or a pastoral counselor does not automatically initiate a criminal investigation. It is important for persons who have been sexually assaulted to contact the police who will arrange for immediate medical attention and initiate a criminal investigation. The Coordinator of Psychological Services for Women is available to accompany students who have been sexually assaulted to the hospital and for counseling, if desired. A medical examination called a "Rape Kit Exam," conducted by an area hospital, will help preserve important evidence of the sexual assault if the person who has been sexually assaulted decides later to prosecute.

In accordance with the Texas Code of Criminal Procedure Art. 57, victims may use a **pseudonym** to protect their identity. **A pseudonym is a set of initials or a fictitious name** chosen by the victim to be used in all public files and records concerning the sexual assault. Victims of sexual assault are not required to file criminal charges; however, preferring charges is encouraged.

Students may also report sexual assaults to Police, the Office of the Dean of Student Life, University Security Authority, the Memorial Health Center, or the SMU Women's Center. Reporting a sexual assault to anyone other than police will delay criminal investigation and possibly hinder criminal prosecution.

## **Remember-If you have been sexually assaulted:**

- 1. Call 911 on campus/from a cell phone or off campus phone line call 214-768-3388.**
- 2. DO NOT shower, bathe, or douche.**
- 3. Have a trusted friend take you to Presbyterian Hospital of Plano. Take the clothes in which you were assaulted with you to the hospital. If reported to the SMU Police, clothing and other items will be provided to you at the hospital.**
- 4. Call the Coordinator of Psychological Services for Women at 214-768-4795. She will meet you at Parkland Hospital.**
- 5. Obtain counseling services through the SMU Counseling and Testing Center at 214-768-2211 or call 214-768-4796 for a community referral.**
- 6. Remember it is not your fault. You will recover.**

(Some information obtained from the Women's Center website.)

## **HOW TO FILE A SEXUAL ASSAULT COMPLAINT**

In order to file criminal charges, the complainant should contact the Plano Police Department, as well as the SMU Police Department, who will coordinate the investigation with the Plano Police Department. The complainant may also report the sexual assault to the Facilities Office by calling (972)-473-3413.

If the complainant elects not to file criminal charges, but still wishes to proceed with formal administrative charges, an investigation is conducted, and the case is referred to the SMU Serious Offense Judicial Board, a group specially trained to hear serious offense cases. This board is composed of six members (three students, one faculty member, one staff member, and one nonvoting SMU Law School faculty member, who serves as chair).

A hearing is held following the procedures outlined in The University Judicial Code, Section V, Serious Offenses - Student Judicial Procedures. Such procedures include opportunities for both the complainant and the accused: to attend the hearing and present evidence on their own behalf; to challenge any member of the Serious Offense Judicial Board on grounds of prejudice; to have their parents and one support person for the SMU community attend; to present either in writing or in person the testimony of witnesses; to cross-examine witnesses; to request to have her/his living arrangements (if living in campus housing) modified pending the outcome of the student judicial proceedings if the accused is living near the complainant; and not to have his or her sexual history discussed during the hearing. However, evidence of a recent sexual relationship between the accused and the complainant may be considered if the accused asserts consent as a defense.

In addition, the accused has the right to appeal the decision of the Serious Offense Judicial Board to the University Judicial Council. Students found responsible for sexual misconduct or sexual assault face sanctions imposed by the student judiciary ranging from judicial reprimand to expulsion.

Filing formal charges through the SMU student judiciary does not preclude filing criminal and/or civil charges. Students who wish to file criminal and/or civil charges may receive information and assistance from the University ConduOffice of the Dean of Student Life and SMU Police .

## **General Crime Prevention Tips**

- Avoid walking alone, particularly after dark. Contact SMU Police for a security escort whenever possible. If walking alone is unavoidable, be aware of your surroundings and let someone know when to expect you.
- Avoid shortcuts. The shortest route is not always the safest route. Walk along the mid-point between curbs and buildings and away from alleys and bushes.
- Dress for mobility, particularly after dark.
- Avoid deserted areas, poorly lit streets, alleys, and pathways.
- Never jog alone.
- When walking or jogging, go against the flow of traffic; that makes it harder for motorists to bother you. (If harassed from a car, walk or run in the opposite direction. Scream if you are truly frightened.)
- Do not jog while wearing stereo headphones. It's important to be alert to what's happening around you.
- Carry your personal belongings in a backpack or similar container that will enable your arms and hands to be free at all times.
- Avoid approaching your car with bundles that restrict use of your arms. If you've been shopping, ask the store for assistance.
- Always have your keys ready to unlock the door to your car or residence and enter without delay. Lock the doors after you get inside.
- Before entering your car, look in the back seat and on the floorboard.
- Always lock car doors and windows when you leave or enter your car.
- Never leave belongings in plain view in your car. Lock them in the trunk.
- If someone in a vehicle attempts to stop you - even to ask for directions - do not get close to the vehicle.
- Register, engrave, mark, and/or photograph all your valuables including bicycles, stereos, jewelry, vehicles, computers, etc.
- Never get on an elevator with someone who looks suspicious. If someone who looks suspicious gets on, get off immediately.
- Avoid using ATMs in dark, isolated areas; it's best to use machines that are highly visible in public areas such as supermarkets.
- Never flash your cash. Always have "emergency" change for a phone call.
- Be responsible with alcohol. If you are intoxicated, you are less alert and an easier target for robbers and attackers.
- Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify the hall staff and the SMU Police Department, 8-3388 (214-768-3388 by cell or off campus phone) or call the **SILENT WITNESS ANONYMOUS TIPS LINE at 8-2TIP** (214-SMU-2TIP by cell or off campus phone) or online at **SMU.EDU/2tip**.

## **Helpful Telephone Numbers**

### **Police/Fire/Ambulance Emergency - 911**

Plano Police (Non-Emergency)	972/424-5678
D & L Security Guard	972/880-9087
SMU Police (Non-Emergency)	214/768-3333
SMU Police Administration -	214/768-1582
SMU Police Operations	214/768-1580
Director of SMU-in-Legacy	972/473-3401
Facilities Office-Legacy	972/473-3400
Facilities Manager	Office 972/473-3413
	Cell 214/878-1427
University Conduct Office	214/768-4560
Judicial Officer	214/768-4562
SMU Women's Center	214/768-4792
SMU Counseling and Testing	214/768-2211
D & L Security Guard	972/880-9087
SMU Health Center	214/768-4021