



Crime Victim Assistance Information

The U T Health Science Center is committed to providing a safe environment for its students, employees, faculty, staff and visitors. Providing a safe work and study environment is a high priority and a main mission of the University. Your sense of safety on our Health Science Center campuses has a direct impact on your quality of life while working or studying. We challenge each one of you to recognize the significant role that you play in ensuring your own personal safety and the safety of others. You can help with this by securing state and Personal property, wearing your Health Science Center ID card while on campus property and reporting any suspicious and criminal activity to University Police in a timely manner.

University of Texas System Police

The mission of the University Police Department is to work with the campus community to make our university a safe place to work and study. The primary functions of the University Police Department are preservation of the public peace and order, prevention and detection of crime, apprehension of offenders, protection of persons and property, and enforcing laws of the State of Texas. The University Police Department maintains a good working relationship with local, state, and federal law enforcement agencies, and maintains memorandums of understanding with them for shared jurisdiction.

TITLE IX REQUIREMENTS

Title IX prohibits discrimination on the basis of sex in education programs or activities operated by recipient institutions of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited in Title IX. Title IX requires UT Health Science Center to take immediate action to eliminate harassment, prevent its recurrence, and address its effects. The Title IX Coordinator is responsible for administratively investigating claims of sexual harassment and sexual violence, and ensuring there are appropriate grievance procedures for prompt and equitable resolution of student sex discrimination complaints. The University's Title IX investigation is different from a law enforcement investigation, and a law enforcement investigation does not relieve UT Health Science Center of its independent Title IX obligation to investigate conduct. For more information or assistance, student victims of sexual violence can contact the Title IX Coordinator in the Office of Equal Opportunity Services at 210.567.2691.

CAMPUS SEXUAL ASSAULT VICTIMS' BILL OF RIGHTS

The United States Congress enacted the "Campus Sexual Assault Victims' Bill of Rights" as a part of the Higher Education Amendments of 1992 (as amended by the Campus Sexual Violence Elimination Act (Campus SaVE)). This law requires that all universities afford sexual assault victims certain basic rights such as: Accuser and accused must have the same opportunity to have others present including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Both parties shall be simultaneously informed of the outcome of any disciplinary proceeding in writing. Survivors shall be informed of their options to notify law enforcement, including on-campus and local police. Survivors shall be notified of counseling services. Survivors shall be notified of options for changing academic and living situations, transportation and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Protective & No Contact Orders: Victims of sexual assault,

domestic violence and stalking are eligible to apply for protective orders and/or no contact orders or similar lawful orders issued by a criminal, civil, or tribal court and/or Student Conduct and Community Standards.

Confidential Reporting

If you are a victim of a crime or witness one and you do not want to pursue action within the university system or criminal justice system, consider making a confidential report. Report a crime as the silent witness on our website. This may be accomplished by completing the form at <http://utpolice.uthscsa.edu/divisions/crimeprev/silentwitness.asp> This will be reported directly to the Chief of Police anonymously. The Chief of Police or designee can file a report on the details of the crime with out revealing the identity of the person. The purpose of a confidential report is to maintain confidential, ensuring safety of the victim and others, keeping an accurate record of the number of crimes on campus and alerting the campus

community to potential danger. Reports filed in this manner are counted and disclosed in the annual campus security report.

Reporting Criminal Activity or Other Emergencies

All crimes should be reported to the University Police to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community when appropriate. The University Police will dispatch an officer immediately to investigate suspected criminal activity. Responses include, but not limited to: Investigation of reports, arrest and filing of charges, depending upon the circumstances of the offense and referring alleged offenders to appropriate campus agencies, such as the Deans, and or the Vice President for Academic Faculty and Student Affairs. Students, employees, faculty, staff and visitors are encouraged to report all crimes and public safety related incidents to the University Police.

In San Antonio call 210-567-2800 Emergency 911

on landlines 210-567-8911

In Harlingen call 956-365-8900

In Laredo call 956-523-7414

In Edinburg, call 956-316-7151

Jurisdiction and Arrest Authority

The University Police Department is comprised of noncommissioned personnel and commissioned police officers (as authorized by Article 51.203 of the Texas Education Code). The primary jurisdictions of our police officers include all counties in which property is owned, leased, rented, or otherwise under the control of the U.T. System. Our police officers have full arrest authority. University Police officers must meet specific employment qualifications and training requirements to be licensed police officers by the Texas Commission on Law Enforcement (TCOLE) under the authority of Article 4413 (29a) V.C.S. The Police Department also has non-commissioned personnel (Public Safety Officers). They do not have arrest authority except that which is provided as civilians in the Texas Code of Criminal Procedure Article 14.01A and 18.16. Non-commissioned officers may arrest an offender when the offense is committed in their presence or with in their view if the offense is a felony or an offense against public peace. They also have the right to prevent the consequences of theft and may arrest the supposed offender and seize any property that has been stolen.

Why This Information?

This booklet has been developed to help you learn more about activities that involve our community and the University Police Department, to familiarize you with resources available on and off campus and to inform crime victims of their rights under the Texas Crime Victims Act (Code of Criminal Procedure, Chapter 56). If you are a victim, guardian of a victim, or close relative of a deceased victim of the following crimes you are entitled to receive the information contained in this booklet: sexual assault, family violence, kidnapping, aggravated robbery, assaultive offenses, arson, homicide and other violent crimes in which the victim suffers physical or emotional harm or death. The following motor-vehicle-related crimes are also covered: Failure to Stop and Render Aid, DWI, Manslaughter, Criminally

Negligent Homicide, Aggravated Assault, Intoxication Manslaughter and Intoxication Assault.

RIGHTS OF CRIME VICTIMS

A victim of crime is defined by Chapter 56 of the Code of Criminal Procedure, as (1) someone who is the victim of sexual assault, kidnapping, or aggravated robbery or who has suffered bodily injury or death because of the criminal conduct of another, (2) the close relative (spouse, parent, adult brother or sister, or child) of a deceased victim or (3) the guardian of a victim. The law also applies to victims of juvenile crime, including victims who suffer property loss. The State of Texas intends that victims of crime receive the following safeguards, assurances and considerations:

- Receive adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
 - have their safety considered by the magistrate when setting bail;
 - receive information, on request, of relevant court proceedings, including appellate proceedings, of cancellations and rescheduling prior to the event, and appellate court decisions after the decisions are entered but before they are made public;
 - be informed, when requested, by a peace officer about the defendant's right to bail and criminal investigation procedures, and from the prosecutor's office about general procedures in the criminal justice system, including plea agreements, restitution, appeals and parole;
 - provide pertinent information concerning the impact of the crime to the probation department prior to sentencing.
 - Information about the Texas Crime Victim's Compensation Fund and payment for a medical examination for a victim of sexual assault and on request, referral social service agencies that provide additional assistance
 - Information, on request, about parole procedures; notification of parole proceedings and of the inmate's release; and the opportunity to participate in the parole process by submitting written information to the Board of Pardons and Paroles for inclusion in the defendant's file for consideration by the Board prior to parole;
 - a separate or secure waiting area at all public court proceedings;
 - prompt return of any property that is no longer needed as evidence;
 - have the prosecutor notify, upon request, an employer that the need for the victim's testimony may involve the victim's absence from work;
 - on request, counseling and testing regarding AIDS and HIV infection and testing for victims of sexual assault
 - request victim offender mediation coordinated by the Victim Services Division of the Texas Department of Criminal Justice;
 - be informed of the use and purpose of a victim impact statement, to complete a victim impact statement and to have the statement considered before sentencing and acceptance of a plea bargain and before an inmate is released on parole.
- A victim, guardian of a victim, or close relative of a deceased victim may be present at all public court proceedings, with the consent of the presiding judge;
- A judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a service enumerated herein. Victims should also know that they can have a victim advocate accompany them during the sexual assault exam if an advocate is available at the time of the examination.
- Please call your crime victim services contacts in law enforcement and the prosecutor's office for more information about victim services in your community.

CRIME VICTIMS' COMPENSATION PROGRAM

The Crime Victims' Compensation Program is administered by the Office of the Attorney General and is dedicated to ensuring that crime victims receive every possible form of assistance provided by law. The Crime Victims' Compensation Program is available after primary sources of payment - such as health insurance, Medicaid, Medicare, auto insurance or Texas Workers' Compensation have been exhausted. If the court orders the offender to pay restitution to the victim for an expense that Crime Victims' Compensation has already paid, the victim may be required to reimburse the Fund. If the victim or claimant recovers money through the settlement of a civil suit against the offender or a third party, he or she may also have to reimburse the Fund. To be eligible a person must;

- Be a resident of Texas or another state with the crime occurring in Texas or a Texas resident who becomes a victim in another state or in a country without a compensation program.
- Report the crime to a law enforcement agency within a reasonable period of time, but not so late as to interfere with or hamper the investigation and prosecution of the crime.
- File the application within three years of the date of the crime.

Who may qualify?

- An innocent victim of crime who suffers substantial threat of physical and/or emotional harm or death.
- A dependent of a victim,
- an authorized individual acting on behalf of a victim,
- an intervener who goes to the aid of a victim or peace officer.
- A person who legally assumes the obligations or voluntarily pays certain expenses related to the crime on behalf of the victim .
- Immediate family or household members related by blood or marriage who require counseling as a result of the crime.
- A peace officer, fire fighter or individual who has a duty to protect the public and who is injured in a crime.

Who is not eligible?

Benefits may be reduced or denied if the victim

- participated in the crime,
- engaged in illegal activity,
- contributed to the crime,
- was an inmate at the time of the crime,
- knowingly or intentionally submitted false or forged information to the Crime Victims' Compensation Program
- did not cooperate with the appropriate law enforcement agencies.

What crimes are covered?

Crimes covered by Crime Victims' Compensation are those in which the victim suffers substantial threat of physical or emotional harm or death. These may include sexual assault, kidnapping, robbery, assault, homicide and other violent crimes. Vehicular crimes that are covered include failure to stop and render aid, DWI, manslaughter, criminally negligent homicide, aggravated assault, intoxication manslaughter and intoxication assault. What type of financial assistance is available? Claims may be approved for benefits up to a total of \$50,000. In the case of catastrophic injuries resulting in a total and permanent disability, victims may be eligible for an additional \$75,000 in benefits. Upon approval, benefits may be awarded for the following:

- medical, hospital, physical therapy or nursing care,
- psychiatric care or counseling, one-time relocation assistance for victims of family violence or a victim of sexual assault who is assaulted in the victim's place of residence,

- loss of earnings or support,
 - loss of wages and travel reimbursement due to participation in, or attendance at, the investigation, prosecutorial and judicial process
 - care of a child or dependent,
 - funeral and burial expenses
 - crime scene clean-up
 - replacement costs for clothing, bedding or other property seized as evidence or rendered unusable as the result of the investigation
 - attorney fees for assistance in filing the Crime Victims' Compensation application and in obtaining benefits, if the claim is approved,
 - loss of wages and travel to seek medical treatment or counseling.
- Additional benefits for victims who have suffered a catastrophic injury include;

- making a home or car accessible,
- job training and vocational rehabilitation,
- training in the use of special appliances,
- home health care,
- reimbursement of lost wages,
- rehabilitation technology, long term medical expenses and durable medical equipment. Reimbursement for property damage or theft is not an eligible expense. Please note that financial assistance may be limited or unavailable depending on laws in effect when the crime occurred.

How Do I apply?

Every law enforcement agency and prosecutor's office in Texas is mandated to provide victims of crime with information about the Crime Victims' Compensation Program applications for benefits. When contacting these agencies, please ask for the victim assistance coordinator or liaison, who can provide assistance in completing the application. Hospitals and medical centers may also have applications and materials. The HSC Police Department Crime Prevention Unit is charged with helping crime victims with the program. Call them at 210.567.2800

Applications for benefits can be obtained directly from the Crime Victims' Compensation Program in the Office of the Attorney General by calling (800) 983-9933. Professional staff at the division is also available to answer any questions and provide assistance in completing the application.

Applications may also be downloaded from <https://www.texasattorneygeneral.gov/>

NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE

It is a crime for any person to cause you any physical injury or harm EVEN IF THAT PERSON IS A MEMBER OR FORMER MEMBER OF YOUR FAMILY OR HOUSEHOLD. "NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE"

Please tell the investigating peace officer: IF you, your child, or any other household resident has been injured; or IF you feel you are going to be in danger when the officer leaves or later. You have the right to: ASK the local prosecutor to file a criminal complaint against the person committing family violence; and APPLY to a court for an order to protect you (you should consult a legal aid office, a prosecuting attorney, or a private attorney). If a family or household member assaults you and is arrested, you may request that a magistrate's order for emergency protection be issued. Please inform the investigating officer if you want an order for emergency protection. You need not be present when the order is issued. You cannot be charged a fee by a court in connection with filing, serving, or entering a protective order. For example, the court can enter an order that: (1) the abuser not commit further acts of violence; (2) the abuser not threaten, harass, or contact you at home; (3) directs the abuser to leave your household; and (4) establishes temporary custody of the children and directs the abuser not to interfere with the children or any property. A VIOLATION OF CERTAIN PROVISIONS OF COURTORDERED PROTECTION (such as (1) and (2) above) MAY BE A FELONY. CALL THE FOLLOWING VIOLENCE SHELTERS OR SOCIAL ORGANIZATIONS IF

YOU NEED PROTECTION:

AVISO A LAS VÍCTIMAS DE ADULTOS DE LA VIOLENCIA FAMILIAR

Es un crimen para cualquier persona que le causa ningún daño físico o daño INCLUSO SI ESA PERSONA ES UN MIEMBRO O EX MIEMBROS DE SU FAMILIA O CASA. "AVISO A LAS VÍCTIMAS DE ADULTOS DE VIOLENCIA FAMILIAR" Por favor, dígame al oficial de policía investigando: Si usted, su hijo, o cualquier otro residente del hogar ha sido dañado, o si usted siente que se va a estar en peligro cuando el oficial se vaya o posterior. Usted tiene el derecho de: Pedir al fiscal local que presente una denuncia penal contra la violencia de familia cometer, y aplicarse a un tribunal una orden para protegerlo (usted debe consultar a una oficina de ayuda legal, un fiscal o un abogado privado). Si un miembro de la familia ataques ni a la basura y que es arrestado, usted puede solicitar que una orden judicial de protección de emergencia se publicará. Por favor informe al oficial investigador si quiere una orden de protección de emergencia. Usted no necesita estar presente cuando se emita la orden. No se puede cargar una tarifa por un tribunal en relación con la presentación, servicio, o entrar en una orden de protección. Por ejemplo, el tribunal puede emitir una orden que: (1) no es el abusador cometer actos de violencia, (2) no es el abusador amenazar, acosar, o ponerte en contacto con usted en su casa, (3) ordena que el abusador salga del hogar; y (4) establece la custodia temporal de los niños y dirige el abusador de no interferir con los niños o de cualquier propiedad. Un VIOLACIÓN DE DETERMINADAS DISPOSICIONES DE PROTECCIÓN DE LA CORTE ORDENA (tales como (1) y (2) anterior) PUEDE SER UN DELITO GRAVE. LLAME A LOS REFUGIOS DE VIOLENCIA TRAS LAS ORGANIZACIONES SOCIALES O SI NECESITA PROTECCIÓN: Albergue para Mujeres Maltratadas Línea de 24 horas: 210.733.8810, Bexar Co. Family Justice Center: 210.631.0100 **The National Domestic Violence Hotline:** 1.800.799.7233 (TTY) 1.800.787.3224

In San Antonio, Bexar Co. Family Justice Center: 210.631.0100
In Harlingen, Cameron Co. Domestic Violence Unit: 956.544.0849
In Edinburg, Hidalgo Co. District Att. Civil Section: 956.381.1511
In Laredo, Webb Co. Domestic Violence Unit : 956.523.4900

Crime Victims' Compensation brochure from the Texas Attorney General's Office
The Rights of Victims of Crime in Texas brochure from the Texas Attorney General's Office:

https://www.texasattorneygeneral.gov/victims/publications_cv.shtml

REFERENCES:

Texas Attorney General's Office website at: <https://www.texasattorneygeneral.gov/>

VINE (Victim Information and Notification Everyday) Bexar County Sheriff's Office: 210.226.0303 ext. 229
Bexar County District Attorney's Office: 210.335.0042
The UT Health Science Center Student Counseling Center Office: 210.567.2648 Room 101F
The UT Health Science Center Student Health Center Nursing School 1.422 Office: 210.567.9355
UT Health Science Center Employee Health & Wellness Center Nursing School Room 1.445.8 Office: 210.567.2788
Rape Crisis Center 24 Hour Hotline: 210.349.7273
Battered Women's Shelter 24 Hour Hotline: 210.733.8810
Domestic Violence Bexar County Family Justice Center 210.631.0100
In Harlingen TX. Cameron Co. Crime Victims Assistance 956.544.0869
In Edinburg TX. Hidalgo Co. Crime Victims Assistance 956.318.2300
In Laredo TX. Webb Co. Crime Victim Assistance 956.523.4900
Office for Victims of Crime U.S. Department of Justice

<http://ojp.gov/ovc/map.html>