University of Houston-Clear Lake Police Department
2700 Bay Area Boulevard
Bayou Building 1636
Houston, Texas 77058
(281) 283.2222
www.uhcl.edu/police
September 27, 2017 Revision. Revision to pages 52-60
Dear Reader:

The University of Houston-Clear Lake (UHCL) is committed to providing the members of the campus community and visitors with the safest and most secure environment possible. However, even the most extensive initiatives cannot succeed without awareness and cooperation from the community members who work, study, and live on campus.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires all postsecondary institutions to disclose campus crime statistics and security information. The act was passed into law in 1990 as the Crime Awareness and Campus Security Act. A 1998 amendment renamed the act the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986 (the catalyst for the original legislation). The Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires the collection, reporting and dissemination of crime and fire data to the campus community and to the Department of Education. The Act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions.

In compliance with this Act, the University of Houston-Clear Lake Police Department has produced the Annual Review: Campus Safety & Crime Report, which contains the aforementioned information. In addition to campus crime and fire statistics, this report is also a resource guide for campus safety services and crime prevention strategies. Inquiries about this report may be directed to Chief Paul S. Willingham at (281) 283-2222 or by electronic mail: policechief@uhcl.edu

To learn more about the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, please visit: http://www.securityoncampus.org/

We hope this publication proves helpful, informative, and provides an opportunity for communication between the UHCL Police Department and the community which it serves.

Sincerely,

Paul S. Willingham
Chief of Police
University of Houston-Clear Lake
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Mission Statement

The mission of the University of Houston-Clear Lake Police Department is to provide exceptional law enforcement service, effectively respond to critical and emergency situations, while proactively safeguarding the lives and liberties of our community.

Vision Statement

The University of Houston-Clear Lake Police Department is united in a vision to serve the public and combat the criminal element to keep our community safe.

Motto

To Protect and Serve.

Core Values

Leadership – We set and strive for excellence in all we do, whether it is visible to the public or not.

Integrity – We will uphold the highest standard of ethics, being honorable and truthful in all our actions, by consistently and fairly applying rules, regulations and laws.

Professionalism – We will treat everyone with dignity while maintaining a professional attitude at all times with pride and commitment in our role as university guardians.

Service – We will exemplify customer service by creating a safe and secure environment, finding ways to add value to the university community, and providing courteous and accurate information.
About the University of Houston-Clear Lake Police Department
The University of Houston-Clear Lake (UHCL) is authorized by §51.203 of the Texas Education Code to certify and employ police officers to serve law enforcement and security needs on our 523-acre campus. University Police Officers are fully state certified and have the same powers as any other police officer in the State of Texas. While our law enforcement authority is state wide, the UHCL Police Department’s primary jurisdiction is Harris and Brazoria Counties with a focus on the UHCL and UHCL Pearland campuses and outlying university properties. We also take action as needed to provide assistance to other law enforcement agencies and to protect university assets in the areas adjacent to our campus.

The UHCL Police Department is a nationally accredited law enforcement agency under the direction of Paul S. Willingham, Chief of Police. The department has an authorized strength of twenty-seven full time employees (seventeen sworn peace officers and ten civilian support personnel), two part-time civilian employees and eight student employees. The department is organized into three components: Operations (Patrol, Dispatch, Criminal Investigations, Community Outreach, Department Training, Emergency Preparedness, Event Planning and Recruiting), Technical Services (Access Control, Information Systems and Lock Shop), and the Office of the Chief of Police (Accreditation, Internal Affairs, Inspections, Records, Front Office and Budget). These components work together to assure the university community receives the highest quality law enforcement and security services.

The University of Houston-Clear Lake is located on the border of the City of Houston and the City of Pasadena; directly adjacent to the NASA Johnson Space Center. The university is considered a wildlife preserve which includes six classroom, services and administration buildings, one office building, one maintenance building and one apartment complex. There are four entrances to the university (three primary entrances, and a subsidiary entrance to the apartment complex), four roads running through it, and eight parking lots.

In the summer of 2010, the University opened a branch campus in the community of Pearland. UHCL-Pearland is a 31,000 square foot facility which includes classrooms, administrative offices, and computer labs. Along with UHCL-Pearland, the University of Houston-Clear Lake partners with other entities to provide classes at other off site locations throughout the Houston area including the Texas Medical Center.

The University of Houston-Clear Lake has a population of approximately 9,200 students, staff and faculty. This does not include visitors to the campus, high school students who utilize the campus’ parking lots and services, or individuals and groups that rent campus space for a variety of events each year. The UHCL Police Department’s primary functions are the preservation of the public peace and order, the prevention and detection of crime, apprehension of offenders, the protection of persons and property, and the enforcement of the laws of the State of Texas. Through police and security programs such as automobile, ATV and foot patrol, safety transportation services, and implementation of security technologies, the UHCL Police Department endeavors to provide consistent and vigilant law enforcement services to the community.
Law Enforcement Accreditation

The UHCL Police Department continuously monitors its existing programs for opportunities to increase efficiency and improve service. We model our policing techniques and programs to reflect the very best standards of law enforcement around the country. In addition, the UHCL Police is always looking for opportunities to expand its community outreach. It is our intent to increase the community’s participation and establish effective collaboration of resources to create and maintain a safe and secure work and study environment.

In 2008, in an effort to improve our services and provide the UHCL community with a law enforcement agency that reflects the industry’s best practice standards, the UHCL Police Department entered into an agreement with the Commission on Accreditation for Law Enforcement Agencies (CALEA – www.calea.org) to seek accreditation. The accreditation process is an arduous and detailed endeavor that takes approximately three years to complete. Using CALEA’s standards manual as a guide, the UHCL Police Department developed policies, procedures, and practices that met or exceeded industry applications in administration, operations, prevention and communication. In December 2011, a team of outside assessors inspected the department’s directives manual, proofs of compliance, and practices. After an extensive review, the Commission unanimously granted accreditation to the University of Houston-Clear Lake Police Department on March 24, 2012.

Now that accreditation has been attained, it must still be maintained. As a living process, we must maintain compliance with accreditation standards, submitting annual reports to the Commission and preparing for the next onsite visit in 2014, where again we will be required to show proofs of compliance with the high standards set by CALEA.

The honor of accreditation is held by less than 5% of all law enforcement agencies in the United States. Accreditation is yet another means by which the UHCL Police Department demonstrates its commitment to Leadership, Integrity, Professionalism and Service - our core values.

Police Department Organization and Management

The UHCL Police Department is organized into three components – Operations, Technical Services, and the Office of the Chief of Police.

Office of the Chief of Police
The Office of the Chief of Police manages all university law enforcement and security issues. The Chief of Police directs the mission of the department, assuring its support of the university’s goals and objectives.

The Chief administers the department’s resources so as to be a good steward of the public funds in which it has been entrusted. Working closely with other campus
administrators, students and faculty, the Chief of Police develops programs, initiatives and practices to aid in providing a secure atmosphere in which the university conducts its business.

Within the Office of the Chief of Police is the Office of Professional Standards. This unit serves the vital function of ensuring the University Police Department operates under the highest ethical climate and adheres to established best practices of the law enforcement service.

The Professional Standards Compliance Officer is a civilian specifically trained to manage the department’s accreditation and internal affairs functions. In addition, the Office of Professional Standards handles Public Information, Records, Inspection Services, Risk Management Assessments, Parking Management, and Front Office / Customer Service Personnel.

Operations:
Operations is arguably the most visible component of the police department. They are the men and women in uniform who patrol the buildings and streets of the university.

Operations consists of four squads (two patrol squads, one dispatch squad and one investigations squad) covering 24-hours a day, seven days a week, every day of the year. Police Sergeants, who report directly to the Operations Commander, lead each squad. The Operations Commander is a Police Lieutenant, who also serves as the Assistant Chief of the Police Department.

Operations is responsible for:
- Patrol and Emergency Response
- Victim/Witness Assistance
- ATV Patrol
- Traffic Enforcement
- Parking Enforcement
- Motorist Assistance
- Police Dispatch Center
- Emergency Preparedness
- Criminal Investigations
- Recruiting
- Special Events Planning
- Property and Evidence Management
- Community Outreach
- Quartermaster / Supply
- Administrative Investigations
Technical Services:

Technical Services is the branch of the Police Department that handles the ever-growing area of security technologies. From access control, to burglar alarms, to surveillance CCTV, to conventional mechanical locks, Technical Services is charged with maintaining a functioning security network while integrating new technologies to further improve campus safety.

Technical Services consists of specially trained IT and Access Control Technicians led by a civilian Systems Operations Manager. This group also handles all parking meters, gate arms and emergency phones on campus.

Annual Campus Security Report

The UHCL Police Department gathers the information for preparation and submission of the institution’s Annual Campus Security Report. The Annual Campus Safety and Security Report is reviewed and updated annually as one cohesive document per requirements of federal law. It is the duty of the UHCL Police Department’s Chief of Police, or designee, to gather the required information and submit the institution’s Annual Campus Safety and Security Report prior to set deadlines.

Crime Log

The UHCL Police Department maintains a written Crime Log that records by the date any reported crime that occurs on or near campus. This log includes the nature, date, time, and general location of each crime, and the disposition of the complaint. This log will not include reports made to other agencies. It is the duty of the UHCL Police Department’s Office of the Chief to prepare this report in a timely manner so the community and media have access to its information. This information is distributed as follows:

- Emailed monthly to all university employees and students.
- Posted monthly to the Police Blotter Board in the hallway adjacent to Police Headquarters at Bayou 1636.
- Posted daily to the department’s webpage.
Timely Warnings

The UHCL Police Department provides timely warnings about reported crimes to the campus community, in a manner that will aid in the prevention of similar crimes if it is determined that a threat exists. Police Department supervisors review all reports taken by the department in a timely manner to determine any offenses that represent a threat to the campus community. If it is determined that there is a threat, the supervisor notifies the Chief of Police, or designee, who will send out a media release, mass e-mail, and/or a web posting of the incident to help prevent similar crimes from happening.

Social Media

The UHCL Police Department actively uses Social Media as a means to communicate campus news, safety alerts, and other pertinent security information to the UHCL community.

On Facebook (www.facebook.com), we can be found by searching University of Houston-Clear Lake Police Department.

On Twitter (www.twitter.com), we can be found by searching @UHCLPolice.

Links to both social media sites are located on the UHCL Police website (www.uhcl.edu/police).

Crime Reporting

The UHCL Police Department is the primary agency for reporting and investigating all crimes that occur on University of Houston-Clear Lake property, whether the property is owned or leased by UHCL. Any instances of criminal or suspicious acts and emergencies occurring on the UHCL campus, including the University Forest Apartments, the Texas Medical Center Annex and UHCL Pearland should be reported to the UHCL Police Department regardless of how seemingly insignificant the incident. UHCL Police can be contacted as follows:

- Telephone at 281-283-2222 (24/7 Police Dispatch Center)
- In Person, at Police Headquarters in Bayou Building 1636
- By Email at police@uhcl.edu
Using 911

The University of Houston-Clear Lake is a participating member of the Harris County 911 Network. This section details how the Harris County 911 Network works.

- **Dialing 911 from a hard line phone on campus:** If you dial 911 from a hard line phone on campus, you will be connected to the Harris County 911 Operator who will determine whether you need medical, fire, or police assistance. If you need police assistance, the operator’s computer will signify you are calling from campus and the call will be transferred to the UHCL Police Dispatch Center via a dedicated 911 phone and computer line. You will then be connected to our dispatcher. If you are on campus and dial 911 in need of medical or fire service, the Harris County 911 Operator will transfer the call to the city’s fire or EMS service. When the call is transferred, the UHCL Police will be notified of the call and subsequent transfer via a dedicated 911 phone and computer line.

  - **911 is for Emergency Calls only.** Please call 281-283-2222 for non-emergency requests for service.

- **When dialing 911 from your cell phone (whether on campus or not),** the Harris County 911 Operator will answer and send you to the police, fire or medical service associated with the location of the cell tower from which your call signal was transmitted. This means if you call 911 from your cell on campus, you will likely get the Houston Police Department because the campus does not have a dedicated cell tower. In this case, you need to specifically instruct the 911 Operator of your address (2700 Bay Area Boulevard) and request your call be transferred to the University of Houston-Clear Lake Police Department. This will expedite your call to our dispatcher.

- **The UHCL Police Dispatch Center will accept emergency calls via its regular phone number.** If you prefer to skip the 911 operator as an intermediary, you may call 281-283-2222 for police assistance. Make sure you advise the dispatcher immediately that you are in an emergency situation.

**Police Response**

Officers will respond as quickly as possible to any request for assistance, whether it is an emergency or not. Response times are based on current activity load and the urgency of the call. Crimes in progress, traffic accidents, medical emergencies and persons in danger calls have
a higher priority than other types of calls. Our average response times for these type calls are under one minute.

A police officer will meet with you to gather information and prepare an official report. That report will be forwarded to an investigator, who will review the report and evidence (if any) to attempt to determine the perpetrator(s) of the crime. In all instances of criminal activity, the UHCL Police Department works to determine the exact nature and perpetrator(s) of reported crimes for the purposes of developing a viable case to be forwarded to the Harris County or Brazoria County District Attorney’s Office for prosecution.

The UHCL Police Department maintains a close working relationship with the Dean of Students and Human Resources. All criminal offenses involving a student perpetrator are forwarded to the Dean of Students for additional administrative action. All criminal offenses involving an employee perpetrator are forwarded to the Executive Director of Human Resources for additional administrative action. Administrative action is taken separately from the police department’s criminal action. For some minor offenses, the Chief of Police, or designee, may waive criminal prosecution in lieu of administrative action; however, only the Chief of Police may make this determination. By law, UHCL personnel not associated with the police department cannot instruct the police department to waive viable criminal prosecution. Statistics for cases not prosecuted, but forwarded to the Dean of Students or Human Resources, will still appear in the statistical summary of this report.

Every month, the UHCL Police Department sends its Uniform Crime Report to the Texas Department of Public Safety for inclusion of crime statistics that are published by the Federal Bureau of Investigation. Furthermore, the UHCL Police Department maintains a close working relationship with local, state and federal law enforcement agencies to include the Houston Police Department, Pasadena Police Department, Harris County Sheriff’s Office, Galveston County Sheriff’s Office, Harris County Precinct 8 Constables Office, Texas Department of Public Safety, and the Federal Bureau of Investigation. The University of Houston-Clear Lake Police Department is also an active member agency of the Houston Fusion Center criminal intelligence collection bureau and the Clear Lake Investigators Group.

Relationships, on both the individual and organizational levels, improve our opportunity for success and build trust among fellow professionals. We share information with other agencies in order to enhance our ability for prosecution, crime prevention, and community problem solving. In addition to our work with other law enforcement agencies, we strive to improve our relationships with other functional areas of the university. These relationships are cultivated to enhance our role as Emergency First Responders.
Crisis Management and Emergency Planning

The UHCL Police Department in conjunction with UHCL Facilities Management and Construction has developed an Emergency Operations Plan that provides the necessary guidance to organize and direct UHCL operations in the event of a major emergency or disaster.

The plan details the protocols and resources to be utilized in order to prepare for and / or prevent potential emergencies, and to deal effectively with the effects of these events if they do occur; to include timely response, personnel and property protection, recovery and resumption of the normal mission and critical operational functions of UHCL.

During emergency management operations, the UHCL operates under the Incident Command System (ICS) – a system mandated by federal and state law that utilizes common command structures, protocols and terminology shared by all emergency responders. Under this system, a single Incident Commander directs all university and outside resources to carry out necessary tasks to mitigate the emergency. The Incident Commander is supplemented with a team of personnel known as the Crisis Management Team, who will assume various management responsibilities during the emergency and recovery phases.

The UHCL Emergency Operations Plan includes parameters for annual drills and exercises to assure the plan is operating at the highest efficiency. Every three years, the UHCL participates in a PEER review process where outside entities review the university’s Emergency Operations Plan to assure it meets statutory standards and the needs of the university.

Voluntary Confidential Reporting - My Safe Campus

Definition of Voluntary Confidential Reporting is when the victim of a crime does not want to pursue action within the university system or the criminal justice system, but still wishes to report the crime and not reveal his/her identity.

The University of Houston-Clear Lake strongly encourages reporting all crimes on campus to the UHCL Police Department. There are some very good reasons to promptly report crime.

- Timely notification of crime may affect the safety of others. When UHCL Police receives reports of crime that may impact the safety of the community, we will quickly post notices (while protecting the victim’s identity) around campus to warn other community members of possible risks.

- When you make your report, you assist UHCL Police in initiating an investigation, which in turn could lead to arrest, which means a possible dangerous offender and/or situation is removed from campus.
If you still would rather remain anonymous while reporting a crime, or any other violation of campus compliance or ethics, the University of Houston-Clear Lake has made available the *My Safe Campus* anonymous incident reporting system. In order to make a report, simply visit [www.mysafecampus.com](http://www.mysafecampus.com) (a link to this website can also be found at the police department web page: [www.uhcl.edu/police](http://www.uhcl.edu/police)), click on “Make a Report”, and enter “University of Houston-Clear Lake” into the Institution Search Engine. From there, follow the prompts to make your report. If you prefer using the telephone, you may call **1-800-716-9007** to make your report. Again, you may submit these reports confidentially if you do not want to pursue legal action. If you wish charges to be filed, you must call UHCL Police to make a report.

**Note:** By state law, victims of sexual assault may file a complaint with the police department while protecting their identity from the public through the use of a pseudonym. In addition, the UHCL Police makes every effort to protect the privacy of all crime victims.

### Reporting Procedures

When you call the police to report a crime, the dispatcher will need certain information. For your safety, be prepared to answer all the questions the dispatcher asks you, and be specific. Don't downplay the importance of your call. Here are points to immediately consider when reporting a crime:

- Is anyone's life or safety threatened?
- Does anyone need medical assistance or an ambulance?
- Is the suspect(s) still there? (If so, make sure the dispatcher knows this.)
- Does the suspect(s) have a weapon?

Crimes in progress, or those involving life-threatening circumstances, receive the highest priority response. If the crime is still in progress, do what you can to ensure your own safety first. If you are outside your home, get to a public area - an open store, a restaurant or other well populated location. If at home, an apartment, your office or classroom, move to a safe area and tell the dispatcher where you are.

### Information Police Will Want to Know When You Call

Where:

- Where are you now?
- Where did the crime happen?
- If the suspects are gone, where did they go? In what direction?
- Did they use a car or some other transportation? Did you get the license number?
What:

- What exactly happened or is happening? Describe the situation in complete detail. (e.g., "Someone has just broken my window and is inside my apartment.")
- What are the suspect(s) physical characteristics? (gender, height, weight, hair color, race, etc.)
- What was the suspect wearing? (distinctive colors of clothing)

When:

- When did the crime happen? Is it still in progress? (This is very important, as it may determine the level of response.)

Who:

- Who are you? What phone number are you calling from? Don't hang up the phone until the dispatcher tells you to do so. You may be put on hold while the dispatcher contacts emergency responders.

**Rape and Sexual Assault Procedures**

The following is a verbatim copy of the University of Houston System Sexual Misconduct Policy as approved by the System Chancellor on November 29, 2012 and published in the 2013-2014 UHCL Student Life Policy Handbook:

UNIVERSITY OF HOUSTON SYSTEM

SECTION: General Administration

AREA: Legal Affairs

SUBJECT: Sexual Misconduct Policy (Interim)

1. PURPOSE

1.1. The University of Houston System and its component institutions (“University”) are committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff and visitors are free from sex discrimination of any kind. Sexual misconduct, a form of sex discrimination, is antithetical to the standards and ideals of the University. The University will take
appropriate action in an effort to eliminate sexual misconduct from happening, prevent its recurrence and address its effects.

1.2. The University aims to eradicate sexual misconduct through education, training, clear policies and serious consequences for violations of its policies. This Sexual Misconduct Policy (“Policy”) defines and describes prohibited sexual conduct and establishes a procedural mechanism for processing complaints of sexual misconduct. (Please see the University’s Discrimination and Harassment Policy, SAM 01.D.07, to find the procedural recourse for responding to unlawful discrimination and harassment incidents that do not constitute sexual misconduct.)

1.3. Consistent with its commitment to addressing sex discrimination and harassment, the University complies with Title IX of the Education Amendments of 1972 (“Title IX”), which prohibits discrimination on the basis of sex in education programs or activities, and Title VII of the Civil Rights Act of 1964 (“Title VII”), which prohibits sex discrimination in employment. Sexual misconduct, as defined in this Policy, constitutes a form of sex discrimination prohibited by Title IX and Title VII.

1.4. All members of the University are expected to adhere to this policy, to cooperate with the procedures for responding to complaints and to report conduct or behavior that they believe to be in violation of this Policy (See Sections 8 and 9 for reporting procedures). The University will take seriously allegations of sexual misconduct by conducting an investigation, and the University will work to ensure that all persons are given appropriate support and fair treatment.

1.5. This Policy provides the exclusive mechanism for handling the non-criminal investigation of any alleged sexual misconduct, the determination of whether this Policy was violated, and the appeal of Equal Opportunity Services’ (EOS’) finding as to violation/no violation of this Policy.

2. GENERAL DEFINITIONS

2.1. Complainant – A party or entity (in the case of the University) who makes a complaint of sexual misconduct under Section 11 of this Policy.

2.2. Respondent – A party who has been accused of committing an act of sexual misconduct by a Complainant.

2.3. Sexual Activity – Intercourse, however slight, meaning vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth
contact). Sexual activity also includes any intentional contact with the breasts, buttck, groin, or genitals, or touching another with any of these body parts, or making another touch the Complainant or themselves with or on any of these body parts; and any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

2.4. **Student** – Any person currently or previously enrolled in the University pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

2.5. **Title IX Coordinator** – The person who has been designated on each component institution campus to coordinate efforts to comply with and implement this Policy. The Title IX Coordinator is responsible for conducting the administrative investigation of reports of sexual misconduct and is available to discuss options, provide support, explain University policies and procedures and provide education on relevant issues. The Title IX Coordinator may designate one or more Assistant Title IX Coordinators. The Title IX Coordinators for each component institution campus are:

- **University of Houston System/University of Houston**
  Assistant VC/VP for Equal Opportunity Services or Richard Anthony Baker, M.P.A., Ph.D., J.D., Equal Opportunity Services
  (713) 743-8835; rabaker4@uh.edu

- **University of Houston – Downtown**
  Assistant VP for Employment, Training, Campus Relations and Affirmative Action Officer or Douglas J. TeDuits, Ed D, SPHR, Employment Services and Operations
  (713) 222-5366; TeDuitsD@uhd.edu

- **University of Houston – Clear Lake**
  Executive Director, Human Resources and Affirmative Action or Katherine Justice, Human Resources and Affirmative Action
  (281) 283-2164; Justice@uhcl.edu

- **University of Houston – Victoria**
  Director, Human Resources/Affirmative Action or Laura Smith, Human Resources/Affirmative Action
  (361) 570-4800; SmithL@uhv.edu

2.6. **University-Affiliated Activity** – Any activity on or off campus that is initiated, aided, authorized or supervised by the University or by an officially-recognized
organization of the University.

2.7 University Premises – Buildings or grounds owned, leased, operated, controlled or supervised by the University.

3. DEFINITION OF SEXUAL MISCONDUCT

“Sexual misconduct” is a broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes sexual assault, sexual exploitation, sexual intimidation, and sexual harassment as further described in Section 6. Sexual misconduct can be committed by men or women, strangers or acquaintances, and can occur between people of the same or opposite sex. This Policy applies regardless of the complainant’s or the respondent’s sex, sexual orientation, gender identity or gender expression. An attempt to engage in conduct that constitutes sexual misconduct under this Policy may be treated itself as an act of sexual misconduct.

4. JURISDICTION

The University has jurisdiction over, and will respond to, allegations of sexual misconduct occurring on the University’s premises, at University-affiliated activities and/or where the misconduct involves students, faculty, staff and visitors of the University. A sexual misconduct complaint rising to the level of a potential criminal violation may be considered separately under this Policy and in the criminal justice system. Proceedings under this Policy will not be dismissed or delayed because criminal prosecution is pending, charges have been dismissed, or the charges have been reduced. Proceedings may also continue if a party is no longer employed with or a student of the University.

5. CONSENT

5.1. For purposes of this Policy, consent is an informed and freely and affirmatively communicated willingness to participate in a particular sexual activity. Consent can be expressed either by words or by clear and unambiguous actions, as long as those words or actions create mutually understandable permission regarding the conditions of each instance of sexual activity. It is the responsibility of the person who wants to engage in the sexual activity to ensure that s/he has the consent of the other to engage in each instance of sexual activity.

5.2. Consent is active, not passive, and cannot be inferred from the absence of a “no.” Therefore, silence or lack of protest or resistance, without actions demonstrating permission, cannot be assumed to show consent. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging the receipt of consent, and individuals are thus
urged to seek consent in verbal form for each instance of sexual activity. The existence of a dating relationship or a previous sexual relationship between the persons involved does not provide the basis for an assumption of consent to future sexual activity.

5.3. Consent must be present throughout the sexual activity, and consent to some form of sexual activity cannot be automatically taken as consent to any other sexual activity. Importantly, at any time, a participant can communicate that s/he no longer consents to continuing the sexual activity. If there is confusion as to whether an individual has consented or continues to consent to sexual activity, it is essential that the participants stop the sexual activity until the confusion is clearly resolved.

5.4. In determining whether a person gave consent, various factors are relevant. However, there is no consent when physical force or violence is used or threatened, where a person is unconscious or otherwise unable to resist, where the person is unaware that a sexual assault is occurring, or where the person does not have the legal capacity to consent. Further, a person may be unable to consent when the person is mentally or physically incapacitated due to the influence of drugs, alcohol, or medication and as a result is rendered temporarily incapable of understanding, appraising or controlling his or her conduct. A person’s incapacity to understand, appraise or control her or his conduct may be analyzed based on surrounding factors including, but not limited to, hallucinations, seizures, vomiting, slurred speech, disorientation, incoordination and other relevant factors.

6. FORMS OF SEXUAL MISCONDUCT

6.1. Sexual Assault

Sexual assault is any form of non-consensual sexual activity. Sexual assault represents a continuum of conduct from forcible rape to non-physical forms of pressure that compel individuals to engage in sexual activity against their will. Examples of sexual assault under this policy include, but are not limited to, the following non-consensual sexual activity:

a) Sexual intercourse (vaginal or anal);

b) Oral sex;

c) Rape or attempted rape;

d) Penetration of an orifice (anal, vaginal, oral) with the penis, finger or other object;

e) Unwanted touching of a sexual nature;
f) Use of coercion, manipulation or force to make someone else engage in sexual touching, including breasts, chest and buttocks;

 g) Engaging in sexual activity with a person who is unable to provide consent; or

 h) Knowingly transmitting a sexually-transmitted disease to another.

6.2. Sexual Exploitation

Sexual exploitation occurs when a party takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples can include, but are not limited to, the following behaviors:

a) Prostituting another;

b) Non-consensual electronically recording, photographing or transmitting intimate or sexual utterances, sounds or images without the knowledge and consent of all parties involved;

c) Voyeurism (spying on others who are in intimate or sexual situations);

d) Going beyond the boundaries of consent (such as letting friends hide in the closet to watch another friend having consensual sex); or

e) Distributing intimate or sexual information about another person without that person’s consent.

6.3. Sexual Intimidation

Sexual intimidation involves:

a) Threatening another with a non-consensual sex act;

b) Stalking or cyber-stalking; or

c) Engaging in indecent exposure.

6.4 Sexual Harassment

Sexual harassment is a form of sex discrimination that includes verbal, written or physical behavior of a sexual nature, directed at someone, or against a particular group, because of that person’s or group’s sex, or based on gender stereotypes, when that behavior is unwelcome, severe or pervasive, and where it meets either of the following criteria:

a) Submission or consent to the behavior is believed to carry consequences for
the individual’s education, employment, on-campus living environment or participation in a University-affiliated activity. Examples of this type of sexual harassment include, but is not limited to:

1) Pressuring another to engage in sexual behavior for some educational or employment benefit; or

2) Making a real or perceived threat that rejecting sexual behavior will result in a negative tangible employment or academic consequence.

b) The behavior has the purpose or effect of substantially interfering with another’s work or educational performance by creating an intimidating or hostile environment for employment, education, on-campus living or participation in a University-affiliated activity. Examples of this type of sexual harassment can include, but is not limited to:

1) Persistent unwelcome efforts to develop a romantic or sexual relationship;

2) Unwelcome commentary about an individual’s body or sexual activities;

3) Unwanted sexual attention;

4) Repeatedly engaging in sexually-oriented conversations, comments or horseplay, including the use of language or the telling of jokes or anecdotes of a sexual nature in the workplace, office or classroom, even if such conduct is not objected to by those present; or

5) Gratuitous use of sexually-oriented materials not directly related to the subject matter of a class, course or meeting even if not objected to by those present.

7. USE OF ALCOHOL OR OTHER DRUGS

Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The perspective of a reasonable person will be the basis for determining whether one knew or should have known about the impact of the use of alcohol or drugs on another’s ability to give consent. Being intoxicated or high is never an excuse for engaging in sexual misconduct.

8. ANONYMOUS AND CONFIDENTIAL REPORTING

8.1. When considering reporting options, victims should be aware that certain University personnel can maintain strict confidentiality, while others have mandatory reporting and response obligations. University personnel who receive a report of sexual misconduct may be required to share the information...
with appropriate administrative authorities for investigation and follow up. Although the University will comply with a victim’s request for confidentiality to the extent possible, such a request will be considered in the context of the University’s responsibility to provide a safe and non-discriminatory environment for the University community. Where the University cannot take disciplinary action against an alleged discriminator or harasser because of a complainant’s insistence of confidentiality, the University will pursue other steps to limit the effects of the alleged sexual misconduct and attempt to prevent its recurrence.

8.2. Each component institution has on-campus personnel who can maintain strict confidentiality. Campus crisis counselors can assist in a crisis situation and provide information about options including medical assistance, psychological counseling, University disciplinary action, and criminal prosecution. The crisis counselors can provide safe and confidential support, explain common reactions to crises, and discuss coping methods that may assist immediately following the assault and later. Talking about concerns may help the victim sort through feelings and decide what to do. Victims need not reveal their names if calling for information. Crisis counselors will not reveal the victim’s identity to anyone without the victim’s permission except under very limited exceptions (e.g., if an immediate threat to the victim or others is present, or if the victim is a minor).

8.3. In addition, a victim (or any individual who has information about an incident of alleged sexual misconduct) may submit a report through a secure web-based reporting system called MySafeCampus, which allows the option of anonymity. The web address for MySafeCampus is http://www.mysafecampus.com. However, the reporter should know that, during the course of an investigation, his or her identity may be discovered. If that occurs, the reporter will receive the same confidentiality safeguards offered to those who make a formal report under this Policy.

9. FORMAL REPORTING

9.1. The University supports and encourages anyone who believes they have been sexually assaulted, or believes they are otherwise the victim of sexual misconduct, to report the incident to the reporting source of their choice, which can include, but is not limited to, any entity or individual listed in Section 2 above and/or in subsections A through E of this Section 9. Prompt reporting may preserve options that delayed reporting does not, including the preservation of physical evidence, the support of crisis counseling, and immediate police response.

9.2. Formal reporting as described in this section cannot provide complete
anonymity, but the only persons who will be provided information relating to the report are those persons that need to know, unless additional disclosure is required by law. The University will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in sexual misconduct investigations. Breaches of confidentiality or privacy committed by anyone involved in any investigation of alleged sexual misconduct, including the complainant, the accused, witnesses or the investigators, may be considered a separate violation of this Policy and may result in disciplinary sanctions.

9.3. When an incident of sexual misconduct is formally reported, the University will consider interim accommodations to protect the alleged victim while the incident is investigated and adjudicated through this Policy. The Title IX Coordinator and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the alleged victim and the accused, as well as provide a safe overall educational or working environment until (and perhaps after) the report is investigated and any appropriate action is taken. Failure to adhere to the parameters of any interim accommodation may be considered a separate violation of this Policy and may result in disciplinary sanctions.

9.4. As mentioned above, an individual may report an incident of sexual misconduct by various means, including reporting to appropriate local law enforcement agencies. Any University person receiving a report of sexual misconduct must promptly contact the Title IX Coordinator to discuss the report. In addition, there are specific University offices and individuals prepared to respond to incidents of sexual misconduct:

A. University Police. Reporting to the police helps protect others from future victimization, apprehend the alleged assailant and maintain future options regarding criminal prosecution, University disciplinary action and/or civil action against the alleged wrongdoer. When the victim reports the incident, a police officer will take a statement from the victim regarding what happened. A victim can request that his or her identity be kept confidential. Remember, reporting an incident is separate from choosing to prosecute. When a police report is filed, the victim is not obligated to continue with criminal proceedings or University disciplinary action.
A victim of sexual misconduct can make a report to their component institution’s Police Department as noted below:

- University of Houston Main Campus Police Department
  http://www.uh.edu/police
  713-743-3333

- University of Houston-Clear Lake Police Department
  http://www.uhcl.edu/police
  281-283-2273

- University of Houston-Downtown Police Department
  http://www.uhd.edu/campus/pd/
  713-221-8911

- UH-Victoria Campus
  http://www.uhv.edu/handbook/campussafety.aspx
  361-570-4245

- UH System at Cinco Ranch
  Security officers are assigned to UHS at Cinco Ranch. Should anyone need assistance concerning an escort, safety or security matter, contact the security officer on duty by calling 832-842-2877. If the security officer is not available during an EMERGENCY situation, dial 911.

- UH at Sugar Land
  Security officer are assigned to UH at Sugar Land. Should anyone need assistance concerning an escort, safety or security matter, contact the police officer or security officer on duty by calling 281-275-3302. If the security officer is not available during an EMERGENCY situation, dial 911.

B. Title IX Coordinator. Any incident of sexual misconduct can be brought to the attention of the Title IX Coordinator (See Section 2.5 for the contact information for each Title IX Coordinator). The Title IX Coordinator will promptly inform the University of Houston System’s Office of Equal Opportunity Services (EOS) and EOS will begin its review process in consultation with the Title IX Coordinator. Although the University strongly encourages reporting sexual misconduct to the police, a victim may request administrative action by EOS with or without the filing of a police report. The administrative review process for sexual misconduct complaints utilizes a team approach, with EOS serving as fact finder/investigator and the appropriate University administrator consulting on and implementing the
proposed sanctions, if any.

C. **Campus Security Authority.** A complaint of sexual misconduct can be brought to a Campus Security Authority (CSA), who is a person that has significant responsibility for students and campus activities. The CSA will promptly inform the Title IX Coordinator and/or EOS of the complaint, and EOS will begin its review process.

D. **Dean of Students Office.** A complaint of sexual misconduct involving a student can be brought to the Dean of Students Office, or its equivalent. The Dean of Students Office (or its equivalent) will promptly inform the Title IX Coordinator and/or EOS of the complaint and EOS will begin its review process.

E. **Human Resources.** A complaint of sexual misconduct involving a staff person can be brought to the Human Resources Department. The Human Resources Department will promptly inform the Title IX Coordinator and/or EOS of the complaint, and EOS will begin its review process.

10. **RETLATION**

The University takes reports of sexual misconduct very seriously and will not tolerate retaliation against those who make such reports or participate in the investigatory or adjudicatory process. Retaliation includes, but is not limited to, any adverse employment or educational action taken for making a report of sexual misconduct, or otherwise participating under this Policy. Any actual or threatened retaliation, or any act of intimidation to prevent or otherwise obstruct the reporting of sexual misconduct or the participation in proceedings relating to sexual misconduct, may be considered a separate violation of this Policy and may result in disciplinary sanctions. Any person who believes that they have been subjected to retaliation should immediately report this concern to their Title IX Coordinator.

11. **SEXUAL MISCONDUCT COMPLAINT PROCEDURES**

11.1. **Step One: Filing a Complaint**

If the victim wishes to pursue a sexual misconduct complaint, s/he will be asked to complete a Formal Complaint Questionnaire with their Title IX Coordinator, who will forward the Complaint Questionnaire to EOS. The University does not limit the timeframe for filing a complaint of sexual misconduct. Complaints can be submitted at any time following an incident, although the University’s ability to take any action may be limited because of the passage of time. Once a complaint is filed, if the Complainant decides that
s/he wants to withdraw the complaint, the University’s investigation may still proceed.

11.2. **Step Two: Consideration of Interim Accommodations**

Although interim accommodations may have already been considered and made, EOS will consider interim accommodations at this step to protect the complainant while the incident is investigated and adjudicated through this Policy. EOS and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the complainant and the accused, as well as provide a safe overall educational or working environment until (and perhaps after) the complaint is investigated and adjudicated. Failure to adhere to the parameters of any interim measure may be considered a separate violation of this Policy and may result in disciplinary sanctions.

11.3. **Step Three: EOS Investigation**

EOS will begin an investigation upon its receipt of a complaint or other notice of alleged sexual misconduct. EOS will attempt to interview the Complainant, the Respondent and any witnesses, as appropriate. EOS will also gather and review any information it deems pertinent, as well as any information submitted by the Complainant, the Respondent and/or any witnesses.

11.4. **Step Four: Response to a Complaint**

Within five business days after receiving a complaint, EOS will contact the Respondent to obtain the Respondent’s response. The response is due to EOS within 10 business days from the Respondent’s receipt of the Complaint. The response should address and respond to the specific allegations made in the Complaint and can include any other rebuttal information. Failure to respond may be considered a separate violation of this Policy and may result in disciplinary action.

11.5. **Step Five: EOS Finding**

EOS will issue a finding as soon as practicable and make every effort to issue its finding within 60 business days from its receipt of the complaint. The finding will be determined by a preponderance of the evidence; that is, whether it is more likely than not that the Respondent violated this Policy. If EOS determines that this Policy was violated, EOS will recommend appropriate university action in an effort to eliminate sexual misconduct from happening, prevent its recurrence and address its effects. Even if EOS determines that this Policy was not violated, EOS may recommend that the Respondent undertake educational
initiatives and/or trainings. EOS will concurrently notify the Complainant and the Respondent in writing of the outcome of its finding and any appeal rights under this Policy, to the extent permissible by law. EOS will notify the appropriate university administrator of any recommended university action.

11.6. **Step Six: Sanctions**

11.6.1. If EOS finds a violation of this policy against a faculty member, EOS will recommend appropriate university action, and any sanction imposed on the faculty member will be determined by and implemented by the appropriate administrator after consultation with EOS and consistent with the component institution’s faculty handbook/manual.

11.6.2. If EOS finds a violation of this policy against a non-faculty university employee, EOS will recommend appropriate university action, and any sanction imposed on the employee will be determined by and implemented by the appropriate administrator after consultation with EOS and consistent with the component institution’s policies and procedures related to employee discipline.

11.6.3. If EOS finds a violation of this policy against a student, EOS will recommend appropriate university action, and any sanction imposed on the student will be determined by and imposed by the Dean of Student’s Office or its equivalent after consultation with EOS and consistent with the component institution’s policies and procedures related to student conduct/discipline.

11.7. **Step Seven: Appeal**

11.7.1. If the Complainant or the Respondent is dissatisfied with EOS’ finding, the party can appeal to the component institution’s appellate board (“Board”). An appeal must be filed with the Title IX Coordinator within 10 business days of receiving EOS’ finding. Absent extenuating circumstances, the Title IX Coordinator will schedule a hearing to be held within 30 business days from the filing of the appeal. Written requests for rescheduling the hearing will be considered by the Board’s chairperson in consultation with the Title IX Coordinator. No later than five business days prior to the hearing, all materials that will be used at the hearing must be submitted to the Title IX Coordinator, who will forward the materials to the Board’s chairperson and will simultaneously provide to the other party. The materials must include the names of any witnesses intended to be called during the hearing (along with a brief summary concerning the subject matter of the witness’ expected testimony), and the name of any advisor to be in attendance at the
hearing (and whether that advisor is an attorney). No witness, document/tangible evidence, or advisor will be permitted at the hearing unless such information was timely submitted.

11.7.2. Appeals/Grievances relating to sanctions assessed by the appropriate administrators are not considered under this Policy. Therefore, if the Complainant or the Respondent is dissatisfied with any sanction determined by the appropriate administrator under Sections 11.6.1 through 11.6.3 above, he/she may appeal the sanction as follows: any challenge to the sanction against a faculty member must be addressed through the component institution’s faculty handbook/manual; any challenge to the sanction against an employee must be addressed through the component institution’s policies and procedures related to employee grievances; any challenge to the sanction against a student must be addressed through the appeal process in the component institution’s student code of conduct or its equivalent.

11.8. **Step Eight: Designation of Hearing Panel**

The hearing will be conducted by a Hearing Panel (“Panel”), which is charged with upholding or rejecting EOS’ finding based on the preponderance of the evidence. The Board’s chairperson is responsible for selecting the Panel members from available Board members. The Panel will be comprised of three board members. The Board’s chairperson will select the Panel’s chairperson. The appellant and the appellee shall be notified of the Panel’s composition. Within five business days of such notification, the appellant and the appellee shall have an opportunity to challenge in writing any Panel member for cause. The Board’s chairperson, in consultation with the Title IX Coordinator, will consider any challenge and replace the Panel member if appropriate.

11.9. **Step Nine: Hearing**

11.9.1. The general course of the hearing procedure will be as follows, subject to the discretion of the Panel chairperson:

a) The Panel chairperson will convene the hearing, introduce the individuals, give a brief description of the process and invite questions about the process;

b) The appellant shall present his or her evidence (including calling and questioning his or her own witnesses) to the Panel;

c) The appellee shall present his or her evidence (including calling and questioning his or her own witnesses) to the Panel; and
d) An investigative summary will be presented to the Panel by EOS.

11.9.2. The Panel chairperson and/or Panel may question any individual at any time during the hearing.

11.9.3. The Panel chairperson may impose reasonable time limits on any stage of the hearing. The Panel chairperson may also determine the relevance of, and place restrictions on, any witness or information presented.

11.9.4. The appellant and the appellee may question their own witness and the EOS representative but not the opposing party’s witnesses. However, the appellant and appellee may request that the Panel chairperson ask questions of the other witnesses. Both parties may request that the Panel Chair ask questions of the other witnesses by submitting proposed questions to the Panel chairperson in writing either prior to, or during, the hearing. The Panel chairperson may determine which questions are relevant, and the Panel chairperson has the discretion to revise a question or to decline asking the question.

11.9.5. An audio recording of the hearing will be kept for the use of the Panel and for any appeal.

11.9.6. In cases where an appellant or an appellee refuses to participate in the hearing, the Panel will convene and make a decision based on the evidence and testimony available to the Panel. Any party who declines to participate in a hearing waives any additional right to appeal.

11.9.7. Because the hearing process is an internal University process and not a formal courtroom process in which rules of evidence and courtroom procedures apply, this procedure is intended to reduce the adversarial nature of the hearing and will be conducted accordingly. The appellant and the appellee may bring an advisor. Advisors may attend the hearing and sit with their respective advisee during the hearing, communicate quietly orally and/or in writing with their respective advisee during the hearing and may respond to a direct question from the Panel. However, an advisor will not be permitted to speak on behalf of the advisee, make an oral presentation, including an opening or closing argument, or to question witnesses, the EOS representative, or the Panel during the hearing.

11.9.8. Alternative testimony options will be available if determined by the Title IX Coordinator or the Panel to be necessary, such as placing a privacy screen in the hearing room, or allowing an alleged victim to testify from another room via closed circuit. Although such options are intended to help make the alleged victim more comfortable, they are
not intended to work to the disadvantage of the Respondent.

11.10. **Step Ten: Panel Decision**

After the hearing has concluded, the Panel will deliberate in private. The Panel will uphold or reject EOS’ finding based on the preponderance of the evidence. The Panel’s decision will be by majority vote. The Panel will communicate its decision in writing to the Title IX Coordinator within three business days of the hearing. The Title IX Coordinator will then provide a copy of the decision to the appellant, the appellee, and EOS.

11.11. **Step Eleven: Final Appeal to Appropriate Administrator**

If the Panel upholds EOS’ finding, the appellant may appeal the Panel’s decision to the appropriate administrator. Conversely, if the Panel rejects EOS’ finding, the appellee and/or EOS may appeal the Panel’s decision to the appropriate administrator. Any appeal must be filed in writing within 10 business days of the Panel’s decision. The administrator will render a decision within 10 business days from the date that the appeal is filed.

12. **SPECIAL PROVISIONS**

12.1. **Violations.** Any act that falls within the definition of sexual misconduct constitutes a violation of this Policy.

12.2. **University as Complainant.** The University reserves the right to initiate a complaint, to serve as a Complainant, or to initiate proceedings under this Policy without a formal complaint by the victim of sexual misconduct.

12.3. **Off campus conduct.** When an individual is alleged to have engaged in sexual misconduct off University premises, the University reserves the right to investigate and adjudicate under this Policy.

12.4. **Immunity for Victims.** The University encourages the reporting of sexual misconduct. Sometimes victims and/or witnesses are hesitant to report because they fear that they themselves may be charged with policy violations, such as underage drinking at the time of the incident. It is in the best interest of the University to report incidents of sexual misconduct. To encourage reporting, the University follows a policy of offering victims and witnesses of sexual misconduct amnesty from being charged with alcohol or drug-related University policy violations if they had been using drugs or alcohol at or near the time of the sexual misconduct incident.

12.5. **Notification of Outcomes.** The Title IX Coordinator and/or EOS will
concurrently notify the Complainant and the Respondent in writing of the outcome of any finding and any appeal to the extent permissible and/or required by law.

13. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Legal Affairs and General Counsel

Review: Every three years on or before August 31

Interim Due Date for Review: September 1, 2013

14. APPROVAL

Approved: Dona Cornell
Vice Chancellor for Legal Affairs and General Counsel

Renu Khator
Chancellor

Date: November 29, 2012

REVISION LOG

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If you are an assault survivor, you may pursue action against an attacker three different ways:

1) You can contact a local rape crisis program for their support and guidance;
2) You can use the policy to have the University bring disciplinary action against your attacker;
3) You can contact the University Police to bring criminal charges against your attacker.

You may pursue all three choices at the same time or pursue just one or two of the options together. If there is a possibility that you will decide to press criminal charges against your attacker, you should be aware that you will need to act quickly to preserve crucial physical evidence. Any of the rape crisis centers (See Appendix A) of the University Police (281-283-2222) can tell you what needs to be done to preserve the evidence.

A. Rape Crisis Centers

The following are hotlines for rape and sexual assault, as well as domestic violence, etc.

Bay Area Turning Point: 281-338-7600
The Bridge: 713-473-2801
Bay Area Women’s Center: 281-422-2292
Houston Area Women’s Center: 713-528-RAPE (7273) (Rape Crisis Hotline) or 713-528-2121 (Family Violence)

B. Sexual Assault Defined (Texas Penal Code)

22.011. Sexual Assault

(a) A person commits an offense if the person:

(1) intentionally or knowingly:

(A) causes the penetration of the anus or female sexual organ of another person by any means, without that person’s consent;
(B) causes the penetration of the mouth of 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 female sexual organ of a child by any means;
(B) causes the penetration of the mouth of 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 or
(D) causes the anus of a child to contact the mouth, 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 believes that the actor has the ability to execute the threat; or
(8) the actor is a public servant who coerces the other person to submit or participate.

(c) In this section:

(1) “Child” means a person younger than 17 years of age who is not the spouse of the actor.
(2) “Spouse” means a person who is legally married to another, except that person married to each other are not treated as spouses if they do not reside together or if there is an action pending between them for dissolution of the marriage or
for separate maintenance.

(d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and them mouth, anus, or sexual organ of the actor or a third party.

(e) It is an affirmative defense to prosecution under Subsection (a)(2) that the actor was not more than three years older than the victim, was a child of 14 years of age or older.

(f) An offense under this section is a felony of the second degree.

22.02 Aggravated Assault

(a) A person commits an offense if the person commits assault as defined in Section 22.01 and the person:

(1) causes serious bodily injury to another, including the person’s spouse; or
(2) uses or exhibits a deadly weapon during the commission of the assault.

(b) An offense under this section is a felony of the second degree, except that the offense is a felony of the first degree if the offense is committed:

(1) by a public servant acting under color of the servant’s office or employment;
(2) against a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant; or
(3) in retaliation against or on account of the service of another as a witness, prospective witness, informant, or person who has reported the occurrence of a crime.

(c) The actor is presumed to have known the person assaulted was a public servant if the person was wearing a distinctive uniform or badge indicating the person’s employment as a public servant.

Reporting Sexual Assault to the Police

If you are a sexual assault survivor on any University of Houston-Clear Lake property (owned or leased) please do the following immediately:

1. Call the University Police Department, (281) 283-2222 or 9-911.
• If the sexual assault occurred off campus at a UHCL event, still call UHCL Police. You may choose to allow UHCL to handle the investigation or if you request, we will notify the appropriate agency of jurisdiction.

2. Seek medical attention in an emergency room that performs legal rape exams (Rape Kits).
   • Once officers arrive they will make sure you get to the appropriate hospital.

When you call the UHCL Police Department, the following information will be discussed with you:

1. Remember that **you did not deserve to be assaulted**. You have nothing to feel guilty or ashamed about.

2. A police officer will contact you at the scene of the attack, the hospital, or another location of your choosing. Let us know your preference.

3. To preserve evidence, you should not bathe or change clothes or do any cleaning up in any manner prior to receiving medical assistance. We know this is difficult, but it can mean the difference in a successful investigation and prosecution.

4. You are the person in control when you contact the police department and you decide how you want the incident handled:
   • You may press charges against the suspect. It is not required that you press charges against the suspect, but the police hope that you will proceed with prosecution so that your assailant(s) may be arrested for what they have done to you. However, **IT IS YOUR CHOICE**.
   • You may ask that university disciplinary action be initiated against the suspect (Per the UHCL Sexual Assault Complaint Policy).
   • You may ask the police to contact the suspect about the incident, and still choose not to have the suspect arrested.
   • You may tell the police not to contact the suspect about the incident, and choose not to have the suspect arrested.
   • You may also choose to proceed through the University Discipline Procedure in addition to, or in lieu of, pressing criminal charges against the suspect.

**Rape Awareness**

The University of Houston-Clear Lake Police Department conducts educational seminars throughout the year to raise awareness of issues related to sexual assault and rape. The police department works with Student Affairs to develop reporting and investigative procedures that protect the sexual assault survivor, while insuring justice is served. The UHCL Police has a Mutual Aid Agreement with the Bay Area Turning Point to provide educational literature and
programs about sexual assault and domestic abuse for the university community, as well as, respond as victim advocates if ever the need arises.

The UHCL Police Department offers Rape Aggression Defense (RAD) classes to the university community (www.rad-systems.com) free of charge. Classes are held several times each year.

### Sex Offender Registration

The Wetterling Act of 1994 requires each state to create a specific program to register sex offenders. The Campus Sex Crimes Prevention Act of 2000 amended the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require 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, volunteers, or is a student. It requires that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems. If a college or university has a police department they must be provided with this information. The Campus Sex Crimes Prevention Act of 2000 also amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders on campus may be obtained. Lastly, the Act amended 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.

To obtain a copy of the guidelines for the Campus Sex Crimes Prevention Act Amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act go to the following web site: www.securityoncampus.org.

Information on Registered Sex Offenders at the University of Houston-Clear Lake

The UHCL Police Department maintains a registry of convicted sex offenders that work, volunteer or attend the University of Houston-Clear Lake. You may receive a complimentary copy of the university’s registered sex offenders list by sending a request to the Office of the Chief of Police in one of the following ways:
• Send an email request to police@uhcl.edu
• Contact the Chief of Police by phone at 281-283-2222
• Send a written letter of request to:
  University of Houston-Clear Lake Chief of Police
  Attn: Sex Offender Registry Request
  2700 Bay Area Blvd., Box 323
  Houston, Texas 77058

Disclosure: Please keep in mind that registered sex offenders working on campus are easier to track than sex offenders that are students. Student backgrounds are not checked as a condition of admission. The listing of student registered sex offenders is dependent on their disclosure, or notification by other means such as parole or probation office.

Information on Registered Sex Offenders in Texas
The Texas Department of Public Safety maintains a sex offender registry of convicted sex offenders’ home addresses. Their database has also begun including sex offender registry of college campuses. To access their database free of charge, visit website: https://records.txdps.state.tx.us/DPS_WEB/SorNew/index.aspx

UHCL Alcohol and Drug Policy

The use or possession of alcoholic beverages is prohibited on all university property, except the University Forest Apartments. The sale, use, or possession of alcohol may be allowed in certain instances, but only by appropriate university approval through the Office of the President. Any use of alcohol is subject to all state statutes.

The manufacture, use, possession, sale or distribution of any controlled substance without the proper prescription on university property or at a university event is strictly prohibited.

The following is the UHCL Drug and Alcohol Abuse Prevention Policy as approved by the University Council in July 1995.

The Dangers of Drug or Alcohol Abuse in the Workplace and on Campus
There are millions of American individuals adversely affected by their progressive dependence on drugs or alcohol. Recent surveys in 2002 indicate an estimated 20% of young adults aged 18 to 25 years were current illicit drug users compared to 6% among adults aged 26 or older. Out of an overall population of 120 million Americans aged 12 or older, 51% are current drinkers of alcohol, 6.7% are heavy drinkers, and 23% participated in binge drinking at least once in 30 days prior to the survey. Reports from 1995 indicate that approximately 40% of the total $276 billion costs dealing with drugs or alcohol abuse are financed by the American public.
Health Risks
The abuse of drugs and alcohol can lead to a variety of serious consequences including: poor academic performance; poor decision making; poor morale; work errors; wasted time and materials; damage to equipment; theft; tardiness; absenteeism; accidents which injure the drug abuser; accidents which put employees and students at risk of injury; and may lead to disciplinary action, prosecution, illness, and even death. Abusers of these substances experience depression, isolation, loss of memory, loss of coordination, impaired judgment, anxiety, paranoia and loss of self respect.

Philosophy
The unlawful use of drugs or abuse of other drugs and alcohol is inconsistent with the behavior expected of members of the university community. The university is committed to the development and maintenance of a drug-free environment on the campus as well as an environment that prohibits the abuse of drugs and alcohol and has a drug and alcohol abuse prevention program in operation, accessible to all members of the university community. The university is committed to further expansion of that program and the dissemination of drug awareness information to the members of the university community. In addition, the university is committed to enforcing the provisions of the Drug Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989 and believes that these acts and their regulations provide a proper framework for the drug and alcohol abuse policies of the university.

Definitions
The following terms are important for purposes of expressing the university's policy on a drug free workplace:

A. **Controlled substance** means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as further defined by regulations at 21 CFR 1300.11 through 1300.15, and as defined in the Texas Controlled Substances Act [Texas Health and Safety Code, and 481.001 etseq].

B. **Contract** means a legal instrument reflecting a relationship between the federal government and a recipient whenever the principal purpose of the instrument is the acquisition by purchase, lease, or barter, of property or services for the direct benefit or use of the federal government; or whenever an executive agency determines in a specific instance that the use of a type of procurement contract is appropriate.

C. **Conviction** means finding of guilt (including a plea of nolo contender) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

D. **Criminal drug statute** means a federal or non-federal criminal statute involving the manufacture, sale, distribution, dispensation, use, or possession of any controlled substance.

E. **Employee** means an individual receiving a salary, wages, other compensation
and/or stipend support from the university.

F. **Federal agency or agency** means any United States executive department, military department, government corporation, government controlled corporation, or any other establishment the executive branch (including the Executive Office of the President), or any independent regulatory agency.

G. **Grant** means an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a federal agency directly to a grantee. The term grant includes block grant and entitlement to grant programs whether or not exempted from coverage under the grant management government-wide regulation ("Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"). The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies, insurance, or direct appropriations; or any veterans' benefits to individuals, i.e., any benefits to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.

H. **Grantee** means a legal entity, which applies for or receives a grant or contract directly from a federal agency.

I. **Illicit drug** use means the use of illegal drugs and the abuse of other drugs and alcohol.

J. **Student** means an individual registered or enrolled for credit or non-credit in a course or program offered by the university or any of its units.

K. **A university activity means** an activity officially sponsored by the University of Houston-Clear Lake.

L. **Workplace** means the physical boundaries of the university and facilities owned or controlled by the university.

**Policy**

It is the policy of the university that illicit drug use, including the manufacture, sale, distribution, dispensation, possession, or use, is prohibited in the workplace, on the campus, or as part of any university activities. Sanctions imposed for violation of this policy are indicated below.

**Application of Policy**

The Drug and Alcohol Abuse Prevention Policy is supported by a drug free awareness and alcohol education program available to the faculty, staff and students of the university. Specific compliance and reporting items enumerated in the policy (items B,C,D,E) are applicable to all persons employed on federal contracts and grants. In support of this policy, the university:

A. Has established a drug free and alcohol abuse awareness program to inform its faculty, staff, and students about the dangers of drug and alcohol abuse in the workplace, the university's policy of maintaining a drug free workplace which prohibits the illicit use of alcohol, available drug and alcohol counseling, rehabilitation, and employee assistance programs, and the
penalties that may be imposed upon employees for drug and alcohol abuse violations.

B. Will provide each student and employee a copy of this policy. In addition, all faculty, staff, and students will be notified of this policy through appropriate publications.

C. Will notify each university employee and each student that, as a condition of employment of a federal grant or contract, the person, once so employed, must abide by the terms of the policy, and must notify his/her supervisor and the Office of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace not later than 5 days after such conviction.

D. Will notify the appropriate federal agency within 10 days after receiving notice of criminal drug statute conviction for a violation occurring in the workplace of any university employee engaged in performance of a grant or contract.

E. Will impose sanctions on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program, by any employee so convicted. Sanctions imposed on employees for violation of this policy may include suspension, suspension without pay, and termination.

F. Will make a good faith effort to continue to maintain an environment that complies with the Drug Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989.

G. Will conduct a biennial review of its programs to assess their effectiveness, what changes need to be made, and to ensure the uniform application of sanctions to employees and students.

Implementation
Implementation of this policy is a joint responsibility of the Office of Human Resources, the Office of Research Administration, University Police and the Student Services division.

Penalties for Violation of the Policy
The university policy prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus and at university-sponsored events held off campus is for the support and protection of employees and students of the University of Houston-Clear Lake. Therefore, any employee admitting to or convicted of the unlawful possession, use, or distribution of illicit drugs and alcohol on the campus or at university-sponsored events held off campus, will be subject to disciplinary action in accordance with the Discipline and Dismissal of the Non-faculty policy. Further, the employee may be referred for criminal prosecution, and may be required to participate in a satisfactory manner in a drug and alcohol assistance or rehabilitation program. Referrals to rehabilitation programs will be as a result of joint consultation between the employee, the Employee Assistance Program, and the Office of Human Resources. Supervisors who suspect that an employee may be in violation of this policy or may be under the influence while at work, must consult the Executive Director of Human Resources and/or the University Police Department before any action is taken.
Any student found guilty of violating Student Life Policies regarding the unlawful possession, use, or distribution of illicit drugs and alcohol on campus or at university sponsored events held off campus will be subject to disciplinary action. This action consists of penalties up to and including probation, suspension, and expulsion. The student may be referred for criminal prosecution, and may be required to participate in a satisfactory manner in a drug and alcohol assistance or rehabilitation program.

Further information concerning disciplinary action and appropriate procedures for employees is available from the Office of Human Resources (281-283-2160) and for students from the Dean of Students Office (281-283-2568).

**UHCL Gun Policy**

The University of Houston-Clear Lake does not have an official gun policy. However, the laws of the State of Texas apply and are very specific that firearms of any kind are not permitted within a higher education campus facility with the exception of those carried by peace officers. This restriction is also applicable to concealed handgun licensees.

Texas Penal Code 46.03 states that “A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private”.

**Crime Prevention**

At the UHCL Police Department, crime prevention is a function of every department employee. All police officers are capable of discussing proven crime prevention techniques and are charged to interface with community members daily and work with them to resolve their concerns. Formally, the department’s Crime Prevention and Investigations Unit coordinates community training programs and conducts risk assessment reviews on all facilities. One of the police department’s stated goals is to “engage the university community to participate in their own protection and safety through community outreach programs”. The UHCL Police offers several programs designed to meet this goal. All programs are free of charge. Programs are scheduled and announced throughout the year, but can also be specially requested by departments, classes, and student organizations.
The following programs are part of the UHCL Police crime prevention repertoire:

- Active Shooter / Critical Incident Response
- Bicycle Registration
- Hurricane Safety
- Incident Command Systems
- Office Risk Assessment
- Operation ID
- Parking Lot Safety
- Personal Safety
- Rape Aggression Defense
- Theft Prevention
- Women’s Safety Issues

To request a particular program, call the Office of the Chief at 281-283-2234 or email policechief@uhcl.edu. If you would like a topic presented that is not specifically listed above, the police department can specially design a presentation tailored to your concerns or interests.

**Active Shooter**

Shootings on America’s college campuses and in other public locales have been widely publicized and are of great concern to the community and to law enforcement. The University of Houston-Clear Lake Police Department specifically trains and equips its officers to effectively respond to an active gunman situation. All UHCL Officers undergo extensive hands on active shooter training. Within a year of hire, each UHCL Police Officer attends an intense “live active shooter” course called ALERRT (Advanced Law Enforcement Rapid Response Training – www.alerrt.org). In addition, agency personnel partake in annual refresher training and exercises on campus.

The UHCL Police also offers training classes for community members on how to react if they are trapped involved in an active shooter scenario. In addition, to training classes, the UHCL Police offers a twenty minute training video to community members on its website (www.uhcl.edu/police). To access and activate the video, UHCL community members need only to enter their valid UHCL email address and password.

**CARE Line (Crisis Awareness Response Emergency)**

In conjunction with the Dean of Students Office, Student Affairs, and Counseling Services, the police department participates as a member of the UHCL CARE Team (Crisis Awareness Response Emergency Team). The CARE Team is a review committee that reviews and mitigates reports of campus violence, student or staff mental crisis, and suspicious behavior. If you feel a friend, colleague, or student is in a crisis or showing signs of a developing crisis, please call the twenty-four hour CARE Line at 281-283-2273 (281-283-C-A-R-E) or send us a message via the CARE link located on the police department’s website at www.uhcl.edu/police or the Dean of Students website: (http://prtl.uhcl.edu/portal/page/portal/DOS/Forms/CARE).
Remember, if a threat is imminent, please do not call this line, but call **281-283-2222, or 911** for immediate emergency response.

**Your Role in Campus Safety**

A secure environment is made possible through community involvement in crime prevention. The purpose of community crime prevention is simple: to help you recognize your own vulnerability to crime, and reduce your risk through preventive action and cooperation with the police.

Theft is the most common crime on the UHCL campus. Most thefts occur during the daylight hours, and thieves enter the structure without forced entry. It is important to watch out for one another. In your office and other department spaces, exchange information about your schedule with colleagues, and watch your neighbors’ rooms and work areas.

A high percentage of campus crimes are incidents of opportunity. Often we contribute to the crime rate by needlessly placing ourselves or our property at risk. The lifeblood of criminal activity contains three elements, called the Crime Triangle:

1. **Desire** of a criminal to commit a crime.
2. **Target** of the criminal’s desire.
3. **Opportunity** for the crime to be committed.

We are limited in our ability to impact the first two elements. However, removing or reducing the criminal’s **Opportunity** is the best defense. Like a fire feeding on oxygen, crime feeds on opportunity, but prevention efforts can be effective in reducing these opportunities. You play an essential role in crime prevention efforts. Be cautious, careful, and alert to your own safety. Protect your possessions and university property. Keep property locked up if possible. Lock your office door when leaving and do not leave valuables unattended. Walk to your vehicle with another person or in a group. Use common sense and always stay alert. Trust your self-preservation instincts. And always remember to call the police to report suspicious persons or activity as soon as it is safe for you to do so.

**Remember!**

*Awareness is the key to your safety*

**Police Services**

**Safety Transportation Service**
The police department provides safety transportation services upon request for all faculty, staff, students and visitors from dusk to dawn. This service is available for transportation to
any points within the UHCL main campus borders. The service may be requested in person by stopping by the department, by using any of the Emergency / Information Call Boxes located throughout the parking lots on campus, or by calling 281-283-2222.

Motorist Assistance
The police department gladly assists anyone on campus experiencing difficulty with their vehicle to include: jump starts, door unlocks, running out of gas, and flat tires. This service may be requested in person by stopping by the department, by using any of the Emergency / Information Call Boxes located throughout the parking lots on campus, or by calling 281-283-2222.

Student Lot Patrol and Motorist Assistance Program
In September 2012, the UHCL Police Department initiated its inaugural Student Lot Patrol Program. Student employees, who have passed the department’s rigorous background investigation, will patrol the Student Lots on foot and in vehicles from 6:00PM – 10:00PM, Monday through Thursday during the fall and spring semesters. The Student Lot Patrol Team will provide general security, safety transportation escorts to vehicles upon request, and basic motorist assistance such as car unlocks, jump starts and airing tires.

Emergency / Information Call Boxes
The UHCL Police operates Emergency/Information Call Boxes, which have been strategically placed at various locations in the parking lots. These boxes are mounted on light poles and are identified by a blue light above it. Call Boxes can be used to request police assistance, safety transportation escorts, assists with vehicle problems and basic information.

Emergency Information Hotline
The UHCL Police operates the Emergency Hotline number for the University of Houston-Clear Lake. The hotline number (281-283-2221) leads to a recorded message designed to share weather information, building closures, and other emergency messages as needed.

Lost and Found
The police department maintains a Lost and Found collection for items left behind on campus. Items are kept for ninety (90) days before being sent to university archives for eventual sale.

Police Website
The UHCL Police Department website is www.uhcl.edu/police. From there students, staff, faculty and visitors can find resources for crime statistics, crime prevention and parking. They can also electronically send comments to the Chief, request parking tokens, access control codes, keys and much more.

**Clery Statistics**
Per the federal *Clery Act*, the university publishes its crime statistics. Statistics for Part One Crimes (crimes against persons) for the previous three years are published at www.uhcl.edu/clery. A link is also available at the footer of every web page on the www.uhcl.edu domain. A complete listing of all crime statistics and daily activity reports are also available on the police department’s web site.

**Parking Services**
The University of Houston-Clear Lake Traffic and Parking Rules and Regulations are intended to create an orderly and safe traffic and parking environment on campus. Our goal is to achieve voluntary compliance of parking and state traffic law for the sake of personal safety, both pedestrian and vehicular.

UHCL Police Officers actively enforce traffic code and parking regulations on campus twenty-four hours a day. To allow a fair period of learning and adjustment, the UHCL Police provides a copy of the University Traffic and Parking Rules and Regulations to every student, staff and faculty member when they pick up their parking permit. In addition, the Rules and Regulations are posted online at the police department’s parking website page (www.uhcl.edu/parking). A window of “warning only” enforcement in student lots is observed by UHCL Police Officers the first twelve days of each semester; however, employee parking areas are enforced at all times. If someone believes they received a parking citation in error, the citation may be appealed to the University’s Parking Citation Appeals Committee. The protocols for this process are defined in the University Traffic and Parking Rules and Regulations.

**Building Access**
The UHCL Police Technical Services Division manages the university’s access control and key distribution systems. Personal Access Numbers or proximity cards (depending on the building) are assigned to all students and staff and coded with the level of access to which they are authorized. Keys are distributed to employees by UHCL Police Technical Services based upon office location and access approvals. Authorizations for other than general keys and access control require the written approval of the Department Head or Department Security Designate controlling the space where access is being requested.

Keys and access codes/cards are issued for entry to university buildings for conducting university business only. If abused, the UHCL Police has the right to repossess keys and cancel codes and cards.
Institution master keys are closely guarded and are only distributed by approval from the Chief of Police.

**Non-Residential Campus Buildings**
Most non-residential campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of business, Monday - Friday, and for limited designated hours on Saturday and Sunday. Access times will vary depending upon the nature of the building and activity.

Except for those authorized students, faculty, and staff, access to non-residential campus buildings is generally restricted to university-affiliated personnel during recognized holidays. It is the policy of the University of Houston-Clear Lake that after working and class hours, all buildings should be locked to maintain security of the buildings and their contents. Keep in mind, that work and class hours vary from building to building, dependent on activity. In general, buildings remain open until 10:00PM, except the Bayou Building, which remains open based upon the library’s schedule – normally midnight on weekdays when class is in session and Delta Building, which maintains engineering and computer labs open until 3:00AM.

**Residence Halls**
The University of Houston-Clear Lake has one residential community on campus, the University Forest Apartments (UFA). The UFA operates as an apartment complex and is managed by a contract service. While the UFA is located on university property, the contract company sets rules and shared facility hours. The UFA has twenty-four hour access through card access vehicle and pedestrian gates. Apartments are individually leased and assigned via availability through UFA regulations.

In addition to the card access security gates, the UFA has installed two Emergency/Information Boxes – one on each end of the complex – that reports directly to the UHCL Police Department. These boxes allow residents to contact the police department with the push of a button.

UFA residents can protect themselves and their property by making responsible decisions. Unescorted persons should not be given access to the complex after hours. Other tips for your security include:

- Lock your apartment door at all times; and windows when you leave.
- Close your blinds when you are not home; and do not flaunt high end electronics, jewelry or other valuables you may own.
- Do not leave your car unlocked and do not leave valuables visible in your car.
- If you hear or see something suspicious, call the police immediately. **Dial 911 or 281-283-2222.**
- Review the public notice area (near mailboxes) regularly for updates on criminal or suspicious activity in the complex.
• When going to the pool or shared access areas after hours, go with someone you trust. Do not go alone or with someone you do not know well.
• Get to know your neighbors, Resident Advisor and Complex Management. Look out for one another.

Security depends on the responsible actions of each resident for its effectiveness. Your inaction or lack of consideration can endanger you and other UFA residents.

**Maintenance and Security of Campus Facilities**

Landscaping and outdoor lighting on campus are frequently surveyed and modified for pedestrian safety and security. Facilities Management and Construction personnel trim shrubs from sidewalks, walkways, and building entrances to enhance lighting and visibility. UHCL Risk Management inspects campus walkways regularly, checking for adequate lighting, replacement of burned-out lights, and trip hazards. UHCL Police Officers lock exterior doors on campus buildings each evening. Officers also report door and security hardware operating deficiencies. To report lighting outages or other facility hazards, please contact UHCL Facilities Management and Construction at 281-283-2250. You can also submit a work request through the Facilities Management and Construction website at http://prtl.uhcl.edu/portal/page/portal/FMC.

**Fire Safety Report**
(Complied and submitted by the UHCL Office of Risk Management)

The University of Houston - Clear Lake is a strong advocate for fire safety. The University includes six classroom, services and administration buildings, one office building, one maintenance building and one apartment complex.

The apartment complex, known as University Forest Apartments (UFA), is a gated faculty, student and staff only housing community with 136 units operated by Campus Living Villages Inc. The University Forest Apartment complex must follow the regulations set forth in the Higher Education Act, the amended Higher Education Opportunity Act and any National Fire Protection Association's Life Safety Codes that concern on-campus housing. The University Forest Apartments must also follow any requirements requested by the Texas State Fire Marshal, Fire Safety guidelines developed by the University of Houston - Clear Lake, and any other requirements set forth by Campus Living Village Inc. in its lease.

**Campus Fire Alarms and Evacuation**

If a fire alarm is received at any campus facility, all persons within the building are to evacuate the building into the nearest parking lot unless an ALL CLEAR announcement has been made.
Upon receiving a fire alarm, UHCL Police and UHCL Facilities and Construction Management shall inspect the alarm location to determine if the fire department is needed. Based upon the issue discovered, the UHCL will make a follow up announcement via the building’s fire address system. During an evacuation, assist your classmates and colleague, particularly those who may have a disability. Evacuations should be made via stairwells whenever possible. If you are unable to be evacuate yourself or you cannot assist someone in evacuation, please contact the UHCL Police at 281-283-2222 and advise of you location and type of assistance needed.

On-Campus Housing Fire Safety System

- 30 emergency alarm pull stations located within the apartment complex at buildings 4, 5, 7, 9, and 10.
- The University Forest Apartments has two emergency call station boxes that ring to the University Police.
- Each apartment unit is equipped with a fire extinguisher.
- Stand-alone smoke detectors are in each unit.

Emergency Contacts and Reporting

Emergency Reporting

Students should report fire emergencies to University Police by calling 281-283-2222, using an emergency call box, or by calling 911.

Non-Emergency Fire Reporting

Students can contact University Police, apartment management, or the University's Risk Management Department to notify them that a fire has occurred.

Emergency Evacuation Procedures

- Remain alert, but calm.
- If safe to do so, leave your apartment immediately and shut the door.
- Go to the parking lot area furthest away from the danger zone.
- Notify emergency personnel by contacting the University Police.
- If safe to do so, activate an emergency alarm pull station box (Buildings 4, 5, 7, 9, 10) to notify other residents that there is a fire.

Fire Statistics

<table>
<thead>
<tr>
<th>On Campus Housing</th>
<th>Fires Reported</th>
<th>Cause</th>
<th>How many injured</th>
<th>Death</th>
<th>Property Damage &amp; Value</th>
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<tbody>
<tr>
<td>University Forest Apartments</td>
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<td>0</td>
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<td>$0</td>
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</tbody>
</table>

Fire Log
The on-campus housing fire log contains information such as: cause of incident, date, time, and location of occurrence. The fire log is open to the public and is located at the University Forest Apartments Office and the University of Houston - Clear Lake's Office of Risk Management.

Fire Safety Policy

Grilling
Use only designated barbeque pits for grilling on campus.

Smoking
Smoking cigarettes, cigars, pipes, etc., is allowed only if all residents in apartment agree. Hookahs are not permitted within apartments.

Candles & Incense
Candles and incense are not allowed within apartments.

Electrical Safety:
- Make sure cords have no exposed wires.
- University Forest Apartments does not allow multiple outlets, also known as “octopus plugs.”
- No halogen lamps are allowed at University Forest Apartments.

Fire Drills
A fire drill is conducted each year in December.

Inspections
The University Forest Apartment management performs routine inspections and maintains all fire extinguishers, smoke detectors, and emergency pull station alarms.

The Texas State Fire Marshal performs inspections at University Forest Apartments at least every two years.
- Fire extinguishers are present and have been recently inspected.
- The smoke detectors are in place and are in working order.
- The pull stations are operational and have been inspected.

Policies & Campus Programs

Have an Exit Strategy (HAES) Program
The University of Houston - Clear Lake takes part in the Have an Exit Strategy (HAES) Program funded by a federal grant through the Texas State Fire Marshal's office. The “HAES” program was developed to educate the campus community to become fire safety conscious. Through this program, the campus body should become more aware of their surroundings, locating exits, and identify fire hazards and how to prevent them from occurring. The dispersal of this
program is achieved through advertising, using handouts, emails, flyers, campus TV ads, door knob hangers, etc. This program works synergistically with our Campus's Fire Safety Rules and Procedures to promote educating the campus body about Fire Safety. Campus Fire Safety Information is located on the University of Houston - Clear Lake Website: http://prtl.uhcl.edu/portal/page/portal/RSK/Safety/Fire%20Safety

Fire Extinguisher training
Fire extinguisher training is offered several times a year, in person, online, and on request.

Plans for Future Improvement of Fire Safety
The University of Houston - Clear Lake’s Risk Management Department has plans to begin a fire warden program at the UFA. This plan designates several individuals to take a leadership role during a fire emergency, by ensuring their neighbors know the fire emergency, evacuation procedures, assist with fire drills and help promote fire safety awareness.


Crime Statistics

This section contains two sets of crime statistics. The first, Clery Crime Statistics, are those crime statistics from 2009 - 2011, the university is obligated to report per the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The second, Detailed Campus Crime Statistics, is a more thorough revelation of all crimes reported on campus from 2009-2011.

Geography Definitions from the Clery Act

On Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to campus, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Non-Campus Building or Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Clery Crime Statistics**
These following graphs contain the crimes the university is required to report to remain in compliance with the *Clery Act.* These numbers reflect crimes reported to the University of Houston-Clear Lake Police Department. The statistics in this report have been reviewed to reduce or eliminate duplication. Crimes are recorded in the calendar year reported.

### CRIMINAL OFFENSES (Clery Required Offenses Only)

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>YEAR</th>
<th>GEOGRAPHIC LOCATION</th>
<th>UNIVERSE OF HOUSTON-CLEAR LAKE CRIMINAL OFFENSES</th>
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<tr>
<td></td>
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<td>ON-CAMPUS PROPERTY</td>
<td>ON-CAMPUS STUDENT HOUSING FACILITIES</td>
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<td></td>
<td>NONCAMPUS PROPERTY</td>
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*1 Unfounded Robbery in 2012 in Student Housing*
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<th>OFFENSE</th>
<th>YEAR</th>
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### UNIVERSITY OF HOUSTON-CLEAR LAKE CRIMINAL OFFENSES

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Detailed Campus Crime Statistics
The UHCL Police Department in cooperation with community members has effectively addressed crime on campus. A comparison of crime statistics reveals that crime on the UHCL campus is significantly below that of the surrounding Houston and Pasadena communities. According to StateUniversity.com (www.stateuniversity.com), the University of Houston-Clear Lake ranks as the 17th safest post-secondary public school in the nation and the 2nd in the State of Texas. When removing junior colleges and community colleges, UHCL ranks as the 4th safest bachelor’s degree granting institution in the United States and the safest bachelor’s degree granting institution in Texas.

UHCL believes in empowering its community with knowledge of issues that face the campus so that the community is better equipped to assist the police department in combatting campus problems before they fester and grow out of control. As part of that effort, the university’s annual report goes beyond the crime report required through the Clery Act and provides a detailed breakdown of crimes on campus over the past three years, along with traffic accidents investigated and outside agency warrants served.

2009
Assault - 2
Burglary of a Habitation – 1
Burglary of a Motor Vehicle – 1
Consumption of Alcohol by Minor – 1
Credit Card Abuse – 2
Criminal Mischief – 7
Criminal Trespass – 2
Disorderly Conduct – 5
Disruption of Public Meeting – 1
• Duty Upon Striking Unattended Vehicle – 7
• Harassment – 2
• ICE – Immigration Law – 1
• Illegal Dumping – 1
• Narcotics Crimes - 4
• Public Intoxication – 3
• Reckless Damage or Destruction – 2
• Robbery – 1
• Terroristic Threat – 2
• Theft – 18
• Unauthorized Use of Vehicle – 1
Total Crimes Reported – 64
Traffic Accidents Investigated – 32
Outside Agency Warrants Served – 3
Arrests – 13
Exceptionally Cleared – 17
Clearance Rate – 47%

2010
- Burglary of a Motor Vehicle – 1
- Supplying Alcohol to Minor – 1
- Credit Card Abuse – 1
- Criminal Mischief – 5
- Curfew Violation – 1
- Disorderly Conduct – 2
- Driving While License Suspended – 6
- Drug Crimes – 2
- Duty Upon Striking Unattended Vehicle – 6
- False Alarm / Report – 1
- Evading Arrest – 1
- Harassment – 1
- Illegal Dumping – 1
- Illegal Fishing – 2
- Minor in Possession of Alcohol – 1
- Minor in Possession of Tobacco – 1
- Public Intoxication – 9
- Theft – 20
- Stalking – 1

Total Crimes Reported – 63
Traffic Accidents Investigated – 34
Outside Agency Warrants Served – 12
Arrests – 21
Exceptionally Cleared – 7
Clearance Rate – 44%

2011
- Assault – 2
- Burglary of a Motor Vehicle – 4
- Criminal Mischief – 3
- Disorderly Conduct – 5
- Driving While Intoxicated – 3
- Driving without a License – 5
- Drug Crimes – 4
- Duty Upon Striking Unattended Vehicle – 4
- Evading Arrest – 1
- Harassment – 1
- Public Intoxication – 3
- Stalking – 1
- Theft – 20
- Unauthorized Use of Vehicle – 1
- Weapons Possession – 2
Total Crimes Reported – 59
Traffic Accidents Investigated – 20
Outside Agency Warrants Served – 17
Arrests – 23
Exceptionally Cleared – 10
Clearance Rate – 56%
Important Phone Numbers

Emergency
911 (off campus, or cell phone); 9-911 (on campus phone)

University of Houston-Clear Lake Police Department
281-283-2222

Emergency Information Hotline (School Closure Hotline)
281-283-2221

University Information (Operator)
281-283-7600

University Health Center
281-283-2626

University CARE Line (Student Behavioral Concerns)
281-283-2373

Information about this Report
Thank you for your interest in campus safety. If you need more information on this report and the topics it covers, please contact Chief Paul S. Willingham via phone: 281-283-2222 or email: policechief@uhcl.edu.