



**OFFICE OF THE DIRECTOR OF POLICE
THE UNIVERSITY OF TEXAS SYSTEM
POLICY AND PROCEDURE MANUAL**



Subject			Policy Number
Emergency Notifications and Timely Warnings			813
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Reference Standards		Rescinds or Amends Policy Number	
CALEA: 41.2.4, 46.1.3, 54.1.1; 91.1.5; 91.4.1 IACLEA: 17.1.4, 17.1.5			

I. PURPOSE

The purpose of this policy is to ensure the timely dissemination of information in emergency situations or situations in which there is an imminent or continued threat to the safety of the campus community. When members of the campus community have prompt information about threats to their safety, they can make informed decisions about protecting themselves. To that end, each institution police department shall be authorized to craft and publish emergency notifications and timely warnings without first seeking approval from entities outside the department. This policy is also intended to provide the parameters and guidelines for the relationship between the Chiefs of Police and their institution Presidents during emergency situations and the operational philosophy to be employed in the wake of such emergency situations.

II. POLICY

A. When a threatening or dangerous situation is reported to the Department, the Chief of Police or designee will coordinate a timely review of the circumstances surrounding the situation to determine if the incident represents a continuing threat to the safety of students and employees that would merit an emergency notification or timely warning.

1. Emergency Notifications are triggered by incidents that represent a continuing dangerous or life threatening situation. These situations include, but are not limited to:
 - a) significant weather events such as tornadoes, flooding or large hail and natural disasters such as earthquakes
 - b) safety hazards such as fire, gas leaks, chemical spills, explosions or the outbreak of a serious illness
 - c) crimes such as:
 - (1) Murder
 - (2) Sex Offenses
 - (3) Kidnapping
 - (4) Robbery
 - (5) Aggravated Assault

- (6) Arson
- (7) Any offense involving use of a deadly weapon
- (8) Bomb Threats (amended 09/08/13, P.C. 42.06(b); False Alarm or Report; State Jail Felony)
- (9) Civil unrest or rioting

2. Timely Warnings are triggered when an institution determines that a crime for which it must report Clery statistics has occurred and the crime presents a serious or continuing threat to students and employees. These crimes may include:

- a) criminal homicide (murder, non-negligent manslaughter and negligent manslaughter)
- b) sex offense (forcible or non-forcible)
- c) aggravated assault
- d) burglary
- e) motor vehicle theft
- f) arson
- g) hate crimes involving any of the above or theft, simple assault, intimidation or destruction/damage/vandalism of property
- h) possession of weapons
- i) drug abuse and liquor law violations

Note: Refer to the Clery Act definitions of these crimes as they may differ from the definitions and elements found in the Texas Penal Code, the Uniform Crime Report or National Incident Based Reporting System.

B. If the reviewer determines that the incident represents a continuing or imminent threat to the campus community, the Chief of Police or designee shall draft, approve and disseminate safety warnings and notifications. This determination should be made by authorities with appropriate training and experience, not by personnel without emergency response expertise. Notifications shall be made by using any or all of the following methods, depending upon what is most appropriate:

1. A press release distributed to local media organizations;
2. A public safety warning message disseminated to the campus via mass email, mass text message, and/or mass messaging on social media sites;
3. A crime bulletin posted on the Department's web site;
4. Warnings posted adjacent to the entrances to all campus buildings;
5. Messages broadcast to the public via speaker systems.
6. Warning sirens

C. If the decision is made to disseminate an emergency notification or timely warning, coordination with other University departments is encouraged. However, the Chief of Police, or designee, shall not be bound to consult with other departments if doing so would cause a delay that could put members of the community at risk. The key factor is the safety of the community, and each institution's procedures must ensure that emergency notifications will be issued without delay.

- D. Emergency notifications and timely warnings should be made with the Clery Act in mind. The process for determining the content of the notifications and actually initiating the notification system must also be disclosed in an emergency response and evacuation procedures policy statement in the Annual Security Report. The institution must disclose whether or not it uses a single office or position or a consultation process.
- E. All emergency text alerts must be accompanied by the current and applicable campus text identifier so that the campus of origin is immediately apparent.
- F. A copy of all notifications or warnings shall be retained for post incident review.
- G. The time expended in order to authorize, prepare and disseminate emergency messages shall be as brief as possible—time is of the essence; every effort should be made to have a template prepared for every conceivable emergency to reduce messaging time; decision-making processes at the institution must be as truncated as possible to ensure no time is lost; the Chief of Police will directly and personally notify the institution President of the evolving emergency; the Chief of Police or the senior police commander on duty has the authority to make decisions on the institution's response to the emergency; the institution President may upgrade the response but may not downgrade the response; decisions must always err on the side of caution and ensuring the safety of students and staff.
- H. Regular exercises including table tops, simulations, modeling and full field drills shall be held/sponsored/coordinated by the institution police departments; at least one full field exercise involving the campus community shall be held at least annually (based on calendar year) as directed by the police department.

III. DEFINITIONS

- A. Emergency Notification – Under the Clery Act, each institution is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Notifications are to be issued without delay upon confirmation of the emergency by responsible authorities pre-identified by the institution in their annual Clery Act reports. Emergencies may be localized, therefore notifications may be tailored exclusively to the segment of the campus at risk.

Emergencies where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency or mitigate the emergency aren't subject to the emergency notification requirement.

- B. Timely Warning - Timely warnings are triggered when an institution determines that a crime for which it must report Clery statistics presents a serious or continuing threat to students and employees. Because the nature of criminal threats often is not limited to a single location, timely warnings must be issued in a manner likely to reach the entire campus community. The Clery Act requires the issuance of warnings in a manner that is timely and that will aid in the prevention of similar crimes. The intent of a warning is to enable people to protect themselves so the warning should be issued as soon as the pertinent information is available. Even if all of the facts surrounding a criminal incident or incidents are not necessarily available, a warning should be issued. Follow up messages with additional information should be issued as more information becomes available. The warning should include all information that would promote safety and that would aid in the prevention of similar crimes.

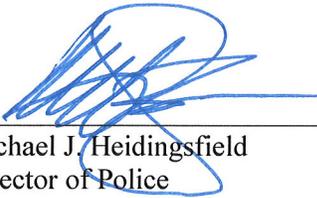
Crimes that would otherwise be reportable but are reported to a licensed mental health counselor or pastoral counselor — in the context of a privileged (confidential) communication — are not subject to the timely warning requirement.

Note: According to the Federal Educational Rights and Privacy Act (FERPA), an educational institution may disclose information from educational records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals in the event of an articulable and significant threat to health and safety.

- C. Bomb Threat – As defined by the Texas Penal Code, Chapter 42.06 (b); False Alarm or Report, Revised 09-01-13

Section 42.06(b), Penal Code, is amended to read as follows:

An offense under this section is a Class A misdemeanor unless the false report is of an emergency involving a public or private institution of higher education or involving a public primary or secondary school, public communications, public transportation, public water, gas, or power supply or other service, in which event the offense is a state jail felony.



Michael J. Heidingsfield
Director of Police

Changes/Amendments since last publication:

Added language which expressly states what elements are required to meet the requirements of HB 1284 for the criminal offense of a bomb threat and what the new penalty is. July 12, 2013

Addition of Paragraph II. E. December 5, 2012

Amendment to I. PURPOSE to include new language: "This policy is also intended to provide the parameters and guidelines for the relationship between the Chiefs of Police and their institution Presidents during emergency situations and the operational philosophy to be employed in the wake of such emergency situations." November 5, 2012

Addition of Paragraphs II. F. and II. G. November 5, 2012