

TITLE:	Operations / Policy A-8	Effective Date: 9-1-16 Rescinds: 10-5-09
SUBJECT:	Timely Warning and Emergency Notification	
PURPOSE:	To establish policy regarding the responsibility to provide timely warnings and emergency notifications	
SCOPE:	This directive applies to all personnel.	
REFERENCE:		
CALEA:	Chapter 91	

Statement of Purpose:

The University of Texas at Austin Police Department has a responsibility to provide timely warnings about reported crimes to the campus community in a manner that will aid in the prevention of similar crimes, as well as providing emergency notifications when the health and safety of the campus community is at risk.

Definitions:

- A. Timely Warning – A message issued in a manner to reach the entire campus community when a crime meets the criteria set forth in the Clery Act as follows:
 - 1. Clery Act Crime
 - 2. Clery Act geographic area
 - 3. Reported to campus security authority
 - 4. Serious or continuing threat to students and employees
 - 5. That must reach the entire geographic area
 - 6. Issued as soon as pertinent information is available
- B. Emergency Notification – A message immediately communicated to the campus when a dangerous situation or emergency has been confirmed. The emergency could be a broad range of threats (natural disaster, environmental threat, armed intruder) anywhere on campus that would pose an immediate threat to the health or safety of students, employees, or guests of The University. The message can be sent to the entire campus, or only the area directly affected.

Policy:

- A. Implementing a Timely Warning:
 - 1. The decision making process for the issuance of a timely warning will be triggered by following the attached Timely Warning Decision Matrix.
 - 2. The Chief of Police, or his designee, is responsible for making the decision as to whether a timely warning will be issued.
 - 3. Timely warnings will be issued on a case-by-case basis when all of the above listed circumstances have been met, and the crime is considered by the institution as a serious or ongoing threat to the university community.
 - 4. Factors considered during evaluation include but are not limited to:
 - a. nature of the crime,
 - b. continuing danger to the community, and
 - c. the possible risk of compromising law enforcement efforts.
- B. Warning / Notice Content:
 - 1. The warning must contain sufficient information about the nature of the threat to allow members of the campus to take action to protect themselves.
 - a. A succinct statement of the incident,

- b. Possible connection to previous incidents, if applicable,
 - c. Withholds the names of victims as confidential,
 - d. Physical description of the suspect,
 - e. Composite drawing of the suspect, if available,
 - f. Date and time the warning was released, and
 - g. Other information that promotes safety and aids in the prevention of similar crimes.
2. In some cases, law enforcement may need to keep some facts confidential to avoid compromising an investigation.
- C. Timing of the Emergency Notification and Timely Warning:
- 1. In an immediate and serious threat, e.g., an active shooter on campus, an emergency notification will be issued immediately, with the basic facts and then be continually updated until the threat is contained or neutralized.
 - 2. If the threat is less immediate, a timely warning will go out as soon as pertinent information is available.
- D. Distribution:
- 1. The timely warning must be distributed in a manner reasonably likely to reach the entire campus community.
 - 2. The primary mode of communication for issuance of a timely warning will be email, since email is an official method of receiving university communications. A representative of the Director of Communications (UTPD PIO) in the Office of the Vice President for University Operations will be responsible for sending the e-mail and must be notified when a timely warning needs to be distributed.
 - 3. An emergency notification, depending on the circumstances, may use any of the following methods, or combination thereof:
 - a. Activation of the campus siren system
 - b. Posting to The University of Texas emergency website
 - c. Press release and social media
 - d. Pager System
 - e. Voice message over various public address systems.
 - f. Text alerts
 - g. Campus-wide email
 - h. Voicemail to Office Telephones
 - i. Telephone Tree
 - j. Cable TV / Closed circuit television systems in residence halls & other buildings
 - k. Public Safety Patrol Car Announcements
 Coordination with Office of Emergency Management will be necessary for some modes of notification.

APPROVED:

Chief of Police

Date

9/1/16

Definitions added

A 1. Removed previous conditions to activate a timely warning and added CLERY Act crime as a determining factor as well as attached Timely Warning Decision Matrix.

B. – entire section deleted and remaining renumbered

C. – Changed to section B, and added subsection 1c and renumbered remaining.

D - Changed to section C, added Emergency Notification, wordsmithing to remaining section

E – Changed to section D, D1 changed to apply only to timely warning, D2 – new addition. D3 – section updated to match Office of Emergency Preparedness' website

UT Austin Timely Warning Decision Matrix

Date/Time UTPD became aware of the incident _____

Incident Report Number _____

1. Is the incident a Clery Crime? (If it is one of these crimes, please check and move on to #2).

_____ **Homicide/ Murder** - (UCR definition - The willful (non-negligent) killing of one human being by another.)

_____ **Negligent Manslaughter** – (UCR definition – The killing of another person through gross negligence.)

_____ **Sex offenses** - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- a. **Rape** – (UCR Definition - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.)
- b. **Fondling** – (NIBRS definition - The touching of the private body parts of another person for the purpose of sexual gratification, without consent from the victim, including incidents where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.)
- c. **Statutory Rape** - (NIBRS definition – using Texas legal definition)
- d. **Incest** - (NIBRS definition - using Texas legal definition)

_____ **Robbery** – (UCR definition - The taking or attempt to take anything of value from another either by force or by a threat of violence.)

_____ **Aggravated assault** - (UCR definition - The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. Usually a weapon is involved.)

_____ **Burglary** - (UCR definition - The unlawful entry into a building or other structure with the intent to commit a felony or a theft. Forced entry is not a required element of the offense; it may be accomplished via an unlocked door or window, so long as the entry is unlawful (constituting trespassing).)

_____ **Motor vehicle theft** - (UCR definition - Theft or attempted theft of a motor vehicle.)

_____ **Arson** - (UCR definition - Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.)

_____ **Domestic Violence** – (VAWA Definition - includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.)

_____ **Dating Violence** – (VAWA definition - violence committed by a person -

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors.

UT Austin Timely Warning Decision Matrix

- a. The length of the relationship.
- b. The type of relationship.
- c. The frequency of interaction between the persons involved in the relationship.

Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for his or her safety or the safety of others; or
2. Suffer substantial emotional distress.

Hate Crime (Crime committed against any person or property which is motivated, in whole or in part, by the offender's bias against one of the protected classes: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability of the victim.

Any of the Clery offenses listed above and/ or:

Theft Simple Assault Criminal Mischief
 Intimidation

2. Did the incident occur in a Clery location? (If it is one of these locations, please check and move on to #3).

On Campus

Non- Campus property that UT Austin owns, leases, or controls (*Include fraternity/sorority*)

Public Property within or immediately adjacent to campus (*"Public property" is defined by the Clery Act regulations as all public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. Include the sidewalk across the street from the campus, but do not include public property beyond the sidewalk.*)

3. Is this considered by the institution to represent a serious or continuing threat to students and employees? (*This means that after a Clery crime is reported you should consider whether students and employees are at risk of becoming victims of a similar crime. For example, if a rape is reported on campus and the alleged perpetrator has not been caught, the risk is there. If the alleged perpetrator was apprehended, there is no continuing risk. Does a criminal incident appear to be a one-time occurrence) or does it fall into a pattern of reported crimes? For example, if your students set some posters on fire after your school's team lost the homecoming football game, the arsons are probably a one-night event. If an unknown person is randomly*

Yes (Issue a Timely Warning and provide date/time of issuance) _____

Yes, but Issuing a Timely Warning would impede in law enforcement investigations (provide an explanation below as to how the warning would hamper investigatory efforts)

No (provide an explanation below as to how the threat has been mitigated)

Suspect in Custody

Isolated Incident with no pattern

Crime targeted at a specific individual

UT Austin Timely Warning Decision Matrix

_____ Other _____

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Examples of crimes that could constitute a continuing threat include but are not limited to:

A serial crime that targets certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended;
A crime in which there is no apparent connection between perpetrator and victim and the perpetrator has not been apprehended.

Examples of crimes that may not constitute a continuing threat include but are not limited to:

Crimes in which the perpetrator has been apprehended, thereby neutralizing the threat;
Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.

The Timely Warning should include:

- a. A brief statement of the incident.
- b. Possible connection to previous incidents, if applicable.
- c. Physical description of the suspect.
- d. Composite drawing of the suspect, if available.
- e. Date and time the warning was released.
- f. Other relevant and important information including prevention tips.

If a Timely Warning has been issued, please check all of the resources used to disseminate:

_____ Mass Email	_____ Closed Circuit Campus Television	_____ Posters
_____ Police Website	_____ Media	_____ Vocally (intercoms, loudspeakers, etc)
_____ Text Message	Other _____	

Completed by: _____ Date/Time: _____