



TEXAS A&M UNIVERSITY  
**SAN ANTONIO**

# **VICTIM RIGHTS AND OPTIONS**

**Dating Violence, Domestic Violence, Sexual Assault and Stalking**



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**Dating Violence, Domestic Violence, Sexual Assault and Stalking**

If you or someone you know has experienced dating violence, domestic violence, sexual assault, or stalking, A&M-SA is here to help. You have the right to live, learn, and/or work in a safe and welcoming environment. Violence is unacceptable, and University policy prohibits dating violence, domestic violence, sexual assault, and stalking (DVSAS). This document provides the student or employee a written explanation of the student's or employee's rights and option, and outlines steps to take depending on what services you want or need. Dating violence, domestic violence, sexual assault, or stalking, are significant experiences and can be traumatizing. Each person's experience is unique and numerous options are available for support and reporting at A&M-SA. It is important there is no one correct response - simply different options to access support and different reporting options. Your immediate and long-term safety is what is important. The resources and options outlined below may be helpful as you decide what next steps are a good fit for you

**Unsure of where to start?**

You may want more information or to talk to someone confidentially as you decide what you'd like to do moving forward. You can access crisis counseling, information, and support by connecting with the resources listed in this document.

Students may obtain confidential guidance from the Student Counseling Center, MOD C (210) 784-1331 (<https://www.tamusa.edu/studentengagementsuccess/studentcounseling/index.html>).

Employees may obtain confidential guidance from the Employee Assistance Program (866) 301-9623 (<http://www.guidanceresources.com>).

## FIRST STEPS: THINGS TO CONSIDER

### Are you in danger?

If yes, call 911, or A&M-SA Police Department at (210) 784-1911; or activate the emergency notification on the SafeZone app. A&M-SA Police can also provide support by calling (210) 784-1900. The department will coordinate transport to pick you up from your location and make plans for your next steps.

### Do you need medical attention?

You can receive medical attention at any medical facility; however, certain facilities have specially trained staff to help survivors of sexual assault and/or have the ability to offer a sexual assault forensic exam (SAFE). Medical exams can also address other physical needs or trauma and assess for sexually transmitted infections or pregnancy.

The following location has a sexual assault nurse examiners (SANE):  
Methodist Specialty Hospital  
Forensic Nursing Services  
8026 Floyd Curl Drive, San Antonio, TX  
78229  
(210) 575-8343

### Preservation of Evidence

It is important to preserve evidence that may be useful in obtaining a protection order or in proceeding with a criminal investigation or a disciplinary process should you choose to do so. Completing a forensic exam does not require you to file a police report or report to the institution, although we encourage these reports if you are comfortable doing so. To preserve evidence, it is recommended you do not bathe, douche, smoke, use the toilet or clean the location where the incident occurred. Save items you were wearing, sheets, or towels in a paper bag. Text messages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of dating violence, domestic violence, sexual assault, or stalking.

## EMOTIONAL AND PHYSICAL IMPACT

### Emotions are to be expected.

Dating violence, domestic violence, sexual assault, and stalking are significant and can be traumatizing. Though each person's experience is unique, there are a wide range of emotions that may be felt over the days, weeks, months and even years following a traumatic experience. These reactions may change over time and it may be helpful to address them with the assistance of a trained counselor or therapist, victim/survivor advocate or even a trusted friend or family member.

### Possible physical effects may include:

- Pain and soreness
- Injuries, Nausea
- Vomiting
- Headaches
- Panic attacks
- Sleep pattern disturbances
- Insomnia or sleeping more than usual
- Loss of appetite or change in eating habits (overeating or under-eating, etc.)

### Possible psychological and/or emotional effects may include:

- Impaired memory
- Shock, Denial
- Irritability and anger
- Sadness and grief
- Social withdrawal
- Apathy (detachment, loss of caring)
- Hypervigilance (always on guard)
- Sleep disturbance (including nightmares)
- Flashbacks
- Difficulty concentrating
- Loss of trust in self or others
- Guilt, shame or embarrassment
- Thoughts of suicide or death
- Diminished interest in activities or sex
- Increased interest in sexual activity

## **CAMPUS DISCIPLINARY PROCESS**

University disciplinary proceedings are detailed in the Student Handbook and, for employees, in University Rule 08.01.01.01. The university uses the preponderance of the evidence standard for sex-based misconduct, which means the conduct is more likely to have occurred than not. A student or employee found responsible for domestic or dating violence, sexual assault, or stalking could be prosecuted in state court and also have action taken by the university, up to and including dismissal. Dismissal may also apply to individuals found to have sexually harassed another individual.

The university's disciplinary process includes a prompt, fair, impartial investigation, and resolution process. The university attempts to resolve complaints within 60 days, although extensions may be necessary depending on circumstances. Officials involved in the investigation and adjudication of sex-based misconduct are trained annually on related issues, as well as how to process reports in a way that protects the safety of the victim and promotes accountability. Victims may pursue remedies via an internal complaint process and/or through criminal charges. The victim may also pursue an informal resolution through the Title IX Coordinator. The Title IX Coordinator will not share identifying information with law enforcement without the victim's permission.

Victims and respondents may be accompanied by an advisor of their choice to meetings and proceedings. The university will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. They also have the same opportunity to have evidence of past sexual history excluded during any hearings, except in limited circumstances.

## **REQUESTING ACCOMODATIONS / SUPPORTIVE MEASURES**

Regardless of whether or not you choose to report to A&M-SA Police Department or local law enforcement, there are specific options available to you, if requested and reasonably available. You may request to be assisted by campus authorities in notifying law enforcement, including on-campus and local police. You may also decline to have law enforcement notified.

Victims and respondents have access to supportive measures including protective orders; counseling; health services; legal assistance; immigration services; and academic, housing, transportation, work, financial aid, and other accommodations, both within the institution and in the community. These will be coordinated by the Title IX Office.

## **ORDERS OF PROTECTION**

Victims of sexual assault, domestic and dating violence, and stalking are eligible to apply for protective orders and/or no-contact orders or similar lawful orders issued by a criminal, civil, or tribal court. Standard Protective Orders may prohibit the offender from committing further acts of family violence; or harassing or threatening the victim, either directly or indirectly by communicating the threat through another person. Texas law provides for the criminal enforcement of valid protective orders issued by a Texas court as well as valid out of state protective orders. For more information on protective orders, contact the A&M-SA PD at (210) 784-1900 or the Bexar County Family Justice Center at (210) 631-0100 or <http://www.bcfjc.org>.

## **NO CONTACT ORDERS**

Depending on the nature of the incident, A&M-SA may be able to issue a no contact order to prevent contact between two individuals. To request a no contact order, please contact Office of Student Rights and Responsibilities, (210) 784-1353. Employees requesting a no contact order should contact Office of Human Resources, (210) 784-2058.

## QUICK GUIDE AVAILABLE RESOURCES

### ON CAMPUS RESOURCES

#### **Victim/Survivor Advocacy**

Office of Victim Services  
Texas A&M-SA Police Department  
MOD 112A  
(210) 784-1906

#### **Counseling & Mental Health**

Student Counseling Center  
Texas A&M-SA  
Modular C – 166  
StudentCounseling@tamusa.edu  
www.tamusa.edu/studentcounseling  
(210) 784-1331

#### **Employee Assistance Program**

www.guidanceresources.com  
(866) 301-9623

#### **Student Financial Aid**

Office of Scholarships & Financial Aid  
Texas A&M-SA  
Office of Financial Aid & Scholarships  
(210) 784-1300

#### **Visa & Immigration Assistance**

International Affairs  
Texas A&M-SA International Affairs  
Madla Building Room 309  
(210) 784-1309

### ADDITIONAL RESOURCES

#### **Title IX Coordinator**

Admin Mod 109A  
<https://www.tamusa.edu/businessaffairs/titleix/>  
(210) 784-2061

#### **Office of Students Rights and Responsibilities**

Texas A&M-SA  
Madla Building, Suite 311  
StudentRR@tamusa.edu  
(210) 784-1353

#### **A&M-SA Police Department**

Texas A&M-SA  
Madla Building, Suite 120  
(210) 784-1900

#### **Disability Support Services**

Texas A&M-SA  
Central Academic Building, Suite 210  
(210) 784-1335

#### **AVP for Student Engagement & Dean of Students**

Madla Building, Suite 312  
(210) 784-1354

## OFF CAMPUS RESOURCES

### **Victim/Survivor Advocacy Rape Crisis Center**

4606 Centerview Dr Ste. 200, San Antonio, TX  
78228  
(210) 349-7273

### **Bexar County Family Justice Center**

126 E. Nueva, 2nd Floor San Antonio, TX 78204  
210-631-0100

### **San Antonio Police, South Substation**

Victim Advocacy Services  
711 W Mayfield Blvd, San Antonio, TX 78211  
(210) 207-8191

### **Bexar County Sheriff's Office**

Victim Services  
200 N Comal St, San Antonio, TX 78207  
(210) 335-6000

- **VINE**(Victim Information & Notification Everyday)  
200 N Comal St, San Antonio, TX 78207  
(210) 226-6010

### **The National Sexual Assault 24/7**

hotline RAINN  
(800) 656-4673

### **Family Violence Prevention Services**

7911 Broadway, San Antonio, TX 78209  
(210) 930-3669

### **Health**

#### **Methodist Specialty & Transplant Hospital, Forensic Nursing Services**

8026 Floyd Curl Dr, San Antonio, TX 78229  
(210) 575-8110

#### **San Antonio Behavioral Hospital**

8550 Huebner Rd, San Antonio, TX 78240  
(210) 541-5300

#### **San Antonio Behavioral Hospital**

7400 Barlite Blvd, San Antonio, TX 78224 (210)  
921-2000

### **CentroMed**

<https://centromedsa.com/>  
3750 Commercial Ave San Antonio, Texas 78221  
(210) 922-7000

### **Counseling & Mental Health (24/7) Center for Health Care Services, 24 hour helpline**

210-223-7233

### **National Crisis Text Line**

Text "Hello" to 741-741

### **National Suicide Prevention Hotline**

800-273-8255

### **Legal Assistance**

#### **Texas Legal Services Center**

2101 S IH 35 Frontage Rd, Austin, TX 78741  
(512) 477-6000

#### **Advocates for Victims of Crime Texas Legal Services**

(888) 343-4414

#### **Refugee and Immigrant Center for Education and Legal Services**

1305 N Flores St, San Antonio, TX 78212  
(210) 222-0964

#### **Visa & Immigration Assistance City of San Antonio Immigration Services**

20760 North, US-281 a, San Antonio, TX 78258  
(800) 375-5283

### **Additional Resources**

#### **Catholic Charities**

231 West Commerce San Antonio, TX 78205  
(210) 222-1294

#### **Pride Center – San Antonio**

1303 McCullough Ave #160, San Antonio, TX 78212  
(210) 370-7743

#### **Steven A. Cohen Military Family Clinic**

6363 De Zavala Rd #300, San Antonio, TX 78249  
(210) 399-4838

## CONFIDENTIALITY

If you are the victim of or witness to a crime and do not want to pursue action within the university disciplinary system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the chief or a designee of A&M-SA PD can file a report on the details of the incident without revealing your identity beyond its reporting to the Title IX Coordinator, if applicable.

Personally identifiable information will be treated as private and only shared with persons who have a specific need-to-know, i.e. , those who are investigating/adjudicating the report or those involved in providing support services, including accommodations and protective measures, to the extent that maintaining such privacy will not impair the ability of the institution to provide the support and protective measures. The university does not publish the name of crime victims in its Daily Crime Log or in its Annual Security Report.

## REPORTING AND RIGHTS

To make a report against a student, employee, or third party, contact:

Title IX Coordinator (210-784-2061), MOD 109A, and/or the A&M-SA Police Department (210-784-1900), Madla 120.

Note: The Title IX Coordinator will not provide identifying information to UPD or other law enforcement without the victim's permission, except when information demonstrates an immediate danger to the victim or to the community.

You have a right to:

- Decline to participate in an investigation.
- A prompt, fair, and impartial process from the initial investigation to the final result completed within specified time frames in a manner that is transparent, provides timely notice of meetings and equal access to information to both the complainant and the respondent, and conducted by officials without a conflict of interest or bias for either party, who receive annual training on how to conduct an investigation and a hearing process that protects the safety of victims and promotes accountability.
- Have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of your choice.\*
- Simultaneous notification, in writing, of:
  - The result of any institutional disciplinary proceeding from your report of dating violence, domestic violence, sexual assault or stalking
  - The institution's procedures to appeal the results
  - Any changes to the results
  - When the result become final\*

\*Both victim and respondent.



## DEFINITIONS

### **Dating Violence:**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

### **Domestic Violence:**

A Felony or misdemeanor crime of violence committed— By a current or former spouse or intimate partner 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 or intimate partner; By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; 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 in which the crime of violence occurred.

### **Sexual Assault:**

An offense that meets the definition of rape, fondling, incest, or statutory rape below.

- Rape is defined as 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.
- Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

### **Stalking:**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— Fear for the person's safety or the safety of others; or suffer substantial emotional distress.



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