**Reporting Criminal Offenses**  **UPPS No. 01.04.40**
**Issue No. 5**
**Effective Date: 02/08/2021**

**Next Review Date: 06/01/2025 (E4Y)**

**Sr. Reviewer: Director, University**

**Police Department**

1. **POLICY STATEMENT**

01.01 Texas State University expects its employees to conduct themselves lawfully, honestly, and with integrity. Preventing and detecting criminal conduct is critical to achieving these goals. Texas State expects and encourages all employees to make good faith reports of suspected criminal activity. Retaliation against those making good faith reports is prohibited.

**02.  DEFINITIONS**

02.01  Good Faith Report – a reasonable belief that the reported conduct violates the law.

02.02  Retaliation – any adverse actions that would dissuade a reasonable person from making or supporting a complaint of criminal activity.

02.03 Criminal Conduct – illegal activity in violation of federal or state law.

**03. REPORTING OBLIGATIONS AND PROTECTIONS**

03.01 All Texas State employees have an obligation to report actual or suspected crimes such as physical harm, theft, fraud, embezzlement, destruction of property, or other irregularities resulting in the loss of cash, property, or other university assets to the University Police Department (UPD). Reporting should be as timely and concurrent as possible.

03.02 Employees are expected to be truthful and to cooperate in an investigation of suspected illegal activity. Status or disposition of investigations will be kept confidential to the extent allowable under law.

03.03 Section [554.002 of the Government Code](https://statutes.capitol.texas.gov/Docs/GV/htm/GV.554.htm) prohibits retaliation against employees who, in good faith, report violations of law to appropriate law enforcement authorities.

**04.  PROCEDURES FOR REPORTING CRIMINAL OFFENSES**

04.01 Employees who reasonably believe that a criminal offense has been committed involving a guest or a member of the university community (this includes students, faculty, staff, and other members of the community) should report the suspected criminal act to UPD. Employees who are unsure about filing a UPD report should seek immediate guidance from their supervisor or administrative head. When it will not adversely impact the investigation, UPD will notify the Texas State University System (TSUS) Office of Internal Audit at Texas State, in cases involving theft, fraud, embezzlement, and irregularities resulting in the loss of cash or other assets of the university, or when the TSUS Office of Internal Audit at Texas State requests such information.

04.02 The director of TSUS Office of Internal Audit at Texas State will report criminal offenses to UPD or other law enforcement entities, as appropriate.

04.03 The assistant vice president for Human Resources (HR) will report suspected or actual criminal offenses to UPD. The assistant vice president for HR will notify UPD when HR is contacted about any termination resulting from a personnel matter involving a suspected or actual criminal offense.

**05.  INVESTIGATIVE PROCEDURES**

05.01 UPD will involve the TSUS Office of Internal Audit at Texas State when investigating the possible loss or misappropriation of university assets and may have a representative from the TSUS Office of Internal Audit at Texas State present when interviewing parties thought to have knowledge of the possible loss or misappropriation.

05.02 In the course of an investigation, UPD or the TSUS Office of Internal Audit at Texas State may require access to university information resources (e.g., email centrally managed file shares, employee computers, etc.). When it will not adversely impact the investigation, investigators shall request access from the vice president for Information Technology (IT) in accordance with Section 07. of [UPPS No. 04.01.02](https://policies.txstate.edu/university-policies/04-01-02.html), Information Resources Identity and Access Management. The request shall specify any evidence preservation or chain of custody procedures that IT staff should follow.

**06.  DISPOSITION**

06.01 UPD and the TSUS Office of Internal Audit at Texas State will follow established procedures. Criminal cases will be filed with the appropriate district attorney.

**07. REVIEWERS OF THIS UPPS**

 07.01 Reviewers of this UPPS include the following:

Position Date

Director, University Police Department June 1 E4Y

Captain of Patrol, University Police June 1 E4Y

Department

Sergeant of Criminal Investigations June 1 E4Y

Division, University Police Department

**08. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Director, University Police Department; senior reviewer of this UPPS

Vice President for Finance and Support Services

President