



CLERY ACT REFERENCE GUIDE

CATEGORY: CRIMINAL OFFENSES

OFFENSE	DEFINITION
1. Criminal Homicide <ul style="list-style-type: none"> • Murder/Non-Negligent Manslaughter • Manslaughter by Negligence 	<p>The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.</p> <p>The killing of another person through gross negligence.</p>
2. Sexual Assault (Sex Offenses) <ul style="list-style-type: none"> • Rape • Fondling • Incest • Statutory Rape 	<p>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. This offense includes the rape of both males and females.</p> <p>The touching of the private body parts of another person for the purpose 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.</p> <p>Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.</p> <p>Sexual intercourse with a person who is under the statutory age of consent.</p>
3. Robbery	The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
4. Aggravated Assault	An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
5. Burglary	The unlawful entry of a structure to commit a felony or a theft.
6. Motor Vehicle Theft	The theft or attempted theft of a motor vehicle.
7. Arson	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.
8. Domestic Violence	A felony or misdemeanor crime of violence committed by; a current or former spouse of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse; a person similarly situated to a spouse of the victim under the domestic or family violence law; any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence law.
9. 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, and, where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
10. Stalking	Engaging in a course of conduct directed at a specific person that would a reasonable person to fear for his or her safety or the safety of others, or, suffer substantial emotional distress.

CATEGORY: HATE CRIMES

OFFENSE	DEFINITION
General Definition of Hate Crimes	A criminal offense committed against a person or property that is motivated, in whole or in part, by the offender’s bias. Bias is a performed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, or national origin.
Group A Hate Crimes: <ul style="list-style-type: none"> • Murder/Non-Negligent Manslaughter • Negligent Manslaughter • Sexual Offenses – Rape-Fondling-Incest-Statutory Rape • Robbery • Aggravated Assault • Burglary • Motor Vehicle Theft • Arson • Domestic Violence • Dating Violence • Stalking 	For Hate Crimes under the Group A category, please refer to the definitions above under Criminal Offenses.
Group B Hate Crimes <ul style="list-style-type: none"> • Larceny – Theft 	The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
<ul style="list-style-type: none"> • Simple Assault 	An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
<ul style="list-style-type: none"> • Intimidation 	To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
<ul style="list-style-type: none"> • Destruction – Damage – Vandalism of Property 	To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

CATEGORY: ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION

OFFENSE	DEFINITION
1. Weapons Law Violations	The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
2. Drug Law Violations	The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in the preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacture and making of narcotic drugs.
3. Liquor Law Violations	The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

CAMPUS SECURITY AUTHORITY CATEGORIES

Campus Security Authority (CSA) is a Clery Act-specific term that encompasses four (4) groups of individuals and organizations associated with an institution.

CSA CATEGORIES
1. A campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department.
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of the institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

CLERY ACT GEOGRAPHY CATEGORIES

Statistics must be disclosed for Clery Act-defined crimes that occur: 1) on campus, 2) on public property within or immediately adjacent to the campus, and 3) in or on non-campus buildings or property that the institution owns or controls.

CLERY ACT GEOGRAPHY CATEGORIES
<p>1. 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</p> <p>Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, 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).</p>
<p>2. 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.</p>
<p>3. NON-CAMPUS BUILDINGS OR PROPERTY: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or</p> <p>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.</p>