



at the heart of campus safety

## CLERY ACT DEFINITIONS

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### CLERY ACT CRIMES

<b>Homicide</b>	<p><b>Murder/non-negligent manslaughter:</b> the willful (non-negligent) killing of one human being by another.</p> <p><b>Manslaughter by Negligence:</b> the killing of another person through gross negligence.</p>
<b>Sex Offenses</b>	<p><b>Sex offenses:</b> Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.</p> <p><b>Rape:</b> 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.</p> <p><b>Fondling:</b> The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victims, 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><b>Incest:</b> Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.</p> <p><b>Statutory Rape:</b> Sexual intercourse with a person who is under the statutory age of consent.</p>
<b>Robbery</b>	<p>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.</p>
<b>Aggravated Assault</b>	<p>Unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.</p>
<b>Burglary</b>	<p>Unlawful entry of a structure to commit a felony or a theft.</p>
<b>Motor Vehicle Theft</b>	<p>The theft or attempted theft of a motor vehicle.</p>
<b>Arson</b>	<p>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.</p>
<b>Dating Violence</b>	<p>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 following factors:</p> <ul style="list-style-type: none"><li>• the length of the relationship</li><li>• the type of the relationship</li><li>• the frequency of interaction between the persons involved in the relationship</li></ul>



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<b>Domestic Violence</b>	Felony or misdemeanor crimes 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... 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.
<b>Stalking</b>	Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.
<b>Hazing</b> <i>(definition continued on following page)</i>	Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that: <ul style="list-style-type: none"><li>• is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and</li><li>• causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:<ul style="list-style-type: none"><li>» whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;</li><li>» causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;</li><li>» causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;</li><li>» causing, coercing, or otherwise inducing another person to perform sexual acts;</li><li>» any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;</li><li>» any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and</li><li>» any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.</li></ul></li></ul>

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**Hazing** *(continued from previous page)*

For purposes of Clery Act statistics only, the term “student organization” in the definition of hazing is defined as: an organization at an institution of higher education (*such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government*) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

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**Liquor Law Violation**

The violation of state or local law or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

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**Drug Abuse Violation**

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

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**Weapons Law Violation**

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.

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# CLERY ACT DEFINITIONS

## HATE CRIME BIAS CATEGORIES

<b>Race</b>	A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
<b>Gender</b>	A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
<b>Gender Identity</b>	A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
<b>Religion</b>	A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
<b>Sexual Orientation</b>	A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
<b>Ethnicity</b>	A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
<b>National Origin</b>	A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
<b>Disability</b>	Preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.



# CLERY ACT DEFINITIONS

## CLERY ACT GEOGRAPHY

### 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
- any building or property that is within or reasonably contiguous to the area identified in 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 food or other retail vendors)

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### Noncampus Building or Property

- any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- 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

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### 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