

Federal Bureau of Investigation Uniform Crime Reporting (UCR) & Clery Definitions

The definitions on the following pages are published in accordance with the standards and guidelines used by the Federal Bureau of Investigation Uniform Crime Reporting Handbook and the Clery Act .

To access the Uniform Crime Reporting Handbook and a complete listing of UCR crime definitions, please go to: https://ucr.fbi.gov/additional-ucr-publications/ucr_handbook.pdf

The following web sites will provide access to information on the Jeanne Clery Act:

<http://clerycenter.org/>

<http://www2.ed.gov/admins/lead/safety/handbook.pdf>

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.

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.

Bias Crime

A criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as a hate crime.

Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony and breaking and entering with intent to commit a larceny or felony.

Campus Security Authority

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.
- 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.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined

below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

Criminal Homicide - Murder and Nonnegligent Manslaughter

The willful (nonnegligent) killing of one human being by another.

Criminal Homicide – Manslaughter by Negligence

The killing of another person through gross negligence.

Dating Violence

Violence committed by a person-

- Who is or has been in a social relationship or 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;
 - a. The length of the relationship
 - b. The type of relationship
 - c. The frequency of interaction between the persons involved in the relationship

Disorderly Conduct

Any behavior that tends to disturb the public peace or decorum, scandalize the community, or shock the public sense of morality.

Domestic Violence

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; 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.

Drug Abuse Violations

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. 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, manufacturing, and making of narcotic drugs.

Forcible Rape

The carnal knowledge of a female forcibly and against her will.

Larceny-theft

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Liquor Law Violations

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. Liquor Law Violations do not include driving under the influence and drunkenness.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Rape

The carnal knowledge of a female forcibly and against her will.

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, violence, and/or by putting the victim in fear.

Sex Offenses-Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Forcible Rape. The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. Forcible Sodomy. Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault with an Object. The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Nonforcible

Unlawful, nonforcible sexual intercourse.

A. Incest. Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape. Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Simple Assault

All assaults and attempted assaults which are not of an aggravated nature and do not result in serious injury to the victim.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

- a. Fear for his or her safety or the safety of others; or
- b. Suffer substantial emotional distress.

Vandalism

To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Weapons: Carrying, Possessing, Etc.

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.

Weapon Law Violations

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Hate Crime Definitions

A criminal offense committed against a person, property, or society which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as a bias crime.

Categories of bias included in the annual statistical disclosure are:

- Race – 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, whites).
- Gender – A preformed negative opinion or attitude towards a group of persons because those persons are male or female.
- Religion – A preformed negative opinion or attitude towards 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).
- Sexual orientation – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members or their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

- Ethnicity/national origin – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
- Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairment/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity.

For purposes of the annual statistical disclosure, hate crimes include any Clery reportable offense and the additional offenses:

- 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.
- Simple Assault – The 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.
- Intimidation – Unlawful placing 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.
- Destruction/Damage/Vandalism of Property – Willfully or maliciously destroying, damaging, defacing, or otherwise inuring real or personal property without the consent of the owner or the person having custody or control over it.

Arrests and Referrals

Arrest and referral statistics include the number of arrests and the number of persons referred for disciplinary action for the following violations:

- Liquor law violations – The violation of state or local laws prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.
- 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 their 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 violation of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
- Weapon 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.

Geographical Definitions

- On Campus – Any building or property owned or controlled by an institution within the same reasonable 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 reasonable contiguous to the aforementioned area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.
- Student Housing Facility – Any student housing facility that is owned, controlled or rented by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.
- Non Campus 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 the 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.
- 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.