



at the heart of campus safety

85 Old Eagle School Rd  
Suite 103  
Strafford, PA 19087  
484.580.8754  
clerycenter.org

## JEANNE CLERY ACT CRIME DEFINITIONS

### CRIMINAL OFFENSES

<b>Murder &amp; Non-negligent Manslaughter</b>	The willful killing of one human being by another.
<b>Manslaughter by negligence</b>	The killing of another person through gross negligence.
<b>Sexual assault (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.  <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.  <b>Fondling</b> 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.  <b>Incest</b> Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.  <b>Statutory Rape</b> Sexual intercourse with a person who is under the statutory age of consent.
<b>Robbery</b>	Taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of force or violence and/or by putting the victim in fear.
<b>Aggravated Assault</b>	An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury; this type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
<b>Burglary</b>	The unlawful entry of a structure to commit a felony or a theft.
<b>Motor Vehicle Theft</b>	The theft or attempted theft of a motor vehicle.
<b>Arson</b>	Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft or personal property of another.

## HATE CRIMES

<b>Hate Crime</b>	<p>A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.</p> <p>Include any of the above crimes and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that manifest evidence that the victim was intentionally selected because of the perpetrator's bias.</p>
<b>Larceny-theft</b>	<p>The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.</p>
<b>Simple Assault</b>	<p>An unlawful physical attack by one person on 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.</p>
<b>Intimidation</b>	<p>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.</p>
<b>Destruction/damage/vandalism of property</b>	<p>To willfully and 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.</p>

## BIAS CATEGORIES

<b>Disability</b>	<p>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.</p>
<b>Ethnicity</b>	<p>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.</p>
<b>Gender</b>	<p>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.</p>
<b>Gender Identity</b>	<p>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.</p>
<b>National Origin</b>	<p>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.</p>

<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>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.

## VAWA OFFENSES

### 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 determined based on the reporting party's statement and with consideration of:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

### 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 a victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 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.

<b>Stalking</b>	<p>Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:</p> <ul style="list-style-type: none"> <li>• Fear for the person’s safety or the safety of others or</li> <li>• Suffer substantial emotional distress</li> </ul> <p><i>Course of conduct</i> means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.</p> <p><i>Reasonable person</i> means a reasonable person under similar circumstances and with similar identities to the victim.</p> <p><i>Substantial emotional distress</i> means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.</p>
-----------------	--

## ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION

Arrests and referrals for:

- Drug Law Violations
- Liquor Law Violations
- Weapon Law Violations

<b>Weapons: Carrying, Possessing, etc.</b>	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.
<b>Drug Abuse Violations</b>	The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation 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.
<b>Liquor Law Violations</b>	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.
<b>Arrest</b>	Persons processed by arrest, citation or summons.
<b>Referred for disciplinary action</b>	The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

## CLERY ACT GEOGRAPHY

<b>On-Campus</b>	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 a food or other retail vendor).
<b>On-Campus Student Housing</b>	Any student housing facility that is owned or controlled 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 is considered an on-campus student housing facility.
<b>Public Property</b>	All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
<b>Noncampus</b>	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.

## COUNTING REMINDERS

<b>Homicide, sex offenses, aggravated assaults, dating violence, domestic violence, stalking*</b>	1 offense per victim *Special considerations for stalking
<b>Robbery, burglary</b>	1 offense per each distinct operation
<b>Motor vehicle theft</b>	1 offense for each stolen vehicle
<b>Arson</b>	1 offense for each distinct arson operation

For more information, download the Handbook for Campus Safety and Security Reporting (2016) here: <https://www2.ed.gov/admins/lead/safety/handbook.pdf>



**at the heart of campus safety**