

## DEFINITIONS FOR CLERY REPORTABLE CRIMES

### **Criminal Homicide**

- **Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter:** The killing of another person through gross negligence.

**Sexual Offenses:** Any sex act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. (NIBRS)

- **Rape:** 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. (SRS)
- **Fondling:** 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. (NIBRS)
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. (NIBRS)
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. (NIBRS)

**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.

**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. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious personal injury if the crime were successfully completed.

**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; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joyriding)

**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, or personal property of another.

### **HATE CRIMES**

A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For purposes of Clery, the recognized categories of bias include the victim's actual or perceived *race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability*. If any of the above listed crimes are determined to be hate related crimes, Northern Arizona University is required to report statistics for the type of bias. Additionally, hate crimes in the following categories are also required to be reported:

- **Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Vandalism:** To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or person having custody or control of it.
- **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.
- **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.

### **VAWA CRIMES**

- **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 the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, 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 in which the crime of violence occurred. As per Arizona Revised Statute 13-3601, Domestic Violence means any act that is a dangerous crime against children as defined in section 13-705 or an offense prescribed in section 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies: 1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household. 2. The victim and the defendant have a child in common. 3. The victim or the defendant is pregnant by the other party. 4. The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law. 5. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant. 6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship: (a) The type of relationship. (b) The length of the relationship. (c) The frequency of the interaction between the victim and the defendant. (d) If the relationship has terminated, the length of time since the termination. ([www.azleg.gov/ars/13/03601.htm](http://www.azleg.gov/ars/13/03601.htm))

- **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, and the frequency of interaction between the persons involved in the relationship. Dating Violence does not include acts covered under the definition of domestic violence.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

***Arrests and Referrals for disciplinary actions for:***

- **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.
- **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.

**Liquor Law Violations:** The violation of state or local laws or ordinance prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.