

Clery Reportable Crimes

CLERY CRIME DEFINITION

Criminal Offenses are defined as outlined by the U.S. Department of Justice, FBI National Incident Based Reporting System. For the purposes of complying with the requirements of 34 CFR 668.41, and incident meeting these definitions is considered a crime for the purpose of Clery Act reporting.

Murder & Non-Negligent Manslaughter

The willful killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as murder and non-negligent manslaughter.

Manslaughter by Negligence

The killing of another person through gross negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence and traffic fatalities, are not included in the category Manslaughter by Negligence.

Sex Offense

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- 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.
- Fondling: The touching of the private body parts of another person for sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent.
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: sexual intercourse with a person who is under the statutory age of consent.

Robbery

The taking, or attempted taking of anything of value from one person by another, in which the offender uses force or threat of violence.

Aggravated Assault

An unlawful attack by one person upon another to inflict severe or aggravated bodily injury.

Burglary

The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

Motor-Vehicle Theft

the theft or attempted theft of a motor vehicle, including automobiles, trucks, motorcycles, and mopeds.

Arson

The willful or malicious burning or attempted to burn, with or without intent to defraud, a dwelling house public building, motor vehicle or aircraft, personal property of another, etc.

Violence against Women Act (VAWA)

The crimes generally addressed under VAWA are domestic violence, sexual assault, dating violence, and stalking.

- **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 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 persons acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- **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 by the victim with consideration of the following factors:

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

Stalking

It is 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 to suffer substantial emotional distress.

Hazing

Hazing is any activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers them, regardless of a person's willingness to participate. There are three components that define hazing:

1. It occurs in a group context
2. Humiliating, degrading, or endangering behavior
3. Happens regardless of an individual's willingness to participate

Arrests / Referrals:

- **Liquor Law Violations**
The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, or possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession.
- **Drug Law Violations**
The violation of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs,
- **Weapons Law Violations**
The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; furnishing deadly weapons to minors.

Hate Crimes

Bethel College is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below)

- **Larceny**
The unlawful taking, carrying, leading, or riding away property from the possession of constructive possession of another.
- **Vandalism**
The 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 of it.
- **Intimidation**
To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and or 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.