

Clery Crime Definitions

Murder: The willful (non-negligent) killing of a human being by another.

Manslaughter: The killing of another person through gross negligence.

Sex Offense: Any sexual act directed against another person, without consent of the victim including instances where the victim is incapable of giving consent. This definition includes male and female victims.

- a. Sexual intercourse (penetration--however slight)
- b. Sodomy (penetration, however slight)
- c. Oral copulation (vaginal, anal)
- d. Rape with a foreign object (penetration vaginal or anal-- however slight)
- e. Sexual battery (the touching of the intimate parts [sexual organ, anus, groin, or buttocks of any person, or the breast of a female] of another person for the purpose of sexual gratification)
- f. Incest (sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited)
- g. Statutory rape (intercourse with a person who is under the age of consent—eighteen years).

Robbery: The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear. (Includes attempts)

Aggravated Assault: An unlawful assault upon the person of another for the purpose of inflicting severe or aggravated bodily injury. (Includes attempts, and whether or not an injury occurred.)

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.

Burglary: The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony. (Excludes vehicle burglary.)

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

- **Pocket Picking – Do not count** if use of threat or force. Count as strong arm robbery.
- **Purse snatching** Grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.
- **Shoplifting** Theft by someone other than an employee of the victim, of goods or merchandise exposed for sale.
- **Theft from Building** Theft from within building which is either open to the general public or where the offender has legal access.
- **Theft from Coin Operated Machine or Device** Theft from a machine or device which is operated or activated by the use of coins.
- **Theft from Motor Vehicle** Theft of articles from a motor vehicle, whether locked or unlocked. **Do not count** theft of motor vehicle parts or accessories. **Theft of Motor Vehicle Parts or Accessories:** Theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle, or necessary for its operation. **All Other Larceny:** All thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

Motor Vehicle Theft The taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprives the owner of the vehicle. (Includes joy-riding and attempts.)

Arson The willful or malicious burning or attempt to burn (with or without the intent to defraud) a dwelling house, public building, motor vehicle or aircraft or personal property of another. (Includes attempts)

Dating violence: The term “dating violence” means violence committed by a person —

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

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

Domestic violence: The term “domestic violence” includes 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 receiving grant monies, 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.

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.

Stalking: The term “stalking” means 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: (except Arson) to willfully or 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.

Drug/Narcotic Violations: The unlawful possession, sale, use, transportation, cultivation, manufacturing, maintaining an unlawful place.

Alcohol Violations: The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place. The Clery Act does not require the reporting of public drunkenness or driving while under the influence offenses.

Weapons Violation: The unlawful possession or control of any firearm, deadly weapon, (including nunchakus or billy club) illegal knife or explosive device while on the property of the University of California, Santa Barbara except as required in the lawful course of business or as authorized by the UCSB Chief of Police.

Hate Crime: A hate crime is a criminal offense committed against any person or group of persons, or the property of any person or group of persons because of race, gender, religion, sexual orientation, ethnicity/national origin, disability based upon the perception that the person or group has one or more of those characteristics including one or more of the following offenses: Murder, Manslaughter, Sex Offense, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny, Simple Assault, Intimidation and Vandalism.

Non-Campus

Includes any building (or property) owned or controlled by student organizations recognized by the school; and any building or property owned or controlled by the school, that is not within the same reasonable contiguous area.

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. These buildings include residential halls, any building or property that is owned by the institution but controlled by another person, those frequently used by students and those that support institutional purposes such as a food or retail vendor.

Public Property

Public property is defined as the area that is within the same reasonably contiguous geographic area of the school; or is adjacent to a facility owned or controlled by the school, and the facility is used by the school in a manner related to the institution’s educational purpose.