Clery Act Reportable Crimes

Aggravated Assault – An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or 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. This also includes assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

Arson – To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

Bias Crime – See Hate Crime

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

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 the relationship, and 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. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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; 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.

Drug Abuse Violation – Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Forsible Sodomy – Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against that 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. Beginning in 2013, these reports, if any, are included in the Rape category.

Hate Crime – A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purpose of this section, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

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

Liquor Law Violation – 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. (Drunkenness and driving under the influence are not included in this definition.)

Manslaughter by Negligence – The killing of another person through negligence.

Motor Vehicle Theft – The theft of a motor vehicle.

Note: A ‘motor vehicle’ is a self-propelled vehicle that runs on the surface of land and not on rails, and which includes automobiles, buses, recreational vehicles, trucks, motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, and golf carts.

Murder and Non-negligent Manslaughter – The willful (non-negligent) killing of one human being by another.

Robbery – The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

Sexual Assault – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program.

Sexual Assault with an Object – To use 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 against or 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. Beginning in 2013, these reports, if any, are included in the Rape category.

Sex Offenses – 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 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.

• 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.

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.

For purposes of this definition:

• Course of conduct 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, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

• Reasonable person means a reasonable person under the similar circumstances and with similar identities to the victim.

• Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

• Any incident meeting this definition is considered a crime for the purposes of Clery Act Reporting.

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.

Definitions from the Department of Justice or the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act.
**Clery Act Reportable Locations:** To qualify as reportable, a Clery Act crime must have occurred in one of the following locations:

- **On-Campus:** (1) Any building or property owned or controlled by an institution within the core campus (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 (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

- **Non-Campus:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) 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.

- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the core campus, or immediately adjacent to and accessible from the core campus.

**Instructions**

- If the reported incident constitutes a threat to the safety of the campus community the CSA shall immediately call 911. A CSA Reporting Form shall be completed and submitted when it is safe to do so.

- Confidential and anonymous CSA reports are accepted. However, the reporting party should also be encouraged to report the crime directly to the Department of Public Safety.

- While second hand (third party) reports may be inherently unreliable and are difficult to verify, such reports shall also be accepted. The potential for duplication of reported incidents shall not be a factor in determining whether or not a report is taken.

**CSA Crime Report and Resources:** The CSA Reporting Form, training and resources are available online at:

[https://www.umflint.edu/safety/csa-reporting-resources-training](https://www.umflint.edu/safety/csa-reporting-resources-training)

The following resources are available via [Clery Act Crime Statistics](https://www.umflint.edu/safety/csa-reporting-resources-training):

- Information for CSAs
  - CSA Reporting Form
  - CSA Training
  - Clery Act Resources

- Clery Crime Definitions

- Annual Security and Fire Safety Report

Any questions on CSA reporting or the Clery Act should be directed to:
UM-Flint Department of Public Safety, 
Sgt. Heather McDonald 
[mcdonalh@umflint.edu](mailto:mcdonalh@umflint.edu), (810) 237-6512.