

CLERY CRIME DEFINITIONS

Criminal Homicide (Manslaughter by Negligence)

The killing of another person through gross negligence. (Attempts are classified as aggravated assaults)

Criminal Homicide (Murder and Non-negligent Manslaughter)

The willful (non-negligent) killing of a human being by another. (Attempts are classified as aggravated assaults)

Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of violence and/or fear

Aggravated Assault

An unlawful attack of another for the purpose of inflicting severe or aggravated bodily injury accomplished by the use of a weapon or means likely to produce death or great bodily harm. It is not necessary that an injury results when a gun, knife or other weapon was used but which could have resulted in serious injury. (Includes attempts)

Burglary

The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony. (Includes attempts, but excludes vehicle burglary.)

Motor Vehicle Theft

Taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle. (Includes attempts and joyriding)

Sex Offense (Rape)

Any sexual act directed against another person without their consent or against an incapacitated person (Includes attempts)

- a. 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. Incest (sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited)
- c. Statutory rape (consensual intercourse with a person who is under the age of consent - 18yrs)

Sexual Battery (Fondling)

- a. Sexual battery (the touching of the intimate parts: sexual organ, anus, groin, or the breast of a female)

Arson

The willful or malicious burning or attempt to burn (w/o the intent to defraud) a dwelling house, public building, motor vehicle or aircraft, or personal property of another, etc. (Includes attempts)

Domestic Violence (Sec. 40002(a), VAWA (42 USC 13925(a)(8))

Includes felony or misdemeanor crimes 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 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 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.

Dating Violence (Sec. 40002(a), VAWA (42 USC 13925(a)(10))

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: (i) length of the relationship, (ii) type of relationship (iii) frequency of interaction between the persons involved in the relationship

Stalking (Sec. 40002(a), VAWA (42 USC 13925(a)(30))

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/her safety or the safety of others; or
- (B) suffer substantial emotional distress

Hate Crime

A criminal act involving one/more of the previous or below listed crimes which was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the race, religion, gender, gender identity, sexual orientation, disability, national origin or ethnicity of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

Larceny-Theft (Except Motor Vehicle Theft)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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.

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.

Destruction/Damage/Vandalism of Property

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.

DEFINITION OF CAMPUS SECURITY AUTHORITY (CSA)

- a. A police department or security department of the university.
- b. Any individual who has responsibility for campus security but who does not constitute a campus police department or the campus security department (e.g. parking enforcement staff, community service officers, contract security).
- c. Any individual or organization specified in the University's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- d. **Any official of the University who has a significant responsibility for student and campus activities** (e.g. Dean of Students; Student Judicial Affairs Officer; Directors of Campus Community Centers; Director of Student Housing; ACs; RCs; RAs; Director of Athletics and team coaches; Coordinators, directors and/or advisors to student organizations, programs, activities, campus recreation, Greek Affairs; etc.).

REPORTING INSTRUCTIONS

- a. If the reported incident constitutes a threat to the safety of the CSULB community, the CSA shall immediately telephone the University Police Department at (562) 985-4101. If the reporting party is a victim of a sex offense, the victim should be encouraged to report the crime directly to the University Police Department. The CSA must file a Clery Report.
- b. "Good faith" confidential, second hand or anonymous reports must be accepted and the CSA must file a Clery Report.
- c. The potential for duplication of reported crimes is not to be a factor in determining whether or not a report is received.
- d. This reporting form does not replace or change any existing reporting requirements or procedures established for disciplinary referrals for student or employee misconduct.
- e. Hate crimes present a special reporting challenge, because Clery also requires the recording of a "category of bias" that is associated with the reported hate crime incident.

Submit Clery reports to clery@csulb.edu, fax to (562) 985-5982, or in person to the Office of Equity & Diversity in Foundation 160. Questions about this report or the Clery Act should also be directed to 562-985-8256.