

# Jeanne Clery Act Reportable Crimes Resource Sheet

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"), requires colleges and universities to compile and publish statistics on certain criminal offenses that occur on or adjacent to college properties. If you are made aware of criminal information you should document the information and notify the North Idaho College Security Department at (208) 769-3310 immediately, call 911 first if a crime is in progress. It is important that you collect and document as much information as possible to ensure sufficient information is available for proper classification.

The Clery Act reportable crimes and locations are defined below, however you should report any criminal or suspicious information to the NIC Security Department regardless if you believe it is reportable under the Clery Act or not.

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## Clery Act Reportable Crimes

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Robbery:** The taking or attempting to take anything from value of 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.

**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 a 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 joy riding)

**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 kind.

## **Sexual Assault (Sex Offenses)**

**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 consent of the victim. Includes both males & females.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees where marriage is prohibited.

**Fondling:** 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 due to age or mental capacity.

**Statutory Rape:** Sexual Intercourse with a person who is under the statutory age of consent.

## **Weapons, Drug Abuse and Liquor Law Violations**

**Weapon Law Violations:** The violation of laws, ordinances or policy 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; all attempts to commit any of the aforementioned.

**Drug Abuse Violations:** 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's); and dangerous non-narcotic drugs (barbiturates, Benzadrine).

**Liquor Law Violations:** The violation of laws or ordinance 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; all attempts to commit any of the aforementioned. (Public drunkenness and driving under the influence are not included in this definition.)

**Hate Crimes:** A hate crime is a criminal offense committed against a person or property, which is motivated, in whole or in part, by the offender's bias. Bias is a performed negative opinion or attitude towards a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin or gender identity. For Clery purposes, hate crimes include any of the above offenses and the addition of the categories of Larceny-Theft, Simple Assault, Vandalism/Destruction/Damage of property and Intimidation, and any other crime involving bodily injury.

## **Campus SaVE Act**

Under the most recent changes to the Clery Act, NIC is also required to compile statistics for crimes where a domestic or dating relationship is present. If there is any indication of a domestic or dating relationship this information should be documented. Include any indicators that show a relationship and the type of relationship. (I.e. Indication of a domestic relationship found or perceived). The victim stated that her spouse assaulted her.

**Domestic Violence:** Includes misdemeanor and felony crimes of violence committed against a victim when the offender is the spouse of the victim, a former spouse of the victim, an intimate partner of the victim, has a child in common with the victim. Domestic violence also includes misdemeanor or felony crimes of violence when the victim is a minor subject to the control of the offender, or is an incapacitated individual subject to the control of the offender.

**Dating Violence:** Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

**Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress. Note: the physical location of the course of conduct or portions is not determined solely on location.

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**Clery Act Reportable Locations:** To qualify as reportable, a Clery Act crime must have occurred in one of the following locations or area.

**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. *WFTC, Aerospace, CTE and Outreach Centers will be considered separate campuses for statistical reporting.*

**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 campus, or immediately adjacent to and accessible from the campus, separate campus or Outreach Center.

***\*\*Any questions on crime reporting, Clery Act or Idaho Enhanced Concealed Weapons Permits should be directed to Patrick Murray at [pimurray@nic.edu](mailto:pimurray@nic.edu) or by calling (208)769-5912***