

CRIME DEFINITIONS

A) CRIMES

Criminal Homicide:

- A) **Murder and Non-Negligent Manslaughter** The willful (non-negligent) killing of one human being by another.
- B) **Negligent Manslaughter** The killing of another person through gross negligence.

Sex Offenses-Forcible Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against 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, or because of his/her inability to give consent as a result of alcohol or drug use.

- A) **Forcible Rape-** The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against 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.
- B) **Sexual Assault With an Object-** The use of 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 or against 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.
- C) **Forcible Sodomy-** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against 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 incapacity.
- D) **Forcible Fondling-** The touching of the private body parts (the sexual organ, anus, groin, or buttocks, breast of a female) of another person for the purpose of sexual gratification, forcibly and/or 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.

Sex Offenses-Non-Forcible (Unlawful, non-forcible sexual intercourse):

- A) **Incest-** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- B) **Statutory Rape-** Non-forcible sexual intercourse with a person who is under the statutory age of consent (18 in Virginia).

Dating Violence 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 length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence Crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim share a child, by a person who is cohabitating or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under Virginia's domestic or family violence laws, or by any other person against an adult or youth victim who is protected from that person's acts under Virginia's domestic or family violence laws.

Stalking 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.

Aggravated Assault An unlawful attack of one person by 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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Other Assaults-Simple, Not Aggravated All assaults which do not use the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries.

Intimidation To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Motor Vehicle Theft (Stolen Vehicle) The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft in all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joyriding.)

Burglary The unlawful entrance of a structure to commit a felony or theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with the intent to commit s larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Robbery Taking or attempting to take anything of value for the care, custody, or control of a person or persons by force or threat of force or violence and/or putting the victim in fear.

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

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, personal property of another, etc.

Vandalism To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any such means as may be specified by law.

B) LOCATIONS

On-Campus (1) 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, including residence halls; and **(2)** Any building or property that is within or reasonably contiguous to the areas identified above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other vendor).

Non-Campus building or property (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 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.

C) CAMPUS DISCIPLINARY REFERRAL

The referral of any student to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of sanctions.

Source: Federal Register, April 29, 1994, Vol. 59, No. 82, Federal Register, November 1, 1999, Vol. 64, No. 210, and 42 U.S. C. Section 13925(a) (2013)