



Clery Crime Definitions

These are presented for general information and in alphabetical order for ease of use. CSAs should note that they are not required to determine if a reported crime complies with a specific definition or even if a crime occurred at all: CSAs are to report allegations, notices, and disclosures of crimes made in good faith (see above) and that occurred on-campus, in student housing, on non-campus property (see above), and public property (i.e., streets and sidewalks) that are adjacent to and accessible directly from Ball State's campus.

Aggravated Assault is 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.

Arson is 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.

Burglary is the unlawful entry of a structure to commit a felony or a theft.

Dating Violence is defined as 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 relationship, and the frequency of interaction between the persons involved in the relationship. 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.

Destruction/Damage/Vandalism of Property is 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.

Domestic Violence is defined as 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; 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 in which the crime of violence occurred.

Fondling is 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.

Hazing means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—

whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

causing, coercing, or otherwise inducing another person to perform sexual acts;

any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and

any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

Intimidation is 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.

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

Manslaughter by Negligence is defined as the killing of another person through gross negligence.

Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.

Murder and Non-Negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.

Rape is 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. This offense includes the rape of both males and females.

Robbery is the taking or attempting to take anything of value from 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.

Stalking is defined as 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 the 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, or interferes with a person's property; *reasonable person* means a reasonable person under similar

circumstances and with similar identities to the victim; and *substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Simple Assault is 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.

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent

Student Organization means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.