

ATTACHMENT III – CLERY INCIDENT REPORT (REPORTING FORM)

CLERY INCIDENT REPORT (to be completed if victim/witness does not wish to report incident to the Police Department)

CAMPUS SECURITY AUTHORITY

TOWSON UNIVERSITY

One purpose of CLERY is to encourage reporting and collection of accurate campus crime statistics to promote crime awareness and enhance campus safety. This report form provides a uniform method of documenting the (What, When, Where) of certain reportable crimes and/or non-criminal hate motivated incidents that have occurred and have been reported to Campus Security Authorities (CSA) other than the Towson University Police Department. Data collected on this form is to be used to increase public safety, not to identify the victim; therefore, personal identifying information is not required.

It is the policy of Towson University to encourage victims and/or witnesses to report crimes to the police and/or to a designated Campus Security Authority. A complete list of Campus Security Authorities can be found in the Annual Clery Report, which is available at www.towson.edu/police. For the purposes of CLERY, CSA's are required to document certain reportable crimes and non-criminal hate motivated incidents which have been reported to them and which have occurred in the following locations:

- 1) On-campus property: Offense statistics for any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purpose, including buildings or property the location described herein that is owned by the University but controlled by another person and which is frequently used by students. (Excluding Residential Life buildings).
- 2) On-campus residential life buildings
- 3) Non-campus property: Offense statistics for non-campus property or building owned or controlled by the University that is frequently used by students and is not within the same reasonably contiguous geographic area of the institution, or any building/property that is owned or controlled by a student organization that is officially recognized by the institution.
- 4) Public property: Offense statistics for public property located immediately adjacent to and accessible from campus, including: thoroughfares, sidewalks, streets, lands.

For CLERY purposes, the student status of the offender or the victim is not a relevant fact as to whether or not this report form is to be completed. If a violation of one of the 14 highlighted violations (see reverse) occurs, documentation is required. CLERY documentation is not satisfied by simply directing/referring the reporting party to the police department. In order for TUPD to satisfy the statistical reporting requirements of the Clery Act, all CSA's are required to complete this form when certain any of the specified offenses listed below are reported to them. In addition, a person reporting a crime shall also be encouraged to report the crime to the TUPD Police Department.

Note: Certain individuals specifically Pastoral and Professional Counselors are exempted from this requirement to report certain crimes, however to be exempt from disclosing reported offenses, Pastoral and Professional counselors must be acting in the role of Pastoral or Professional Counselors.

INCIDENT DETAILS

| | | | |
|---|--|-------|--|
| Reporting Person Campus Security Authority | | Phone | |
| Incident (see reverse) | | Date | |
| Name of victim or witness (write refused if they do not wish this info given to PD) | | | |
| Brief description of the incident: | | | |
| | | | |
| | | | |
| Date, Time incident occurred | | | |

Check the appropriate answer to the following questions:

| | | | |
|---|-----|----------|--------|
| Did the crime occur in a building or on the street? Specify Location example (Tower A 2 nd floor) | | Building | Street |
| Did the crime occur on TU owned, controlled or leased property? | Yes | No | |
| Did the crime occur at a University sponsored activity or event? | Yes | No | |

ATTACHEMENT III (CONT'D)

CRIME DEFINITIONS:

Murder/Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: the killing of another person through gross negligence.

Sex Offense (Forcible): any sexual act directed against another person without the other person's consent. (Includes attempts). **FORCIBLE RAPE** - *The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's free will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).* **FORCIBLE SODOMY** - *Oral or anal 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 mental or physical incapacity.* **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 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.* **FORCIBLE FONDLING** - *The touching of the private body parts of another person for the purpose of sexual gratification, 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 mental or physical incapacity.*

Sex Offense (Non-forcible): Any unlawful, but consensual sex act with another person. (Includes attempts) **INCEST** - *Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.* **STATUTORY RAPE** - *Nonforcible sexual intercourse with a person who is under the statutory age of consent.*

Robbery: 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.

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. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

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 the 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 were later abandoned – including joyriding).

Arson: The 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.

Weapon Law Violation: 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; 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 (Demoral, methadone); 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 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. (Drunkenness and driving under the influence are not included in this definition.

DEFINITION OF CAMPUS SECURITY AUTHORITY (CSA)

- A campus police department or campus security department of the University.
- Any individual who has responsibility for campus security but who is not a member of the campus police department or the campus security department.
- Any individual specified in the University's statement of campus security policy as an individual to which students and employees should report criminal offenses.
- An individual of the University who has significant responsibility for student and campus activities. (e.g. student housing, student discipline, athletic directors/coaches and campus student judicial officials)

INSTRUCTIONS

- If the reported incident constitutes a threat to the safety of the TU community, prior to completing this form, the CSA shall immediately telephone the Towson University Police Department at 410-704-2133.
- Confidential and anonymous reports are accepted. However, if the reporting party is a victim of a sex offense, he/she shall also be encouraged to report the crime directly to the police department.
- While second hand reports are 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.
- Clery reporting (this form) does not replace or change any existing reporting requirements or procedures for disciplinary referrals for student or employee misconduct.
- Hate Crimes present a special reporting challenge. CLERY requires the CSA to document each reported crime occurrence, and CLERY also requires the CSA to record the category of prejudice.

Send report: To the Towson University Police Department or fax to 410-704-5536

Attention: Clery Coordinator. Any questions concerning this form or the CLERY ACT should be directed to the Clery Coordinator at the Towson University Police Department – 410-704-2446.