MARTIN COMMUNITY COLLEGE

Annual Security Report

to the

Campus Community 2026

Martin Community College (MCC) is committed to providing a safe and secure educational environment for all students, employees, and visitors. This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), This report is located on our web site at https://www.martincc.edu/about/campus-safety/.

This report is prepared in cooperation with local law enforcement agencies serving the areas surrounding MCC campuses and educational centers. Crime statistics included in this report are compiled from reports made to campus officials, Campus Security Authorities (CSAs), local law enforcement agencies, and other designated officials responsible for campus security reporting.

An electronic notice of the availability of this report is distributed annually to all students and employees. Prospective students and employees may obtain a copy upon request.

The MCC Daily Crime Log is available for review through the Office of the Vice President of Operations or designee. The Daily Crime Log includes the nature, date, time, and disposition of reported criminal incidents.

The information that follows addresses MCC policies and procedures that are related to Clery Act compliance.

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CAMPUS SECURITY AND EMERGENCY MANAGEMENT

Timely Warnings

Martin Community College issues Timely Warnings whenever a Clery-reportable crime occurring within Clery geography is considered to represent a serious or continuing threat to students or employees.

The Vice President of Operations or designee determines the content and issuance of timely warnings while considering the safety of the campus community and the integrity of any law enforcement response.

Emergency Notifications

MCC will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, or visitors occurring on campus.

The College may withhold information only when notification would compromise efforts to assist victims, contain an emergency, or mitigate a threat.

Timely Warnings and Emergency Notifications may be distributed through:

- Text notification systems
- College email systems
- Campus intercom systems
- College website postings
- Electronic message boards
- Flyers and notices
- Direct communication by college officials
- Other communication methods deemed appropriate

Emergency Contact Information

Main Campus	
Campus Security/School Resource Officer:	**Office:** 252-789-0281, **Cell:** 252-217-3653
Martin County Sheriff's Office:	252-789-4500
Emergency:	911
Bertie Campus	
Windsor Police Department:	252-794-3111
Emergency:	911
Bertie Campus Front Desk:	252-794-4861
Non-Emergency Campus Concerns	
Operations:	252-789-0303
Facilities:	252-789-0258
MCC Switchboard:	252-789-0200

Emergency Response and Evacuation Procedures

MCC conducts emergency response and evacuation drills on a regular basis to evaluate emergency plans and campus preparedness.

Students and employees receive information regarding evacuation procedures, shelter-in-place procedures, lockdown procedures, and emergency notification systems through orientation programs, classroom instruction, and campus safety activities.

Evacuation Procedures

Occupants shall evacuate buildings immediately upon activation of a fire alarm or upon direction from college officials.

Building evacuation maps identifying exits and assembly locations are posted throughout campus facilities.

No person shall re-enter a building until authorized by emergency personnel or College officials.

Shelter-in-Place Procedures

When severe weather or other dangerous conditions make evacuation unsafe, occupants shall relocate to designated shelter areas identified on posted building emergency maps.

Notifications may be issued through text, voice, email, the campus intercom system, or College officials.

Lockdown Procedures

Lockdowns may be initiated when an armed intruder or other violent threat exists.

Individuals should immediately seek a secure location, secure doors when possible, remain out of sight, silence mobile devices, and remain in place until directed otherwise by law enforcement or College officials.

REPORTING CRIMES AND EMERGENCIES

Reporting Criminal Activity

MCC encourages all members of the campus community to report crimes, suspicious activity, and emergencies promptly.

Crimes may be reported to:

- Campus Security / SRO
- Local law enforcement
- Student Services
- Human Resources

- College administration
- Campus Security Authorities

Prompt reporting assists MCC in providing support services, issuing warnings when necessary, and maintaining accurate crime statistics.

Confidential and Anonymous Reporting

Victims and witnesses may report crimes confidentially for inclusion in crime statistics without identifying themselves publicly.

Anonymous reporting options are available through the Campus Safety webpage. Information received through confidential reporting may be used to identify crime patterns, assess campus safety concerns, and determine whether community notifications are warranted.

Reporting Crimes at Off-Campus Activities

MCC encourages reporting of criminal activity occurring during college-sponsored off-campus activities to both local law enforcement and College officials.

Crimes reported to the College may be included in annual security reporting when required by law.

Campus Security Authorities (CSA)

Campus Security Authorities (CSAs) are individuals designated under the Clery Act who have significant responsibility for student and campus activities.

CSAs may include:

- Vice Presidents
- Deans
- Directors
- Department Heads
- Student Organization Advisors
- Athletic personnel
- Student Services personnel

- Other designated officials

Crimes reported to a CSA are evaluated for Clery reporting purposes and inclusion in annual crime statistics.

SECURITY OF CAMPUS FACILITIES

Campus facilities are generally open during normal operating hours. Access during non-business hours is limited to authorized individuals and approved activities.

The Vice President of Operations, Director of Facilities, and Campus Safety Committee periodically review campus safety concerns including:

- Exterior lighting
- Landscaping
- Locks
- Alarm systems
- Communication systems
- Building security measures

CAMPUS LAW ENFORCEMENT

Campus security services at the main campus are provided through the Martin County Sheriff's Office (MCSO) via a full-time School Resource Officer (SRO) for daytime operation hours. Evening and weekend hours are patrolled by other MCSO Deputies on duty in and around the area.

The School Resource Officer and other MCSO Deputies possess full law enforcement authority and work closely with college officials to promote safety, investigate incidents, and support emergency response activities.

The Bertie Campus is patrolled by the Windsor Police Department Officers on duty in and around the area.

The College maintains cooperative working relationships with local law enforcement agencies and participates in information sharing regarding criminal activity affecting the campus community.

SECURITY AWARENESS AND CRIME PREVENTION

MCC provides ongoing crime prevention and security awareness programs throughout the academic year.

Programs address:

- Personal safety
- Sexual assault prevention
- Theft prevention
- Emergency procedures
- Crime reporting
- Violence prevention
- Campus security responsibilities

Information may be distributed through orientations, workshops, posters, websites, publications, and electronic communications.

DRUG AND ALCOHOL POLICIES

Drug and Alcohol Policy

The unlawful manufacture, distribution, possession, use, or sale of controlled substances or alcoholic beverages is prohibited on college property and during college-sponsored activities.

Violations may result in disciplinary action up to and including suspension, expulsion, termination, referral for prosecution, or mandatory participation in an approved treatment program.

Drug-Free Awareness Program

MCC maintains a Drug-Free Awareness Program designed to educate students and employees regarding:

- Health risks associated with substance abuse
- Drug and alcohol laws
- Available counseling services

- Rehabilitation resources
- Institutional sanctions

PREVENTING AND RESPONDING TO SEX OFFENSES

Periodically during the academic year, the college will support prevention awareness programs, available to all students and employees, on dating violence, domestic violence, sexual assault, and stalking. The REAL Crisis Center at 252-758-4357, Crisis Hotline at 988, the Center for Family Violence Prevention at 252-758-4400, 24-hour crisis line 252-752-3811, and the Martin County Sherriff's Department at 252-789-4500 will assist the college in these prevention awareness programs. Prevention awareness information may be disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, and articles and advertisements in the college and student newspaper and website. Information on preventing and responding to sex offenses may be obtained through the office of Student Services.

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The college strongly advocates that a victim of sexual assault reports the incident in a timely manner. Time is a critical factor for evidence collection and preservation. **An assault should be reported directly to the college SRO at 252-217-3653 cell or 252-789-0281 office and/or to the College Title IX Coordinator at 252-789-0224 and/or the Deputy Coordinator at 252-789-0244.** The college will assist students in notifying other appropriate law enforcement authorities, if the student request assistance from these personnel. Filing a police report with Security or local law enforcement will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- **Ensure** that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;

- **Provide** the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);

- **Assure** the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the College Conduct Council, or only the latter. A college representative or the

College Title IX Coordinator will guide the victim through the available options and support the victim in his or her decision. Counseling options are limited from the college, however, the college will make referrals for victims of sex offenses to local outside counseling services. **Counseling and support services outside the college system are the REAL Crisis Center at 252-758-4357, Crisis Hotline at 988, the Center for Family Violence Prevention at 252-758-4400, 24-hour crisis line 252-752-3811, and the Martin County Sherriff's Department at 252-789-4500.**

MCC disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the MCC Title IX Policy on our webpage. The *Policy* provides, in part, to provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Both the victim and accused will be informed of the outcome of any institutional disciplinary proceedings that are brought alleging a sex offense. MCC will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, MCC will provide the results of the disciplinary hearing to the victim's next of kin. Compliance with this paragraph does not constitute a violation of the *Family Educational Rights and Privacy Act* (*FERPA*).

The college is obligated to comply with a student victims request to have the option to change their academic schedule or student worker schedule after an alleged sexual assault, if such changes are reasonably available. A student found guilty of violating the college sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the college for the first offense.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA)

Martin Community College complies with all applicable provisions of the Violence Against Women Reauthorization Act (VAWA).

The College provides prevention education, reporting procedures, victim support resources, protective measures, disciplinary procedures, and statistical reporting concerning dating violence, domestic violence, sexual assault, and stalking. Additional information may be found in the College's Title IX policies and procedures.

Rights of Victims of Dating Violence, Domestic Violence, Sexual Assault, and Stalking (VAWA)

Statement of Policy

Martin Community College (MCC) prohibits dating violence, domestic violence, sexual assault, stalking, and all forms of sexual misconduct. MCC is committed to providing a prompt, fair, impartial, and respectful response to all reports of these offenses and to supporting the rights, safety, and well-being of victims.

Victims have the right to report incidents to law enforcement, to decline to report incidents to law enforcement, to seek protective measures from the College, and to receive information regarding available support services regardless of whether a criminal complaint is filed.

Definitions

Consent

Consent is informed, freely and actively given, mutually understandable words or actions that indicate a willingness to participate in mutually agreed-upon sexual activity.

Consent:

- Cannot be obtained through force, coercion, intimidation, threats, or manipulation.
- Cannot be given by a person who is incapacitated due to alcohol, drugs, unconsciousness, mental disability, or other condition preventing informed decision-making.
- May be withdrawn at any time.
- Must exist throughout the sexual activity.

Silence, lack of resistance, or prior relationships do not constitute consent.

Dating Violence

Dating violence means 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 length of the relationship;
- The nature of the relationship; and
- The frequency of interaction between the individuals involved.

Domestic Violence

Domestic violence includes felony or misdemeanor crimes of violence committed:

- By a current or former spouse or intimate partner;
- By a person with whom the victim shares a child;
- 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 under applicable law; or
- By any person against another person protected under applicable domestic violence laws.

Sexual Assault

Sexual assault is any sexual act directed against another person without that person's consent, including instances where the victim is incapable of giving consent.

Sexual assault includes, but is not limited to:

- Rape
- Fondling
- Incest
- Statutory rape

Stalking

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress.

A course of conduct includes two or more acts carried out directly, indirectly, or through third parties by any action, method, device, or means.

Reporting Options

Victims may report incidents to:

- Campus Security / School Resource Officer
- Title IX Coordinator
- Student Services
- Human Resources
- Local law enforcement agencies
- A Campus Security Authority (CSA)

Victims may choose:

- To report or not report to law enforcement;
- To participate or decline participation in a criminal investigation;
- To seek institutional remedies regardless of criminal proceedings.

MCC will assist victims who choose to notify law enforcement authorities.

In emergencies, call 911 immediately.

Written Notification of Rights and Available Services

MCC will provide individuals reporting dating violence, domestic violence, sexual assault, or stalking with written information regarding:

Available Assistance

- Counseling services
- Mental health services
- Victim advocacy services
- Health care resources
- Community service organizations
- Legal assistance resources
- Available protective measures

Academic and Employment Accommodations

When reasonably available, MCC may provide:

- Class schedule changes
- Academic accommodations
- Work schedule modifications
- Leave arrangements
- No-contact directives
- Campus access restrictions
- Other protective measures

These accommodations may be available regardless of whether a report is made to law enforcement.

Protective Measures

Following a report, MCC may implement protective measures designed to protect the health, safety, and educational access of the involved individuals.

Protective measures may include:

- No-contact directives
- Changes in class locations
- Restrictions on campus access
- Escort assistance
- Increased security monitoring
- Changes in employment responsibilities
- Other appropriate support measures

MCC will maintain confidentiality of protective measures to the extent permitted by law and consistent with the College's obligation to provide a safe environment.

Prevention, Awareness, and Risk Reduction Programs

MCC provides ongoing educational programs and prevention initiatives intended to promote awareness and reduce the risk of dating violence, domestic violence, sexual assault, and stalking.

Topics may include:

- Healthy relationships
- Consent
- Bystander intervention strategies

- Safe and positive intervention options
- Risk reduction techniques
- Reporting procedures
- Available resources and support services

Bystander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, stalking, or other concerning behavior.

Examples include:

- Contacting law enforcement or campus officials.
- Intervening directly when safe.
- Creating a distraction to interrupt concerning behavior.
- Seeking assistance from another responsible person.

Risk Reduction

Risk reduction means strategies intended to decrease the likelihood of violence, harassment, or assault and to promote personal and community safety.

Risk reduction strategies may include:

- Being aware of surroundings.
- Using trusted companions when traveling.
- Communicating boundaries clearly.
- Seeking assistance when concerns arise.
- Reporting threatening or suspicious behavior.

Institutional Disciplinary Proceedings

MCC utilizes disciplinary procedures that provide a prompt, fair, and impartial process for resolving allegations of dating violence, domestic violence, sexual assault, and stalking.

Proceedings will be conducted by officials who receive annual training regarding:

- Issues related to dating violence, domestic violence, sexual assault, and stalking;

- Conducting investigations and hearings that protect the safety of victims and promote accountability.

Rights of Parties

Both the complainant and respondent have the right to:

- Be accompanied by an advisor of their choice.
- Receive notice of meetings and proceedings.
- Present relevant information and evidence.
- Receive written notice of outcomes.
- Receive information regarding any available appeal process.

Standard of Evidence

MCC uses the **preponderance of the evidence** standard when determining responsibility in cases involving allegations of dating violence, domestic violence, sexual assault, and stalking.

Under this standard, responsibility is determined based on whether it is more likely than not that a violation occurred.

Possible Sanctions

Individuals found responsible for violations may be subject to sanctions including:

- Educational interventions
- Written warnings
- Probation
- Restrictions on participation in activities
- Suspension
- Expulsion
- Termination of employment
- Referral to law enforcement

Confidentiality

MCC will make reasonable efforts to protect the privacy of all parties involved in a report while balancing the College's obligations to:

- Conduct a thorough investigation;

- Promote campus safety;
- Comply with federal and state laws.

Personally identifying information will be handled in accordance with applicable law and institutional policy.

INFORMATION ABOUT REGISTERED SEX OFFENDERS

In accordance with the Campus Sex Crimes Prevention Act, information regarding registered sex offenders may be obtained through the North Carolina Sex Offender Registry maintained by the North Carolina State Bureau of Investigation.

MCC encourages students and employees to review publicly available information and report safety concerns to law enforcement or college officials.

STOP CAMPUS HAZING ACT

Statement of Policy Regarding Hazing

Martin Community College - Prohibited Conduct Policy
Martin Community College strongly disapproves of, and will not tolerate any form of harassment, discrimination, or retaliation. Unwelcomed or unsolicited speech or conduct that may be construed as harassment, discrimination, or retaliation as determined by a reasonable person is strictly prohibited. This policy applies to all employees, students, vendors, contractors, visitors, and affiliated organizations, both on and off campus. Complaints shall be reported and addressed in accordance with the College's procedures.

Martin Community College's Prohibited Conduct Policy is intended to include Hazing as harassment, discrimination, or retaliation; therefore, Martin Community College strictly prohibits hazing in any form, in compliance with the Stop Campus Hazing Act (SCHA) and the North Carolina General Statutes § 14-35.

Individuals or organizations engaging in hazing may be subject to disciplinary action and referral to law enforcement.

Reporting Hazing Incidents

Any person who becomes aware of hazing activity is encouraged to report it immediately through College reporting channels, Campus Security, Student Services, Human Resources, Title IX personnel, or law enforcement authorities.

Investigation Process

The College will promptly evaluate reports, assess safety concerns, investigate allegations, determine policy violations, and impose appropriate corrective actions or sanctions when warranted.

Hazing Prevention Programs

MCC provides prevention and awareness initiatives designed to promote responsible leadership, healthy organizational practices, reporting awareness, and bystander intervention.

Applicable Laws

Hazing may violate College policy and North Carolina law. Students and employees are expected to comply with all applicable laws and institutional policies.

Hazing Statistics & Campus Hazing Transparency Report

Hazing statistics are included in the MCC Campus Crime Statistics table.

The College maintains a Campus Hazing Transparency Report as required by federal law and will publish reportable findings involving recognized student organizations in accordance with applicable legal requirements. As of the publication date of this report, Martin Community College has not identified any recognized student organization that has been found responsible for hazing.

MCC CRIME STATISTICS

Martin Community College Crime Statistics

Offense	On Campus			Non-Campus			Public Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder & non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Weapons Arrest	0	0	0	0	0	0	0	0	0
Weapons Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Drug Law Arrest	0	0	0	0	0	0	0	0	0
Drug Law Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Liquor Law Arrest	0	0	0	0	0	0	0	0	0
Liquor law Disciplinary Referrals	0	0	0	0	0	0	0	0	0
Hazing	NA	NA	0	NA	NA	0	NA	NA	0

Hate Crimes: 2025: No hate crimes reported, 2024: No hate crimes reported, 2023: No hate crimes reported.

Definitions of Geography

***On-Campus*:** 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 any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

***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. The MCC crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

***Non-Campus Building or Property*:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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.

Clery Act Crime Categories & Definitions

The Clery Act requires institutions to disclose three general categories of crime statistics:

- **Criminal Offenses**—Criminal Homicide, including: a) Murder and Non-Negligent Manslaughter, and b) Negligent Manslaughter; Sex Offenses including: a) Forcible, and b) Non-forcible; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
- **Hate Crimes**—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property' that were motivated by bias; and
- **Arrests and Referrals for Disciplinary Action for Weapons:** Carrying, Possessing, Etc., Drug Abuse Violations and Liquor Law Violations.

Criminal Offenses

1. **Criminal Homicide**. These offenses are separated into two categories: Murder and Non-Negligent Manslaughter, and Negligent Manslaughter.
    a) **Murder and Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.
    b) **Negligent Manslaughter** is defined as *the killing of another person through gross negligence*.

2. **Sex Offenses**. Sex offenses are separated into two categories: forcible and non-forcible. Includes attempted sex offenses, but does not include in any sex offenses other than the four types of Forcible Sex Offenses and the two types of Non-Forcible Sex Offenses.

    a) **Sex Offenses—Forcible** is defined as 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.

There are four types of Forcible Sex Offenses:

- **Forcible Rape** is 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 temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.

  If force was used or threatened, classify the crime as forcible rape regardless of the age of the victim. If no force or threat of force was used and the victim was under the statutory age of consent, classify the crime as statutory rape. The ability of the victim to give consent must be a professional determination by a law enforcement agency.

- **Forcible Sodomy** is oral or anal sexual intercourse with another person, forcibly and/or against that person will; or not forcibly or against the person 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** is 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 will; or not forcibly or against the person 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. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.

- **Forcible Fondling** is 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 or against the person will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Count one offense per victim.

b) Sex Offenses—Non-forcible is defined as unlawful, non-forcible sexual intercourse.

There are two types of Non-Forcible Sex Offenses:

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

- Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent.

3. **Robbery.** 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.

4. **Aggravated Assault.** 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.

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

6. **Motor Vehicle Theft**. Motor vehicle theft is the theft or attempted theft of a motor vehicle, to include; Theft of any self-propelled vehicle that runs on land surface and not on rails, such as: sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, trail bikes, mopeds, all-terrain vehicles, self-propelled motor homes, snowmobiles, golf carts and motorized wheelchairs. All incidents where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned. Include joyriding in this category.

7. **Arson.** 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.

Dating Violence, Domestic Violence, Sexual Assault, and Stalking

The VAWA requires institutions to collect and report information regarding incidents of **dating violence, domestic violence, sexual assault, and stalking** that occur on an institution's Clery Geography and are reported to a Campus Security Authority or to local law enforcement agencies.

- **Domestic Violence**: 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 cohabiting 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.

- **Dating Violence**: 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 by the victim with consideration of the length of the relationship, the type of relationships, and the frequency of interaction between the persons involved in the relationship.

- **Sexual Assault**: This is an umbrella term that encompasses any form of unwanted or involuntary touching or penetration of intimate body parts, by a person of the same or opposite sex. This includes being forced to touch someone else. "Unwanted or involuntary" sexual contact is without consent; including the use of threats, intimidation, coercion, or physical force; or with those who are unable to give consent; either because of their age or because they are physically helpless, mentally incapacitated, or intoxicated.

- **Stalking**: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. Please see NCGS 14-277.3A for North Carolina's definition of stalking along with the public policy statement.

Hate Crimes Categories & Definitions

The second category of statistics you must disclose after criminal offenses is 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 preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

Although there are many possible categories of bias, under Clery, only the following six categories are reported:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair, facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

- **Gender**. A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

- **Religion**. A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

- **Sexual orientation**. A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

- **Ethnicity/national origin**. A preformed negative opinion or altitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).

- **Disability**. A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

The VAWA revised the categories of bias for the purposes of Clery Act hate crime reporting to add gender identity and to separate ethnicity and national origin into different categories;

- **Gender Identity** hate crimes are those criminal offenses committed against a person, property or society that is motivated, in whole or in part, by the offender's bias against a person's sexual orientation. This includes homosexuality, bisexuality, transsexualism and cross-dressing.

- **National Origin** hate crimes are criminal offenses committed against a person, property, or society that are motivated, in whole or in part, by the offender's bias against a race, ethnicity/national origin, or because the victim is or appears to be from a particular country or part of the world, because of ethnicity or accent, or because they appear to be of a certain ethnic background (even if they are not). National origin crimes can also arise because of marriage, association with a person of a certain national origin, or because of their connection with an ethnic organization or group.

- **Ethnicity.** A preformed negative opinion or attitude toward a group of persons of the same race who share common or similar traits, languages, customs and traditions.

For Clery purposes, hate crimes include any offense in the following two groups that is motivated by bias.

1. Categories of hate crime offenses Group A
    - Murder and non-negligent manslaughter
    - Forcible sex offenses
    - Non-forcible sex offenses
    - Robbery
    - Aggravated assault
    - Burglary
    - Motor vehicle theft
    - Arson

2. Group B
    - Larceny-theft
    - Simple assault
    - Intimidation
    - Destruction/damage/vandalism of property

The offenses in Group A include all the Clery Act offenses discussed earlier (with the exception of Negligent Manslaughter and Weapons: Carrying, Possessing, Etc., Drug Abuse Violations, and Liquor Law Violations which cannot be classified as hate crimes). In addition to those offenses, the Group B offenses, i.e., larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, should only be included in your Clery statistics if they are hate crimes.

1. **Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

2. **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.

3. **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.
4. **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.

Arrests and Disciplinary Referrals for Violation of Weapons, Drug and Liquor Laws Categories & Definitions

The third category of crime statistics you must disclose is the number of arrests and the number of persons referred for disciplinary action for the following law violations:

1. **Weapons: Carrying, Possessing, Etc**., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

2. **Drug Abuse Violations** are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

3. **Liquor Law Violations** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Arrest for Clery Act purposes is defined as persons processed by arrest, citation or summons.

Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.