



Please forward this completed form to:

Jeff Earle, Director of Clery Compliance

One Camino Santa Maria, San Antonio, Texas 78228 or jearle@stmarytx.edu

Failure to comply with this law or a violation of this reporting process can subject St. Mary's University to a \$54,789 fine per violation.

Section 1.

If no crimes were reported to you, please complete the first section of this page; print your name and initial. This form is being used to document that you have received this reporting form and that no crimes were reported to you for the previous reporting cycle.

Reporting Person (print name): _____ Department: _____

By placing an X on this line, you are confirming that no crimes, as described below, were reported to you during the requested calendar year.

Initial: _____

Section 2.

Complete this section if a crime was reported to you. If more than one crime was reported to you, fill out one of these forms for each crime reported.

Reporting Person (print name): _____ Phone Number: _____

Classification (see definitions below): _____ Date Incident Occurred: _____

Location of Incident (building name or address): _____

Brief description of the incident: _____

Check the appropriate box to answer the following questions:

Did the crime occur in a building or on the street? Building: [] Street: []

Did the crime occur on (Institution) owned, controlled, or leased property? Yes: [] No: []

Did the crime occur at a University-sponsored activity or event? Yes: [] No: []

If a hate (bias) related crime was reported to you, please complete the following about the type of bias involved in the crime.

Type of Bias (circle one): Race; Religion; Ethnicity; National Origin; Gender; Sexual Orientation; Disability; Gender Identity

Return only this page to University Police

Reportable Offenses:

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.

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. 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 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: 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 kind.

Weapon Law Violations: 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 Law 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); and dangerous non-narcotic drugs (barbiturates, Bensedrine).

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.)

NOTE: The above listed crime definitions from the Uniform Crime Reporting Handbook

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 the consent of the victim.

Fondling: 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.

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

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

NOTE: The above listed Sex Offenses Definitions From the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

VAWA (Violence Against Women Act) Crimes:

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.

Texas Statutes define FAMILY VIOLENCE (Texas Family Code) Sec. 71.004 as; "(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.

Texas Statutes define HOUSEHOLD (Texas Family Code) Sec. 71.005 as; "...means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other."

St. Mary's University in consultation with the Bexar County District Attorney's Office, interprets HOUSEHOLD to mean residents of the same residence hall room or rooms that are joined in a suite style connected by a common bathroom

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 following factors:

- (i) The length of the relationship
- (ii) The type of relationship
- (iii) The frequency of interaction between the persons involved in the relationship.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to
(A)) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

HATE CRIMES:

St. Mary's University is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

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

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

Intimidation: 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.

Simple Assault: 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.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of a bias against the victim's race, sexual orientation, etc... the assault is then also classified as a hate/bias crime.