

UH Hilo Case Classifications

Criminal and Non Criminal Categories that are to be utilized for all Incident Reports generated by University of Hawaii Hilo Campus Security

ASSAULT (**criminal**) – An unlawful attack by one person upon another.

AGGRAVATED ASSAULT (**criminal/Clery**) – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually involves the use of a weapon or by means likely to produce death or great bodily harm.

ABUSE OF HOUSEHOLD MEMBER (**criminal**) – A domestic situation where one or more of the parties displays some sort of injury. This is an automatic arrest situation by the PD.

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION (**criminal & non-criminal/Clery**) – Any case involving illegal weapons possession and violation of drug and liquor laws. A referral or arrest must take place, a disciplinary action must be initiated, and a record kept of the action taken and disclosed by location.

ARSON (**criminal/Clery**) - 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.

ATTEMPTED THEFT (**criminal**) – Any attempt to take or possess the property of another without that person's consent.

BURGLARY (**criminal/Clery**) – The unlawful entry of a structure to commit a felony or a theft. (Tents, storage sheds, trailers, motor homes, house trailers or other mobile units used for recreational purposes are not considered structures.)

CRIMINAL PROPERTY DAMAGE (**criminal**) – The intentional, malicious and deliberate damage of another's property or things.

DATING VIOLENCE (**criminal/Clery**) – Violence committed by a person who is or has been in a social relationship, or 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.**

DOMESTIC (**non-criminal**) – Argument between related parties where no intervention is required or injury has occurred.

DOMESTIC VIOLENCE (**criminal/Clery**) – 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.

DRUG/NARCOTIC LAW VIOLATION (**criminal & non-criminal/Clery**) – The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

DRUG PARAPHENALIA (**criminal**) – Possession of these items is treated as contraband and the case referred to PD. Non-Possession (**non-criminal**) would be classified as Misc. Public and items either turned over to the PD for disposal and if they don't accept then destruction is required and to be noted.

UH Hilo Case Classifications (continued)

FIRE (non-criminal/Clery) – Any incident that results in the damage to a building or things and not arson related.

FIRE ALARM (information) – The activation of any smoke or sprinkler device where notification has been made to the fire alarm panel.

FONDLING (criminal/Clery) – 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.

FORGERY/COUNTERFEITING (criminal) – The unauthorized use of someone's signature to receive money or goods/the duplication of US Currency or other negotiable item used to obtain goods or services.

FOUND PROPERTY (non-criminal) – Items that are located and found by or turned in to security for safekeeping.

HARASSMENT (criminal) – Behavior that involves an intent to annoy, harass, or alarm another in-person, by telephone, computer, other communication device or touches another person in an offensive manner.

HATE (criminal & non-criminal/Clery) – Any behavior motivated by hate based on race, gender, religion, sexual orientation, ethnicity/national origin and/or disability. Depending on the nature of the actions, the case can be either criminal or non-criminal but in each, the incident must be reported as a Clery Category Offense.

INCEST (criminal/Clery) – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

INDECENT EXPOSURE (criminal) – The intentional and wanton display of one's genitals to another person or persons.

INTOXICATED PERSON (non-criminal) – If behavior has not resulted in the commission of some other criminal offense this should be classified as an information only incident.

LARCENY-THEFT (criminal) – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Thefts from automobiles, whether locked or not, buildings, coin operated machines, commercial establishments, purse snatching, theft of bicycles, and other thefts from people or places that are approached via open access.

LIQUOR LAW VIOLATION (criminal/Clery) – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

LOST PROPERTY (information) – Undetermined location where the item was lost or misplaced and the incident will be classified as an information only incident, or do not write up an incident report; rather, have the individual fill out a "Lost Item" form.

MANSLAUGHTER BY NEGLIGENCE (criminal/Clery) – The killing of another person through gross negligence.

MEDICAL ASSIST (information) – Cases where a person is either sick and/or injured and where security and medical assistance has been requested.

MISSING STUDENTS (non-criminal) – Cases where students are reported missing for an extended period (usually more than 24 hours) and either security or the PD has been notified.

UH Hilo - Case Classifications (continued)

MOTOR VEHICLE ACCIDENT – (non-criminal) – Incidents involving motor vehicles or other motorized devices where damages or injuries are caused to the vehicles, other property and/or people.

MOTOR VEHICLE THEFT (criminal/Clery) – The theft or attempted theft of any motorized vehicle.

MURDER and NON-NEGLIGENT MANSLAUGHTER (criminal/Clery) – The willful (non-negligent) killing of one human being by another (does not include suicides, fetal deaths, traffic fatalities, accidental deaths, assaults to murder and attempts to murder)

PROPERTY DAMAGE (non-criminal) – Any damage caused to property or things of an unintentional or non-malicious nature. Acts of God would be included.

RAPE (criminal/Clery) – 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 (criminal/Clery) - 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.

SEX ASSAULT (criminal/Clery) – Any sexual act directed against another person, forcible and/or against that person's will or against someone incapable of giving consent.

STALKING (criminal & non-criminal/Clery) – The act of 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.

STATUTORY RAPE (criminal/Clery) – Sexual intercourse or sodomy with anyone who is under the statutory age of consent. The ability of the victim to give consent must be a professional determination by a law enforcement agency. **Remember, if force was used or threatened, or the victim was incapable of giving consent because of his/her age or temporary or permanent mental impairment, the offense is Rape, not Statutory Rape.**

STUDENT CONDUCT CODE (non-criminal/Clery) – Any student behavior or activity that is expressly prohibited by the UH at Hilo. Although non-criminal, the activity will be documented as a Clery Statistic if disciplinary action is taken.

STUDENT HOUSING VIOLATION (non-criminal) – Any student behavior or activity that is contrary to UHH student housing policies or procedures.

THEFT (criminal) – The taking and or use of another's property without that person's permission or consent.

TRESPASS (criminal) – The illegal occupying or presence in or on the premises of a location from which a person or individual has been specifically warned to stay away from and where an arrest is made.

TRESPASS WARNING (non criminal) – This is the initial phase of the trespass process where the person is put on notice that their behavior has necessitated that they no longer will occupy or be present at a specific location or locations for a period of one year.

WEAPON LAW VIOLATION (criminal/Clery) – 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.

If there are any questions regarding the proper classification of a case, a specific inquiry is to be made with the Director's Office for advice and or clarification. Call 932-7644.