

Lyndon State College Crime Statistics

The following information is provided in accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Crime statistics are compiled by the Director of Public Safety, through information obtained from security incident reports, residential life incident reports, College judicial sanctions, and crimes reported to other campus officials with significant responsibility for student and campus activities (known as Campus Security Authorities). Statistical information for public property within or immediately adjacent to and accessible from the campus is also collected or requested from local, county, and state law enforcement agencies, and when provided is included in our crime statistics.

Amendments made to the Clery Act in 2009 and 2013 altered the law's reporting requirements, expanding the list of reportable offenses and creating new reporting categories, including domestic violence, dating violence, and stalking incidents that were reported to campus Public Safety authorities. The most recent changes to the Clery Act also expanded the categories of bias for hate crimes to include national origin and gender identity.

Each year an email notification is sent to all students, faculty, and staff that provides the website address to access this report. Physical copies of the report are available from the Office of Public Safety (ASAC 218, ext. 6452), and from the Director of Human Resources (Vail 357, ext. 4865). Copies are provided to new employees, and are available in the Admissions Office for prospective students.

Category	Location								
	On Campus			Residence Halls			Public Property		
	2013	2014	2015	2013	2014	2015	2013	2014	2015
Criminal Offenses:									
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0			0			0	0	
Rape		2	0		2	0			0
Fondling		0	0		0	0			0
Sex offenses – Non-forcible									
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	1	0	0	0	0	0	0	0	0
Burglary	1	5	0	0	3	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
Dating violence	0	0	0	0	0	0		0	0
Domestic violence	0	0	0	0	0	0		0	0
Stalking	0	1	0	0	1	0		0	0
Arrests:									
Weapons: carrying, possessing, etc.	0	0	0	0	0	0	0	0	0
Drug abuse violations	1	0	0	1	0	0	0	0	0
Liquor law violations	3	0	0	0	0	0	0	0	0
Disciplinary Actions:									
Weapons: carrying, possessing, etc.	0	0	0	0	0	0	0	0	0
Drug abuse violations	128	99	51	100	99	36	0	0	15
Liquor law violations	97	96	50	81	96	38	0	0	12

Annual Hate Crime Statistics

In addition to the crime statistics listed above, the Higher Education Opportunity Act of 2008 and the Campus Sexual Violence Elimination Act (SaVE ACT) of 2013, requires the College report Clery crimes of larceny, intimidation, simple assault, and vandalism, if those crimes were determined to be bias motivated. To be a bias or hate crime, the victim must be intentionally selected because of their actual or perceived race, gender, religion, sexual orientation, gender identity, ethnicity, national origin or disability.

There were no reported hate crimes for the years 2013, 2014 or 2015.

Definition of Terms

The following terms are defined from the Code of Federal Regulations, Title 34, Volume 3, and revised as of October 20, 2014. (34CFR668.46)

The term “On-Campus” means:

- 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 the area identified in 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).

The term “On-Campus Student Housing Facility” means:

- Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

The term “Noncampus Building or Property” means:

- 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.

The term “Public Property” means:

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Under the Clery Act, campuses are required to report crime statistics for certain offenses, hate crimes, arrests and disciplinary referrals for violations of the law. The Clery Act may define a particular crime differently than the crime is defined under the Vermont Law. For purposes of this report, the College uses the Clery Act definitions, which have been adopted from the FBI's Uniform Crime Reporting Handbook, UCR, The National Incident-Based Reporting Systems Edition of the UCR for sex offenses, and the Violence Against Women's reauthorization Act of 2013.

The following definitions are to be used for reporting the crimes listed in Sec. 668.47, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and nonforcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

Arson: 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.

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 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 and probably would result in serious personal 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 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 joyriding.)

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; and 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 (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine). Bath salts and their derivatives; and illegally obtained prescription drugs.

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. Drunkenness and driving under the influence are not included in this definition, nor is possession of alcohol by an individual 21 years of age or older where such possession is in violation of College policy, i.e. in an alcohol/drug free residence hall.

The term "Arrest" as defined for Clery Act purposes is: *Persons processed by arrest, citation or summons*, such as: Those persons arrested and released without a formal charge being placed against them. (An arrest has occurred when a law enforcement officer detains an adult with the intention of seeking charges against the individual for a specific offense(s) and a record is made of the detention.)

Sexual Assault: "An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program[.]" The Federal Bureau of Investigation's Uniform Crime Reporting Program defines these offenses as follows:

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."

Sex Offenses: "Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. *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.

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

C. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent.”

The following definitions are from The Federal Violence Against Women Act of 1994. (42 U.S. Code § 13925)

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.

(i) 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.

(ii) For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.”

Domestic Violence: “A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner;

(D) 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

(E) 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 Partner: The term “dating partner” refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of—

(A) the length of the relationship;

(B) the type of relationship; and

(C) the frequency of interaction between the persons involved in the relationship.

Stalking: “(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person’s safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For purposes of this definition—

(A) *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.

(B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

(C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.”