

UMBC Police Department  
2016 Annual Security Report  
**Definitions**

It is important that students, faculty and staff understand these terms as defined in UMBC policies:

<b><i>Consent</i></b>	Consent is active. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or consent does not imply consent to future sexual acts. Consent cannot be procured by use of physical force, compelling threats, or coercion. In order to give effective consent, one must not be mentally or physical incapacitated (e.g., by alcohol or drugs, unconsciousness, mental disability).
<b><i>Domestic Violence</i></b>	Federal law definition: The term "domestic violence" includes 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 cohabiting with or has cohabited 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. There is no Maryland law definition of domestic violence (it is not distinguished from general crimes of violence, such as assault).
<b><i>Dating Violence</i></b>	Federal law definition: The term "dating violence" means 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 the relationship; (iii) the frequency of interaction between the persons involved in the relationship.  There is no Maryland law definition of dating violence (it is not distinguished from general crimes of violence, such as assault).
<b><i>Retaliation</i></b>	Retaliation against a complainant or a person who provides information in support of a Complainant is prohibited. Any person who retaliates against a complainant or a person who provides information in support of a complainant shall be subject to disciplinary action as provided in policy 06-01.20-Prohibiting Sexual Harassment.

UMBC Police Department  
2016 Annual Security Report

**Definitions**

<b>Sexual Assault I and II</b>	The actions constituting sexual assault are set forth in Title 3, Subtitle 3 of the Criminal Law Article of the Annotated Code of Maryland and include, but are not limited to the following acts committed by an acquaintance or stranger ("Actor"): Rape forcible sodomy, or forcible sexual penetration, however slight, of another person's anal or genital opening; touching of an unwilling person's intimate parts (defined as genitalia, groin, breast, or buttocks, or clothing covering them); or, forcing an unwilling person to touch another's intimate parts. To constitute sexual assault these acts must be committed either by force, threat, intimidation or through the use of the victim's mental or physical helplessness of which the Actor was aware or should have been aware.
<b>Sexual Exploitation</b>	Occurs when one person takes non-consensual or abusive advantage of the other for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.
<b>Sexual Harassment</b>	Generally, sexual harassment includes any non-consensual sexual contact, sexual exploitation, or requests for sexual favors that affect educational or employment decisions. Sexual harassment is especially injurious in relationships characterized by inequality of power, where one party has authority over the other. Such relationships can be immediate or based upon future expectations, e.g. the need for future evaluations and references. Visual displays of degrading sexual images, sexually suggestive conduct or offensive remarks of a sexual nature may also constitute Sexual Harassment.
	Unwelcome sexual advances, unwelcome requests for sexual favors, and other verbal or physical conduct of a sexual nature, whether between people of same or different genders and sexual orientation, constitute sexual harassment when:
	Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment by the university or an individual's participation in a university sponsored program or activity; or
	Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual; or
	Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or of creating an intimidating, hostile, or offensive working environment; or
	Such conduct by an employee, a student, or by a third party is sufficiently severe, persistent or pervasive to: <ul style="list-style-type: none"> <li>a. Deny or limit an individual's ability to participate in or benefit from an educational program or activity;</li> <li>b. Create a hostile or abusive educational environment;</li> <li>c. Have the purpose or effect of unreasonably interfering with an individual's work performance, or of creating an intimidating, hostile, or offensive work environment at the University</li> </ul>

UMBC Police Department  
2016 Annual Security Report

**Definitions**

<b>Stalking</b>	<p>Federal law definition: The term "stalking" means 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.</p> <p>Maryland law definition: Stalking means a malicious course of conduct that includes approaching or pursuing another where the person intends to place or knows or reasonably should have known the conduct would place another in reasonable fear:</p> <p>(1).</p> <ul style="list-style-type: none"> <li>(i) of serious bodily injury;</li> <li>(ii) of an assault in any degree;</li> <li>(iii) of rape or sexual offense as defined by Sections 3-303 through 3-308 of the Criminal Law Article of the Maryland Code or attempted rape or sexual offense in any degree;</li> <li>(iv) of false imprisonment; or</li> <li>(v) of death; or</li> </ul> <p>(2) that a third person likely will suffer any of the acts listed in item ( 1) above.</p> <p>Code of Student Conduct definition: To follow or otherwise contact another person repeatedly, so as to put that person in fear for his or her life or personal safety.</p>
<b>On Campus Property</b>	<p>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).</p>
<b>On-Campus Residential Life Buildings</b>	<p><b><u>Whether or not</u></b> the person is a resident or student or faculty/ staff member.</p>
<b>Non-campus property</b>	<p>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.</p>
<b>Public property</b>	<p>Offense statistics for public property located immediately adjacent to and accessible from campus, including: thoroughfares, sidewalks, streets, lands.</p>

UMBC Police Department  
2016 Annual Security Report  
**Definitions**

<b>Murder/ Non-Negligent Manslaughter</b>	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 <u>excluded</u> .
<b>Negligent Manslaughter</b>	The killing of another person through gross negligence.
<b>Forcible Rape</b>	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 her/ his temporary or permanent mental or physical incapacity (or because of his/her youth).
<b>Forcible Sodomy</b>	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 <i>permanent mental or physical incapacity</i> .
<b>Sexual Assault With An Object</b>	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 her/ his youth or because of <i>his/her temporary or permanent mental or physical incapacity</i> .
<b>Forcible Fondling</b>	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
<b>Sex Offense (Forcible)</b>	<i>Any sexual act directed against another person without the other person's consent. (Includes attempts).</i>
<b>Sex Offense (Non-Forcible):</b>	<i>Any unlawful, but consensual sex act with another person. (Includes attempts)</i>
<b>Incest</b>	Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
<b>Statutory Rape</b>	Non-forcible sexual intercourse with a person who is under the statutory age of consent.
<b>Robbery</b>	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.
<b>Aggravated Assault</b>	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.
<b>Burglary</b>	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.
<b>Motor Vehicle Theft</b>	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).
<b>Arson</b>	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.
<b>Weapon Law Violation</b>	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.
<b>Drug Abuse Violations</b>	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, methadones); and dangerous non-narcotic drugs (barbiturates, Benzadrine).
<b>Liquor Law Violations</b>	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.

UMBC Police Department  
2016 Annual Security Report

**Definitions**

DEFINITION OF CAMPUS SECURITY AUTHORITY (CSA)	
<input type="checkbox"/>	A campus police department or campus security department of the University.
<input type="checkbox"/>	Any individual who has responsibility for campus security but who is not a member of the UMBC Police Department.
<input type="checkbox"/>	Any individual specified in the University's statement of campus security policy as an individual to which students and employees should report criminal offenses.
<input type="checkbox"/>	An individual of the University who has significant responsibility for student <b>and</b> campus activities. (e.g.: student housing, student discipline, athletic directors/coaches and campus student judicial officials)