

Clery Annual Safety and Security Report 2017

Criminal Activity Statistics – Clovis Community College

Criminal Homicide:

Murder and Non-Negligent Manslaughter: 2015 2016 2017

On Campus Property 0 0 0

Public Property 0 0 0

Non-Campus Property 0 0 0

Total 0 0 0

Criminal Homicide – Negligent Manslaughter 2015 2016 2017

On Campus Property 0 0 0

Public Property 0 0 0

Non-Campus Property 0 0 0

Total 0 0 0

Sex Offenses: Forcible 2015 2016 2017

On Campus Property 0 0 0

Public Property 0 0 0

Non-Campus Property 0 0 0

Total 0 0 0

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Sex Offenses – Non Forcible	2015	2016	2017
On Campus Property	1	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
Total	1	0	0

Robbery	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
Total	0	0	0

Aggravated Assault	2015	2016	2017
On Campus Property	1	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
Total	1	0	0

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Burglary	2015	2016	2017
On Campus Property	0	1	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	0	1	0

Arson	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	0	0	0

Motor Vehicle Theft	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	0	0	0

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Hate Crimes	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
Total	0	0	0

Domestic Violence	2015	2016	2017
On Campus Property	1	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
Total	1	0	0

Dating Violence	2015	2016	2017
On Campus Property	1	1	0
Public Property	0	0	0
Non-Campus Property	0	0	0
Total	1	1	0

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Stalking	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	0	0	0

Liquor Law Violations	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	0	0	0

Drug Related Violations	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	0	0	0

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Weapons Violations	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	0	0	0

Unfounded Crimes	2015	2016	2017
On Campus Property	1	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	1	0	0

Disciplinary Referrals - Liquor Law Violations	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
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Total	0	0	0

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Disciplinary Referrals Drug Related Violations	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
Total	0	0	0

Disciplinary Referrals - Weapons Violations	2015	2016	2017
On Campus Property	0	0	0
Public Property	0	0	0
Non-Campus Property	0	0	0
Total	0	0	0

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Location Definitions

On Campus Property – 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.

Non-Campus 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.

Public Property – all public property, including thoroughfares, streets and sidewalks that are within the campus or immediately adjacent to and accessible from the campus is considered public property.

TITLE IX

Clovis Community College is in compliance with Title IX which is a federal civil rights law in the United States that was passed as part of the Education Amendments of 1972. The law specifically states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal Financial Assistance.

Crime Definitions

The Higher Education Act (1965) (HEA) defines the crime categories of domestic violence, dating violence and stalking in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:

Domestic Violence – a felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim,
- A person with whom the victim shares a child in common,
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA],
or
- 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

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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; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship

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

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress

As required by the Clery Act, the following crime definitions are based on the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR) classifications.

Murder – the willful (non-negligent) killing of a human being by another.

Negligent Manslaughter – the killing of another person through gross negligence.

Sex Offenses, Forcible – the carnal knowledge of a person, forcibly and/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).

Sex Offenses, Non-Forcible – any incidents of unlawful, non-forcible sexual intercourse.

Domestic Violence – asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law.

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Dating Violence – violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

Stalking – a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others safety, or to suffer substantial emotional distress.

Robbery – the taking, or attempt to take, anything of value in the care, custody or control of a person or persons by force or the threat of force or violence and/or 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 a 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 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, safe cracking, and all attempts to commit any of the aforementioned.

Theft (Larceny) – the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Auto Theft (Motor Vehicle Theft) – the theft or attempted theft of a motor vehicle.

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, or personal property of another kind.

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Liquor Law Violations – the violation of law or ordinances prohibiting the manufacture, sale, transporting, furnishing, or possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

DWI (Driving While Under the Influence) – operating or controlling a motor vehicle while under the influence of spirituous liquor or drugs.

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 drug (barbiturates, Benzedrine).

Weapon Law Violations – the violation of laws or ordinances dealing with weapons offenses, such as manufacture, sale, or possession of deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing weapons; all attempts to commit any of the aforementioned.

Hate Crimes – a criminal offense committed against a person or public property that is motivated, in whole or in part, by the offender's bias against a race, religion, ethnic/national origin, sexual orientation, gender or disability.

The following are New Mexico Criminal Statutes commonly associated with domestic violence, dating violence, stalking and/or sexual assault.

Criminal Sexual Penetration – the unlawful and intentional causing of a person to engage in sexual intercourse, cunnilingus, fellatio or anal intercourse or the causing of penetration, to any extent and with any object, of the genital or anal openings of another, whether or not there is any emission.30-9-11 NMSA 1978

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Criminal Sexual Contact – the unlawful and intentional touching of or application of force, without consent, to the unclothed intimate parts of another who has reached their eighteenth birthday, or intentionally causing another who has reached their 18th birthday to touch one's intimate parts.30-9-12 NMSA 1978

Battery – the unlawful, intentional touching or application of force to the person of another, when done in a rude, insolent or angry manner.30-3-4 NMSA 1978

Assault – consists of either:

- An attempt to commit a battery upon the person of another;
- Any unlawful act, threat or menacing conduct which causes another person to reasonably believe that they are in danger of receiving an immediate battery; or
- The use of insulting language toward another impugning their honor, delicacy or reputation. 30-3-1 NMSA 1978

Assault On A Household Member – consists of:

- Unlawfully assaulting or striking at a household member with a deadly weapon; or
- Any unlawful act, threat or menacing conduct that causes a household member to reasonably believe they are in danger of receiving an immediate battery.
- 30-3-16 NMSA 1978

Battery On A Household Member – consists of the unlawful, intentional touching or application of force to the person or a household member, when done in a rude, insolent or angry manner.30-3-15 NMSA 1978

Criminal Damage To Property Of A Household Member – consists of intentionally depriving a household member of the use of separate, community or jointly owned personal property of the household member with the intent to intimidate, threaten or harass that household member.30-3-18 NMSA 1978

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Harassment – consists of knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person and that serves no lawful purpose. 30-3A-2 NMSA 1978

Stalking – consists of knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint of the individual or another individual. 30-3A-3 NMSA 1978

Kidnapping – the unlawful taking, restraining, transporting or confining of a person, by force, intimidation or deception, with intent:

- That the victim be held for ransom;
- That the victim be held as a hostage or shield and confined against their will;•
- That the victim be held to service against the victim's will; or
- To inflict death, physical injury or a sexual assault on the victim 30-4-1 NMSA 1978

False Imprisonment – consists of intentionally confining or restraining another person without his/her consent and with knowledge that they have no lawful authority to do so. 30-4-3 NMSA 1978

Telephone Harassment – it shall be unlawful for any person, with intent to terrify, intimidate, threaten, harass, annoy or offend, to telephone another and use any obscene, lewd or profane language or suggest any lewd, criminal or lascivious act, or threaten to inflict injury or physical harm to the person or property of any person. 30-20-12 NMSA 1978.

Interference With Communications – consists of knowingly and without lawful authority preventing, obstructing or delaying the sending, transmitting, conveying or delivering in this state of any message, communication or report by or through telephone. 30-12-1 NMSA 1978

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Violating A Restraining Order – a peace officer may arrest without a warrant and take into custody a restraining party whom the peace officer has probable cause to believe violated an order of protection that is issued pursuant to the Family Violence Protection Act or entitled to full faith and credit. 40-13-6D NMSA 1978