

OFFICE FOR VICTIMS OF CRIME
VICTIM ASSISTANCE FORMULA GRANT PROGRAM
PERFORMANCE MEASURES
SUBGRANTEE DATA REPORT

APPENDIX B

The descriptions below are based on Federal legislation (unless otherwise noted), which provides guidance to states by identifying a minimum set of acts or behaviors to define the crime. OVC understands that state statutes may vary. Please interpret your state code within the definitions provided to report requested data.

GENERAL DEFINITIONS:

- a. Child**
A person under the age of 18 or as otherwise defined by state law.
- b. Federal Fiscal Year**
October 1 through September 30.
- c. Services** (as defined by program guidelines)
 - i. Respond to the emotional and physical needs of crime victims;
 - ii. Assist primary and secondary victims of crime to stabilize their lives after a victimization;
 - iii. Assist victims to understand and participate in the criminal justice system; and
 - iv. Provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.
- d. Crime Victim or Victim of Crime**
A person who has suffered physical, sexual, financial, or emotional harm as the result of the commission of a crime.
- e. Teen**
OVC describes a teen (for purposes of this report) as a youth, ages 13–17. Use this definition to capture youth ages 13–17 who present for services for a primary and/or additional victimization where applicable: for example, teen dating victimization.
- f. Victim Funded Project**
VOCA funds plus match.
- g. Victim Services Program**
All services and activities offered on behalf of victims of crime, including the VOCA grant and match.

VICTIMIZATION TYPES:

- a. Adults Sexually Abused/Assaulted as Children**
Adult survivors of sexual abuse and/or assault suffered while they were children.
- b. Adult Physical Assault**
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.
Simple Assault: Assaults and attempted assaults where no weapon was used or no serious or aggravated injury resulted to the victim. Intimidation, coercion, and hazing are included.
- c. Adult Sexual Assault**
Includes a wide range of victimizations; crimes that include attacks or attempted attacks generally involving unwanted sexual contact between victim and offender. Sexual assaults may or may not involve force and include such things as grabbing, fondling, and verbal threats. Also included is

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rape, which is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ by another person, without the consent of the victim; may also include penetration of the mouth by a sex organ by another person.

d. Arson

Any willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, and so on.

e. Bullying (cyber, physical, or verbal)

Repeated, negative acts committed by one or more children against another. These negative acts may be physical or verbal in nature—for example, hitting or kicking, teasing or taunting—or they may involve indirect actions such as manipulating friendships or purposely excluding other children from activities. Implicit in this definition is an imbalance in real or perceived power between the bully and victim. Examples of cyberbullying include mean text messages or e-mails; rumors sent by e-mail or posted on social networking sites; and embarrassing pictures, videos, Web sites, or fake profiles.

f. Burglary

The unlawful entry of a structure to commit a felony or theft. The FBI's Uniform Crime Reporting (UCR) program includes three subclassifications: forcible entry, unlawful entry where no force is used, and attempted forcible entry. The UCR definition of "structure" includes apartment, barn, house trailer or houseboat when used as a permanent dwelling, office, railroad car (but not automobile), stable, and vessel (i.e., ship).

g. Child Physical Abuse and Neglect

This may include physical abuse that is nonaccidental physical injury (ranging from minor bruises to severe fractures or death) as a result of punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (with a hand, stick, strap, or other object), burning, or otherwise harming a child, that is inflicted by a parent, caregiver, or other person. Such injury is considered abuse regardless of whether the caregiver intended to hurt the child. Physical discipline, such as spanking or paddling, is not considered abuse as long as it is reasonable and causes no bodily injury to the child.

h. Child Sexual Abuse and Assault

This may include activities such as fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution by a parent, caregiver, or other person. Includes teen sexual assault.

i. Child Pornography

Any visual depiction, including any photograph, film, video, picture, drawing, or computer or computer-generated image or picture, which is produced by electronic, mechanical, or other means, of sexually explicit conduct, where: (1) its production involved the use of a minor engaging in sexually explicit conduct; (2) such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct; (3) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (4) it is advertised, distributed, promoted, or presented in such a manner as to convey the impression that it is a visual depiction of a minor engaging in sexually explicit conduct.

j. Domestic and/or Family Violence

A crime in which there is a past or present familial, household, or other intimate relationship between the victim and the offender, including spouses, ex-spouses, boyfriends and girlfriends, ex-boyfriends and ex-girlfriends, and any family members or persons residing in the same household as the victim. Involves a pattern of abusive behavior in any relationship that is used by

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one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

k. DUI/DWI Incidents

Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

l. Elder Abuse/Neglect

Also known as elder mistreatment, generally refers to any knowing, intentional, or negligent act by a family member, caregiver, or other person in a trust relationship that causes harm or creates a serious risk of harm to an older person. Elder abuse may include abuse that is physical, emotional/psychological (including threats), or sexual; neglect (including abandonment); and financial exploitation. This is a general definition; state definitions of elder abuse vary. Some definitions may also include fraud, scams, or financial crimes targeted at older people.

m. Hate Crime (Racial/Religious/Gender/Sexual Orientation/Other)

A criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, ethnic origin, or sexual orientation.

n. Human Trafficking: Sex/Labor

Inducing a person by force, fraud, or coercion to participate in commercial sex acts, or the person induced to perform such act(s) has not attained 18 years of age. It also covers obtaining a person through recruitment, harboring, transportation, or provision, and subjecting such a person by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts).

o. Identity Theft/Fraud/Financial Crimes

Identity theft occurs when someone wrongfully obtains another's personal information without their knowledge to commit theft or fraud. Fraud and financial crimes include illegal acts characterized by deceit, concealment, or violation of trust and that are not dependent upon the application or threat of physical force or violence. Individuals and organizations commit these acts to obtain money, property, or services; to avoid the payment or loss of money or services; or to secure personal or business advantage.

p. Kidnapping (noncustodial)

Occurs when someone unlawfully seizes, confines, inveigles, decoys, abducts, or carries away and holds for ransom or reward, by any person, except in the case of a minor by the parent thereof.

q. Kidnapping (custodial)

Occurs when one parent or guardian deprives another of his or her legal right to custody or visitation of a minor by unlawfully taking the child. The definition and penalties of custodial kidnapping vary by state. In some states, kidnapping occurs only if a child is taken outside of the state and/or if an existing custody order is intentionally violated. In all cases, international custodial kidnapping is a federal offense.

r. Mass Violence: Domestic/International

An intentional violent criminal act that results in physical, emotional, or psychological injury to a sufficiently large number of people to significantly increase the burden of victim assistance and compensation for the responding jurisdiction.

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s. Other Vehicular Victimization

May include hit-and-run crimes, carjacking, and other vehicular assault.

t. Robbery

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.

u. Stalking/Harassment

Individuals are classified as victims of stalking or harassment if they experienced at least one of the behaviors listed below on at least two separate occasions. In addition, the individuals must have feared for their safety or that of a family member as a result of the course of conduct, or have experienced additional threatening behaviors that would cause a reasonable person to feel fear. Stalking behaviors include making unwanted phone calls; sending unsolicited or unwanted letters or e-mails; following or spying on the victim; showing up at places without a legitimate reason; waiting at places for the victim; leaving unwanted items, presents, or flowers; and posting information or spreading rumors about the victim on the Internet/social media, in a public place, or by word of mouth.

v. Survivors of Homicide Victims

Survivors of victims of murder and voluntary manslaughter, which are the willful (intent is present) killing of one human being by another.

w. Teen Dating Victimization

Teen dating violence is defined as the physical, sexual, psychological, or emotional violence within a teen dating relationship, including stalking. It can occur in person or electronically and might occur between a current or former dating partner.

x. Terrorism: Domestic

The term terrorism means an activity that . . . (1) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or any State; and (2) appears to be intended . . . (a) to intimidate or coerce a civilian population, (b) to influence the policy of a government by intimidation or coercion or (c) to affect the conduct of a government by assassination or kidnapping (18 U.S.C. 3077).

y. Terrorism: International

The *Antiterrorism and Emergency Reserve Fund Guidelines for Terrorism and Mass Violence Crimes* refers to the term terrorism, when occurring outside of the United States, as international terrorism to mean an activity that . . . (1) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; (2) appears to be intended . . . (a) to intimidate or coerce a civilian population; (b) to influence the policy of a government by intimidation or coercion; or (c) to affect the conduct of a government by assassination or kidnapping; and (3) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum (18 U.S.C. 2331).

z. Violation of a Court Order

This is defined by state or jurisdiction.