

APPENDIX A

**Definitions of
Law Violations**

Definitions of Part I* Crimes

Aggravated Assault – An unlawful act 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.

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.

Burglary – The unlawful entry of a structure to commit a felony or a theft.

Criminal Homicide – The willful (non-negligent) killing of one human being by another.

Forcible Rape – The carnal knowledge of a female forcibly and against her will.

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

Motor Vehicle Theft – The theft or attempted theft of a motor vehicle.

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 and/or putting the victim in fear.

Definitions of Part II* Crimes

Curfew and Loitering – Based on existence of local curfew or loitering ordinances, where such laws exist.

Disorderly Conduct – Committing a breach of the peace, including affray, unlawful assembly, disturbing the peace, disturbing meetings, disorderly conduct, blasphemy, profanity, obscene language, desecrating the flag, refusing to assist an officer, all attempts to commit any of these.

Driving Under the Influence – Driving or operating any vehicle or common carrier while drunk or under the influence of liquor or narcotics, including motor vehicles, train, streetcar, boat, etc.

Drug Abuse Violations – Includes all arrests for violations of state and local laws relating to the unlawful, possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Drunkennes – Includes all offenses of drunkenness or intoxication, with the exception of “driving under the influence”.

Embezzlement – Misappropriation or misapplication of money or property entrusted to one’s care, custody, or control, to include altering or forging records; making, altering, forging, or counterfeiting bills, notes, drafts, tickets, checks, credit cards; forging wills, deeds, notes, bonds, seals, trademarks; possessing forged or counterfeited instruments; erasures; signing the name of another; using forged labels; possession of counterfeiting apparatus; and/or selling goods with altered, forged, or counterfeited trademarks.

*FBI Uniform Crime Reporting Form

Fraud – Fraudulent conversion and obtaining money or property by false pretenses, including bad checks, confidence games, leaving gas station without paying, and/or unauthorized ATM withdrawal.

Gambling – Charges related to promoting, permitting, or engaging in illegal gambling, including bookmaking, numbers, and lottery.

Liquor Law Violations – Includes illegal manufacture, sale, transporting, furnishing, or possessing 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; and/or drinking on train or public conveyance.

Offenses Against the Family and Children – All charges of non-support and neglect or abuse of family and children, such as desertion, abandonment, or non-support of spouse or child; neglect or abuse of spouse or child; and/or nonpayment of alimony.

Other Assaults (simple) – Assaults and attempted assaults where no weapon was used or which did not result in serious or aggravated injury to the victim, with offense titles such as simple assault, minor assault, assault and battery, injury by culpable negligence, resisting or obstructing an officer, intimidation, coercion, and/or hazing.

Prostitution and Commercialized Vice – Prostitution; keeping a bawdy house, disorderly house, or house of ill fame; and/or pandering, procuring, transporting, or detaining women for immoral purposes

Runaways (persons under 18) – Incidents for protective custody as defined by local statute, to be counted by home jurisdiction.

Sex Offenses – Adultery, fornication, buggery, incest, indecent exposure, indecent liberties, seduction, sodomy or crime against nature, and/or statutory rape.

Stolen Property - Buying, receiving, possessing of stolen property including attempts to commit any of these offenses.

Vandalism – The willful or malicious destructions, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or person having custody or control, by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Includes a wide range of malicious behavior directed at property, such as cutting auto tires; drawing obscene pictures on public restroom walls, smashing windows, destroying school records, tipping over gravestones, and defacing library books.

Carrying, Possessing Weapons – Manufacture, sale, possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing silencers; furnishing deadly weapons to minors, and/or aliens possessing deadly weapons. These are reported by category: (1) handgun; (2) shotgun or rifle; (3) other firearm; and (4) all other weapons.

All other Offenses – To include (but not limited to) blackmail and extortion; criminal anarchism; criminal syndicalism; kidnapping; possession of drug paraphernalia or look-alike drugs.

Definitions of Terroristic Threatening*

508.075 Terroristic threatening in the first degree.

- (1) A person is guilty of terroristic threatening in the first degree when he or she:
 - (a) Intentionally makes false statements that he or she or another person has placed a weapon of mass destruction on:
 1. The real property or any building of any public or private elementary or secondary school, vocational school, or institution of postsecondary education;
 2. A school bus or other vehicle owned, operated, or leased by a school;
 3. The real property or any building public or private that is the site of an official school-sanctioned function; or
 4. 4. The real property or any building owned or leased by a government agency; or
 - (b) Intentionally and without lawful authority, places a counterfeit weapon of mass destruction at any location or on any object specified in paragraph (a) of this subsection.
- (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed, with the written permission of the chief officer of the school or other institution, as a part of an official training exercise and is placed by a public servant, as defined in KRS 522.010.
- (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
- (4) Terroristic threatening in the first degree is a Class C felony.

Effective: June 21, 2001

History: Created 2001 Ky. Acts ch. 113, sec. 1, effective June 21, 2001.

*Kentucky Statute

508.078 Terroristic threatening in the second degree.

(1) A person is guilty of terroristic threatening in the second degree when, other than as

provided in KRS 508.075, he or she intentionally:

(a) With respect to a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a schoolsanctioned

activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;

(b) Makes false statements that he or she has placed a weapon of mass destruction

at any location other than one specified in KRS 508.075; or

(c) Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.

(2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.

(3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by

another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point

and identifies the person from whom the threat was communicated, if known.

(4) Terroristic threatening in the second degree is a Class D felony.

Effective: June 21, 2001

History: Created 2001 Ky. Acts ch. 113, sec. 2, effective June 21, 2001.