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Understanding The Impact of NIBRS Terminology Changes on Clery Act Statistical Reporting

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The FBI published an updated Uniform Crime Reporting (UCR) [NIBRS User Manual](#) on June 23, 2025. In this publication, the FBI updated the term “Fondling” to “Criminal Sexual Contact” and expanded the definition that should be used for UCR purposes.

Earlier this week, NACCOP emailed the Clery Branch and the Help Desk (simultaneously) to seek clarification on what effect, if any, the NIBRS changes have on Clery Act reporting. We conducted this outreach given recent attention to this topic by practitioners and organizations that serve them.

The Help Desk responded to our inquiry on Thursday morning and confirmed that “For Clery Act purposes institutions should use the definitions as they are found in the Clery Act statute and regulations. The Clery act definition of fondling is *the **touching of the private body parts** of another person **for the purposes of sexual gratification**, without the consent of the victim, including incidents where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.*” This is the exact definition that appears in Appendix A (with formatting emphasis provided by the Help Desk).

This guidance affirms NACCOP’s longstanding interpretation that **institutions should not change the terminology or definitions used for classifying and counting Clery crimes based on any UCR program changes**. The terminology and definitions originating with the UCR program that institutions must use for Clery Act purposes are contained in Appendix A. Therefore, until the terminology and/or definitions in Appendix A are modified in Appendix A, changes occurring in UCR, outside of the Clery Act, do not impact Clery Act reporting.

About NACCOP

The National Association of Clery Compliance Officers and Professionals (NACCOP) provides a professional association for Clery Compliance Officers and Professionals to collaborate with each other, share resources and best practices. Members are also offered opportunities to participate in professional development engagements which support colleges and universities in their efforts to comply with the Clery Act. NACCOP delivers members with resources to enhance their knowledge of the Clery Act by offering education and training opportunities for the employees who are acting as Clery Compliance Officers on college and university campuses as well as information about Clery related news and legislative updates. For more information, or to join NACCOP, visit www.naccop.org.

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