

4. Aggravated Assault. Aggravated assault is *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. Count one offense per victim.* However, if a number of persons are involved in a dispute or disturbance, and the aggressors cannot be distinguished from the victims, count the number of persons assaulted as the number of offenses.

As stated earlier, the *UCR* considers a weapon to be a commonly known weapon (a gun, knife, club, etc.) or any other item which, although not usually thought of as a weapon, becomes one in the commission of a crime. For example, if an individual intentionally drives a car into another occupied car, classify the incident as an Aggravated Assault regardless of the extent of injury sustained by the victim—the car was used as a weapon. If the victim dies, however, classify the death as Murder and Non-negligent Manslaughter.

Classify as Aggravated Assaults:

- Assaults or attempts to kill or murder.
- Poisoning.
- Assault with a dangerous or deadly weapon.
- Maiming.
- Mayhem.
- Assault with explosives.
- Assault with disease (as in cases when the offender is aware that he or she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).
- All assaults by one person upon another with the intent to kill, maim or inflict severe bodily injury with the use of any dangerous weapon. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon that could cause serious personal injury is used.

- Assault cases that might be categorized as assault and battery, disorderly conduct, domestic violence or simple assault by some local jurisdictions, even though a knife, gun or other weapon was used in the incident.
- Attacks using personal weapons, such as hands, arms, feet, fists and teeth that result in serious or aggravated injury.

Consider the seriousness of the injury as the primary factor in establishing whether the assault is aggravated or simple. Classify the assault as aggravated if the personal injury is serious (broken bones, internal injuries, loss of teeth or stitches required). On the other hand, classify the offense as a Simple Assault if the injuries are not serious (abrasions, minor lacerations or contusions) and require no more than usual first-aid treatment.

Aid for Classifying Assaults

Carefully consider the following factors in classifying assaults:

- The type of weapon used or the use of an object as a weapon;
- The seriousness of the injury; and
- The intent of the assailant to cause serious injury.

Often, the weapon used or the extent of the injury sustained will be the deciding factor in distinguishing aggravated from simple assault. It's only necessary in a limited number of instances to examine the intent of the assailant.

Do not classify an incident as an Aggravated Assault based on prosecutorial policy in a jurisdiction. Examine and classify assaults according to the standard *UCR* definitions, regardless of whether they are labeled misdemeanors or felonies by local definitions.

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Examples of Aggravated Assault

Scenario 1: Sarah and Anne had a heated argument at a party at a sorority house owned by the sorority located a mile from the campus. Sarah grabbed a lacrosse stick and repeatedly beat Anne across the back with it, breaking several ribs. Classify this as one Aggravated Assault in the noncampus category.

Scenario 2: Two students are involved in a fist fight in the laundry room in their on-campus dormitory. Both have head injuries and are treated at a hospital. Classify this as two Aggravated Assaults in the on-campus category and two Aggravated Assaults in the on-campus student housing facility category.

Scenario 3: Brad and Tim were involved in a physical altercation in a campus parking lot behind their dormitory. Brad pulled a canister of Mace from his pocket and sprayed Tim in the face, causing him severe burning and discomfort. Tim fled the scene and sought medical attention. Classify this as one on-campus Aggravated Assault.

Scenario 4: Campus police respond to a disturbance call on a public sidewalk in back of the campus and find a fight in progress. Most of the participants escape except for four injured individuals. None of the individuals would cooperate and the campus police could not determine who started the fight. The four individuals suffered from severe knife wounds. Classify this incident as four Aggravated Assaults on public property.