



## Changes Concerning Rape Data

In 2013, the Uniform Crime Reporting (UCR) Program began collecting rape data with a revised offense name through the National Incident-Based Reporting System (NIBRS<sup>1</sup>) and, more notably, with a new definition through the Summary Reporting System (SRS). The changes, recommended by the FBI's Criminal Justice Information Services Division Advisory Policy Board, were intended to broaden the scope of the SRS's previously narrow definition and NIBRS's former limited offense names by capturing (1) data without regard to gender, (2) the penetration of any bodily orifice by any object or body part, and (3) offenses in which physical force is not involved.

### Understanding What Changed

For the SRS, the new definition updated the 80-year-old historical definition of forcible rape, which was “carnal knowledge of a female forcibly and against her will” to the new definition of rape, which is “penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.” Effectively, the revised definition expanded rape to include both male and female victims and offenders, and reflects the various forms of sexual penetration understood to be rape, especially nonconsenting acts of sodomy, and sexual assaults with objects. For publication purposes, the UCR Program presents data for both the legacy and revised definitions of rape in the annual report *Crime in the United States (CIUS)*.

For NIBRS, the term “forcible” was removed from the name of the sex offense category, as well as from all of the offense types within it, i.e., rape, sodomy and fondling. Because NIBRS already captures the broader sex offense information reflected in the SRS revised definition of rape, the UCR Program made only minor changes to the sex offense definitions in NIBRS (i.e., the phrase “forcibly or against the victim’s will” was changed to “without the consent of the victim”). There were no changes to the reporting requirements for NIBRS. For trending purposes, the UCR Program converts the NIBRS offenses of rape, sodomy, and sexual assault with an object to the SRS revised definition of rape for publication in *CIUS*. The program published the sex offense data in *NIBRS, 2016*, as reported by law enforcement.

### Comparing Data

Because the revised definition, unlike the legacy definition, includes offenses of rape, sodomy, sexual assaults with objects, and offenses in which males were the victims, the number of rape

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<sup>1</sup>In 2013, 6,328 law enforcement agencies (34 percent), of the nation's 18,415 agencies that participated in the UCR Program reported crime data via NIBRS. For more information on NIBRS, please refer to the resource documents in *NIBRS, 2015*.



offenses may appear to increase for various agencies or in certain aggregations. Except where comparisons are made based on the same definitions of rape, readers are cautioned against assuming increases in rape numbers are due to an increase of violence or number of sexual assaults, but rather, the increase may simply be a reflection of the more inclusive definition, depending on the reporting method.

### Potential Increases in Reported Rape Offenses

It has long been the UCR Program’s mission to collect and publish data regarding the scope and nature of crime in the nation, including those for rape. Since the FBI began collecting data using the revised definition of rape in January 2013, program officials expected that the number of reported rapes would rise. To estimate how much users might expect SRS rape numbers to increase in agencies and states based on the revised definition, the UCR Program made a comparison of sex offenses in NIBRS, which includes male victims and the additional NIBRS sex offenses of sodomy and sexual assault with an object. As the table below shows, this change may yield as much as a 42.7 percent increase in the number of sex offenses.<sup>2</sup>

#### Comparison of Data Reported With Legacy and Revised Rape Definitions Using NIBRS Data

2013 NIBRS Sex Offenses	Legacy Rape <sup>3</sup>	Revised Rape	
Rape, Female victim	26,383	26,383	} Total NIBRS Rape Offenses: 26,994
Rape, Male victim		611	
Sodomy		7,602	
Sexual Assault With an Object		3,043	
Total	26,383	37,639	

Increase Due to Reporting Data via Revised Rape vs. Legacy Rape Definitions	11,256
Percent Increase	42.7%

### Discontinuance of Rape Data Using the Legacy Definition

Beginning January 1, 2017, the UCR Program discontinued collecting rape data via the SRS according to the legacy definition. Therefore, the 2016 editions of *CIUS* and *Hate Crime Statistics* are the final publications which include the legacy definition of rape. Only rape data

<sup>2</sup> Individual states and agencies will likely experience unique percent increases in their rape numbers based on their specific jurisdictional crime characteristics.

<sup>3</sup> The FBI UCR Program uses only rape offenses connected to female victims when converting NIBRS rape offenses to SRS legacy rape figures for *Crime in the United States*.



submitted under the revised definition will be published for 2017 and subsequent years. This change did not affect agencies that submit rape data via NIBRS.

### **Offense Definitions in NIBRS**

The following text provides definitions of the NIBRS sex offenses that relate to rape.

#### Rape (except incest and statutory rape - NIBRS Offense Code 11A)

*The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity*

#### Sodomy (NIBRS Offense Code 11B)

*Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity*

#### Sexual Assault With An Object (NIBRS Offense Code 11C)

*To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity*