



August 2011

Uniform Crime Reporting (UCR)
State Program Bulletin 11-3

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SECTION 1—MESSAGE TO PROGRAM PARTICIPANTS

1.1 Advance viewing of the *Crime in the United States, 2010*

On Monday, September 19, the national UCR Program will publish *Crime in the United States, 2010*, on the FBI's Web site. State Program managers will have advance access to the information via a beta site. Please note that the Web site, username, and password are all case-sensitive.

Crime in the United States, 2010

Advance viewing date: Monday, September 12, 2011

Web site: www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010

Username: UCRcontr

Password: 2010Data

Public release date: Monday, September 19, 2011

State Program managers are reminded that these data are embargoed until the public release date. Until then, they are for internal use only.

1.2 Data deadlines

The national UCR Program staff would like to remind state Program managers of the following upcoming data deadlines:

Friday, August 26, 2011, is the deadline to submit data for January through June 2011 to the FBI for inclusion in the *Preliminary Semiannual Uniform Crime Report, January-June, 2011*.

Friday, December 16, 2011, is the deadline to submit police employee counts as of October 31, 2011.

Saturday, December 31, 2011, is the deadline to change an agency's name or address, to add new contributing agencies within the state, or to change an agency's current reporting status.

1.3 Update on the UCR Redevelopment Project

The FBI continues to redevelop its 40-year-old crime data collection and reporting system through the UCR Redevelopment Project (UCRRP). The goal of the UCRRP is to improve UCR efficiency, usability, and maintainability while increasing the value to users of UCR products.

The new UCR will:

- Decrease the time needed to analyze data and respond to agencies with data quality questions and concerns.
- Dramatically reduce, to the point of eliminating, the exchange of printed materials between submitting agencies and the FBI.
- Provide an external data query tool to allow public users to view and analyze published UCR data from the internet.
- Decrease the annual publication cycle time.
- Implement industry standard interfaces that better accommodate future changes, and work with industry partners to better equip the UCR Program and records management system vendors with these standards into the products they offer.

As part of the redevelopment, the UCRRP has made progress in three areas:

Preliminary Design Review

In July, the UCRRP held its preliminary design review, which allowed the UCRRP team to evaluate the design concepts and principles under consideration by SRA Platinum Solutions, the redevelopment contractor. If the project continues according to schedule, the new system will be available for use by January 1, 2013.

Summary Crime Data Workbook

Also in July, as part of the redevelopment, the national UCR Program began accepting data submissions for the Summary Reporting System (SRS) using the Summary Crime Data Workbook, a Microsoft Excel workbook template that the CJIS Division staff developed. Agencies can report offense, arrest, arson, police employee, law enforcement officers killed and assaulted, and hate crime data via the workbook.

The Summary Crime Data Workbook uses basic Excel features to create an integrated report workbook that agencies can use to send their SRS data to the national UCR Program. Agencies that currently send their data to the national UCR Program using paper can now easily send their data electronically to the national Program via the workbook. Some benefits are:

- The layout is identical to the UCR Summary forms.
- The workbook performs calculations automatically.
- The workbook offers drop-down lists for codes.

- The workbook ensures that the agency's data conforms to basic guidelines.

To send its data, an agency can attach a completed workbook to an e-mail addressed to the national UCR Program at <UCRStat@leo.gov>.

Electronic Tally Book

The UCRRP is developing an Excel version of the UCR Tally Book, which will be available in the fall of 2011. The Electronic Tally Book will have automatic calculations and drop-down selected fields and will populate the standard SRS forms based upon the agency's incident data. To submit the data, the agency will be able to attach the Electronic Tally Book to an e-mail to the national UCR staff at <UCRStat@leo.gov>.

The Summary Crime Data Report Workbook and the Electronic Tally Book are the first steps toward the elimination of paper crime data submissions by January 1, 2013. Agencies that are interested in using the Summary Crime Data Workbook or the Electronic Tally Book, or agencies that need more information about complying with the paperless mandate, should e-mail the UCR Program at <UCR@leo.gov> or contact their UCR Data Management Point of Contact for more information.

1.4 Electronic availability of the UCR *State Program Bulletin*

The UCR Program's UCR *State Program Bulletin* is available electronically in Corel WordPerfect and Microsoft Word formats. State UCR Program managers who wish to receive the UCR *State Program Bulletin* via e-mail must provide the FBI's Multimedia Productions Group (MPG) staff with their e-mail addresses at <cjis_comm@leo.gov> and indicate UCR *State Program Bulletin* in the subject line of the e-mail.

Please note that it is the responsibility of the state UCR Program managers to disseminate the information as appropriate to their staffs and local agencies. In order to serve our customers in the best manner possible, the national UCR Program would like to remind state UCR Program managers to keep the MPG informed of any changes in their e-mail addresses.

The current UCR *State Program Bulletin*, as well as previous editions, is also available via the LEO Intranet at <https://www.leo.gov/http://leowcs.leopriv.gov/lesig/cjis/programs/crime_statistics/state_program_bulletins/state_program_bulletins.htm>. Users with questions concerning access to the LEO should contact the LEO Program Office by telephone at (304) 625-5555.

SECTION 2--CLARIFICATION TO POLICY AND PROCEDURES

2.1 Implementation of new UCR offenses for human trafficking

Beginning in January 2013, the national UCR Program will begin collecting offense and arrest data regarding human trafficking as authorized by the *William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008*, which then-President George W. Bush signed into law on December 23, 2008. The act requires the FBI to collect human trafficking offense data and to make distinctions between assisting or promoting prostitution, purchasing prostitution, and prostitution. Human trafficking/commercial sex acts and human trafficking/involuntary servitude will be Part I offenses in the SRS and Group A offenses in the National Incident-Based Reporting System (NIBRS).

The *Wilberforce Act* states:

(a) **TRAFFICKING OFFENSE CLASSIFICATION.** --The Director of the Federal Bureau of Investigation shall-- (1) classify the offense of human trafficking as a Part I crime in the Uniform Crime Reports; (2) to the extent feasible, establish subcategories for State sex crimes that involve--(A) a person who is younger than 18 years of age; (B) the use of force, fraud, or coercion; or (C) neither of the elements described in subparagraphs (A) and (B); and (3) classify the offense of human trafficking as a Group A offense for the purpose of the National Incident-Based Reporting System.

(b) **ADDITIONAL INFORMATION.** --The Director of the Federal Bureau of Investigation shall revise the Uniform Crime Reporting System and the National Incident-Based Reporting System to distinguish between reports of-- (1) incidents of assisting or promoting prostitution, which shall include crimes committed by persons who-- (A) do not directly engage in commercial sex acts; and (B) direct, manage, or profit from such acts, such as State pimping and pandering crimes; (2) incidents of purchasing prostitution, which shall include crimes committed by persons who purchase or attempt to purchase or trade anything of value for commercial sex acts; and (3) incidents of prostitution, which shall include crimes committed by persons providing or attempting to provide commercial sex acts. *William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008* §237, 28 U.S.C. §534 note (2004).

The *Wilberforce Act* itself does not define human trafficking because it is a reauthorization of the *Trafficking Victims Protection Act (TVPA) of 2000*, which defines “severe forms of trafficking in persons” as:

- (A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or
- (B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. (See 22 U.S.C. §7102 (8) (2004).

Human Trafficking—SRS

SRS Part I (offenses) and Age, Sex, and Race of Persons Arrested (ASR) form (arrests)

To comply with the *Wilberforce Act*, the national UCR Program created for the SRS two additional Part I offenses for which the UCR Program will collect offense and arrest data. The definitions for these offenses are:

Human Trafficking/Commercial Sex Acts: inducing a person by force, fraud, or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age.

Human Trafficking/Involuntary Servitude: the obtaining of a person(s) through recruitment, harboring, transportation, or provision, and subjecting such persons by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts).

SRS Part II (arrests) ASR only

The UCR Program also modified the Part II arrest category of Prostitution and Commercialized Vice to include purchasing prostitution. The Age, Sex, and Race of Persons Arrested (ASR) arrest reporting form is being revised to reflect this change. The expanded definition is:

Prostitution and Commercialized Vice:

- A. **Prostitution:** to unlawfully engage in sexual relations for profit.
- B. **Assisting or Promoting Prostitution:** to solicit customers or transport persons for prostitution purposes; to own, manage, or operate a dwelling for the purpose of providing a place where prostitution is performed; or to otherwise assist or promote prostitution.
- C. **Purchasing Prostitution:** to purchase or trade anything of value for commercial sex acts.

Human Trafficking—NIBRS Group A Offenses

For those agencies that submit their data via the NIBRS, the national UCR Program will incorporate the following Group A offenses:

Human Trafficking/Commercial Sex Acts (64a): inducing a person by force, fraud, or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age.

Human Trafficking/Involuntary Servitude (64b): the obtaining of a person(s) through recruitment, harboring, transportation, or provision, and subjecting such persons by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts).

The national UCR Program is also required to distinguish between incidents of assisting or promoting prostitution, purchasing prostitution, and prostitution. The NIBRS currently collects prostitution offense data with two pre-existing prostitution offense codes, Prostitution (40a) and Assisting or Promoting Prostitution (40b).

To comply with the *Wilberforce Act*, the FBI UCR Program will incorporate an additional prostitution offense code for the NIBRS:

Purchasing Prostitution (40c): To purchase, or trade, anything of value for commercial sex acts.

Human Trafficking—Miscellaneous Issues

The *Wilberforce Act* requires the national UCR Program to collect subcategories for state sex crimes. Agencies that submit their data via the NIBRS already collect state sex crime data through the use of seven pre-existing offense codes: Forcible Rape (11a), Forcible Sodomy (11b), Sexual Assault with an Object (11c), Forcible Fondling (11d), Incest (36a), Statutory Rape (36b), and Pornography/Obscene Material (370). Because the UCR Program will collect this subcategory information in the NIBRS, it is not necessary to also collect that data via the SRS.

The national UCR Program staff will update the Supplementary Homicide Report form to incorporate a new circumstance code for human trafficking. In addition, the national UCR Program staff will update the cargo theft data collection to include the human trafficking offense codes and the new prostitution offense code.

The addition of offense and arrest data to the UCR Program is a rarity. The last time the UCR Program added an offense to the list of Part I crimes was in 1982 when the collection of arson data was made permanent.

Agencies with questions should contact Mr. William F. See in the Crime Statistics Management Unit by telephone at (304) 625-3092.

2.2 Training questions

The national UCR Program staff has received the following questions about classifying and scoring various scenarios. The UCR staff have provided responses to these questions.

What are the drugs Khat and Bath Salts, and how do we report them in the drug type categories?

Khat (which is pronounced “cot”) is a flowering plant that is native to tropical East Africa and the Arabian Peninsula. The leaves, twigs, and shoots of the Khat shrub are sold and abused. Typically, Khat is chewed like tobacco. The fresh leaves, twigs, and shoots are chewed and kept in the cheek and chewed intermittently to release the active drug in the plant. Dried Khat can be made into tea or a chewable paste, smoked, or sprinkled on food.

The side effects of Khat are anorexia, rapid heart beat, hypertension, insomnia, and gastric disorders. Chronic abuse of Khat can result in exhaustion, violence, and suicidal thoughts. Other street names for Khat are Abyssinian tea, African salad, Oat, Kat, Chat, and Catha.

Bath Salts are a designer drug (a synthetic stimulant) that contains mephedrone (which is also known as MDPV). Bath Salts are an amphetamine that can be snorted, injected, mixed with food or drink, or inserted into a body cavity.

Side effects of Bath Salts are increased blood pressure, increased heart rate, agitation, hallucinations, and extreme paranoia and delusions. Other street names for Bath Salts are White Lightning, Zoom 2, Aura, Ivory Snow, Bliss, Vanilla Sky, Red Dove, Ivory Wave, and Hurricane Charlie.

For those agencies that report data via the NIBRS, both Khat and Bath Salts should be reported as M = Other Stimulants under Data Element 20 Suspected Drug Type.

For those agencies that report data via the SRS, Khat and Bath Salts should be reported as “Other–Dangerous Nonnarcotic Drugs” on the Age, Sex, and Race forms.

Would the robbery (or attempted robbery) of a check-cashing business be considered a robbery of a bank or a commercial house?

Check cashing and payday lender type businesses should be reported under the “(b) Commercial house” classification on the Property Stolen by Classification form and not under “(f) Bank.”

On page 89 of the *UCR Handbook* (2004), under “(f) Bank,” it states: “The responding agency must **not** include lending institutions and finance companies where the function is lending money only. These must be included as robberies in commercial houses.” (Emphasis added.)

The agencies that submit data via the NIBRS should use the Location Type of 24 = Specialty Store and not 02 = Bank/Saving and Loan for check cashing stores and payday lenders.

When using a check cashing or payday lender type of business for the Type of Victim (Data Element 25), NIBRS agencies should use B = Business as the correct data value.

An offender walks by a victim and snatches a \$5 bill from the victim’s hand and runs away. There is no direct confrontation. Does the “etc.” in the purse snatching category of larceny-theft include exposed currency?

No. In the SRS, the national UCR Program defines larceny-theft as “The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another,” (p. 31, *UCR Handbook*, 2004) and purse snatching as “The grabbing or snatching of a purse, handbag, etc., from the custody of an individual” (p. 32, *UCR Handbook*, 2004). In the NIBRS, larceny-theft is “The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another person,” and purse snatching is “The grabbing or snatching of a purse, handbag, etc. from the physical possession of another person” (p. 30, Volume 1: *Data Collection Guidelines*, August 2000).

Agencies should not interpret the “etc.” in the definition of purse snatching in either the NIBRS or the SRS to include exposed currency. The “etc.” implies items similar to handbags and purses, such as wallets, fanny packs, or backpacks. The theft of exposed currency should go under “All Other Larceny-Theft Not Specifically Classified” in the SRS or “All Other Larceny” in the NIBRS.

If the national UCR Program would allow items other than purses, handbags, and the like to be included in the purse snatching category, it would populate the category with too many items that are not directly related to the offense (i.e., food, money, or cellular telephones).

How should an agency classify and score an incident when someone breaks into a detached shed on residential property? Is that a residential burglary or a commercial burglary?

In the SRS, the location of a burglary is recorded on the Supplement to Return A form. On page 89 of the *UCR Handbook (2004)*, it states that “The reporting agency must include robberies occurring anywhere on the dwelling premises as residential, but exclude those that occur at hotels, motels, lodging houses, and other places where lodging of transients is the main purpose.” In addition, commercial houses are “. . . supermarkets, department stores, restaurants, taverns, finance, finance companies, motels, and hotels” (p. 89, *UCR Handbook, 2004*). Therefore, a burglary of a detached shed on a residential property should be classified as a residential burglary.