



UCR Program

Criminal Justice Information Services Division

Quarterly

Program News

APRIL 2014

Section 1— Message To Program Participants

2012 Hate Crime Addendum released..... 2

New contacts for submitting Cargo Theft data and Hate Crime Statistics data 2

Electronic availability of the *UCR Program Quarterly*..... 3

Section 2— Clarification To Policies And Procedures

Trainer Talk..... 4

Section 1— Message To Program Participants

2012 Hate Crime Addendum released

On March 17, 2014, the FBI's Uniform Crime Reporting (UCR) Program released the *2012 Hate Crime Addendum*, which is available electronically at <www.fbi.gov/about-us/cjis/ucr/hate-crime/2012-addendum>.

The FBI made a one-time exception to its publication policy in issuing the *Addendum*, which includes data from Kentucky, Massachusetts, New Jersey, and Texas that was submitted after the deadline for inclusion in *Hate Crime Statistics, 2012*.

The data are supplements to Table 13, "Hate Crime Incidents per Bias Motivation and Quarter," and Table 14, "Hate Crime Zero Data Submitted," of the annual publication and are not included in *Hate Crime Statistics, 2012*, either in tables that contain aggregate data or in agency tables. Hate crime data from these agencies are available on the 2012 Hate Crime Master File. Agencies may obtain the 2012 Hate Crime Master File by requesting the data in an e-mail to <cjis_comm@leo.gov>.

Agencies with questions about the *Addendum* should contact Ms. Kristi L. Donahue, Hate Crime statistics coordinator by mail at: FBI Crime Statistics Management Unit, Module E-3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306; by telephone at (304) 625-2972; or by e-mail at <kristi.donahue@ic.fbi.gov>.

New contacts for submitting Cargo Theft data and Hate Crime Statistics data

Cargo Theft data

The new contact for data submissions, verifications, and missing data is Ms. Lisa D. Moore in the Crime Statistics Management Unit (CSMU). Contributors may contact her by telephone at (304) 625-5054 or by e-mail at <lisa.moore2@ic.fbi.gov>.

Issues involving cargo theft crime statistical policies and/or outreach should be directed to Ms. Leslie Underwood, who can be contacted by telephone at (304) 625-4018 or by e-mail at <leslie.underwood@ic.fbi.gov>.

Hate Crime statistics data

The new contact for data submissions, verifications, and missing data is Ms. Peggy G. Riley in the CSMU. Contributors may contact her by telephone at (304) 625-3517 or by e-mail at <peggy.riley@leo.gov>. Agencies should submit all electronic (flat file) hate crime data to <ucrstat@leo.gov>.

Issues involving hate crime statistical policies and/or outreach should be directed to Ms. Kristi L. Donahue, who can be contacted by telephone at (304) 625-2972 or by e-mail at <kristi.donahue@ic.fbi.gov>.

Electronic availability of the *UCR Program Quarterly*

The current and past editions of the *UCR Program Quarterly* are available on the FBI's Internet site at <www.fbi.gov/about-us/cjis/ucr/ucr-program-quarterly> and via the UCR Program's Special Interest Group (SIG) on the Law Enforcement Online (LEO) service of the Law Enforcement Enterprise Portal (LEEP). To access the UCR Program Quarterly on the LEEP:

- ❖ Click on the LEO logo
- ❖ Click on the SIGs link
- ❖ Click by Access Type drop down arrow and select Unrestricted
- ❖ Click on the UCR logo
- ❖ Click on the UCR Program Quarterly folder

Users with questions regarding the LEO and the LEEP should contact the LEO Operations Unit by telephone at (304) 625-5555.

To ensure that vendors are informed about updates and developments within the UCR Program, the FBI recommends that agencies share information from the *UCR Program Quarterly* with their vendors. In addition, all system technical requirements are available at <www.fbi.gov/about-us/cjis/ucr>. Vendors with questions should contact the national UCR Program staff at <cjis_comm@leo.gov>.

Section 2— Clarification To Policies and Procedures

Trainer Talk

The national UCR Program is unveiling a new feature in the *UCR Program Quarterly*—Trainer Talk. Each quarter, the column will feature questions that the UCR Program trainers have received about classifying and scoring offenses in the UCR Program. The trainers will provide answers to questions for both the Summary Reporting System (SRS) and the National Incident-Based Reporting System (NIBRS).

Agencies with questions should contact the trainers in the CJIS Training and Advisory Process Unit by e-mail at <UCRtrainers@leo.gov>.

For the first installment of Trainer Talk, the trainers are answering the following questions:

Question

Items were stolen from a mobile storage shed (similar to a Pod storage container), which was used to store spare tractor parts for a commercial business. We don't know whether it would be classified as a burglary or larceny-theft offense. The shed was kept closed but unlocked, not open to the public, and the time of the theft is unknown.

Answer

For SRS agencies: The definition of burglary for UCR reporting purposes is "The unlawful entry of a structure to commit a felony or a theft." The national Program considers any house trailer or other mobile unit that is permanently fixed as an office, residence, or storehouse to be a structure. Although pod-type storage units can be moved, for UCR purposes, those types of structures are considered permanent. Since the offender(s) unlawfully entered a structure to commit a felony or a theft, the correct scoring and classifying of this particular incident would be to report one offense of 5b = Burglary–Unlawful Entry–No Force.

For NIBRS agencies: The proper classification should be 220 = Burglary/Breaking & Entering with the required data element of Method of Entry being "No Force." The NIBRS definition of Burglary/Breaking & Entering is "the unlawful entry into a building or other structure with the intent to commit a felony or a theft."

Question

Our officers responded to a robbery in progress and several officers pursued the offender. An officer in a marked black-and-white police vehicle was rammed by the offender, who then bolted out of the car. The injured officer was not able to chase the offender (we know this is reportable for the LEOKA [Law Enforcement Officers Killed and Assaulted] Program). As other officers continued to pursue the offender, the K-9 units were called into service. During the

course of the incident, a K-9 turned and bit one of the other pursuing officers from our department, sending him to the hospital. The police officer wasn't hurt badly but was injured nonetheless. Do we count our police officer who was bitten by our own K-9 as a LEOKA?

Answer

For both SRS and NIBRS agencies: Any assault, including a LEOKA statistic, requires the unlawful assault by one person upon another. The K-9 biting the responding officer would not meet the definition of an assault. Also, the K-9 handler obviously did not use the animal as a weapon to assault his fellow officer. Therefore, the K-9 biting the responding officer is an unfortunate accident but is not reportable as a LEOKA statistic or assault offense.

Question

If a person has a pleasure craft (it's not a ship, and they don't live onboard the vessel) that he/she has docked in a marina or in a driveway, and that boat is broken into, is that considered a burglary of a structure such as a residence or burglary of a motor vehicle?

Answer

For SRS agencies: A watercraft such as described does not meet the UCR definition of a structure; therefore, there can't be a reportable offense of burglary. Also, a watercraft as described does not meet the definition for a motor vehicle for UCR reporting purposes. A motor vehicle, as defined by the UCR Program, is a self-propelled vehicle that runs on land surfaces and not on rails. Watercraft such as motorboats, sailboats, houseboats, and jet skis are specifically not included as motor vehicles. Therefore, the situation described should properly be classified and scored as a 6Xi = All Other Larceny-Theft-Theft Not Specifically Classified and not as a burglary. Burglary of a motor vehicle may be an actual state criminal code for an offense such as this; however, UCR reporting agencies must classify and score offenses according to the national Program's standard definitions.

For NIBRS agencies: The proper UCR classification would be 23H = All Other Larceny-Theft offense. All Other Larceny-Theft offenses include thefts from fenced enclosures, boats, and airplanes. Also, depending on the dollar amount of damage created to gain entry into the pleasure craft, NIBRS agencies may wish to consider reporting an additional offense of 290 = Destruction/Damage/Vandalism of Property if they deem that substantial damage to property has occurred, e.g., property damage generally classified as a felony destruction of property. The national UCR Program leaves the determination of whether the damage was substantial to the discretion of the reporting law enforcement agency as it should not require burdensome damage assessments.