Federal Bureau of Investigation

UCR Program
Criminal Justice Information Services Division

Quarterly

Program News

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Section 1— Message To Program Participants

FBI Director calls on all law enforcement agencies for help in collecting better data—see what this means for your agency

As the national Uniform Crime Reporting (UCR) Program has been moving to modernize over the last several years, recent events in our nation have magnified the need to collect better and more informative data. To that end, FBI Director James B. Comey has made getting those data a priority for the FBI. He and the staff of the national UCR Program have been working diligently with law enforcement at all levels to improve the data collection by focusing efforts on programs already in place, as well as implementing new initiatives through a four-pronged plan. The FBI's plan to achieve this goal for the UCR Program is to:

❖ Transition local, state, and tribal law enforcement agencies from the Summary Reporting System (SRS) to the National Incident-Based Reporting System (NIBRS) which also includes the National Crime Statistics Exchange (NCS-X) effort (described below).

❖ Collect statistics on all officer-involved shootings at the local, state, tribal, and federal levels.

❖ Fulfill FBI participation in the UCR Program.

❖ Encourage the Department of Justice (DOJ) and other federal agencies to participate in the UCR Program.

A description of each prong of the plan follows.

Move toward NIBRS-only reporting
Rather than dividing its resources between two data collections, the national UCR Program is focusing its efforts on the NIBRS, which offers more detailed, robust data, as well as the flexibility for law enforcement agencies to adapt their records management systems to the ever-growing challenges of battling crime. That is why the FBI Director and the national program staff have been reaching out to the CJIS Advisory Policy Board (APB) and other law enforcement organizations. With the help of these advisory groups, the FBI plans to fully implement a NIBRS-only collection at the national level over the next few years and to retire the traditional SRS. To date, an exact timeline for the national transition from the SRS to the NIBRS has not been established yet. The national UCR Program is continuing to work with the APB to develop an implementation plan.

In garnering the support it needs to fully transition to the NIBRS the thousands of agencies that participate in the UCR Program, the FBI discussed the topic with members of the CJIS APB at the June 2015 meeting in Garden Grove, California. At that time, the APB moved for the national UCR Program staff to develop a topic paper regarding the potential transition from the SRS to the NIBRS and the retirement of the SRS. The topic paper will include information

about funding mechanisms to support local, state, and tribal agencies. The APB recommended that the national UCR Program staff include substantive communication with the Major County Sheriffs' Association, the Major Cities Chiefs Association, the International Association of Chiefs of Police, the National Sheriffs' Association, the U.S. Conference of Mayors, the National Governors Association, and the National Association of Counties. The FBI looks forward to working with these agencies to develop a transition plan so that all agencies can benefit from the collection of these broader data.

Agencies with questions about submitting UCR data via the NIBRS should contact Ms. Drema Fouch of the FBI by telephone at (304) 625-2982 or by e-mail at <drema.fouch@ic.fbi.gov>.

NCS-X Project
In 2013, the national UCR Program partnered with the Bureau of Justice Statistics (BJS) to create the NCS-X to encourage local and state agencies to submit crime data via the NIBRS. The goal of the NCS-X is to increase NIBRS participation to a threshold of sufficient coverage to generate statistically sound national estimates of crime. With this information, law enforcement can make more informed decisions about policing.

To date, the NCS-X team has completed cost estimates and has provided the information to the BJS. That information is being incorporated into a comprehensive plan to encourage 400 key agencies (in addition to the more than 6,500 agencies already participating in the NIBRS) to submit crime data via the NIBRS. The BJS is using the plan to request full funding for those 400 agencies to implement NIBRS reporting. The BJS released a solicitation for planning and implementation grants that closed on June 30. Information about the NCS-X and the solicitation is available at <www.bjs.gov/content/pub/pdf/ncsxssp15sol.pdf>.

The NCS-X team continues to work with state UCR Programs and individual agencies to conduct readiness assessments. In the first half of 2015, the NCS-X team conducted readiness assessments for the Philadelphia Police Department; the New York City Police Department; the Maryland State Police; the Montgomery County, Maryland, Sheriff's Office; the Florida Department of Law Enforcement; and the California Department of Justice.

States and agencies interested in participating in the NCS-X should contact Mr. Kevin Strom by telephone at (919) 485-5729 or by e-mail at <kstrom@rti.org>.

Collection of data regarding officer-involved shootings
To help address the ongoing debate about the appropriate use of police force, the national UCR Program staff is exploring how best to collect additional data about fatal and nonfatal shootings between law enforcement and civilians.

Currently, the UCR Program collects the number of justifiable homicides reported by police as well as information about the felonious killing and assault of law enforcement officers. These data are available in the *Crime in the United States (CIUS)* and *Law Enforcement Officers Killed and Assaulted (LEOKA)* publications.

At their June meeting in California, APB members moved for the national UCR Program staff to work with local law enforcement agencies and major national law enforcement organizations to determine what information to collect and the best collection method. The APB will then approve the topic.

Agencies with questions should contact Ms. Cynthia Barnett-Ryan by telephone at (304) 625-3576 or by e-mail at <cynthia.barnett-ryan@ic.fbi.gov>.

FBI to report federal crime data
As part of his quest for better UCR data, Director Comey has made it a priority to ensure that these statistics include data from federal law enforcement agencies to comply with the Uniform Federal Crime Reporting Act of 1988. For the FBI, that means extracting applicable data from its investigative system to fulfill this commitment. Although, for various reasons, these data are not comparable to those of local, county, state, and tribal agencies, the data offer perspective on the FBI's work.

Starting with the 2014 edition of *CIUS,* the national UCR Program will report the FBI's arrest data from its field offices for human trafficking, hate crimes, and criminal cyber intrusion. Effective January 1, 2016, the national UCR Program plans to begin collecting arrest data by FBI field office for all applicable UCR offenses and to publish these data in the fall of 2017.

Encouraging federal participation in the UCR Program
In addition to extracting and publishing the FBI's crime data, UCR Program staff are contacting other federal agencies about participating in the UCR Program. Through these efforts, UCR Program staff are assessing the federal agencies' record keeping systems and working to establish individualized plans to assist them in submitting UCR data.

Agencies with questions regarding federal reporting should contact Ms. Joyce A. Humphrey by telephone at (304) 625-2920 or by e-mail at <joyce.humphrey@ic.fbi.gov>.

New Mexico is the newest state UCR program

There are now 48 state UCR Programs in the nation. New Mexico became the newest state program on April 24 when the New Mexico Department of Public Safety successfully demonstrated its capability to meet the standards of a state UCR Program in accordance with certification criteria. These criteria include meeting submission standards, definitions, specifications, and deadlines; establishing data integrity procedures; covering more than 50 percent of agencies within its domain; and furnishing these data to the FBI.

The state Program manager for New Mexico is Ms. LouAnna Martinez. She can be contacted by telephone at (505) 827-9272 or by e-mail at <louanna.martinez@state.nm.us>.

New point of contact for animal cruelty information

Issues or questions involving statistical policies concerning animal cruelty violation should be directed to Mr. Nelson Allen Ferry Jr., who can be contacted by telephone at (304) 625-2782 or by e-mail at <nelson.ferry@ic.fbi.gov>.

Agencies with questions about animal cruelty data submissions, verifications, and/or missing data should contact their state's representative in the UCR Program's Crime Statistics Management Unit.

Electronic availability of the *UCR Program Quarterly*

The current and previous editions of the *UCR Program Quarterly* are available via the FBI's Internet site at <http://www.fbi.gov/about-us/cjis/ucr/ucr-program-quarterly> and the UCR Program's Special Interest Group (SIG) of the Law Enforcement Enterprise Portal (LEEP).
To access the *UCR Program Quarterly* on the UCR Program's SIG:
   ❖ Click on the Law Enforcement Online SIG icon under the Service column
   ❖ Scroll to the bottom of the page and click on the UCR logo
   ❖ Click on the UCR Program Quarterly folder
Users with questions concerning access to the LEEP should contact the Online Services and Operations Unit by telephone at (304) 625-5555.

Section 2— Clarification to Policy and Procedures

National UCR Program adding two fraud offenses, new location code to the NIBRS

Director Comey has approved the additions of Identity Theft and Hacking/Computer Invasion as fraud offenses in the NIBRS. Both crimes are Part A offenses and should be reported as Crimes Against Property. Agencies that submit crime data via the NIBRS should begin reporting these data to the national UCR Program beginning January 1, 2016. These additions do not affect those agencies that submit data via the SRS.

Identity Theft has the offense code of 26F. The definition of Identity Theft is "Wrongfully obtaining and using another person's personal data (e.g., name, date of birth, Social Security number, driver's license number, credit card number)."

Hacking/Computer Invasion has the offense code of 26G. Hacking/Computer Invasion is defined as "Wrongfully gaining access to another person's or institution's computer software, hardware, or networks without authorized permissions or security clearances."

Also, the national UCR Program staff has created the location code of 58 = Cyberspace, which is defined as "A virtual or Internet-based network of two or more computers in separate locations, which communicate either through wireless or wire connections" to be used in conjunction with Data Element 9 (Location Type). The implementation of this location code is currently pending approval from Director Comey.

Agencies with questions should contact Mr. Nelson Allen Ferry Jr. by telephone at (304) 625-2782 or by e-mail at <nelson.ferry@ic.fbi.gov>.

Trainer Talk

Each quarter, Trainer Talk features questions that the trainers from the national UCR Program have received about classifying and scoring offenses in the UCR Program. The trainers answer questions for both the NIBRS and the SRS. The information they provide is for UCR Program reporting purposes and may not reflect the manner in which an offender(s) is charged. When requesting the classification and scoring of incidents, law enforcement agencies and state program personnel are asked to provide the entire incident report so that the UCR trainers can provide the most accurate assessment. Agencies may submit incident reports by e-mail to <UCRtrainers@leo.gov> or by facsimile to (304) 625-5599. Agency staff with questions should contact the trainers e-mail at <UCRtrainers@leo.gov>.

Question

Police respond to two persons fighting. Investigation determines who the aggressor is; officers arrest one of the individuals and charge him with disorderly conduct. How should this incident be reported in the UCR Program?

Answer

For NIBRS and SRS reporting agencies: This offense fits the UCR definition of assault, "an unlawful attack by one person upon another" (p. 20, *NIBRS User Manual,* Version 1.0, dated January 17, 2013, and p. 37, *SRS User Manual,* Version 1.0, dated June 20, 2013). Depending on the type of weapon used, the seriousness of the injury, etc., the agency should report this as either a simple assault or an aggravated assault, regardless of the charges.

Question

When an agency uses the multiple clearance indicator, what type of arrest should be on each incident: S = Summoned/Cited, T = Taken into Custody, or O = On-view Arrest?

Answer

For NIBRS reporting agencies: It depends on what type of action law enforcement takes when the offender is apprehended. For example, an agency reports four burglaries. Police respond to a burglary in progress, and arrest an offender. Investigation determines that the individual was responsible for the four previous burglaries. In that case, the agency should report C = Count Arrestee and O = On-view Arrest for the newest burglary. All arrests for the previously reported burglaries should be noted as M = Multiple and T = Taken Into Custody. Agencies should remember that T = Taken Into Custody should only be used based upon a warrant and/or previously submitted incident reports.

For SRS reporting agencies: Although the SRS does not use the codes S, T, or O, an agency that submits its crime data via the SRS should classify and score the given example as one arrest for burglary on the appropriate ASRE report and five clearances for burglary on the Return A report.

Question

Someone threw a rock through a window causing $50 in damage. There was no other crime to report. How should the agency report this offense?

Answer

For NIBRS reporting agencies: As a general rule, agencies should report this offense only if law enforcement determines that substantial property damage has occurred, e.g., major structural damage or property damage generally classified as felony destruction of property, (p. 24, *NIBRS User Manual,* Version 1.0 dated January 17, 2013). Agencies should not report insubstantial damage such as a broken window or other minor damage. An exception to this

is Destruction/Damage/Vandalism that involves a bias-motivation, which should be reported regardless of the amount of damage.

For SRS reporting agencies: This incident would be considered vandalism, which is a Part II offense. Therefore, the agency would collect information only if an arrest was made. The agency should report the arrest on the Vandalism line of the appropriate ASRE report.

Question
When should an agency use the Report Date as part of Data Element 3 (Incident Date)?

Answer
For NIBRS reporting agencies: An agency should use the Report Date when **absolutely nothing** is known about the date an offense occurred. For example, law enforcement personnel discover skeletal remains; the skull shows evidence that the death occurred through murder. Because nothing is known about the date of the crime, the agency should use the Report Date in this case.

In another case, a couple leaves their home at 6 p.m. on Friday for the weekend and returns home at 7 p.m. on Sunday to find their home burglarized. Because a time frame is known, the agency should not use the Report Date. The agency should report the earliest time known (6 p.m. Friday) for the incident date and hour.

For SRS reporting agencies: The time of offense is captured only for Burglary—Breaking or Entering and for LEOKA data. The time of the burglary is captured on the Property Stolen by Classification section of the Supplement to Return A report and is broken into three timeframes: Night (6 p.m. to 6 a.m.), Day (6 a.m. to 6 p.m.) and Unknown. In the example given, the agency should report the time of the burglary as Night (6 p.m. to 6 a.m.) because that is the earliest time known for the incident. In the case of LEOKA data, the time of the assault is broken into 2-hour increments on the LEOKA report.

Question
How should an agency classify and score a cluster of mailboxes from which mail was stolen?

Answer
For NIBRS reporting agencies: Agencies should classify and score this as one incident of 23H All Other Larceny. Because a mailbox is not considered to be a structure, agencies should not classify stolen mail as a burglary.

For SRS reporting agencies: Agencies should classify and score this as one incident of All Other Larceny-Theft Not Specifically Classified (6Xi) on the Return A report. Because a mailbox is not considered to be a structure, agencies should not classify stolen mail as a burglary.

Question
If the statute of limitations expires on a crime before an agency can make an arrest, can the agency report the incident as exceptionally cleared?

Answer
NIBRS and SRS reporting agencies: An incident can be exceptionally cleared only if the agency can positively respond to each of the following four questions:

1)   Has the investigation definitely established the identity of at least one offender?
2)   Has enough evidence been established to support arresting, charging, and prosecuting an offender?
3)   Is the exact location of the offender known so that they may be taken into custody now?
4)   Is there a reason outside of law enforcement that precludes arresting, charging, and prosecuting the offender?

The expiration of the statute of limitations is an affirmative answer to question number 4; however, all four questions must be answered in the affirmative in order to exceptionally clear an incident. A negative response to any of the questions does not allow for an exceptional clearance.

Question
Why is the NIBRS limited to only three drug types?

Answer
For NIBRS reporting agencies: Because of the way the NIBRS was designed, the system is limited to three specific drug types. Please refer to the *NIBRS Technical Specification,* Version 1.1, dated September 17, 2014, and the *NIBRS User Manual,* Version 1.0, dated January 17, 2013, for more details. State and local data collection systems may allow for additional drug types, but the information would have to be truncated for submission to the national UCR Program.

For SRS reporting agencies: The types of drugs are captured in the SRS only when law enforcement has reported an arrest as a drug abuse violation on the appropriate ASRE report. In the SRS, law enforcement agencies can specify only one drug type.

Law enforcement personnel with suggestions on expanding the NIBRS and the SRS should submit those ideas through the APB process.