Developments in the
National Incident-Based Reporting System (NIBRS)
Last Updated September 2004

As law enforcement agencies change from the Summary reporting system to NIBRS, they have called upon many vendors to develop incident-based systems that comply with the FBI's national Uniform Crime Reporting (UCR) Program standards yet accommodate their agency's unique requirements. In laying the foundation for NIBRS, the FBI's UCR Program published a series of documents to assist agencies and vendors in building successful records management systems. As NIBRS continues to evolve, the FBI's UCR Program keeps agencies up to date through periodically disseminating UCR *State Program Bulletins*. To help all vendors keep abreast of the most current information concerning NIBRS, the national UCR Program has extracted pertinent information from UCR *State Program Bulletins* and is providing it in this document, which will be updated as needed.

This document contains a synopsis of each of the NIBRS publications, all of which are maintained in their entirety on the FBI's UCR Web page with the exception of the *Uniform Crime Reporting Handbook*, NIBRS Edition (1992) and Volume 3: *Approaches to Implementing an Incident-Based Reporting (IBR) System.* This document also contains excerpts from UCR *State Program Bulletins* that provide a historical perspective of the evolution of NIBRS including procedural changes, reporting clarifications, and policy additions that have occurred from 1999 to September 2004.

Note: The excerpts are presented as they were originally published in the UCR *State Program Bulletin* and may have additions, deletions, or clarifications in subsequent excerpts. Therefore, readers are urged to read this document in its entirety before making any programming changes.

Contents

Publication Synopses

Note: Each of the following NIBRS publications, with the exception of the *Uniform Crime Reporting Handbook*, **NIBRS Edition and Volume 3:** *Approaches to Implementing an Incident-Based Reporting (IBR) System* **are available on the FBI's Internet site at <www.fbi.gov/ucr/ucr.htm>.**

Volume 1: *Data Collection Guidelines* **(August 2000)**
Written for local, state, and federal UCR Program personnel (i.e., administrators, training instructors, report analysts, coders, data entry clerks, etc.), Volume 1 provides a system overview to those responsible for collecting and recording NIBRS crime data for submission to the FBI. It contains descriptions of the offenses, offense codes, reports, data elements, and data values used in the system. Subjects discussed in this publication include:

* An overview of NIBRS and how the system differs from Summary reporting.
* Definitions of Group A and Group B offenses.
* An Offense Lookup Table for reference.
* National Crime Information Center codes and UCR Offense Codes.
* The Group A Incident Report, the Group B Arrest Report, and the Zero Report.
* Definitions and descriptions of the 53 data elements and all of the data values.
* An explanation of mandatory, optional, common, and additional data elements.

Volume 2: *Data Submission Specifications* **(May 1992)-No longer available in print.**
This publication contains the data submission instructions for magnetic media, record layouts, and error-handling procedures that must be followed in submitting magnetic media for NIBRS reporting purposes. Local, state, and federal systems personnel (i.e., computer programmers, analysts, etc.) responsible for preparing magnetic media for submission to the FBI will find the following subjects covered in Volume 2:

* Magnetic media specifications and explanations of record linkages, guidelines for determining what records to submit, and software logic for submitting complete versus partial incident reports.
* Record layouts to indicate format requirements for data field positions.
* Instructions for handling erroneous data detected on magnetic media submitted to the FBI.

Volume 3: *Approaches to Implementing an Incident-Based Reporting (IBR) System* **(July 1992)-No longer available in print.**
Directed at systems personnel (i.e., computer programmers, analysts, etc.) responsible for developing an IBR system that will meet NIBRS's reporting requirements, this manual contains

Volume 3 Synopsis – Continued

suggested approaches to developing an IBR system, including a model incident report, standard data entry guide, data entry screens, and software design suggestions.

 The following information is addressed in Volume 3:

* A sample NIBRS incident report.
* A standard data entry guide.
* Automated data entry methodology and screen formats to be used with the standard data entry guide.
* Data entry screen formats to be used with the incident form currently used.
* Implementation procedures and issues to be addressed by a participant before submitting NIBRS data.

Volume 4: *Error Message Manual* (December 1999)

Volume 4 contains designations of mandatory and optional data elements, data element edits, and error messages. Systems personnel responsible for preparing magnetic media submissions for the FBI will find the following information useful:

* An explanation of mandatory, optional, common, and additional data elements as well as their requirements for entry.
* Data element edits that detail all the software edits performed on submitted data.
* Error numbers produced as a result of FBI error detection and the corresponding messages associated with them.

***Uniform Crime Reporting Handbook*, NIBRS Edition (1992)**

This publication is available to assist participating agencies in understanding NIBRS policies and procedures. Though it does not contain the technical coding and data transmission requirements that govern NIBRS, the handbook addresses policy, the types of data to be reported, and reporting guidelines. Information covered in the NIBRS handbook includes the following:

* An introduction to NIBRS and how to report crime using an incident-based system.
* Definitions of Group A and Group B offenses.
* The Group A Incident Report, the Group B Arrest Report, and the six segments for reporting (i.e., administrative, offense, property, victim, offender, and arrestee).
* Law Enforcement Officers Killed and Assaulted.
* Other UCR forms.
* The basic crime indicators of volumes, rates, and trends and an explanation of community types.
* An Offense Lookup Table for reference.

*Uniform Crime Reporting Handbook***, NIBRS Edition (1992) Synopsis – Continued**
Agencies interested in obtaining a copy of the *Uniform Crime Reporting Handbook*, NIBRS Edition (1992), may contact the national UCR Program at: Communications Unit, Criminal Justice Information Services Division, Federal Bureau of Investigation, Module D3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306-0154; telephone 304-625-4995; and facsimile 304-625-5394.

Addendum to the NIBRS Volumes **(Revised April 2002)**
This publication presents four NIBRS recommendations accepted through the Criminal Justice Information Services Advisory Process. The recommendations are directed toward easing implementation for local agencies encountering difficulties complying with the full NIBRS requirements. In addition, the file reference card provides the planned approaches to implementation. It includes the relevant changes for affected reporting segments and the error numbers and messages resulting from implementing the recommendations.

Conversion of NIBRS Data to Summary Data **(September 1999)**
This manual explains in detail the procedures the FBI follows when it converts NIBRS data to Summary data so that they can be incorporated into the national crime database. The conversion procedures illustrated in this document use the 53 NIBRS data elements and their data values. The information should prove helpful to NIBRS agencies that want to replicate the FBI's procedures in order to produce UCR system data for offenses, arrests, property types and values, clearances, and details of homicides. The conversion process allows agencies submitting data via NIBRS to provide statistics that may be compared to agencies submitting data via the Summary system. However, as the NIBRS program expands, the conversion process becomes less significant.

NIBRS Addendum for Submitting LEOKA Data **(October 2002)**
This document provides the new or modified NIBRS data values, entry requirements, error messages, and programming changes so that agencies can collect and enter LEOKA data via NIBRS.

Handbook for Acquiring a Records Management System (RMS) That Is Compatible With the NIBRS **(May 2002)**
Developed under the sponsorship of the FBI's CJIS Division and the Bureau of Justice Statistics, this publication furnishes law enforcement agencies with instructions about preparing and conducting an RMS system acquisition and how to prepare an agency for conversion to the new system and to NIBRS. It includes lessons learned from other agencies and vendors and presents relevant templates and examples. In addition, the handbook includes an interactive cost model to assist an agency in analyzing the gross cost for implementing an automated system.

Excerpts of Updates

From UCR *State Program Bulletin*, January 27, 1999

Classification Clarification

Recently, an incident occurred in Philadelphia, Pennsylvania, in which two individuals became involved in a physical altercation. One of the individuals pulled a canister of mace from his pocket and sprayed his combatant in the face causing him severe discomfort. The victim fled the scene and sought medical attention which consisted of cleansing the affected area. The question is whether the use of mace against another person would constitute the offense of **Aggravated Assault**.

> *Uniform Crime Reporting Handbook* specifically defines Aggravated Assault as "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" (page 16).

> *Black's Law Dictionary, Sixth Edition,* defines **Mace** as "Chemical liquid which, when sprayed in face of person, causes dizziness and immobilization" (page 950).

> *Black's Law Dictionary, Sixth Edition,* defines **Weapon** as "An instrument of offensive or defensive combat, or anything used, or designed to be used, in destroying, defeating, threatening, or injuring a person" (page 1593).

> *Uniform Crime Reporting Handbook* states, "on occasion, it is the practice of local jurisdictions to charge assailants in assault cases with assault and battery or simple assault even though a knife, gun, or other weapon was used in the incident. For Uniform Crime Reporting purposes, this type of assault is to be classified as **aggravated**" (emphasis added) (page 16).

Therefore, the correct classification for the scenario presented above would be **Aggravated Assault** because mace is considered a weapon.

From UCR *State Program Bulletin* 99-2, June 23, 1999

NIBRS Recommendations Adopted

The FBI is adopting five recommendations which were submitted and accepted through the CJIS Advisory Process concerning the National Incident-Based Reporting System (NIBRS). The recommendations are directed toward easing implementation at the local level for agencies encountering difficulties complying with the full NIBRS requirements. Based upon the impact to their individual systems, state Uniform Crime Reporting (UCR) Program managers may elect to adopt none, some, or all of the recommendations. Those agencies who opt to use the modifications can implement them on an agency-by-agency basis. Those agencies who choose to retain full NIBRS compliance need make no system changes. Following are the recommendations and the planned approaches to implementation.

Recommendation 1: Allow agencies to report as few as two (2) victim-to-offender relationships per victim.

Approach for Recommendation 1: NIBRS edits will be adjusted to permit recording of relationships for only two (2) offenders for each victim of crimes against persons or robbery. That is, reports showing three (3) or more offenders in the offender segment will be rejected only if fewer than two (2) relationships are reported for any victim. The requirement for information for all offenders, however, will be retained for the offender segment.

Should this method of reporting be adopted, reporting agencies should relate the two primary offenders for each victim. The choice of primary offenders should be based on their degree of involvement in the offense against the designated victim. Accomplices should be reported last even though they may be close relatives of the victims. The primary offenders may be different for each victim.

Recommendation 2: Allow agencies to impute the value of Location Type (Data Element 9) to individual offenses.

Recommendation 3: Allow agencies to impute the value of Bias Motivation (Data Element 8a) to individual offenses.

Recommendation 4: Allow agencies to impute the value of Offenders Suspected of Using (Data Element 8) to individual offenses.

Approach for Recommendations 2, 3, & 4: This is a policy clarification; therefore, no system changes to NIBRS are necessary. Reporting guidelines for NIBRS will be revised to allow imputing values for offenses from the incident. These recommendations address situations in which local records systems capture only one location or bias

motivation per incident or those that capture offender alcohol/drug/computer usage only at the incident or offender level. In such situations, assigning the known value to each offense comprising an incident is permissible. Because illogical combinations can sometimes result from these types of imputations, agencies should be alert for invalid report values.

Recommendation 5: Allow agencies to treat the following Group A offenses as if they were Group B offenses, reporting only information on persons arrested (plus an incident number):

> **Drug/Narcotic Offenses**
> *   **Drug/Narcotic Violations (35A) - Requires agencies to report Data Element 12, Type Criminal Activity, and Data Element 20, Drug Type.**
> *   **Drug Equipment Violations (35B)**
>
> **Gambling Offenses**
> *   **Betting/Wagering (39A)**
> *   **Operating/Promoting/Assisting Gambling (39B)**
> *   **Gambling Equipment Violations (39C)**
> *   **Sports Tampering (39D)**
>
> **Pornography/Obscene Material (370)**
>
> **Prostitution Offenses**
> *   **Prostitution (40A)**
> *   **Assisting or Promoting Prostitution (40B)**
>
> **Weapon Law Violations (520)**

Approach for Recommendation 5: A new segment level will be established to accommodate this recommendation which is intended to address Stand Alone Arrests unaccompanied by an offense report. The new segment, "S," will be similar to the Time Window, or "W," and will provide for reporting Stand Alone Arrests for the designated offenses. All of the designated offenses will require an arrestee segment plus an incident number. Drug/Narcotic Violations will also require Type Criminal Activity and Suspected Drug Type (Data Elements 12 and 20).

This approach will allow either submitting the entire Group A Incident Report or only the Stand Alone Arrest Report. The offenses will remain Group A offenses and the desired level of submission will be the complete Group A Incident Report.

The FBI will begin accepting NIBRS submissions in the modified format beginning January 1, 2000. Revised reporting guidelines and data submission specifications are forthcoming.

NIBRS Certification Process

In order for a state UCR Program to be certified for NIBRS data submission, the Program must be approved by the NIBRS Certification Board. The Board consists of representatives from the FBI's Automated Operations Support Section; Crime Analysis, Research and Development Unit; Communications Unit; Education/Training Services Unit; and the Statistical Unit. The Board is required to review and approve particular elements of the state Program including system description/compatibility, error rates, statistical reasonableness, and the updating capability and responsiveness of the submitting state. In order to further ensure the statistical reasonableness of all test data being submitted for certification purposes, the Board has elected to employ the national UCR Program's Quality Assurance Review (QAR) team to assist in this check. In general, the mission of the QAR is to assess the validity of the reported data through the review of local agency case reports. Currently, the QAR team analyzes the reporting methods of local and state agencies to ensure uniform reporting through consistent application of the reporting guidelines for NIBRS and Summary data. Using the QAR team as a tool to assist in the NIBRS certification process will help to assure that the test data being submitted for certification are being classified and reported appropriately to the national UCR Program. It will also determine whether there are any discrepant reporting trends within the state Program. For further information regarding the QAR process, please contact the FBI's QAR team at 304-625-2941.

Scoring UCR Offenses in NIBRS and Summary Systems

It has come to the attention of the national UCR Program that some law enforcement agencies who report to the Program are classifying crimes according to state statutes or local/municipal ordinances. It is understood that a local agency's primary concern is to ensure that the individual who perpetrates a crime is properly charged under the appropriate local, state, or federal ordinances for adjudication purposes. Of secondary importance, however, is the classifying and scoring of crimes for UCR purposes. When the same agency reports crime information to the state or national UCR Program, strict adherence to the established UCR guidelines for crime data reporting should be followed in order to obtain uniformity of crime statistics among different states, as well as different local agencies within the same state.

> *Uniform Crime Reporting Handbook,* NIBRS Edition, states, "The purpose for UCR, as developed by law enforcement, is to provide a 'common denominator' language which transcends varying local and state laws" (page 11).

> *Uniform Crime Reporting Handbook* further stipulates, "The Uniform Crime Reporting (UCR) Program collects and reports crime offense data for the Nation . . . . Essential to the maintaining of uniform and consistent data is the utilization of standard definitions of the offenses used in the Program. . . ." (page 5).

Another concern of the national Program is local agencies who report UCR data based on the adjudication of the incident or the charge to which the prosecutor/district attorney plea bargained the case. Again, this type of information should not be considered when reporting crime data to the national UCR Program.

Uniform Crime Reporting Handbook, NIBRS Edition, states, "Law enforcement should classify and report offenses after preliminary confirmation of a call for service or a complaint establishes that a crime was, in fact, committed. Offenses known to law enforcement are to be recorded, not findings of a court, coroner, jury, or decision of a prosecutor since crime statistics generated from NIBRS are intended to assist in identifying law enforcement problems" (page 28).

NIBRS Motor Vehicle Theft, Fraud, and Embezzlement Offenses

Regarding NIBRS, it has come to the attention of the staff of the national UCR Program that there are differing opinions among reporting agencies regarding the reporting of the theft of motor vehicles and interpretations defining the differences between fraud and embezzlement.

There exists a misconception among some NIBRS contributors that in every incident in which a motor vehicle is unlawfully taken that an offense of 240 = Motor Vehicle Theft must be entered into an offense segment. Some vendors have created edits to this effect. **The FBI has not created an edit to this effect as this assumption is not valid in all cases.** Some examples demonstrating the error of this assumption are, but are not limited to, the following proper procedures:

1. For NIBRS purposes, the incidence of a carjacking is correctly reported as an offense of 120 = Robbery, and the type of vehicle taken (automobile, truck, etc.) is properly identified in the property description. The offense of 240 = Motor Vehicle Theft is not to be identified as an additional offense, as the motor vehicle that is stolen is the proceeds of the offense of robbery, and not a separate, distinct operation. Consequently, Data Element 18 Number of Stolen Motor Vehicles and Data Element 19 Number of Recovered Motor Vehicles are not used.

2. For NIBRS purposes, the incidence of a house that is burglarized and a motor vehicle being taken from the garage of that house is correctly reported as an offense of 220 = Burglary/Breaking & Entering, and the type of vehicle taken (automobile, truck, etc.) is properly identified in the property description. The offense of 240 = Motor Vehicle Theft is not to be identified as an additional offense, as the motor vehicle that is stolen is the proceeds of the offense of Burglary, and not a separate, distinct operation. Consequently, Data Element 18 Number of Stolen Motor Vehicles and Data Element 19 Number of Recovered Motor Vehicles are not used.

3. For NIBRS purposes, the incidence of an individual who test drives a new car from an automobile dealership and does not return it is correctly reported as a fraud offense of 26A = False Pretenses/Swindle/Confidence Game, and the type of vehicle taken (automobile, truck, etc.) is properly identified in the property description. The offense of 240 = Motor Vehicle Theft is not to be

identified as an additional offense, as the motor vehicle that is stolen is the proceeds of the offense of Fraud, and not a separate, distinct operation.

4. For NIBRS purposes, the incidence of a chauffer that steals a car entrusted to his care is correctly reported as 270 = Embezzlement, and the type of vehicle taken (automobile, truck, etc.) is properly identified in the property description. The offense of 240 = Motor Vehicle Theft is not to be identified as an additional offense, as the motor vehicle that is stolen is the proceeds of the offense of Embezzlement, and not a separate, distinct operation.

The second issue deals with the differences between Fraud and Embezzlement. *Uniform Crime Reporting Handbook*, NIBRS Edition, defines fraud as "the intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with some thing of value or to surrender a legal right" (page 15). Fraud is achieved through deceit or lying. On the same page of that publication, embezzlement is defined as "the unlawful misappropriation by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control." Generally, the victims of embezzlement offenses are businesses, financial institutions, etc. *Blacks Law Dictionary, Sixth Edition*, provides further insight by specifying, "The elements of 'offense' are that there **must be relationship such as that of employment or agency** between the owner of the money and the defendant, the money alleged to have been embezzled must have come into the possession of defendant by virtue of that relationship and there must be an intentional and fraudulent appropriation or conversion of the money" (emphasis added) (page 522).

NIBRS Volume 3: *Approaches to Implementing an Incident-Based Reporting System*

As NIBRS is implemented in an increasing number of local and state law enforcement agencies nationwide, many software systems have been created for this data collection method. Currently, there are incident-based reporting systems developed by individual agency computer personnel, as well as those generated by software vendors, available to the NIBRS newcomer. Since there are so many different systems currently in place, the FBI's UCR Program is considering phasing out NIBRS Volume 3: *Approaches to Implementing an Incident-Based Reporting System*. If the publication is phased out, the July 1, 1992, edition will be the last printing of Volume 3; it will not be reprinted once the current supply has been depleted. The FBI's UCR Program is soliciting feedback regarding the discontinuation of NIBRS Volume 3. Please send comments and concerns via facsimile to the FBI's Communications Unit at 304-625-5394, by September 30, 1999.

NIBRS Error Oversight

NIBRS Volume 4: *Error Message Manual* did not contain error number 64. The following additions will be included in the Data Element Edit and Error Message sections in the upcoming revision of Volume 4.

41.1   ARREST SEGMENTS SUBMITTED AS "TIME-WINDOW" CANNOT ALREADY EXIST ON THE FBI'S DATABASE

Arrest Segments (Level 6) submitted with a Segment Action Type of W = <u>Time-Window Submission</u> will be added to the FBI's database if not already on file. Submitting an Arrest Segment with the same ORI Number, Incident Number, and Arrestee Sequence Number (Data Element 40) will result in an "Arrestee Already on File" error message.

064   ARRESTEE ALREADY ON FILE

When an Arrest Segment is submitted with a Segment Action Type of W = <u>Time-Window Submission</u>, the identifying information (ORI Number, Incident Number, and Arrestee Sequence Number) must be unique. When error number 064 appears, an arrestee was already on file with this identifying information.

NIBRS Error Modification

Error number 480 on page 43 of NIBRS Volume 4 has been modified as follows:

7)   When 08 = <u>Other Felony Involved</u> is entered, a minimum of two offenses must be entered for Data Element 6 (UCR Offense Code) or a minimum of two individual victims must be submitted for the incident.

The error message for error number 480 on page 116 of NIBRS Volume 4 has been modified as follows:

480   WHEN ASSAULT/HOMICIDE (31) IS 08, INCIDENT MUST HAVE TWO OR MORE OFFENSES

Data Element 31 (Aggravated Assault/Homicide Circumstances) has 08 = <u>Other Felony Involved</u> but the incident has only one offense. For this code to be used, there must be an "other felony." Either multiple entries for Data Element 6 (UCR Offense Code) should have been submitted, or multiple individual victims should have been submitted for the incident report.

UCR *State Program Bulletin* 99-3, December 22, 1999

NIBRS Property Description Code 19

Recently, South Carolina State UCR Program staff asked for clarification of the definition of Data Element 15, Property Description, code 19. According to the National Incident-Based Reporting System (NIBRS) Volume 1: *Data Collection Guidelines*, page 81, Property Description, code 19 equals Merchandise (items held for sale). *Black's Law Dictionary,* Sixth Edition, defines **Merchandise** as, "All goods which merchants usually buy and sell, whether at wholesale or retail; wares and commodities such as are ordinarily the objects of trade and commerce. But the term is generally not understood as including real estate, and is rarely applied to provisions such as are purchased day by day for immediate consumption" (page 986). This property description code is to be used when it is the most specific description for the property involved in an incident. In many cases, code 77 = Other is incorrectly used; code 19 = Merchandise would better describe the property involved.

The property description codes used in the following examples are listed in NIBRS Volume 1: *Data Collection Guidelines,* pages 80-82.

The shoplifting of a guitar from a music store is reported. In NIBRS, no specific value in the property description exists for a guitar or musical instrument. Since the guitar is an item held for sale, code 19 = Merchandise is the most specific descriptor. The code 77 = Other should not be used in this case, as its use is reserved for "all other property not fitting the above specific descriptions" (including merchandise).

The shoplifting of a set of windshield wipers from an auto parts store is reported. Even though the windshield wipers are merchandise or "items held for sale," code 38 = Vehicle Parts/ Accessories should be used as the most specific property description.

Three guitars are reported stolen from the apartment of a musician. The code 77 = Other should be used in this case, as these guitars are "all other property not fitting the above descriptions."

NIBRS Offense 250 Counterfeiting/Forgery

NIBRS Volume 1: *Data Collection Guidelines* defines Counterfeiting/Forgery (Crime Against Property) as "The altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud" (pages 24-25).

Problems arise in scoring Counterfeiting/Forgery offenses for UCR purposes when forged checks or counterfeited money are used to obtain items such as cash, groceries, stereo equipment, etc. NIBRS

Volume 4: *Error Message Manual,* page 7, indicates that if the offense of Counterfeiting/ Forgery is completed, the Type Property Loss/Etc. can only be code 3 = Counterfeited/Forged, code 5 = Recovered, or code 6 = Seized. Therefore, items that are obtained as the result of passing a forged or counterfeited instrument are not captured for statistical purposes.

Although Counterfeiting/Forgery offenses can involve elements of fraud, they are treated separately due to their unique nature. Therefore, when incidents involving the passing of a forged or counterfeited instrument to obtain items occur, an additional offense should accompany the Counterfeiting/Forgery to allow the capture of the fraudulently obtained items.

Example: A lone male enters the Sears department store to purchase a $400 TV and $300 VCR (retail value) with a forged check. Later, the store manager was notified that the purchase was made with a forged check. The manager then summoned the police to file a report. The incident should be reported as Offense Code 250 = Counterfeiting/Forgery; Type Property Loss/Etc., code 3 = Counterfeited/Forged; Property Description, code 22 = Nonnegotiable Instruments (no value). Additionally, Offense Code 26A = False Pretenses/Swindle/Confidence Game; Type Property Loss/Etc., code 7 = Stolen/Etc.; Property Description, code 26 = Radios/ TV/VCRs; Value of Property, $550 (wholesale value) should be reported.

Responses to Questions Raised at the October 3-7, 1999, Association of State Uniform Crime Reporting Programs Conference

Reporting Crimes in Correctional Facilities

Are crimes in correctional facilities currently being reported, should they be reported, and, if so, which agency should do the reporting?

Crimes that occur in correctional facilities, state penitentiaries, prisons, or jails **should be reported by the law enforcement agency having jurisdiction.**

Concerning jurisdiction, the *Uniform Crime Reporting Handbook* states, "To be certain that an offense or arrest is not counted more than once by overlapping jurisdictions, the following guidelines have been developed:

1. Police report offenses that occur within their city jurisdiction.
2. County and state law enforcement agencies report offenses which take place in the county outside the jurisdiction of the city.
3. Agencies report only those arrests made for offenses committed within their own jurisdictions.
4. Likewise, the recovery of property is reported only by the jurisdiction from which it was stolen.

Note: The purpose of these jurisdictional guidelines for reporting crime statistics is to accurately depict the nature and volume of crime in a particular community, *not* to claim or take 'credit' for the number of investigations, arrests, etc." (page 3).

As part of our caution to data users against making simplistic or incomplete analyses of UCR crime data, the following caveat will be amended in the 1999 edition of *Crime in the United States*, under "Crime Factors": "Understanding a jurisdiction's industrial/economic base, its dependence upon neighboring jurisdictions, its transportation system, its economic dependence on nonresidents (such as tourists and convention attendees), its proximity to military installations, **correctional facilities, state penitentiaries, prisons, jails, etc.,** all contribute to accurately gauging and interpreting the crime known to and reported by law enforcement" (page iv). The information in bold lettering will appear for the first time in the 1999 edition.

NIBRS Data Element 13

Should an edit be added for Data Element 13, Type Weapon/Force Involved, to alleviate the problem of some agencies entering code 99 = None rather than code 40 = Personal Weapons for incidents in which the offender uses hands, fists, feet, teeth, etc., in the commission of an Aggravated Assault (13A)? Concern for this issue stems from situations similar to the following example:

> A boyfriend places both hands around his girlfriend's neck and begins to choke her while he screams, "I'll kill you." The police respond and pull the male off the female and place him under arrest. The female has red marks on her neck. The Type Weapon/Force Involved is erroneously coded as 99 = None when it should have been coded as 40 = Personal Weapons.

Since the misuse of codes does not appear to be a widespread problem, the Education/Training Services (ETSU) Unit and the Crime Analysis, Research and Development (CARD) Unit feel that an edit is not warranted at this time. Rather than adding an edit, ETSU and CARD Unit members encourage agencies to address this issue in training sessions at the state and agency levels, focusing on the use of hands, fists, feet, teeth, etc., as actual weapons.

A review of the 1998 NIBRS data (total incidents) revealed the following:

> Incidents that contained code 99 = None (4.7 percent)
> Incidents that contained code 95 = Unknown (2.84 percent)
> Incidents that contained code 40 = Personal Weapons (i.e., hands, feet, teeth, etc.)
> (27.08 percent)

The ETSU and CARD Unit will continue to monitor data submissions within the Aggravated Assault category for statistical reasonableness. Agency personnel may refer to NIBRS Volume 1: *Data Collection Guidelines*, page 78, for a complete list of allowable entries for Data Element 13, Type Weapon/Force Involved.

Incidental Damage

Should incidental damage be considered when it occurs in conjunction with other reported offenses, specifically, Larceny/Theft?

The *Uniform Crime Reporting Handbook,* NIBRS Edition, under the category of Destruction/ Damage/Vandalism of Property, states, "Incidental damage resulting from another offense (e.g., burglary, robbery) is to be reported in this offense category only if the reporting agency deems the amount of damage to be substantial. For example, 'insubstantial' damage, such as a broken window, forced door, etc., should not be reported; but, 'substantial' damage, such as where a truck is backed into a store front to gain admittance and major structural damage is caused, should be reported. For the crime of arson, however, incidental damage resulting from fighting the fire should be included as part of the loss caused by burning. The determination of whether the damage was 'substantial' is left to the discretion of the reporting law enforcement agency and should not require burdensome damage assessments" (page 14).

When reporting incidental damage in NIBRS, Destruction/Damage/Vandalism of Property should be reported in conjunction with Larceny/Theft. For example, a vehicle is entered by means of smashing the passenger side window and $10 in currency is stolen. In reporting the offense of Destruction/ Damage/Vandalism of Property, the Property Description code should be 38 = Vehicle Parts/ Accessories and the Value of Property should be $50 for the damaged window. Additionally, for the offense of Larceny/Theft, the Property Description code should be 20 = Money (legal tender, i.e., coins and paper currency) and the Value of Property should be $10. However, when the FBI converts the NIBRS data to summary data, the damaged property is ignored in determining the value of stolen property.

Reporting Bomb Threats

For UCR purposes, what is the proper classification of a bomb threat (as opposed to the actual presence of a bomb), and how should a bomb threat be reported using NIBRS?

Some agencies may misconstrue a bomb threat to be a crime against property, using the rationale that the intent is to blow up a building. However, for UCR purposes a bomb threat is actually a crime against a person because the intent is intimidation and a building (structure) cannot logically be intimidated. For agencies using NIBRS, at least one entry of I = Individual is required as the Type of Victim in the victim segment of the Group A Incident Report. The national Program requires reporting the person who received the bomb threat as the victim. It is left to the agency's discretion as to how many individual victims (up to 999) are reported.

Example: While at work, a white female secretary, aged 45, of an elementary school receives a bomb threat over the telephone. Approximately 400 faculty and students are evacuated from the school. A search conducted by the bomb squad yields negative results. The faculty and students return to their classrooms after an hour.

The national Program requires that this situation be reported as Offense Code 13C = Intimidation; Location Type, code 22 = School/College; Victim Sequence Number, 001 for one victim; Victim Connected to UCR Offense Code, 13C for Intimidation; Type of Victim, code I = Individual; Age of Victim, 45; Sex of Victim, code F = Female; Race of Victim, code W = White; and other applicable data elements and values. **Any additional individual-type victims (up to 999) may be reported at an agency's discretion**, i.e., for the purpose of providing data to make possible special studies, such as violence against children, etc.

It must be understood that any additional individual-type victims reported will be counted in the agency's overall Assault total when the NIBRS data are converted to summary data. The new summary Assault total will not, however, inflate the Aggravated Assault total because the conversion process does not affect that specific offense.

UCR *State Program Bulletin* 00-1, August 23, 2000

National Incident-Based Reporting System (NIBRS) Coordinator Designated
In an effort to provide more intense focus on the National Incident-Based Reporting System (NIBRS) initiative, the national UCR Program has created and staffed a NIBRS Program Coordinator position. Mr. Christopher L. Enourato of the Education/Training Services Unit (ETSU) was appointed to this position. In general, his duties and responsibilities include the following: developing a strategic vision for NIBRS implementation, identifying and assessing resources that are available to support the NIBRS endeavor, developing a strategy that maximizes use of those resources, and monitoring and reporting progress. Mr. Enourato serves as a liaison with personnel both internal and external to the FBI for the purpose of coordinating NIBRS issues with the Regional Working Groups, the UCR Subcommittee, and the CJIS Advisory Policy Board. In addition, Mr. Enourato functions as an integral part of the NIBRS certification process, works with issues concerning the future publication of NIBRS data, and directs the joint effort among the Bureau of Justice Statistics, SEARCH Group, Inc., and the FBI to increase NIBRS participation.

Proper Segment Action Types Will Reduce NIBRS Rejections for Duplicate Submissions
The national UCR Program is experiencing an unusually high volume of duplicate NIBRS submissions. As a result, the incidents are being rejected, and the submitting agencies are receiving Error Number 056 and/or Error Number 759.

With regard to Error Number 056, NIBRS Volume 4: *Error Message Manual* (revised December 1999), states the following on page 82:

> **056   INCIDENT ALREADY ON FILE—PREVIOUSLY ADDED TO FILE
> ON [mm/dd/yyyy]**
>
> A Group "A" Incident Report was previously added to the FBI's
> database on the date shown within the error message and is presently
> on file. Another report was processed with the same ORI and Incident
> Number, resulting in this error.

When reporting changes/additional information for a particular Group "A" Incident Report, a segment action type of D = <u>DELETE</u> should precede an I = <u>INCIDENT REPORT</u> for a complete resubmission of the incident report. These guidelines are outlined on pages 120-126 of NIBRS Volume 2: *Data Submission Specifications* (revised May 1992).

Concerning Error Number 759, NIBRS Volume 4: *Error Message Manual* (revised December 1999), states the following on page 132:

759   DUPLICATE GROUP "B" ARREST REPORT SEGMENT ON FILE

>   The Group "B" Arrest Report (Level 7) submitted as an Add is
>   currently active in the FBI's database; therefore, it was rejected. If
>   multiple arrestees are involved in the incident, ensure that Data Element
>   40 (Arrestee Sequence Number) is unique for each Arrestee Segment
>   submitted so that duplication does not occur.

Again, as changes/additional information is collected in reference to a particular Group "B" Arrest Report, a segment action type of D = <u>DELETE</u> should precede an A = <u>ADD ARREST</u> Report for a complete resubmission of the arrest report. Also, M = <u>MODIFY</u> Report may be used "when adjusting previously submitted segments. All data elements within this segment must reflect the corrected and current values; do not just complete those that changed." These guidelines are outlined on page 34 of NIBRS Volume 2: *Data Submission Specifications* (revised May 1992).

Review of NIBRS Error Number 470 Reveals Misuse of the "VO" Relationship Code

During a quality review of NIBRS data, it has come to the attention of the national UCR Program staff that some reporting agencies are misusing the VO = <u>Victim Was Offender</u> relationship code for Data Element 35 (Relationship[s] of Victim to Offender[s]). Therefore, the following information is offered for clarification.

NIBRS Volume 4: *Error Message Manual* (revised December 1999), page 114, provides the error message associated with Error Number 470 along with an explanation of the error:

**470   WHEN "VO" RELATIONSHIP IS PRESENT, MUST HAVE TWO
OR MORE VICTIMS AND OFFENDERS**

>   Data Element 35 (Relationship of Victim to Offenders) has a relationship of
>   VO = <u>Victim Was Offender</u>. When this code is entered, a minimum of two
>   victim and two offender segments must be submitted. In this case, only one
>   victim and/or one offender segment was submitted.
>
>   The entry of VO on one or more of the victims indicates situations such as
>   brawls and domestic disputes. In the vast majority of cases, each victim is also
>   the offender; therefore, every victim record would contain a VO code.
>   However, there may be some situations where only <u>one</u> of the victims is also
>   the offender, but where the other victim(s) is not also the offender(s).

As originally defined, VO relationship codes should be used only when the police cannot distinguish the victims from the aggressors in crimes against persons or robbery (the only offenses to which relationships apply) and the participants are mutual combatants.

Since the collection of NIBRS data began, the number of domestic and barroom brawl incidents in which the assault victims are being reported under one incident, even though they have been arrested for other offenses, has increased. Though this may be a matter of practical application in local reporting procedures, **current policy for the national UCR Program requires the submission of two or more separate incident reports for situations involving multiple incidents**. Submitting these particular situations as two or more incidents is critical for accurate data analysis. The following scenarios demonstrate the importance of correct reporting.

Scenario 1

During a domestic dispute, a husband struck his wife in the face several times causing a severe laceration. After the wife called 911 to report the incident, police responded and placed the husband under arrest for Aggravated Assault. While in the home, the officers also saw illegal drugs in plain view on the kitchen table; the wife admitted they were hers. Consequently, after receiving medical attention, the wife was arrested for a Drug/Narcotic Violation.

If the data were recorded under one incident rather than two, the report would appear as follows:

Offense Segment #1	Data Element 6 (UCR Offense Code): 13A = Aggravated Assault
Offense Segment #2	Data Element 6 (UCR Offense Code): 35A = Drug/Narcotic Violation
Victim Segment #1	Data Element 24 (Victim Connected to UCR Offense Code): 35A = Drug Narcotic Violation Data Element 25 (Type of Victim): S = Society/Public

Victim Segment #2	Data Element 24 (Victim Connected to UCR Offense Code):
	  13A = Aggravated Assault
	Data Element 25 (Type of Victim): I = Individual
	Data Element 27 (Sex [of Victim]): F = Female
	Data Element 34 (Offender Number[s] to be Related): 01
	Data Element 35 (Relationship of Victim to Offender):
	  SE = Victim Was Spouse
	Data Element 34 (Offender Number[s] to be Related: 02
	Data Element 35 (Relationship of Victim to Offender):
	  VO = Victim Was Offender

Offender Segment #1	Data Element 36 (Offender Sequence Number): 01 (male)
Offender Segment #2	Data Element 36 (Offender Sequence Number): 02 (female)
Arrestee Segment #1	Data Element 45 (UCR Arrest Offense Code): 13A = Aggravated Assault Data Element 48 (Sex [of Arrestee]): M = Male
Arrestee Segment #2	Data Element 45 (UCR Arrest Offense Code): 35A = Drug/Narcotic Violation Data Element 48 (Sex [of Arrestee]): F = Female

From these data, one could erroneously conclude that the female also committed an aggravated assault against the male. It is also difficult to discern the evidence of domestic violence. Improper reporting such as this could adversely impact the validity of any domestic violence statistics compiled by state or local agencies.

Scenario 2

The police responded to a barroom brawl and arrested one subject for Aggravated Assault. Because he was intoxicated and became enraged, the victim of the assault was also arrested for Drunkenness.

Offense Segment	Data Element 6 (UCR Offense Code): 13A = Aggravated Assault
Victim Segment	Data Element 24 (Victim Connected to UCR Offense Code): 13A = Aggravated Assaulted Data Element 34 (Offender Number[s] to be Related): 01 Data Element 35 (Relationship of Victim to Offender): AQ = Victim Was Acquaintance Data Element 34 (Offender Number[s] to be Related: 02 Data Element 35 (Relationship of Victim to Offender): VO = Victim Was Offender
Offender Segment #1	Data Element 36 (Offender Sequence Number): 01
Offender Segment #2	Data Element 36 (Offender Sequence Number): 02
Arrestee Segment #1	Data Element 45 (UCR Arrest Offense Code): 13A = Aggravated Assault (assault perpetrator)
Arrestee Segment #2	Data Element 45 (UCR Arrest Offense Code): 90E = Drunkeness (assault victim)

Again, the original intent of the code VO = Victim was Offender was to identify mutual combatants. From these data, one could mistakenly conclude that the victim was also involved in assaulting his attacker. One may also question why Arrestee #2 was arrested for drunkenness and not aggravated assault when the data suggest that he was involved in the aggravated assault.

The Crime Analysis, Research and Development Unit and the Education/Training Services Unit will continue to monitor these types of submissions for errors. Meanwhile, the national UCR Program staff requests that all state Program Managers disseminate this information in order to maintain the highest standard of data integrity. Should you have any questions, please contact Mr. Christopher L. Enourato, NIBRS Coordinator, at 304-625-2859.

Changes to *Conversion of NIBRS Data to Summary Data*

Three changes to the process of converting UCR data from the NIBRS to Summary format for the Supplement to Return A and the reasons for those changes are presented in the following material. Pages referenced are found in the publication *Conversion of NIBRS Data to Summary Data* (September 1999).

Additional Data Element Needed to Convert Property Recovered
The procedures and data elements used in arriving at figures for the Property by Type and Value section of the Supplement to Return A data presentation appear on pages 17-20. In order for information to be properly converted, Data Element 17 (Date Recovered) must be added to each list under the "Recovered:" heading for each data entry code.

Policy Change Made Concerning the Coding of the Theft of Bicycles for Conversion
Types of larcenies are listed on page 25 as they will appear in the Supplement to Return A data presentation. According to the Larceny Hierarchy Rule, the specific order was established "To obtain the larceny offense code for Summary purposes from a NIBRS incident report with multiple types of larcenies occurring . . . ." Currently, the hierarchy includes an exception in the case of bicycle theft. Specifically, when a bicycle theft occurs from a motor vehicle or from a building (and the category Theft from Motor Vehicle or Theft from Building are the highest form of theft according to the established hierarchy), the hierarchy is abandoned and theft of bicycle is recorded.

Based on the Crime Analysis, Research and Development Unit's study and a discussion with the Unit Chiefs of the Communications Unit and Education/Training Services Unit, Programs Support Section Chief William C. Temple approved the modification of the rule for converting NIBRS larceny data to Summary as it relates to the theft of bicycles. Two of the bicycle exceptions should be deleted, and the Larceny Hierarchy Rule should be followed. Specifically, 23D and 23F in parenthetical phrase on page 25 of the publication *Conversion of NIBRS Data to Summary Data* under the category "Object Larcenies" should be removed.

Revision Required in Data Elements Used to Convert the Total of Locally Stolen Motor Vehicles Recovered
Although not all of the stolen automobile recovery categories found in the Supplement to Return A data presentation can be directly converted from the data collected in NIBRS, page 27 lists the data elements necessary for obtaining the total of locally stolen motor vehicles recovered under data entry code 90. However, in order for the correct information to be converted, Data Element 17 (Date Recovered) and Data Element 19 (Number of Recovered Motor Vehicles) should be added to the list, and Data Element 18 (Number of Stolen Motor Vehicles) should be deleted.

Hate Crime Reporting Procedures Clarified to Help Avoid Inaccurate Reporting

During the processing of hate crime incident reports, the Statistical Unit staff has discovered several reporting problems that should be addressed with both Summary and NIBRS contributors. The identified issues and a clarification of each respective reporting procedure follow.

Some contributors are reporting more than one bias motivation per offense code entry.
When the Hate Crime Program was established in 1991, the system was designed to accept only one bias-motivation code for each offense type. Therefore, when one

offense type is reported, only one type of bias motivation can be reported. For incidents in which one offense type occurs but two or more bias motivations are identified, the state Program/agency should select and report only one bias motivation. For example, if two people are assaulted with clubs in the same incident, one because of racial bias and the other because of religious bias, one offense type (aggravated assault) and one bias motivation (either race or religion) should be reported. The reporting agency/state must decide which bias motivation is most appropriate based on the local investigation of the incident.

Participants are being reported as both victims and offenders in single hate crime incidents.
This is another instance of the incorrect use of the VO relationship code previously discussed. The *Uniform Crime Reporting Handbook*, NIBRS Edition (1992), states, "An 'incident' is defined for NIBRS reporting purposes as one or more offenses committed by the same offender, or group of offenders acting in concert, at the same time and place" (page 25).

The handbook further states, "'Acting in concert' requires that the offenders actually commit or assist in the commission of the crime(s). The offenders must be aware of, and consent to, the commission of the crime(s); or even if nonconsenting, their actions assist in the commission of the offense(s). . . . 'Same time and place' means that the time interval between the offenses and the distance between the locations where they occurred were insignificant" (page 25). Therefore, the agency must decide whether to report this type of scenario as a single incident with multiple victims and offenders or as multiple incidents.

Agencies are using "00" for the number of offenders on the Hate Crime Incident Report and for Data Element 36 (Offender Sequence Number) when auxiliary information such as the offender's race is reported.
According to the Hate Crime Incident Report form, an entry of "00" indicates that nothing is known about the offender. Likewise, NIBRS Volume 1: *Data Collection Guidelines* (revised September 1996) states, "If <u>nothing</u> is known about the offender(s) -- i.e., no one saw the offender(s) and there were no suspects, so even the number of offenders is unknown -- then '00' is to be entered . . ." (page 61). If an agency knows the race of an offender, the number "01" (or higher if applicable) must be entered for the number of offenders. Conversely, whenever "00" is reported as the number of offenders, the race of the offender, whether reported on the form or in a subsequent data element, should be blank.

Some agencies have reported hate crime incidents with the UCR Offense Code of 10 for Intimidation then subsequently identified the Victim Type as Business, Financial Institution, Government, Religious Organization, or Society/Public.
For UCR purposes, intimidation is considered a crime against persons, and therefore, the victim type must be "Individual."

UCR *State Program Bulletin* 01-1, July 2001

Clarification of the National Incident-Based Reporting System (NIBRS) Delete Procedures

The following is intended as a clarification to the procedures governing the delete function explained in Section I of NIBRS Volume 2: *Data Submission Specifications* (May 1992). The NIBRS Segment Action Type of "D" = <u>Delete</u> is valid for Segment Levels 0, 1, 3, 6, and 7.

The use of Segment Action Type of "D" = Delete with the . . .	yields the following result:
Level 0 (Zero-Reporting Segment)	Deletes the zero-report submission in the NIBRS database for the ORI (Data Element 1) and for the year and the month for which the data were submitted.
Level 1 (Administrative Segment)	Deletes all of the segments (Levels 1-6) associated with the Group "A" Incident Report. However, a Level 1 delete submitted for a Time-Window record deletes Level(s) 1, 3, and/or 6.
Level 3 (Property Segment) *valid only if the record was previously reported as a Time-Window submission*	Deletes all recovered property data (the only valid kind for Type Property Loss/Etc. [Data Element 14] in a Time-Window Submission) on file for the record.
Level 6 (Arrestee Segment) *valid only if the record was previously reported as a Time-Window submission*	Deletes only the arrestee on file for the ORI (Data Element 1) and incident number (Data Element 2) that has the same arrestee sequence number (Data Element 40) as the submitted delete arrest record.
Level 7 (Group "B" Arrest Report Segment)	Deletes all of the Group "B" Arrest Report(s). If an arrestee (sequence) number (Data Element 40) is submitted, only that arrestee will be removed from the NIBRS database. If the arrestee (sequence) number (Data Element 40) is left blank on the delete record, all Group "B" Arrest Reports for that ORI (Data Element 1) and arrest (transaction) number (Data Element 41) (which could be the same as the incident number [Data Element 2]) will be removed.

Misuse of Code "00" for NIBRS Data Element 3, Incident Date/Hour

It has come to the attention of the national Program that several law enforcement agencies are misreporting Data Element 3, Incident Hour, as 00 when the Incident Hour is unknown. According to NIBRS Volume 1: *Data Collection Guidelines* (August 2000), "if the Incident Hour is unknown, the

hour should be left blank. If the incident occurred on or between midnight and 0059, 00 should be entered; if on or between 0100 and 0159, 01 should be entered; if on or between 2300 and 2359, 23 should be entered; etc. . . ." (page 69).

NIBRS Data Element 12, Type Criminal Activity/Gang Information

As specified in the UCR *State Program Bulletin* dated June 30, 1997, a gang must meet the following criteria:

–an ongoing organization, association, or group of three or more persons,
–have a common interest and/or activity characterized by the commission of or
   involvement in a pattern of criminal or delinquent conduct.

Once it is determined that gang activity was involved in the commission of one of the 11 violent offenses, it is incumbent upon the reporting agency to indicate one of the following valid codes:

"J" = Juvenile Gang
"G" = Other Gang
"N" = None/Unknown

Recently, several questions have risen regarding the definition of a "Juvenile Gang" and an "Other Gang" for NIBRS reporting purposes. According to the established guidelines of the national UCR Program, a "Juvenile Gang" meets the criteria mentioned in the gang definition above, and the membership is predominantly juvenile (under 18 years of age). In order for the code "J" to be associated with the criminal activity being reported, the gang's membership does not have to be entirely comprised of juveniles, nor does the offender in the incident have to be a juvenile. Instead, the reporting agency need only establish that the gang's membership is predominantly juvenile. Conversely, if the gang is comprised of members who are predominantly 18 years of age or older, the criminal activity should be coded as "G" for "Other Gang." When no gang involvement is associated with the offense, the reporting agency should indicate "None/Unknown." The reporting agency should determine which code most appropriately describes the type, or lack of presence, of gang activity.

NIBRS Offense 250 Counterfeiting/Forgery

In the UCR *State Program Bulletin* dated December 22, 1999, the following example was used to show how to score a Counterfeiting/Forgery offense when forged checks or counterfeited money is used to obtain items such as cash, groceries, stereo equipment, etc. However, the Property Description was incorrectly coded as 22 = Nonnegotiable Instruments (no value) when it should have been code 21 = Negotiable Instruments with a value of $700 since the check was signed (even though it was a forged signature).

Example: A lone male enters the Sears department store to purchase a $400 TV and $300 VCR (retail value) with a forged check. Later, the store manager was notified that the purchase was made with a forged check. The manager then summoned the police to file a report. The incident should be reported as Offense Code 250 =

Counterfeiting/ Forgery; Type Property Loss/Etc., code 3 = Counterfeited/Forged; Property Description, ~~code 22 = Nonnegotiable Instruments (no value)~~ **code 21 = Negotiable Instruments ($700)**. Additionally, Offense Code 26A = False Pretenses/Swindle/Confidence Game; Type Property Loss/Etc., code 7 = Stolen/Etc.; Property Description, code 26 = Radios/ TV[s]/ VCRs; Value of Property, $550 (wholesale value) should be reported.

Converting "Other Assaults" From NIBRS Data to Summary Data

There have been some questions regarding the conversion of Other Assaults from NIBRS data to Summary data. This topic is addressed in *Conversion of NIBRS Data to Summary Data* (September 1999), page 3, Line 4e. NIBRS incidents containing an offense of 13B Simple Assault or 13C Intimidation should be scored as Other Assaults when converting them to Summary data. However, if a NIBRS incident contains a 13B Simple Assault or 13C Intimidation along with an Index offense or a 09B Negligent Manslaughter, the Summary Hierarchy Rule should be applied, and the Other Assault should not be scored.

Invalid Code Used for the Reporting of Bias Motivation

When reporting bias motivation types via Hate Crime Incident Report Forms and NIBRS Data Element 8A, Bias Motivation, a few states are submitting data with an invalid code of 31 to indicate Anti-Arab as an Ethnicity/National-Origin Bias. All contributors please note that *31 is not a valid bias motivation code*. During NIBRS' developmental stages, code 31 was accepted. However, in 1996 the code became invalid. Though the national Program currently accepts these data and converts the bias motivation code to 33 for Anti-Other Ethnicity/National Origin, programming changes are forthcoming that will result in the rejection of improperly coded data. A complete list of accepted codes for bias motivation types can be found on the Hate Crime Incident Report Form (July 23, 1996) and in NIBRS Volume 1: *Data Collection Guidelines* (August 2000), page 74, under Data Element 8A.

NIBRS Volume 4: *Error Message Manual* (December 1999)

The following error message number was omitted from the December 1999 revision of NIBRS Volume 4: *Error Message Manual*. Please add the error message number, shown in bold below, to the existing error message numbers under Arrestee Segment Edit # 41, Data Element Edits section, page 72:

41.   PARTICIPANT MUST KEEP TRACK OF ARRESTEE SEQUENCE NUMBERS

When submitting Arrestee Segments (Level 6) or Group "B" Arrest Reports (Level 7) with Segment Action Type of A = Add Arrest, the participant's data processing software must keep track of the correct value to assign to Data Element 40 (Arrestee Sequence Number). Normally, the first arrestee should have a value of 01. But when there are multiple arrestees for the same incident, the next sequential number would be assigned by the participant. Submitting Arrestee Segments

with duplicate numbers will result in a Segment Already On File error message.

(**651**, 661, 751)

The corresponding error message and text should be added to the Error Numbers and Messages section on page 126:

651   **ARRESTEE DATA ALREADY EXISTS**

When a Group "A" Incident Report has two or more arrestees (Level 6), the identifying fields cannot contain a duplicate. In this case, two arrestee segments were submitted having the same entry in Data Element 40 (Arrestee Sequence Number).

Two additional error message numbers and their corresponding messages should be added to Volume 4. The following text should be added to the bottom of page 124:

618   **DATE CANNOT BE ON OR AFTER THE INACTIVE DATE [YYYYMMDD] OF THE ORI**

The UCR Program has determined that an ORI will no longer be submitting arrest data to the FBI as of an inactive date. No arrest data from this ORI will be accepted after this date.

The information below should be added to the bottom of page 130:

718   **DATE CANNOT BE ON OR AFTER THE INACTIVE DATE [YYYYMMDD] OF THE ORI**

The UCR Program has determined that an ORI will no longer be submitting arrest data to the FBI as of an inactive date. No arrest data from this ORI will be accepted after this date.

Conversion of NIBRS Data to Summary Data (September 1999)

The Group "A" offense of 09B Negligent Manslaughter was inadvertently excluded from the list of Part I offenses in the *Conversion of NIBRS Data to Summary Data* publication (September 1999), page iii. The corrected excerpt of page iii, with the offense of 09B Negligent Manslaughter shown in bold between the offense codes of 09A and 11A, appears below:

When converting NIBRS data to Summary data, only one offense is taken from each NIBRS incident. The offense to be reported is selected based on the Hierarchy Rule, which ranks Index offenses from high to low as follows:

NIBRS offense code: 09A - Murder and Nonnegligent Manslaughter
09B - Negligent Manslaughter
11A - Forcible Rape
120 - Robbery
13A - Aggravated Assault
220 - Burglary/Breaking and Entering
23A-23H - Larceny-theft
240 - Motor Vehicle Theft*

* When it is necessary to choose between larceny-theft and motor vehicle theft in classifying, select motor vehicle theft. See the *Uniform Crime Reporting Handbook*, Summary edition, page 35, problem 4.

An exception to the rule is arson (offense code 200) if listed. In those situations where an arson occurs in conjunction with one or more additional offenses, the arson is reported and the Hierarchy Rule is applied to the remaining Index crimes.

In addition, it has come to the attention of the national Program that some clarification is needed concerning the conversion of the Group "A" offense of 09B Negligent Manslaughter. The *Uniform Crime Reporting Handbook*, Summary edition (1984), states, "The Crime Index is comprised of all of the Part I offenses with the exception of **manslaughter by negligence (class 1.b)**" (emphasis added) (page 5). Accordingly, though the offense of 09B Negligent Manslaughter is entered into the Summary Return A Master File during the conversion process, it will not be included in the agency's Crime Index.

UCR *State Program Bulletin* 01-2, August 2001

Selecting Property Description Values for Motor Vehicles

The national UCR Program staff have noted some discrepancies with the proper assignment of certain types of motor vehicles within the established Summary and National Incident-Based Reporting System (NIBRS) categories. Some of the vehicles in question include pickup trucks; pickup trucks with campers; vans; minivans; sport utility vehicles; and some automobile derivative vehicles such as Ranchero, El Camino, Caballero, Brat, etc.

The Summary Reporting System *Uniform Crime Reporting Handbook* (1984) provides the following definitions for three categories of stolen motor vehicles (page 28):

> **7.a. Autos**
> Include in this category the thefts of all sedans, stationwagons [*sic*], coupes, convertibles, and other similar motor vehicles which **serve the primary purpose of transporting people from one place to another**. Also include automobiles used as taxis. (Emphasis added.)

> **7.b. Trucks and Buses**
> This breakdown includes those vehicles **specifically designed to transport people on a commercial basis and to transport cargo**. Include pickup trucks and vans regardless of their use. In UCR, the self-propelled motor home is a truck. Some states allow a stationwagon [*sic*] to be registered as a truck; however, licensing should not be a determining factor and this vehicle for UCR purposes would be classified as an auto. (Emphasis added.)

> **7.c. Other Vehicles**
> This category includes all other motor vehicles limited by the UCR definition, such a[s] snowmobiles, motorcycles, motor scooters, trailbikes [*sic*], mopeds, golf carts, etc. Obviously, unique situations will arise. The classifier's decision must be based on the results of law enforcement investigation and on UCR standards.

The following excerpts from pages 83-85 of NIBRS Volume 1: *Data Collections Guidelines* (August 2000) define property description values used for motor vehicles in NIBRS.

> 03 = <u>Automobiles</u> (sedans, coupes, station wagons, convertibles, taxicabs, and other similar motor vehicles that **serve the primary purpose of transporting people**) (Emphasis added.)

> 05 = <u>Buses</u> (motor vehicles that are specifically designed, but not necessarily used, to transport groups of people on a commercial basis)

24 = <u>Other Motor Vehicles</u> (any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, golf carts)

28 = <u>Recreational Vehicles</u> (motor vehicles that are specifically designed, but not necessarily used, to transport people and also provide them temporary lodging for recreational purposes)

37 = <u>Trucks</u> (motor vehicles which are **specifically designed, but not necessarily used, to transport cargo**) (Emphasis added.)

In response to the difficulties noted in properly assigning certain types of motor vehicles, the national UCR Program has established the guidelines below to aid agencies in properly selecting the motor vehicle/property description value:

Pickup trucks and pickup trucks with campers should be classified as 37 = Trucks, as they meet the definition *specifically designed, but not necessarily used, to transport cargo*.

Full-size vans, both regular wheelbase and extended wheelbase, may be classified into either 05 = <u>Buses</u>, 28 = <u>Recreational Vehicles</u>, or 37 = <u>Trucks</u> *depending upon their configuration, i.e., vans with rows of seats (buses), custom vans with temporary lodging accommodations (recreational vehicles), and work vans with primarily cargo areas (trucks).*

Minivans should be classified as 03 = <u>Automobiles</u>, as they meet the definition *that serve the primary purpose of transporting people*. This classification also includes automobiles used as taxis; sport-utility vehicles, such as Blazers, Broncos, Suburbans, etc.; and automobile derivative vehicles, such as Ranchero, El Camino, Caballero, Brat, etc.

NIBRS Property Descriptions for Vandalized Vehicles

Note: The following information supercedes the procedure for reporting Data Element 15 Property Description involving vandalism of a motor vehicle as described in the UCR *State Program Bulletin* 99-3, December 22, 1999; however, it does not affect the reporting procedures given for incidental damage. The referenced passage can be found on page 4, under Incidental Damage, where a smashed vehicle passenger side window was reported as 38 = Vehicle Parts/ Accessories.

When officers report vandalism of an auto, including breaking of the windshield and keying the car, they should use the code of the actual vehicle, i.e., 03 = <u>Automobiles</u>, 05 = <u>Buses</u>, 24 = <u>Other Motor Vehicles</u>, 28 = <u>Recreational Vehicles</u>, or 37 = <u>Trucks</u> because it is a better property description than 38 = <u>Vehicle Parts/Accessories</u>.

By using the actual vehicle type as the property description when a vehicle is vandalized, one makes a specific logical inference that *vehicle parts* of the automobile, truck, bus, recreational vehicle, or other motor vehicle were vandalized. When the property description is 38 = <u>Vehicle Parts/Accessories,</u> one cannot determine whether the vandalized parts and accessories were specifically from an automobile, truck, bus, recreational vehicle, or other motor vehicle. Hence, reporting agencies should use the most specific vehicle description instead of the description 38 = <u>Vehicle Parts/Accessories</u>.

UCR *State Program Bulletin* 01-3, December 2001

NIBRS and the Current Submission of Law Enforcement Officers Killed and Assaulted (LEOKA) Data

LEOKA data cannot be completely obtained from the existing 53 NIBRS data elements, since additional data are needed that are not contained on the Group "A" Incident Report segments. NIBRS Volume 2: *Data Submission Specifications* (May 1992), pages 36-38, provides instructions for submitting LEOKA data on magnetic media. To ensure that LEOKA data are accurate and complete, the state's monthly submission should include a record for each law enforcement agency to indicate the actual number of officers assaulted or zero officers assaulted. This is of further importance because in the annual publication *Law Enforcement Officers Killed and Assaulted* national and state officer assault data include those contributors who have submitted 12 months of officer assault data and police employee statistics. However, if state UCR Program managers do not receive any indication from a law enforcement agency that an officer assault did or did not occur, then they should not generate a LEOKA report and forward it to the national UCR Program for that agency.

Future LEOKA Submissions via NIBRS

Effective June 1, 2002, the national UCR Program will begin collecting LEOKA data at the incident level via NIBRS through three new data elements and a series of new data codes. In response to the need for an improved NIBRS collection method of LEOKA data, several state UCR Program managers reviewed the proposed format and arrived at a consensus to adopt it as a new record layout. Though this collection will eliminate the use of Form 1-705, "Law Enforcement Officers Killed or Assaulted," it will not replace the need to submit the Form 1-701, "Analysis of Law Enforcement Officers Killed and Assaulted." The national Program encourages all NIBRS agencies to report LEOKA data in the new NIBRS format. However, the FBI will continue to accept LEOKA data on magnetic media according to the instructions in the LEOKA section of NIBRS Volume 2: *Data Submission Specifications* (May 1992), pages 36-38, until such time as state and local agencies can meet this guideline. Reporting agencies should note that the LEOKA reporting method, i.e., use of the new NIBRS format (with the new elements) or the other LEOKA data record (specified in Volume 2) must be consistent among all reporting agencies within a state. Therefore, either **all or none** of the agencies who report NIBRS data within a state must report LEOKA data via the new NIBRS format for the victim segment, which is outlined below. (Modifications to the affected NIBRS volumes are forthcoming.)

4. Victim Segment (original format in NIBRS Volume 1: *Data Collection Guidelines* [August 2000], page 62)

Victim Segments are used to describe the victims involved in the incidents (e.g., their age, sex, and race). A separate Victim Segment should be submitted for each of the (up to 999) victims involved in the incident. There must be at least one Victim Segment in each incident report.

The data elements used in the Victim Segment follow:

> [1 ORI Number]
> [2 Incident Number]
> 23 Victim (Sequence) Number
> 24 Victim Connected to UCR Offense Code(s)
> 25 Type of Victim
> ***25A Type of Activity (Officer)/Circumstance**
> ***25B Assignment Type (Officer)**
> ***25C ORI–Other Jurisdiction (Officer)**
> 26 Age (of Victim)
> 27 Sex (of Victim)
> 28 Race (of Victim)
> 29 Ethnicity (of Victim)
> 30 Resident Status (of Victim)
> 31 Aggravated Assault/Homicide Circumstances
> 32 Additional Justifiable Homicide Circumstances
> 33 Type Injury
> 34 Offender Numbers(s) to be Related
> 35 Relationship(s) of Victim to Offender(s)

> ***Denotes new data elements to capture LEOKA data.**

New data codes for Data Element 25 (original text in NIBRS Volume 1: *Data Collection Guidelines* [August 2000], page 91), as well as explanations of the new data elements, their new codes, and applicable examples follow.

25 Type of Victim - one character (A): The type of victim should be entered into this data element. Only one code should be entered for each victim.

> Allowed entries: (Enter only one.)

> I = <u>Individual</u>
> B = <u>Business</u>
> F = <u>Financial Institution</u>
> G = <u>Government</u>
> R = <u>Religious Organization</u>
> S = <u>Society/Public</u>
> ***L = <u>Law Enforcement Officer</u> (only valid for offenses 09A, 13A, 13B, and 13C)**
> O = <u>Other</u>
> U = <u>Unknown</u>

> ***Denotes new code to capture LEOKA data.**

Since all of the codes and examples for the new data elements are also new, they are not being emphasized from this point forward.

*25A Type of Activity (Officer)/Circumstance - two characters (A): Each time a law enforcement officer is assaulted in the line of duty, the reporting agency should determine the appropriate code (1-11) that corresponds to the type of activity in which the officer was engaged at the time of assault.

Allowed entries: (Enter only one.)

> 01 = Responding to Disturbance Call (Family Quarrels, Person with Firearm, Etc.)
> 02 = Burglaries in Progress or Pursuing Burglary Suspects
> 03 = Robberies in Progress or Pursuing Robbery Suspects
> 04 = Attempting Other Arrests
> 05 = Civil Disorder (Riot, Mass Disobedience)
> 06 = Handling, Transporting, Custody of Prisoners
> 07 = Investigating Suspicious Persons or Circumstances
> 08 = Ambush–No Warning
> 09 = Mentally Deranged
> 10 = Traffic Pursuits and Stops
> 11 = All Other

*25B Assignment Type (Officer) - one character (A): Code F (Two-Officer Vehicle) and codes G and H (One-Officer Vehicle) pertain to uniformed officers; codes I and J (Detective or Special Assignment) to nonuniformed officers; and codes K and L (Other) to officers assaulted while in other capacities, such as foot patrol, off duty, etc. The term "assisted" refers to law enforcement assistance only.

Allowed entries: (Enter only one.)

> F = Two-Officer Vehicle
> G = One-Officer Vehicle (Alone)
> H = One-Officer Vehicle (Assisted)
> I = Detective or Special Assignment (Alone)
> J = Detective or Special Assignment (Assisted)
> K = Other (Alone)
> L = Other (Assisted)

*25C ORI–Other Jurisdiction (Officer) - nine characters (A): This is the unique nine-character Originating Agency Identifier (ORI) Number that has been assigned to each agency by the National Crime Information Center. If a law enforcement officer is killed or injured in the line of duty in a jurisdiction other than his own, the law enforcement agency having jurisdiction should report the law

enforcement officer killed or assaulted using Data Element 25C to identify the ORI of that law enforcement officer's agency. No entry is required if the officer is assaulted in his own jurisdiction.

Example: On May 2, 2001, a law enforcement officer working in conjunction with a state narcotics task force in a jurisdiction outside his own duty assignment was shot in the arm while serving a warrant on an individual known to be operating a methamphetamine lab. In reporting the incident, the agency covering the jurisdiction in which the incident occurred should indicate Data Element 25C = ORI–Other Jurisdiction because the law enforcement officer was assaulted in the line of duty outside his regularly assigned jurisdiction.

Conversion Procedures for LEOKA Data Submitted via the New NIBRS Format
Currently, the national UCR Program converts all NIBRS data for each agency to the Summary format. Once agencies report their LEOKA data using the new NIBRS format, the national Program will also convert those data from NIBRS to Summary. Contributors should also note that the national Program will not convert incidents containing an Intimidation (13C) for LEOKA from NIBRS to Summary data. The guidelines explained in the *Uniform Crime Reporting Handbook*, NIBRS Edition (1992), state, "Count all assaults which resulted in serious injury or in which a weapon was used which could have caused serious injury or death. Other assaults not causing injury should be included if they involved more than mere verbal abuse or minor resistance to an arrest" (page 63). Additional conversion specifications will be included when the *Conversion of NIBRS Data to Summary Data* manual is revised.

Hate Crime Publication Procedures for Data Reported via NIBRS

When law enforcement agencies in a state use NIBRS Data Element 8A to indicate bias motivation, the national UCR Hate Crime Data Collection Program considers the agencies to be participants in the Program and publishes data submitted by the agencies in the annual publication *Hate Crime Statistics*.

The following procedures are a composite of the processing rules the UCR computer system uses to capture hate crime data from the NIBRS database (direct references follow):

- If at least one agency in a state uses NIBRS Data Element 8A in a single data submission, then all agencies in the same submission must use the data element; otherwise, the computer will reject the submission.

- If a state elects not to use NIBRS Data Element 8A, then it must not include positions 62 and 63 of the Level 2-Offense Segment in a data submission. The computer will reject a submission when the physical length of any Offense Segment includes positions 62 and 63 and those fields are blank.

- The computer captures NIBRS incident data in which the submitting agency has coded Data Element 8A in at least one Offense Segment within the incident as being bias motivated. Only offenses coded as bias motivated are included in the hate crime record.

Applicable References:

NIBRS Volume 4: *Error Message Manual* (December 1999), page 26

> Once a [NIBRS] participant has added this data element [8A] into the Offense
> Segment (Level 2), the field becomes mandatory and cannot be blank.
> Conversely, if the participant has not yet adopted the data element, then the
> FBI's computer will not reject the submission.
>
> Rejection only occurs when the physical length of the Offense Segment includes
> the two-character field and it is blank.

NIBRS Volume 2: *Data Submission Specifications* (May 1992), page 54

> [NIBRS] [d]ata bases that have not adopted "8A" will not be required
> to submit this data element. These two positions [62 and 63] on the
> record can be ignored by writing the record as "61" bytes instead of
> "63." When "8A" is included, one of the . . . codes [Valid Codes:
> 11-15, 21-27, 31-33, 41-45, 88, and 99] must be entered.*
>
> * The national Program has updated the policy on which this excerpt is based.
> Valid codes no longer include Bias Motivation Code 31, Anti-Arab.

Notification of Rejection and Resulting Error for the Use of an Invalid Bias-Motivation Code

In the July 2001 *State Program Bulletin*, the national UCR Program noted that a few states are using
an invalid code of 31 to indicate Anti-Arab as an Ethnicity/National-Origin Bias when submitting Hate
Crime Incident Report Forms and NIBRS Data Element 8A, Bias Motivation. Though the Program
currently converts the improperly coded data to 33 for Anti-Other Ethnicity/National Origin, it advised
via the July bulletin that programming changes would be forthcoming. Those changes, as they relate to
the various methods of submission, follow:

Hate Crime Hard Copy Program–Effective immediately, the national UCR Program
will permanently convert all previous submissions involving code 31 incidents to code
33. The national Program will reject new incidents containing code 31, and the agency
must resubmit the data using the most appropriate code.

**Hate Crime Disk, Summary, and NIBRS Computerized Collection
Programs**–Effective immediately, the national UCR Program will permanently convert
all previous submissions involving code 31 incidents to code 33. The national Program
will convert submissions with invalid codes made now through December 31, 2002, to
code 33 and issue a warning message to the contributor stating that the data have been
changed. Effective January 1, 2003, at the conclusion of the 1-year conversion period,

the Program will reject any new incidents containing code 31 and issue an error
message to the contributor stating that the code is invalid. Consequently, the agency
must resubmit the data using the most appropriate code.

A complete list of accepted codes for bias motivation types can be found on the Hate Crime Incident
Report Form (July 23, 1996) and in NIBRS Volume 1: *Data Collection Guidelines* (August 2000),
page 74, under Data Element 8A.

UCR *State Program Bulletin* 02-1, March 2002

Scoring Offenses in Which "Date Rape" Drugs are Used

A local law enforcement agency recently asked for clarification on proper scoring, according to UCR definitions, of two scenarios involving a date rape drug.

The Summary system defines forcible rape as "the carnal knowledge of a female forcibly and against her will" (*Uniform Crime Reporting Handbook,* 1984, page 10).

The NIBRS definition of forcible rape is:

> The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth) (*UCR Handbook,* NIBRS Edition, 1992, page 21).

Scenario #1: A male slipped a date rape drug into a woman's drink. Before he could lure the victim away from her friends, however, someone noticed what he had done and summoned the police. A police officer found the drug and the identity of the suspect. He determined that the suspect had administered the date rape drug with the intent to incapacitate the woman and commit a sexual assault.

Because the offender used the date rape drug to physically incapacitate the woman and intended to commit a sexual act "forcibly" and "against her will," the reporting agency should classify the offense as an attempted forcible rape. Agencies that report data via the Summary system should, "Score one offense for each female raped or upon whom an assault to rape or attempt to rape has been made" (*UCR Handbook,* 1984, page 10). Agencies that report data via NIBRS should capture Data Element 6, UCR Offense Code, as 11A Forcible Rape, and enter Data Element 7, Offense Attempted/Completed, as A = <u>Attempted</u>.

Scenario #2: An officer ascertained that a male had slipped a date rape drug into a woman's drink, but he was unable to determine the perpetrator's intent.

Because the investigating officer was unable to determine the suspect's intention, the incident cannot be counted as an attempted rape. Since the UCR Program considers a date rape drug as a poison and poisoning is among the offenses included in aggravated assault, this offense should be classified as an aggravated assault. (See *UCR Handbook,* 1984, page 16.)

Removal of Recommendation Five for Easing the Implementation Standards for NIBRS Requirements

At its December 2001 meeting, the CJIS Advisory Policy Board voted to remove Recommendation Five of the standards for easing NIBRS implementation.

Background: In December 1998, the FBI adopted five recommendations that had been submitted and accepted through the CJIS Advisory Process. The aim of these recommendations was to ease the implementation of NIBRS for local agencies that had difficulty complying with full NIBRS implementation requirements. Based on the impact to their individual systems, state UCR Program managers and local agencies could adopt none, some, or all of the recommendations.

Recommendation Five allowed agencies to treat the following Group A offenses as if they were Group B offenses, reporting an incident number and the data elements that describe the arrestee and the circumstances of the arrest, i.e., Group B arrest reports.

Drug/Narcotic Offenses
- Drug/Narcotic Violations (35A)—This would require agencies to also report Data Element 12, Type Criminal Activity, and Data Element 20, Drug Type.
- Drug Equipment Violations (35B)

Gambling Offenses
- Betting/Wagering (39A)
- Operating/Promoting/Assisting Gambling (39B)
- Gambling Equipment Violations (39C)
- Sports Tampering (39D)

Pornography/Obscene Material (370)

Prostitution Offenses
- Prostitution (40A)
- Assisting or Promoting Prostitution (40B)

Weapon Law Violations (520)

The intent of the relaxed implementation standards was to promote agency participation in NIBRS. However, when agencies applied this recommendation to their reporting practices, the agencies found that the operational information being eliminated was critical to their efforts to conduct effective community policing and allocate resources appropriately.

Furthermore, state Program managers collecting NIBRS data reported that as agencies within their state considered participating in NIBRS, Recommendation 5 was problematic. Not only did the agencies lose valuable operational information, but their implementing the recommendation created system incompatibilities between the local agencies' and the state Program's.

System modifications will be published in future *State Program Bulletins.*

UCR *State Program Bulletin* 02-2, July 2002

New National Incident-Based Reporting System (NIBRS) Coordinator Announced
Effective July 19, 2002, Mr. Gregory S. Swanson assumed the responsibility as the national UCR Program's NIBRS Coordinator. In supporting the Program's vision for increasing NIBRS implementation and participation, Mr. Swanson will liaise with personnel both internal and external to the FBI for the purpose of coordinating NIBRS issues with the Regional Working Groups, the UCR Subcommittee, and the CJIS Advisory Policy Board. Mr. Swanson, a Management Analyst in the FBI's Education/Training Services Unit, replaces Mr. Christopher L. Enourato.

Bias Motivation Code 99 in Data Element 8A
A review of NIBRS data has revealed that there is a relatively high number of incidents submitted with a bias motivation code of 99 = Unknown in Data Element 8A as opposed to incidents indicating a specific bias motivation (codes 11-52) or no bias motivation (88 = None). In the 2000 data, for example, over 142,000 incidents were coded as unknown, but only 8,063 incidents were coded and subsequently published as having been motivated by some type of bias. So far, two factors have been identified in contributing to the high number of unknowns:

1) NIBRS software defaulting to 99 = Unknown.
2) A misunderstanding as to the intent and utility of 99 = Unknown.

In some cases, NIBRS software has been programmed to default to code 99 = Unknown when data entry personnel skip Data Element 8A, Bias Motivation. Currently, the national UCR Program is working with states that are known to have this problem to initiate programming changes with their NIBRS software.

Regarding the proper use of code 99 = Unknown, page 75 of NIBRS Volume 1: *Data Collection Guidelines,* (August 2000) states that ". . . incidents that do not involve any facts indicating biased motivation on the part of the offender are to be reported as 88 = None, whereas incidents involving ambiguous facts (some facts are present but are not conclusive) should be reported as 99 = Unknown."

Statistical reasonableness checks allow that the presence of bias motivation is undeterminable in a very small percentage of incidents, which includes those under current investigation. However, the high percentage of unknowns submitted by some agencies indicates that the agency is not modifying its reports with the final results of the investigations (to show 88 = None or a specific bias motivation, codes 11-52), their investigations are inconclusive, or perhaps they are using the code as a means to avoid determining the presence or absence of bias motivation altogether.

The original intent of bias motivation code 99 = Unknown is to allow an agency the opportunity to report a crime in which bias motivation is suspected until a final decision has been made and to report those instances in which the presence of bias motivation is inconclusive. Once the incident reports are

modified to indicate the results of subsequent investigations and hate crime data are finalized with year-end totals, reporting agencies should have few, if any, hate crime offenses coded with 99 = Unknown.

The national UCR Program has contacted state UCR Program managers in the states affected by excessive use of 99 = Unknown and has requested follow-up with the reporting agency(ies) so the offenses in question can be updated when possible to indicate whether or not a bias-motivated offense occurred. Careful use of code 99 will enable law enforcement to report bias-motivated criminal offenses more accurately.

Future LEOKA Submissions via NIBRS

In the December 2001 *State Program Bulletin,* the national UCR Program announced that it would begin collecting LEOKA data at the incident level via NIBRS on June 1, 2002, through three new data elements and a series of new data codes. Due to programming delays, however, the national Program has postponed adopting the new format and has established the following alternate LEOKA submission dates:

1. TEST DATA–Beginning October 1, 2002, the national UCR Program will begin accepting the new LEOKA format in NIBRS as test data.

2. PRODUCTION DATA–Effective January 1, 2003, the national UCR Program will enter the new LEOKA data submissions into the NIBRS 2003 Master File and will subsequently use the data for analyses and publication purposes.

State UCR Program managers are reminded that the LEOKA reporting method, i.e., use of the new NIBRS format (with the new LEOKA data elements and codes) *or* the older LEOKA data record (specified in NIBRS Volume 2: *Data Submission Specifications* [May 1992], pages 36-38) must be consistent among all reporting agencies within a state. An addendum to the NIBRS volumes that will provide program modifications for reporting LEOKA data with the new NIBRS data elements will be mailed to the state NIBRS agencies this fall.

Developments in the NIBRS now Available On-Line

As law enforcement agencies make the Summary-to-NIBRS transition, they have called upon several different vendors to develop incident-based systems that comply with the national UCR Program's standards yet accommodate their agency's unique requirements. Though the FBI's UCR Program keeps agencies up to date of the NIBRS programming changes through periodically disseminating UCR *State Program Bulletins,* many agencies requested a way to ensure that the same information (minus the business of the Program) is available to the vendors. In response to these requests, the national Program has compiled a web document entitled *Developments in the NIBRS,* which includes excerpts from UCR *State Program Bulletins* that provide a historical perspective of the evolution of NIBRS including procedural changes, reporting clarifications, and policy additions that have occurred from 1999 to present. **Note: The excerpts are presented as they were originally published in the** *State Program Bulletin***. However, subsequent excerpts may have additions, deletions, or**

clarifications to those from earlier bulletins. Therefore, users are urged to read the document in its entirety before making any programming changes. The document, which will be updated as needed, can be found at **www.fbi.gov/ucr/ucr.htm**. From that site, users can download Adobe Acrobat 5.0 in order to view the portable document file of *Developments in the NIBRS*.

UCR *State Program Bulletin* 02-3, October 2002

Duplicate Hate Crime Submissions

In some instances, when a state Program is in transition from summary reporting to NIBRS or the state has both summary and NIBRS agencies, the state UCR Program is submitting hate crime incidents with specific incident numbers on the state's NIBRS tape, then resubmitting the same incidents with slightly different incident numbers on the Hate Crime Incident Report forms (paper). Because the incident numbers differ (even if only slightly), the computer system does not recognize that the incidents are already in the hate crime database and enters the incidents a second time, resulting in duplications. State UCR Program managers should note that incidents submitted on the NIBRS tape *should not* be resubmitted on paper forms.

UCR *State Program Bulletin* 03-2, July 2003

Binary Entry for the Collection of LEOKA Data via NIBRS

In October 2002, the national Uniform Crime Reporting (UCR) Program disseminated to all state UCR Program managers and posted on the FBI's Internet site the *NIBRS Addendum for Submitting LEOKA Data.* The addendum provides new and modified National Incident-Based Reporting System (NIBRS) data values, entry requirements, error messages, and programming changes to collect Law Enforcement Officers Killed and Assaulted (LEOKA) data according to the procedures in the context of the current NIBRS manuals.

Recently, it has come to the attention of the national Program staff during discussions with state UCR Program managers that further clarification is needed regarding the use of the Record Descriptor Word, Record Positions 1-4 of the Victim Segment, e.g., pages 6 and 14 of the addendum.

As stated in the first paragraph on page 1 of the *NIBRS Addendum for Submitting LEOKA Data*, "Reporting agencies should note that the LEOKA reporting method, i.e., use of the new NIBRS format (with the new elements) or the original LEOKA data record for NIBRS (specified in Volume 2) must be consistent among all reporting agencies within a state. Therefore, either **all or none** of the agencies that report NIBRS data within a state must report LEOKA data via the new NIBRS format for the victim segment."

Therefore, when a state UCR Program implements programming changes in order to collect LEOKA data in the new NIBRS format from contributing law enforcement agencies within the state, the state must use the BINARY value 141 in positions 1-2 and BINARY zeros in positions 3-4 within Level 4 of each Victim Segment of each agency's submission. Additionally, all of the Victim Segments for each agency in the state's future submissions must have a length of 141, regardless of the Victim Type. By entering the mandatory BINARY value 141 within each Victim Segment, the state is verifying each agency's participation in LEOKA reporting and specifying that the agency is reporting either an actual officer assault occurred or no assault on an officer occurred within that incident. Conversely, all NIBRS states and all of their respective contributing law enforcement agencies that do not adopt the new NIBRS format for their LEOKA data should continue to use the Binary value 129 in positions 1-2 within Level 4 of the Victim Segment.

Prior to using the new format to submit LEOKA data as part of a state's NIBRS data submission, state Program managers should notify their NIBRS point of contact in the FBI's Crime Statistics Management Unit. The national Program staff will then process the state's initial data submissions as test data, ensuring that the appropriate programming changes as specified in the *NIBRS Addendum for Submitting LEOKA Data* have been made.

UCR *State Program Bulletin* 03-4, October 2003

Duplication of Hate Crime Submissions from NIBRS Agencies

Duplicate hate crime submissions most often occur when a state Program is in transition from summary reporting to reporting via NIBRS or the state has agencies submitting both summary and NIBRS data. For example, the state UCR Program submits a NIBRS tape on which all of the incidents, hate crimes as well as those that are not bias motivated, have unique incident numbers assigned to them by the reporting agency to identify the incidents. Then, the state Program resubmits the hate crime incidents on the Hate Crime Incident Report form (paper) with slight variations of the incident numbers on its tape submission. Because the incident numbers differ (even if only slightly), the national Program's computer system is unable to recognize that the incidents are already in the hate crime database and enters the incidents a second time. This results in duplicate submissions. State UCR Program managers should **not** resubmit hate crime incidents on paper forms that have already been included on their NIBRS tape submissions. Any questions regarding hate crime incident submissions should be directed to Ms. Mary Pat Reese of the CSMU.

UCR *State Program Bulletin* 04-2, May 2004

Bias Motivation Code 99 in Data Element 8A

The national UCR Program had been receiving a large number of offenses from agencies that submit data via NIBRS that have a bias motivation code of 99 = Unknown in Data Element 8A when compared to offenses indicating a specific bias motivation code (codes 11-52) or no bias motivation (88 = None). As a result, the national Program personnel have been contacting state UCR Program managers in those states that submit an excessive number of offenses coded as bias motivation code 99 = Unknown and have been requesting that the state follow-up with the local reporting agency. This has had a positive result, for the number of offenses coded with bias motivation 99 = Unknown has dropped by approximately 50 percent within the last 2–3 years. The national Program appreciates the efforts of the state Program managers and local reporting agencies in their commitment to accurate hate crime reporting.

Procedural Change for Converting NIBRS Data to Zero Hate Crime Data

Currently, the national UCR Program's data processing procedure converts an agency's NIBRS incidents coded as 88 = None and/or 99 = Unknown to zero hate crimes. This conversion program excludes the Zero-Reporting Segment Level and Group B arrest data.

The national Program has identified three problems with this procedure:

- In hate crime statistical analysis, all data have value—including zero data, incident data, and unknown data. The current procedure converts unknown data to zero data and nullifies the value of the unknown data.

- The conversion program populates the hate crime database with zeros even when an agency has not submitted current-year NIBRS data. This occurs because the NIBRS database is open for current-year and previous-year submissions.

- When determining if an agency has hate crime zero data, the conversion program excludes the NIBRS zero-reporting record or the Group B Arrest Report, both of which are indicators that the agency had no offense data to report.

Therefore, beginning with the data for *Hate Crime Statistics, 2003,* the national Program is implementing the following data processing changes to the NIBRS conversion process:

- When a NIBRS agency submits only 99 = Unknown in the bias motivation field, the system will not enter zeros for that agency's hate crime record. Consequently, agencies reporting all NIBRS data with the bias motivation code 99 = Unknown will not be listed in the publication *Hate Crime Statistics*, Table 14, "Zero Hate Crime Data

Submitted." The national UCR Program will, however, continue to consider that NIBRS agency as participating in the hate crime data collection program.

- Current-year zero hate crime data will be based on same-year NIBRS data submissions (e.g., 2003 hate crime data will be based on 2003 NIBRS data submissions).

- The NIBRS submissions will be converted to zero hate crime data quarterly. An agency must submit at least 1 month of NIBRS data during a quarter for the national Program to consider the agency as participating in the hate crime program for that quarter.

- The Zero-Reporting Segment Level and the Group B Arrest Report will be reviewed when converting NIBRS submissions to zero hate crime data. An agency must submit at least 1 month of NIBRS data during a quarter for the national Program to consider the agency as participating in the hate crime data collection program for that quarter.

Web Document for NIBRS Vendors Updated

The national Program asks state and local agencies to inform their vendors that Program staff have recently updated the Web document entitled *Developments in the NIBRS*. This document was initially published on the Internet in July 2002 to keep vendors informed of NIBRS programming changes. The document, which can be found at <www.fbi.gov/ucr/ucr.htm>, includes excerpts from UCR *State Program Bulletins* that provide a historical perspective of the evolution of NIBRS including procedural changes, reporting clarifications, and policy additions that have occurred from 1999 to April 2004. **The national Program asks agencies to caution their vendors to read the document in its entirety before making any programming changes. The excerpts are presented as they were originally published in the *State Program Bulletin,* and subsequent excerpts may have additions, deletions, or clarifications to those from earlier bulletins.**

UCR *State Program Bulletin* 04-3, August 2004

Calculating Trends in National Incident-Based Reporting System Data
The staff of the national UCR Program review and trend data submitted via the National Incident-Based Reporting System (NIBRS) to ensure data quality. The Program also publishes trend data in its various crime reports. (For NIBRS data to be published in the *Preliminary Semiannual* and *Annual Uniform Crime Reports*, the national Program extracts NIBRS data representing each agency's Part I offenses at 6- and 12-month intervals and converts them to summary data.) When trending NIBRS data submitted by NIBRS-certified state Programs and certified agencies of non-Program states, the FBI's CSMU NIBRS staff use the following processes at 6-month and 12-month intervals:

- Initially, the staff review Group A offenses to ensure that the data are reasonable, i.e., likely to have occurred given the offense and the circumstances surrounding the incident. The staff also look for an invalid "none," i.e., an indication of false reporting that the system generates when an agency actually filed only a Group B arrest report for the period, or a monthly offense count that is significantly higher or lower than the agency's typical offense count for the specified time period. The staff also review the number (and type) of premises entered for the agency's burglary offense total to prevent the volume of burglaries from being falsely elevated when the NIBRS numbers are converted to summary totals for publication. (The staff ensures that the Hotel Rule is applied properly in the conversion process.) If the NIBRS staff find invalid or questionable data, they manually remove the data so that the staff can perform a more accurate comparison with the valid data of the common months.

- Next, the staff measure the data for violent crimes (murder and nonnegligent manslaughter; forcible rape; robbery; and assault, both aggravated and simple) and property crimes (burglary, larceny-theft, motor vehicle theft, and arson) from the two reporting periods to ensure that the offense trends fall within acceptable norms.

    Percent Change: The staff derive the volume trends for violent crime offenses and property crime offenses by running standardized programs on the UCR database that (1) subtract the previous year's figure from the current year's figure, (2) divide the difference by the previous year's figure, and (3) multiply that number by 100. Typically, a comparison of violent crime from one reporting period to the next yields a volume change ranging from minus 15 percent to plus 15 percent. A comparison of property crimes from one reporting period to the next usually yields a volume change ranging from minus 25 percent to plus 25 percent. Upon receiving the trend printouts, the NIBRS staff flag unusually high fluctuations in violent or property crime, i.e., those percent changes that exceed the standard ranges, to analyze the data further.

    Z-score: The staff calculate the z-score for violent crime offenses and property crime offenses by running standardized programs on the UCR database that (1) subtract the

previous year's figure from the current year's figure and (2) divide the difference by the square root of the previous year's figure plus the current year's figure. The critical value of the z-score may fluctuate plus or minus 3 from the mean figure. The NIBRS staff flag scores that fall outside of the acceptable range for further review.

Independent Analysis: To use the percent change and the z-score as the sole indicators of whether or not an agency's data are in trend is limiting; therefore, the NIBRS staff also consider the population of the agency's jurisdiction, the type of offense, and the month-to-month reported variations of data before making this determination.

- If the NIBRS staff note that an agency's data are out of trend, they send the agency a trend letter and provide a data listing noting the discrepancies. The staff request the agency to either verify the data on file or submit corrections. Though many questioned data turn out to be actual increases or decreases in the number of reported offenses, potential reasons for erroneous data include mistakes in data entry, underreporting, data transfer errors that may occur when a state aggregates its local agencies data into one state submission, incomplete data, vendor issues, or computer problems.

- When the state Program (on behalf of its agency[ies]) responds to the letter and verifies that the increase or decrease in its data submission was caused by a major fluctuation in criminal activity, the CSMU staff file the response for future reference if anyone questions the data. If a state Program discovers that its data are erroneously out of trend or incorrect, the state Program or the agency must supply the CSMU with electronic adjustments; unlike summary reporting, the NIBRS does not allow the FBI to make manual adjustments to the master files after the data have been electronically processed.

- In addition to sending state UCR Programs a listing of Part I offense trends, the NIBRS staff provide the Comparative Report by Agency. This report furnishes aggregated crime counts for all NIBRS Group A offenses that are maintained by the national Program for current and previous years' data, the percent change in crime levels from one reporting period to the next, and the z-score. These data provide an opportunity for the agency to identify any inaccurate crime totals as well as monitor data submissions, corrections, and current statistical counts. The comparative report is also a valuable resource for the agency if anyone questions its data.

State UCR Program managers requiring additional information on these procedures should contact the CSMU and ask to speak with their state's statistical assistant.