



## Modernizing Crime Statistics: Report 1: Defining and Classifying Crime

### DETAILS

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286 pages | 6 x 9 | PAPERBACK

ISBN 978-0-309-44109-4 | DOI 10.17226/23492

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# MODERNIZING CRIME STATISTICS

## Report 1—Defining and Classifying Crime

Panel on Modernizing the Nation's Crime Statistics

Janet L. Lauritsen and Daniel L. Cork, *Editors*

Committee on National Statistics  
Committee on Law and Justice

Division of Behavioral and Social Sciences and Education

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THE NATIONAL ACADEMIES PRESS

*Washington, DC*

[www.nap.edu](http://www.nap.edu)

THE NATIONAL ACADEMIES PRESS 500 Fifth Street, NW Washington, DC 20001

The project that is the subject of this report was supported by the Bureau of Justice Statistics, Office of Justice Programs, and the Federal Bureau of Investigation, via a grant from the National Science Foundation (No. SES-1024012) that permits a consortium of federal agencies to support the work of the Committee on National Statistics. Any opinions, findings, conclusions, or recommendations expressed in this publication do not necessarily reflect the views of the organizations or agencies that provided support for the project.

International Standard Book Number-13: 978-0-309-44109-4  
International Standard Book Number-10: 0-309-44109-9  
Digital Object Identifier: 10.17226/23492

Additional copies of this report are available from the National Academies Press, 500 Fifth Street, NW, Keck 360, Washington, DC 20001; (800) 624-6242 or (202) 334-3313; <http://www.nap.edu>.

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Printed in the United States of America

Suggested citation: National Academies of Sciences, Engineering, and Medicine. (2016). *Modernizing Crime Statistics—Report 1: Defining and Classifying Crime*. Washington, DC: The National Academies Press. doi:10.17226/23492.

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## Acknowledgments

THE PANEL ON MODERNIZING THE NATION'S CRIME STATISTICS is pleased to submit this first report on the classification of crime—an important first step in modernizing the collection of data on “crime in the United States”—and greatly appreciates the time and talent of those who have contributed to the panel's work.

Both of our sponsoring agencies—the Bureau of Justice Statistics (BJS) and the Criminal Justice Information Services (CJIS) Division of the Federal Bureau of Investigation (FBI)—committed considerable resources and attention to our study, for which we are greatly appreciative. BJS director William Sabol and deputy director Gerard Ramker provided constant support; we owe much to senior statistical advisor Allen Beck for his discussions of his participation with the United Nations Office on Drugs and Crime (UNODC) expert work group on crime classification; and we thank the other BJS staff who gave unyieldingly of their time, including Howard Snyder, Michael Planty, and Erica Smith. At CJIS, Amy Blasher provided valuable assistance and liaison to our panel as Uniform Crime Reporting (UCR) Program manager and Crime Statistics Management unit chief. Michelle Klimt was instrumental in the creation of this project during her time as chief of the CJIS Law Enforcement Support Section, and John Derbas has continued to provide assistance. We have also benefited from extensive interaction with statisticians James Noonan and Cynthia Barnett-Ryan. The U.S. Office of Management and Budget provided the essential encouragement for BJS and FBI to jointly sponsor this review; we are particularly grateful to Rochelle Martinez and the Statistical and Science Policy Office.

As we describe in detail in this report, we owe a great debt to the work of a UNODC expert work group established to draft an International Classification of Crime for Statistical Purposes. Angela Me, chief of the UNODC's Research and Trend Analysis Branch, traveled to speak to our panel in person at our

second meeting, and Michael Jandl (research officer in the Statistics and Survey Division) graciously stepped in on short notice to give a brief overview of the UNODC work by teleconference at our first meeting. We particularly appreciate Me's invitation to panel staff to participate in the UNODC work group's final pre-release meeting in May 2014 in Vienna.

Our gratitude is principally due to too many people to list in this space—so, in fact, we list them in Appendix B in the back matter of this report. That appendix carries with it a generic “Participant” list title, but we certainly intend for it to read as an extension of these acknowledgments. We benefited greatly from the thoughtful contributions of the wide array of experts and stakeholders who accepted our invitations to discuss issues with the panel, most through the workshop-style sessions we convened in summer 2014. We thank them again.

At our first meeting, we invited our sponsors to provide their own perspectives on the panel's work and its charge, and we also extended an invitation to several relevant professional organizations to do the same. This offer was accepted by John Firman, research director for the International Association of Chiefs of Police; Mary Beth Lombardo, research associate, on behalf of Bruce Kubu of the Police Executive Research Forum; and Stan Orchowsky, research director of the Justice Research and Statistics Association. We greatly appreciate their comments in launching our panel's work.

At the National Academies of Sciences, Engineering, and Medicine, Michael Siri provided expert and always considerate assistance in managing the logistics of this very active study panel. For a little over six critical months in 2015, the panel had the invaluable assistance of Seth Hauser, who took to a short-term assignment as senior program officer with gusto and deftly constructed the agenda for two of our panel meetings. In the first year of the panel's work, Edward Spar assisted with the identification of candidates for participation in our workshop-style sessions, and more recently program officer Jordyn White has assisted with our proceedings. Daniel Cork served as study director for this project and deserves special recognition. His skills for incorporating large amounts of technical and organizational data on crime statistics with insights from data users, providers, and panel members were inimitable and invaluable to the writing of this report.

This report has been reviewed in draft form by individuals chosen for their diverse perspectives and technical expertise, in accordance with procedures approved by the Report Review Committee of the National Academies of Sciences, Engineering, and Medicine. The purpose of this independent review is to provide candid and critical comments that will assist the institution in making the published report as sound as possible and to ensure that the report meets institutional standards for objectivity, evidence, and responsiveness to the study charge. The review comments and draft manuscript remain confidential to protect the integrity of the deliberative process. We thank the following individuals for their participation in the review of this report: Thomas Abt,

## ACKNOWLEDGMENTS

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Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University; Lynn A. Addington, Department of Justice, Law, and Criminology, American University; John J. Donohue, III, Stanford Law School, Stanford University; Fiona Dowsley, Chief Statistician, Crime Statistics Agency, Melbourne; Stephen E. Fienberg, Department of Statistics, Carnegie Mellon University; Jeff Godown, Chief of Police, Oakland Unified School District Police Department; Ruth D. Peterson, Department of Sociology, Ohio State University; Max Schleuter, The Crime Research Group of Vermont, Montpelier, VT; and Malcolm K. Sparrow, John F. Kennedy School of Government, Harvard University.

Although the reviewers listed above provided many constructive comments and suggestions, they were not asked to endorse the conclusions or recommendations nor did they see the final draft of the report before its release. The review of this report was overseen by Alfred Blumstein, The H. John Heinz III College of Public Policy and Information Systems, Carnegie Mellon University, and Philip J. Cook, Sanford School of Public Policy, Duke University. Appointed by the National Academies of Sciences, Engineering, and Medicine, they were responsible for making certain that an independent examination of this report was carried out in accordance with institutional procedures and that all review comments were carefully considered. Responsibility for the final content of this report rests entirely with the authoring committee and the institution.

Janet L. Lauritsen, *Chair*  
Panel on Modernizing the Nation's Crime Statistics



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## Summary

THE BUREAU OF JUSTICE STATISTICS (BJS) and the Federal Bureau of Investigation (FBI), at the suggestion of the U.S. Office of Management and Budget, jointly requested that the National Academies of Sciences, Engineering, and Medicine create this Panel on Modernizing the Nation's Crime Statistics. Our panel was given a detailed and broad charge to assess and make recommendations for the development of a modern set of crime measures in the United States and the best means for obtaining them. Specifically, the charge (the full text of which is in Appendix A) obliges our panel to pursue three major lines of inquiry:

- *Substantive*, developing a new classification of crime by weighing various perspectives on how crime should be defined and organized with the needs and demands of the full array of crime data users and stakeholders;
- *Methodological*, suggesting the best (conceptual) means of collecting data based on the suggested crime classification, including the integration of data on specific crime types from non-BJS or FBI sources and enabling the identification and measurement of emerging crime types going forward; and
- *Implementation*, recommending how crime data collection should actually proceed, practically and effectively, including suggesting how to leverage available information technology assets, accommodate the demands of crime data stakeholders, and moderate the burden placed on crime data providers.

This first report from the panel addresses the first plank of this charge, deferring detailed discussion of methodological and implementation plans to our second and final report. The challenges of implementing new measures of crime are sufficiently great that there is a natural temptation to jump straight to them. But the core task of this first report is hardly negligible; it is, in fact,

foundational and essential to development of an effective crime statistics system. What has been lacking for nearly a century is a comprehensive reassessment of what is meant by “crime” in the United States. A modern classification of crime, such as we propose in this report and as a product in its own right, provides a framework for conceptualizing crime and a blueprint for the construction of statistical measures.

In fulfillment of the panel’s charge, a centerpiece of our work thus far has involved inviting comment and open discussion with a full spectrum of crime data users and practitioners. This work, which was particularly concentrated in two workshop-style meetings held during summer 2014, is rare in that information from such a wide cross-section of stakeholders has been elicited and weighed. Moreover, we focus heavily on BJS, FBI, and the nation’s two principal, nationally compiled sources of crime data—the FBI-coordinated Uniform Crime Reporting (UCR) Program and the BJS-sponsored National Crime Victimization Survey (NCVS). Such focus is appropriate, yet it is also in keeping with our charge that we do not focus *exclusively* on those sources.

### OVERVIEW AND CORE PREMISES

Our argument in this report builds in several, detailed steps:

- Addressing the fundamental questions of what is meant by “crime,” and suggesting why a classification is a valuable framework (Chapter 1);
- Summarizing both the current primary sources of nationally compiled crime statistics and an illustrative sample of data collections—not currently considered part of the nation’s crime statistics infrastructure—that may provide useful “crime” or contextual information (Chapter 2);
- Identifying primary uses of and demands for crime data by a wide array of users and stakeholders (Chapter 3); and
- Reviewing extant and historical classifications of crime, including those used in other nations, for appropriate exemplars for crafting our proposal (Chapter 4).

Though all of these pieces are integral to the broader argument, we compress or omit much of the detail in this Summary for brevity’s sake.

However, it is important that we establish two premises—that inform and are woven through the detailed chapters—clearly up front. First, the classification that we develop is a conceptual framework, relative to which data (crime statistics) will eventually be collected. That is, we anticipate that the classification will be used as a blueprint for designing data collection, and not as something used only as a post-processing, labeling step. The upshot is that the classification stands and has value as an organizing framework in its own right—quite separate from the formidable challenges that remain in implementing new data collection based upon it. Second, it should be made

clear that we are dealing with two different units of analysis. For purposes of building the classification, we think in terms of the criminal *offense* as the relevant unit; the classification attempts to partition the entire space of “crime” so that a particular offense behavior corresponds to one and only one category. Yet the practical unit of analysis on which we concentrate (and on which we anticipate data collection to be based) is the *incident*, comprising one or more offenses and “linking” one or more offenders with one or more victims. Crime is a complex phenomenon, and working with incidents (that may be amalgams of individual offenses) is essential for flexibility.

### CURRENT PRIMARY SOURCES OF NATIONAL CRIME STATISTICS

Since 1930, the FBI has served as central coordinator of data on offenses known to the police, combining reports originating from some 18,000 local law enforcement agencies under the auspices of the UCR Program. Most public references to “the UCR” and its numbers are actually to the collection of known-offense counts by the Summary Reporting System (SRS), but the program has expanded over the years to cover other law enforcement measures—and efforts to build a more detailed National Incident-Based Reporting System (NIBRS) have progressed relatively slowly over the past three decades. And, since the early 1970s, the NCVS (as it is now named; originally, the National Crime Survey) sponsored by BJS has used the power of personal interviewing to view crime from the perspective of the victim and to estimate levels of total crime—including that which is *not* known to or reported to police. Despite their prominence in the field, though, neither the UCR nor the NCVS is designated by law or regulation as the nation’s “official” measure, at least in part because both possess unique strengths and limitations as measurement tools.

The assembly of police chiefs that defined the content of the UCR in 1929 did valuable—and highly pragmatic—work, focusing heaviest attention on a very small set of criminal offenses that they judged to be both most salient in the public eye and most tractable for uniform tabulation (in that variations in definitions across federal and state legal texts would be minimized). The crux of the problem that motivates this first report is that this useful standardization rigidified over time. The short list of UCR-defined offenses constrained the view of “crime” made possible from the resulting statistics, disproportionately weighting selected “street” or violent crimes over other offenses. Moreover, the UCR’s strictures helped set the content of subsequent data collections such as the NCVS. To be sure, changes in UCR protocols and coverage have occurred over time as the result of enacted law or the result of extensive deliberation and vetting by an advisory board structure.

Accordingly, we reach two related conclusions that inform the development of our proposed classification:

**Conclusion 5.1:** The definitions and concepts in the current U.S. crime statistics system were developed primarily from categorization of statutory language, which varies by jurisdiction. Reliance on statutory language is inflexible and not comprehensive, and it is unduly focused on limited input sources (reports from police/law enforcement or individual victims).

**Conclusion 5.2:** “Crime” continues to evolve and take different shapes. Accordingly, there is a need for an expansive framework for crime classification that is amenable to periodic revision.

Our user and stakeholder engagement suggested great desire and demand for reliable, consistent statistical series concerning crime that support the fundamental goal of comparability between areas and over time. This focus on comparability holds whether the comparison is implicit in the allocation of federal and state funding for criminal justice programs, explicit in the evaluation of the effectiveness of local law enforcement initiatives or state policy changes, or simply in the diagnosis of emerging problems by the media, researchers, or the public at large. Another common and critical use of crime data is their increasing use (and, certainly, capacity for misuse) as a tool for accountability—primarily by law enforcement agencies in administering their own daily operations, but also by advocacy groups and the public. For these and other high-level uses, existing crime data appear to be adequate (though users noted many ways that the extant data could be improved)—but for other uses and crime types, existing data are incomplete, inadequate, or unavailable. From these considerations, we draw the clear and basic conclusion that developing adequate crime statistics for the United States will require more than a single data collection and more than minor modifications to the current UCR Program or NCVS:

**Conclusion 3.1:** There is strong demand for comprehensive, yet detailed, information about crime by a broad range of users. No single data collection can completely fulfill the needs of every user and stakeholder, providing data with sufficient detail, timeliness, and quality to address every interest of importance. Any structure devised to measure “crime in the United States” should necessarily be conceptualized as a system of data collection efforts, and informative details about the collection and quality of the distinct components in this data system should be included to help ensure proper interpretation and use of the data.

## DESIGN PRINCIPLES AND OBJECTIVES FOR A NEW CRIME CLASSIFICATION

An essential first step in developing such a comprehensive system is a modern classification of crime that is—importantly—a classification *for statistical purposes*. The current practice of labeling offenses through reference to a standard, but fairly unstructured, list is “classification,” but only in the weakest sense. By classification for statistical purposes, we mean a framework that is exhaustive of all crime (not just restricted to violent crime or selected property crimes) and that uses clear definitions to partition offenses into mutually exclusive categories.

After considering crime classifications developed in recent years by other countries, we further concluded that a hybrid approach between a pure attribute-based classification and a traditional definition-based classification would be ideal. In 2016, as in 1929–1930, there remains substantial variation in the wording and extent of content in federal and state criminal codes. Accordingly, developing a classification scheme that emphasizes the basic criminal behavior in category definitions (as opposed to trying to precisely match penal code definitions or what constitutes an offense) seems like a better approach. But we also think it important that the classification’s category listing be accompanied by collection of a set of fairly detailed attributes of the incident itself, and of the victims, the perpetrators, and their relationship. The value of the added attributes is that they permit end users to disaggregate (or even reclassify) criminal events as they see fit, focusing on relevant subclasses of particular events.

### PROPOSED CLASSIFICATION OF CRIMINAL OFFENSES FOR STATISTICAL PURPOSES

In recent years, the United Nations Office of Drugs and Crime (UNODC) has been the organizing body for an expert work group in this area, drawing from the experience of countries such as Australia and Ireland that pioneered comprehensive overhauls of their crime classification systems. The UNODC group’s first version of an International Classification of Crime for Statistical Purposes (ICCS) is an attribute-based classification that is very consistent with the structures we wanted in a U.S. classification scheme.

**Conclusion 5.3:** The International Classification of Crime for Statistical Purposes (ICCS) framework, proposed and maintained by the United National Office on Drugs and Crime (UNODC), meets the desired criteria for a modern crime classification, and the use of shared, international frameworks enables studies of transjurisdictional and locationless crime.



Accordingly, our suggested classification draws heavily and extensively from the ICCS, and we suggest its use in developing a new set of crime indicators.

***Recommendation 5.1:* The attribute-based classification of offenses described in brief in Sections 5.2.1–5.2.2 and in detail in Appendix D should be used as an initial framework for developing modern statistical measures of crime in the United States.**

Our suggested classification differs markedly from current U.S. practice by omitting “aggravated assault” as a category, and from the ICCS in delineating components of what was previously bundled together as “aggravated assault” into specific categories meant to capture information on shootings and firearm involvement in nonlethal assaults and threats. Aggravated assault is one of the original crimes identified for UCR coverage in 1929, but ambiguity has clouded its precise definition even from the outset. A clause in the UCR definition of aggravated assault that invokes the label when a firearm/lethal weapon is involved muddles things considerably, so that the label could be said to apply equally to a shooting that causes near-fatal or disabling injury as well as to a barroom confrontation where no physical harm is inflicted at all but a firearm is brandished. Misclassification—whether accidental or deliberate—between aggravated assault and simple assault is a longstanding source of frustration with current UCR police-report data, and is a primary issue when law enforcement departments are charged with improperly adjusting crime numbers so as to make a city’s violent crime totals appear better than they actually are. In the meantime, information on firearm-related incidents is obscured—on noninjurious threats (brandishing, or firing in victim’s general direction), assaults (nonlethal wounding), and homicide, alike. The nation as a whole lacks reliable measures of shootings, even though our stakeholder outreach suggested that the public expects and demands that their local law enforcement officials know, understand, and address shootings on a daily basis.

Our suggested classification delineates topic areas that are new in the U.S. crime statistics enterprise, such as several types of fraud and corruption, crimes against the environment or natural resources, and sexual exploitation of children. We broaden the concept of threatening or dangerous behavior to include separate categories for harassment and stalking that emphasize the “course of conduct” (pattern of repeated behavior over some period of time) nature of those crimes. We seek to remedy a point of ambiguity in current crime definitions by constructing a separate category of rape involving the inability of the victim to express consent or nonconsent. Previously, such cases might not have fit the precise definition of rape or penal code-based concepts of statutory rape. The suggested classification also includes a category for terroristic threats to buildings or critical infrastructure, where those threats convey clear intent to either directly harm or cause serious disruption.

If used as a blueprint for constructing a new set of indicators of crime in the United States, the classification we suggest in this report has the potential to be path-breaking in advancing the nation's understanding of crime. The next phase of implementation and methodological issues is daunting and should begin naturally with a revisiting of our suggested crime classification and mapping it to current (or not-as-yet created) data sources that might supply the requisite information. We recommend this classification of crime as a preliminary step as it is not (yet) a list of offense codes that we think can or should be swapped into any current data collection immediately. It is a starting point for discussion and development and not the final word of a debate. Indeed, it is important in adopting a new crime classification that mechanisms for periodic revisiting and reevaluation of the classification be established at the outset.

#### FUTURE DIRECTIONS: TOWARD IMPLEMENTATION OF NEW CRIME STATISTICS

This particular moment in time is uniquely pivotal for U.S. crime statistics, coming as it does in the wake of public statements by the director of the FBI—noting frustration with the state of those statistics and indicating intent to sunset the UCR Program's Summary Reporting System in favor of a full-fledged NIBRS. BJS, in partnership with the FBI, is now in the process of equipping a sample of law enforcement agencies to begin reporting data in NIBRS format (through the National Crime Statistics Exchange [NCS-X] Program). The NCS-X will showcase the analytic power of NIBRS because data will be available from a nationally representative sample of jurisdictions. The major organizational bodies of chiefs of police (including the International Association of Chiefs of Police, the Major Cities Chiefs Association, the National Sheriffs' Association, and the Major County Sheriffs' Association) recently issued a joint statement supporting the concept of the FBI's transition from Summary Reporting to NIBRS. Against this backdrop, this first report can only speak directly to conceptual and classification issues and not the mechanics of implementation or revising practice.

Given the immediacy of the debate, this report's discussion of classification supports a few relevant points that are important to state in this first report rather than wait for the final report. Among these: Even the most cursory comparison of our suggested classification with the current list of crimes covered by NIBRS, by the NCVS, and particularly by the SRS suggests that the gaps in current coverage and knowledge—trying to fill in our classification with current data—will be numerous and glaring. Accordingly, we conclude:

**Conclusion 5.4:** Full-scale adoption of incident-based crime reporting by all respondents or sources, that is sufficiently detailed to permit accurate classification and extensive disaggregation and

analysis, is essential to achieving the kind of flexibility in crime statistics afforded by a modern crime classification.

There are two basic corollaries to this argument that are supported by this report's classification-based focus that we make now in order to contribute in a timely manner to current debates, even though more detailed discussion is reserved for our second report. First, the proposed transition away from the SRS format and content is sound and appropriate. The SRS was a major advance when created in 1929–1930 and proved instrumental for decades in shedding basic light on national crime trends, but it is simply inadequate to provide information of the quality or the level of detail demanded by modern crime data users. But the second corollary concerns the transition to NIBRS: It is important that the transition to NIBRS be cast strictly as an *intermediate* step. Even a full-participation NIBRS that holds to that system's current design and content would have great difficulty satisfying all or most crime statistics user needs. Our concern is that NIBRS' core development work and structuring took place in the late 1980s, and it is not clear that its design has kept pace with the times. Upgrading from a 1929-vintage crime data management system to a 1990-vintage system falls well short of the data infrastructure that crime statistics deserve, but it would indeed be a remarkable advance.

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## Introduction: Crime Statistics in the United States

**T**O DERIVE STATISTICS ABOUT CRIME—to estimate its levels and trends, assess its costs to and impacts on society, and inform law enforcement approaches to prevent it—a conceptual framework for defining and thinking about crime is virtually a prerequisite. Developing and maintaining such a framework is no easy task, because the mechanics of crime are ever evolving and shifting. As one example, the public disclosure in early 2016 that two hospitals in California and Texas had both made ransom payments in difficult-to-trace Bitcoin currency in order to regain control of their own internal computer networks (Cowley and Stack, 2016) raises major conceptual challenges. In such attacks involving “ransomware,” in which hackers cut off network access or basic functionality until payment is made, it is certainly intuitive that a “crime” has occurred, but few of the related questions have easy answers:

- *What is the criminal action(s)?* The authoring of the threatening software? The transmission of it? The causing of harm (if any) to victims’ existing networks or data resources? The demand for, or the acceptance of, the ransom?
- *Who is the victim(s)?* The hospital or its owners? The hospital’s (or hospital group’s) insurance company? Current patients, whose effective access to therapies may have been encumbered by the system “failure”? Future patients (or their insurers), who may face higher insurance premiums as a result of the attack?

- *Who is the offender(s), and where did the offense(s) take place?* Is it proper to think of the local hospital as the “scene of the crime,” or the location from which the hacker issued the attack (if such is ever determined)? Or is it more proper to think of “cyberspace” as a location outside of conventional geographic space, or even of the crime as truly “locationless?”

Assuming that answers to the above conceptual questions are decided upon, the next step—developing statistical measures for such ransomware attacks—is challenging in its own right. A “simple” count of incidents is anything but: Does embedding malicious code in an email or on a webpage constitute one incident, thousands of incidents (based on the number of email recipients targeted), or potentially millions of incidents (based on webpage browse attempts)? If an incident count fails as a metric, does an estimate of incurred loss or harm (if feasible) fare any better?

This is but one example, but it is illustrative of larger concerns. “Crime in the United States” in 2016 is, arguably, at least as much about corporate fraud as about armed robbery, harassment via the Internet as about breaking and entering, and endangering health through environmental pollutants as about assaults and muggings. But, for decades, the nation’s perspective on crime has been dominated by so-called “street crime”—violent crime and some types of property crime—to the general exclusion of non-street crime, of which the fielding of ransomware is certainly an example. The lack of systematic information about non-street crimes makes it very difficult to develop sound judgments about whether adequate resources are being devoted to these types of problems. A conceptual framework that encompasses the full range of crime is essential for drawing attention to important issues that may be ignored because they do not have the necessary statistical indicators for comparative purposes.

It is useful to begin with a brief history of how the nation’s crime statistics arrived at their current state, but to make the story short upfront: U.S. statistics on crime in 2016 are, by and large, still measured following concepts outlined nearly a century earlier in 1929, making use of a list of defined crimes that evolved from what was most feasible and tractable to measure. As we describe later in this chapter, this study is an attempt to step back and rethink the approach to the entire enterprise of crime data collection—beginning, in this report, with development of a proposed classification of criminal offenses to serve as a broad, conceptual framework for what “crime in the United States” means. This new classification and framework would then be a useful blueprint for constructing new measures of crime.

## 1.1 HISTORICAL DEVELOPMENT OF U.S. CRIME STATISTICS AND CATEGORIZATIONS

We return to the high-level conceptual questions—what exactly is “crime” and what is the value of classifying it—shortly. But first, as orientation, it is important to consider how the scope and content of today’s U.S. crime statistics came to be. To do that, one must start at a seemingly unlikely source: the U.S. decennial censuses of population of the 19th century. The American census has never been strictly a simple head-count, and the censuses of the 1800s evidenced an increasing and insatiable curiosity (of the young nation and its Congress) for information on all manner of topics, from education to industry to housing conditions. The 1850 census was particularly pivotal in both the content and the increasing professionalization of census conduct: It was the first to provide enumerators with formal rules and instructions on who to count and where to count them, and the first to make a systematic effort to enumerate the population in jails and prisons. Because the new instructions directed enumerators to record “the crime for which each inmate is confined, and of which each person was convicted” (Gauthier, 2002), the 1850 census became a critical step in giving the nation its first indicators of the nature of crime in the United States. It was, to be sure, a very tentative step—so much so that, as events transpired, the compendium volume from the 1850 census makes no apparent use of the detailed offense information, instead analyzing overall levels of convictions by race, native/foreign-born status, and other variables. Nonetheless, crime emerged as a topic to be studied—and measures of it as something to be improved upon—in subsequent decades.

The novelty of census statistics related to crime could not long mask a crippling conceptual shortfall inherent to them: Being based on the reports of prisoners already convicted, the data were necessarily unable to describe *current* crime conditions. This lack of timeliness was exacerbated by the basic fact that, in the pre-computer age, tabulating and analyzing detailed census items simply took a long time—to the extent that the 1880 census report covering crime content was not published until 1888 (Wines, 1888). Amidst these frustrations, calls for systematic collection of crime data closer to the source began to surface. A resolution passed at the 1871 convention of the National Police Association—forerunner to the International Association of Chiefs of Police (IACP), founded in 1893—is commonly considered the originating spark for systematic collection of statistics of crimes reported to or otherwise known by the police in the United States (Maltz, 1977). One year earlier, more contemporaneous collection of relevant data—likely from police—appeared to be the legislative intent behind a provision in the act that created the permanent U.S. Department of Justice. That enabling law directed that the Attorney General’s annual report to Congress on the business of the Department should include “any other matters appertaining thereto that he may deem proper”—

particularly “the statistics of crime under the laws of the United States, and, as far as practicable, under the laws of the several States” (16 Stat. 164).<sup>1</sup> However related, or not, to these external pushes, the 1880 census brought with it an attempt to obtain crime/offense data nearer the source. It included among its “social statistics” schedules a report intended to be completed by every police department; the form asked dozens of specific inquiries, among them a request for a complete accounting of arrests and dispositions for 24 categories of crime in the preceding year (Wright, 1900:218–221). In the end, this ambitious 1880 police statistics schedule yielded a tabulation for all cities of population 5,000 or greater, but one that provided specific offense-detail for only two crime types asked about in a separate question (namely, homicide and “fires supposed to have been incendiary in origin”/arson);<sup>2</sup> a somewhat pared-down version of the schedule was repeated in the 1890 census.

For decades, a relative stalemate continued: The 1870–1871 calls for routine and systematic police-report statistics went effectively unanswered, while the census continued to mine prisoner-reported offenses most extensively (albeit at the slow, decennial rate). To a large degree, this stunted progress was due to a common conceptual difficulty, hinted at by the language of the Justice Department’s establishing act: State criminal laws vary so greatly that a common definition of “crime” and crime types is not particularly practicable. The special agent in charge of generating statistics on prisoners and other institutionalized persons in the 1880 and 1890 censuses, Wines (1888:XLVI–XLVII) bemoaned the “deplorably meager and inadequate” state of U.S. crime statistics, which he attributed principally to “the relegation of this particular function [dealing with crime] to the governments of the several States.” His review of the resulting state criminal statutes “shows the most striking and illogical variations, not only in respect of the definition of crime, but in the methods of dealing with them.”<sup>3</sup> In the absence of common definitions across states, census-takers erred on the side of faithfully capturing and rendering the information reported to them—with no eye toward standardization or correcting for redundancy. Hence, by the 1880 census,

<sup>1</sup>Over time, this Justice Department reporting function morphed into the more general authorization for the Attorney General to “acquire, collect, classify, and preserve identification, criminal identification, crime, and other records” found in today’s 28 U.S.C. § 534(a)—which remains the full authorizing text of the Uniform Crime Reporting program.

<sup>2</sup>The tabulation included a collection of totals from other questions on the special police-department schedule, including overall number of arrests, counts of liquor saloons and houses of prostitution, and rough annual cost of police department operations.

<sup>3</sup>“None of the founders of the republic seem to have appreciated the benefit to posterity of complete information respecting crime and criminal procedure, in tabular form, year-by-year, upon a uniform system, such as to admit of easy and instructive comparison,” Wines (1888:XLVII) wrote, adding his voice to the calls for systematic crime data collection. “I venture to express the wish that the government, through its Department of Justice, or some special bureau of the Department of the Interior, could be induced, even at this late date, to begin the collection of criminal statistics from all the states and territories, and their publication in an annual blue-book.”

the special *Report on the Defective, Dependent, and Delinquent Classes* (Wines, 1888) covering prisoner-reported offenses tallied 231 separate offense categories, disaggregated by race and sex at the national level and reported as state-level counts. These offenses were categorized into six large groups—offenses against the government, against society, against the person, against property, on the high seas, and miscellaneous—that were described only as very general headings with no further rationale for their construction. A decade later, the 1890 census *Report on Crime, Pauperism, and Benevolence in the United States* (Wines, 1896) attempted a rough gradation of prisoners' reported offenses and retained the same broad tiers but made a more systematic (if similarly undocumented) attempt to designate 3–9 main groups within those tiers—and dozens of highly specific offense categories within each group.<sup>4</sup> Under the heading of “assault, all sorts” alone, the 1890 census tallied charges for numerous adjectives attached to assault (e.g., atrocious, felonious, indecent, and riotous assaults), by all manners of weaponry (e.g., assault by ax, by vitriol, or by pistol), by apparent intent (e.g., to kill, to commit rape and murder, or to rob, rape, and murder), by whether there was actual battery or wounding—and numerous combinations thereof. The end result may be described as page after page of neatly rendered but very sparse tables—all of which could spur an endless succession of questions but none of which could really provide useful information about the level and extent of criminal behavior nationwide.

Interest in understanding crime surged in the 1920s, which proved to be a pivotal decade for the collection of nationwide crime statistics. Now established as a permanent agency, the Census Bureau had gradually stepped up its work in the general field—beginning to examine commitments to prison/jail (and the charges associated with them) on a full calendar year basis (rather than point-in-time snapshot), and issuing as-yet-unprecedented detail on flows into and out of corrections in a series of special reports in 1923 (preceded by “preparatory” surveys in 1917 and 1922; Cahalan, 1986:2–3). Emboldened, the Census Bureau commissioned the drafting of a manual for preparing crime statistics—intended for use by the police, corrections departments, and courts alike. Releasing the manual, the Bureau noted that—“in response to a general demand for more complete and satisfactory statistics relating to crime and to criminals”—it would be “undertaking to collect such statistics to a limited extent annually hereafter.” The focus of this series would remain collection of data from prisoners, but the new work was meant to “supplement rather than supersede” the decennial

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<sup>4</sup>Noting that the six categories were the same as used in 1880, Wines (1896:139) opined that “this classification, like all other attempted classifications of crime, is only partially satisfactory. The classifications in the criminal codes of the several states do not correspond with each other, and in a number of codes all attempt at classification has been abandoned. . . . The offenses charged are stated in detail precisely as reported by the enumerators [and are] not improbably copied from the commitment papers by the courts” onto official prison records, used to count most of the prisoner population.



**Box 1.1** Proposed U.S. Census Bureau Crime Classification, 1926

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Homicide             <ul style="list-style-type: none"> <li>• Infanticide</li> <li>• Manslaughter (all degrees)</li> <li>• Murder (all degrees)</li> </ul> </li> <li>2. Rape             <ul style="list-style-type: none"> <li>• Abuse or carnal abuse of infant, child, etc.</li> <li>• Assault with intent to commit rape</li> <li>• Burglary with intent to commit rape</li> <li>• Defiling child, minor, etc.</li> <li>• Indecent assault</li> <li>• Indecent liberties with child</li> <li>• Rape, ravishing, or statutory rape (all degrees)</li> </ul> </li> <li>3. Robbery             <ul style="list-style-type: none"> <li>• Assault with intent to rob</li> <li>• Automobile banditry</li> <li>• Highway robbery</li> <li>• Hold up</li> <li>• Robbery (all degrees)</li> <li>• Robbing mail, post office, bank, etc.</li> </ul> </li> <li>4. Assault             <ul style="list-style-type: none"> <li>• Assault (all degrees)</li> <li>• Assault and battery</li> <li>• Assault with intent to commit murder or manslaughter</li> <li>• Assault with intent to kill</li> <li>• Attempt to commit murder or manslaughter</li> <li>• Attempt to kill</li> <li>• Battery</li> <li>• Fighting</li> <li>• Maiming</li> <li>• Mayhem</li> <li>• Pointing gun</li> <li>• Shooting</li> <li>• Shooting with intent to kill</li> <li>• Wife beating</li> <li>• Wounding</li> </ul> </li> <li>5. Burglary             <ul style="list-style-type: none"> <li>• Breaking</li> <li>• Breaking and entering</li> <li>• Burglary (all degrees and without degree to time of day or night, or nature of structure entered)</li> <li>• Entering</li> <li>• Housebreaking</li> <li>• Having burglars' tools</li> <li>• Safe blowing</li> <li>• Unlawful entry</li> </ul> </li> </ol> | <ol style="list-style-type: none"> <li>6. Forgery             <ul style="list-style-type: none"> <li>• Altering</li> <li>• Bogus checks</li> <li>• False checks</li> <li>• Forgery and forging (all degrees)</li> <li>• Uttering</li> <li>• Possessing forged instrument</li> </ul> </li> <li>7. Larceny [. . .]             <ul style="list-style-type: none"> <li>• Embezzlement, all degrees, including—Appropriating money, etc.; Breach of trust; Fraudulent conversion; Larceny by agent, bailee, trustee, or other fiduciary; Misappropriation</li> <li>• Fraud, including—Cheating; Defrauding; Drawing check without funds; False pretenses; Illegal sale; Obtaining property by false pretenses; Selling property held under conditional sale; Swindling; Using mail to defraud; Worthless check</li> <li>• Having stolen property, including—Automobile theft; Bringing stolen property into State; Buying stolen property; Receiving stolen property</li> <li>• Larceny, all degrees, including—Common theft; Grand larceny; Petit larceny; Pocket picking; Shoplifting; Stealing (including stealing any animal or other property); Theft</li> </ul> </li> <li>8. Carrying weapons             <ul style="list-style-type: none"> <li>• Carrying weapons</li> <li>• Carrying concealed weapons</li> <li>• Carrying dangerous weapons</li> <li>• Unlawful possession of weapons</li> </ul> </li> <li>9. Sex offenses, except rape             <ul style="list-style-type: none"> <li>• Adultery</li> <li>• Bastardy</li> <li>• Bigamy and polygamy</li> <li>• Crime against nature</li> <li>• Fornication</li> <li>• Incest</li> <li>• Keeping house of ill fame</li> <li>• Obscenity</li> <li>• Prostitution</li> <li>• Securing or transporting women for immoral purposes</li> <li>• Sodomy</li> </ul> </li> </ol> |
|---|---|

**Box 1.1** (continued)

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|---|---|
| <p>10. Nonsupport or neglect of family</p> <ul style="list-style-type: none"> <li>• Abandoning children, family, wife, etc.</li> <li>• Contributing to delinquency of child</li> <li>• Desertion</li> <li>• Failing or refusing to provide for children, family, wife, etc.</li> <li>• Nonpayment of alimony</li> <li>• Nonsupport</li> <li>• Wife desertion</li> </ul> <p>11. Violating drug laws</p> <ul style="list-style-type: none"> <li>• Possession of narcotics</li> <li>• Selling cocaine, morphine, or other drugs</li> <li>• Violation of Harrison Act</li> </ul> <p>12. Violating liquor laws</p> <ul style="list-style-type: none"> <li>• Bootlegging</li> <li>• Carrying liquor</li> <li>• Distilling</li> <li>• Possession of liquor, unlawful</li> <li>• Prohibition law, violating</li> <li>• Selling liquor</li> </ul> <p>13. Driving while intoxicated</p> <ul style="list-style-type: none"> <li>• Drunken driver</li> <li>• Drunken driving</li> </ul> <p>14. Drunkenness</p> <ul style="list-style-type: none"> <li>• Disorderly conduct and drunkenness</li> <li>• Drunkenness</li> <li>• Drunk and disorderly</li> <li>• Habitual drunkenness</li> <li>• Intoxication</li> </ul> <p>15. Disorderly conduct</p> <ul style="list-style-type: none"> <li>• Breach of peace</li> <li>• Disorderly conduct</li> <li>• Disorderly conduct and vagrancy</li> <li>• Disorderly person</li> <li>• Loitering</li> </ul> | <p>16. Vagrancy</p> <ul style="list-style-type: none"> <li>• Begging</li> <li>• Soliciting alms</li> <li>• Suspicious character</li> <li>• Vagabondage</li> <li>• Vagrancy</li> </ul> <p>17. Violating traffic or motor-vehicle laws<br/><i>(Include here all traffic or motor-vehicle law violations except those involving larceny or attempted larceny of motor vehicles, and possession of stolen automobiles (which should be placed under heading 7); and except driving while intoxicated (which should be placed under heading 13))</i></p> <p>18. Violating municipal ordinances<br/><i>(Include here those violations of ordinances which cannot be assigned to any of the headings above)</i></p> <p>19. Other</p> <ul style="list-style-type: none"> <li>• Arson</li> <li>• Contempt of court</li> <li>• Criminal anarchism or syndicalism</li> <li>• Delinquency</li> <li>• Drug addiction</li> <li>• Gambling</li> <li>• Malicious mischief</li> <li>• Nuisance</li> <li>• Profanity</li> <li>• Quarantine (venereal)</li> <li>• Trespassing</li> <li>• Using another's property</li> <li>• Violating parole</li> <li>• Violating revenue laws</li> <li>• Violating United States penal laws</li> <li>• All other</li> <li>• Unknown</li> </ul> |
|---|---|

NOTE: The 19 main items, dubbed an "abridged list of offenses," were intended as the main body of the classification; the specific items listed under each are "important specific offenses" that would be grouped under the headings.

SOURCE: Excerpted from U.S. Bureau of the Census (1927).

census of prisoners; the annual survey would “cover only a few outstanding facts [and] leave the more detailed investigations to be made once in 10 years” (U.S. Bureau of the Census, 1927:ii).

Importantly, the new manual sought to solve a perennial problem by suggesting a standard taxonomy of crime, as shown in Box 1.1. The suggested taxonomy suggested 19 top-level offenses, each with some subset of specific offenses beneath it; the manual characterized the 19-item list only as “about as short as a significant list can be made, though not all the headings are needed by every agency which may use the list,” giving no further insight into its derivation. Accordingly, the manual raised “no objection to subdividing the offense groups” as desired but strongly discouraged violating the basic categorization “as that would make it impossible to compare accurately or to combine the statistics from different States.” We will return to this terminological point later on, but it should be noted that the 1926 manual described the proposal as a “classification”—which it is, in the general sense of “classifying” things being a process of assigning labels to them in some structured way, yet it falls short of the full set of expectations for a rigorous “classification.” What the manual did stress was the importance of uniformity in concept, noting that “officials concerned with law enforcement, who are well acquainted with the wide variation in the terms used in different parts of the country in describing similar offenses, will appreciate the importance of a standardized classification like this and of strict adherence to the classification” (U.S. Bureau of the Census, 1927:5). The taxonomy offered radical simplification of some detail relative to the crime “code lists” of the 1890 and other censuses—consolidating legally defined degrees of crimes like manslaughter and robbery into single categories—while stopping short of a unified, nonredundant set of crime types. The Bureau’s proposed taxonomy also attempted to list the 19 major crime types in rough descending order of seriousness—a first attempt at a hierarchy rule, under which “an offender who is imprisoned for two or more offenses should be classified under the heading which stands nearest to the top of the abridged list,” which is to say the most serious of the committed offenses (U.S. Bureau of the Census, 1927:6).

Developments accelerated on police-report data, as well. Shortly after the Census Bureau issued its manual, the IACP in convention adopted a resolution to create a Committee on Uniform Crime Records—to begin the process of describing what a national system of data on crimes known to the police might look like, nearly 60 years after the first calls for the same. That committee of police chiefs issued its report in 1929, arguing stridently for the necessary link between police-report data and crime statistics (International Association of Chiefs of Police, 1929:vii):

Compilations of the number of persons tried, convicted and imprisoned do not, and cannot, provide an index of crime and criminality. Only a police

**Box 1.2** Original Uniform Crime Reporting (UCR) Crime Classification, 1929

**Part I Classes**

- Felonious homicide
  - Murder and nonnegligent manslaughter
  - Manslaughter by negligence
- Rape
- Robbery
- Aggravated assault
- Burglary—breaking or entering
- Larceny—theft
  - \$50 and over in value
  - Under \$50 in value
- Auto theft

**Part II Classes**

- Other assaults
- Forgery and counterfeiting
- Embezzlement and fraud
- Weapons; carrying, possessing etc.
- Sex offenses (except rape)
- Offenses against the family and children
- Drug laws
- Driving while intoxicated
- Liquor laws
- Drunkenness
- Disorderly conduct and vagrancy
- Gambling
- Traffic and motor vehicle laws
- All other offenses
- Suspicion

SOURCE: International Association of Chiefs of Police (1929:24–25).

record of known offenses will do this. Likewise, the police alone know the number and nature of persons apprehended for committing offenses. Thus at the start we are compelled to recognize that crime statistics must originate with the police and that without police support there can be no crime statistics. To launch upon a project directed towards that end without consulting police needs and capacities, is utterly futile. This has been repeatedly demonstrated.

The IACP committee noted intent to base its own proposed uniform classification “directly upon that employed by the Bureau of the Census in compiling statistics of prisoners” while simultaneously criticizing “certain manifest weaknesses” in the Census classification. Chief among these weaknesses was “its failure to recognize differences in statutory definitions” across the states (International Association of Chiefs of Police, 1929:5). Curiously, in laying out its own proposed classification—the taxonomy shown in Box 1.2—the committee would go even further in smoothing over state-level variations in definition than the Bureau. The IACP committee’s “classification” was even further removed from a rigorous classification for statistical purposes in that it pointedly did not attempt to cover the entire range of what might constitute “crime.” Rather, the committee’s stated rationale was strictly pragmatic: Its “Part I” offenses were those that “seem to make possible the compilation of uniform and comparable returns of offenses known to police,” being both salient in the public eye *and* having variations in state-by-state

definitions that, “though rather wide in certain cases, were not irreconcilable” (International Association of Chiefs of Police, 1929:180,4). In short, the offenses branded “Part I” crimes in 1929 were so designated because of their perceived severity and because it was believed that some common-denominator definition—spanning sometimes considerably wide definitions and degrees—could be derived for them. The listing was also meant to “[set] apart those grave offenses which experience has shown to be most generally and completely reported” to police (International Association of Chiefs of Police, 1929:6). Conversely, “Part II” offenses were judged to fall short of that standard: “Either they are concealed when committed so that the police frequently do not know they occur, or else their statutory definitions vary to such a degree that it would be impossible to obtain reasonably comparable results” (International Association of Chiefs of Police, 1929:180). Importantly, different reporting criteria applied to the two groupings of crime: The Part I offenses would be the ones for which “offenses known to the police” *and* completed arrests would be recorded; only arrests would be logged for Part II offenses.

The principal reason for the highly pragmatic, relatively limited scope of the identified Part I and II crimes in the 1929 IACP plan was the intended architecture for data collection. Specifically, the committee argued for a system by which local departments would voluntarily contribute police-report data directly to a coordinating entity within the federal government, for compilation and analysis. As to which federal agency should fill this role, the IACP in convention in 1929 “decided to invite the National Division of Identification and Information in the Department of Justice” to do so (International Association of Chiefs of Police, 1929:12)—a division housed within a Bureau of Investigation, a Bureau whose director (J. Edgar Hoover) had held the post for roughly five years and that was still six years removed from acquiring its current designation as the Federal Bureau of Investigation (FBI). “The only other unit which might conceivably operate the [crime statistics] system,” wrote the IACP committee, “is the Bureau of the Census”—but that idea was deemed impractical (International Association of Chiefs of Police, 1929:12–13):

While the statistical techniques which [the Census Bureau] controls are of a superior order, it lacks those intimate police contacts which the Department of Justice can provide and upon which the success of a national system for reporting offenses and offenders must ultimately depend. Since the police of this country may either grant or withhold crime returns, it is clear that without police cooperation there can be no crime statistics. The real problem with which we are here confronted is one of maintaining [*sic*] police cooperation. Lack of it has doomed all earlier efforts to failure.

Two years later, the National Commission on Law Observance and Enforcement—better known as the Wickersham Commission, after chairman and former U.S. Attorney General George W. Wickersham—issued a “Report on Criminal Statistics” that arrived at the opposite conclusion. The commission argued that “the plan of direct sending of voluntarily gathered material from the local police to a central Federal bureau can not be the ultimate plan.” It favored gradual adoption of mandatory reporting (under state laws)—and favored statistical expertise in processing the returns (National Commission on Law Observance and Enforcement, 1931:16–17):

It is not only important to provide criminal statistics, it is quite as important to see to it that misleading information is not sent out under official auspices and with the imprimatur of the Government. Statistics require experts to analyze, interpret, and compile them, as well as to provide and revise the plans for gathering them. A Bureau of Statistics in the Department of Justice would do for Federal criminal statistics what a Central Bureau in each State should do for State statistics. But there would remain the task of working all into a unified system for general purposes [and reasons] for committing this task ultimately to the Bureau of the Census seem decisive.<sup>5</sup>

However, the commission’s arguments did not affect wheels already set in motion: Collection of the first set of Uniform Crime Reporting (UCR) program data was initiated by the IACP in 1929, with authority transferred to the eventual FBI in 1930, where it has remained since. In the meantime, the Census Bureau’s regular collection of data on crime continued into the early 1930s before being discontinued, and the special Census of Institutions connected to the 1940 decennial census made it the last decennial count to ask criminal or offense status.<sup>6</sup>

Importantly, the 1929 UCR guidelines and designations—and their relatively unchanging nature over time—influenced complementary and successor crime data collection efforts:

- In 1957, the FBI engaged a three-member Consultant Committee chaired by sociologist Peter Lejins “for the purpose of making suggestions” concerning the UCR Program, with the charge to the committee

<sup>5</sup>Specifically, the reasons were outlined in a companion paper by Warner (1931), presented in the same volume as the commission’s criminal statistics report; Warner was also the lead developer of the Census Bureau’s crime statistics instructions in 1926.

<sup>6</sup>That said, Title 13 of the U.S. Code—current census law—was codified in 1954, based on the legislation that had authorized the 1930 and 1940 censuses, and many sections of the law have remained untouched. Hence, the oddity that the Census Bureau arguably has a stronger basis in current law for the collection of crime data than the FBI: 13 U.S.C. § 101 authorizes the Secretary of Commerce (and, correspondingly, the Census Bureau) to “collect decennially statistics relating [to] crime, including judicial statistics pertaining thereto” and, further, to “compile and publish annually statistics related to crime.”

adding that “these suggestions may cover any phase of the collection or publication of the data that comes to mind in the light of the experience gained thus far” (Federal Bureau of Investigation, 1958:9). However, that committee largely constrained its review of the existing Part I and Part II UCR classification to some options suggested by the FBI, recommending that manslaughter by negligence and petty larceny (value below \$50) be stricken from the existing Part I crimes (from the 1929 classification shown in Box 1.2) and that arson not be added to either listing.<sup>7</sup> These changes—motivated by the objective of constructing a simplified “crime index” indicator—were adopted in UCR tabulations beginning in 1958.

- The ongoing National Crime Victimization Survey (NCVS) organized by the Bureau of Justice Statistics (BJS) was first fielded in full in 1972 (then as part of the National Crime Surveys), fulfilling a recommendation of the President’s Commission on Law Enforcement and Administration of Justice (1967:x) “to develop a new yardstick to measure the extent of crime in our society as a supplement to the FBI’s Uniform Crime Reports.” The survey was intended precisely to shed light on the so-called “dark figure of crime” comprised of incidents not reported to the police (Biderman and Reiss, 1967), and would over time add supplements and questions to measure phenomena uniquely suited to the personal interview approach. Though some argued for tailoring the survey content to crime types where police records are not suitable (see, e.g., Biderman, 1966), the survey designers opted to pattern the main core of the survey’s underlying concept of crime after what was then being collected by the UCR Program. In part, this decision was made to satisfy one of the new survey’s primary objectives: to act as a complement to (and potential calibration against) UCR-based, police-report crime totals.
- When researchers and the FBI developed a “blueprint” for a next-generation UCR—what would become the still-not-yet-fully-realized National Incident-Based Reporting System (NIBRS)—the list of crimes covered by the new, more detailed system was substantially augmented (particularly the array of Part II offenses), and some conceptual changes suggested (e.g., expanding the rape category in UCR’s Part I listing to include sexual assault more broadly). However, in this effort, wholesale overhaul and modernization of the crime classification was briefly considered but not adopted (Poggio et al., 1985).

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<sup>7</sup>Manslaughter by negligence was singled out for removal from the Part I list mainly because “over 99 percent of all [such] cases . . . are made up of traffic fatalities which are attributable to culpable negligence”—arguably, a considerably different phenomenon than a component of a violent crime-intensive “crime index” (Federal Bureau of Investigation, 1958:25). The inclusion of petty larceny was challenged mainly on grounds of “consistency of reporting,” whether shopkeepers or other victims would actually report very minor thefts to the police (Federal Bureau of Investigation, 1958:27).

## 1.2 WHAT IS “CRIME,” AND WHY CLASSIFY IT?

To measure “crime” one must first define it—and that is no easier a conceptual task in 2016 than it was in 1929 or earlier. There are at least two general approaches to defining crime, and both sound simple while masking bewildering complexity. This general divide is illustrated in the language of the Model Penal Code (MPC)—published by the American Law Institute in 1962 in an effort to suggest standardization in U.S. state criminal codes and which at least informed the revisions of several states’ codes. Explicitly, the MPC holds that crime is “an offense defined by this Code or by any other statute of this State, for which a sentence of [death or of] imprisonment is authorized” (American Law Institute, 1985:§ 1.04).<sup>8</sup> The first clause of this definition is the simple, obvious, literally legal definition—“*crime*” is *activity that is unlawful*, either the commission of something that is explicitly banned or the failure to do something that is explicitly mandated by letter of the law. But complexity sets in with the second clause, which modifies the first and narrows its focus: the full thought becomes “*crime*” is *that activity that is both unlawful and subject to certain punishments or sanctions*. *Black’s Law Dictionary* puts the point more succinctly, defining crime as “an act that the law makes punishable” (Garner, 2014).

What this basic legal definition leaves open are the questions of exactly which law and which degree of punishment are used to define crime, and the answers to those questions vary greatly in the U.S. system. Roughly, the challenge is delineating “criminal” law, procedure, and adjudication from “civil” or “regulatory” concepts, and that line is far from sharp. The MPC language—echoed in some states—uses the punishment of incarceration as the criterion: behavior that is deemed punishable by incarceration is crime, but behavior punishable only by other means (e.g., fine or forfeiture) is not. However, for example, Wisconsin broadens the scope of crime to include those with only financial punishment, specifying that crime is “conduct which is prohibited by state law and punishable by fine or imprisonment or both” but adding that “conduct punishable only by a forfeiture is not a crime” (2011–12 Wis. Stats. § 939.12). California’s definition, which dates back to 1873, goes further, melding the concept of crime with that of a “public offense” and so including offenses of a political variety (California Penal Code § 15):<sup>9</sup>

<sup>8</sup>This definition is etched, in full or in part, in some states’ criminal codes. For example, Wyoming Criminal Code 6-1-102(a) stops with the first clause (“No conduct constitutes a crime unless it is described as a crime in this act or in another statute of this state.”), while Washington Criminal Code § 9A.04.040 invokes the full text less the death penalty option (“An offense defined by this title or by any other statute of this state, for which a sentence of imprisonment is authorized, constitutes a crime.”)

<sup>9</sup>Oklahoma Criminal Code § 21-3 stipulates a nearly identical definition of “crime or public offense,” save for minor syntax differences. Michigan Penal Code § 750.5 takes a similar approach



A crime or public offense is an act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed, upon conviction, either of the following punishments: 1. Death; 2. Imprisonment; 3. Fine; 4. Removal from office; or, 5. Disqualification to hold and enjoy any office of honor, trust, or profit in this State.

Several states demur on stating a core definition of “crime” and instead delve directly into distinguishing offenses based on severity of offense (including aggravating or contributing factors to the act, such as weapon involvement) or the extent of imprisonment or punishment. Hence, the common differentiation between felonies, misdemeanors, petty offenses, or some other general infractions occurs, as well as the typically numbered degrees attached to offenses. But the criteria for these gradations of offense types vary by jurisdiction, and so the concept of what behavior is thought of as crime (or perhaps most crime-like) varies as well. For instance, Vermont statute holds that “[a]ny offense whose maximum term of imprisonment is more than two years, for life or which may be punished by death is a felony. Any other offense is a misdemeanor” (13 Vermont Stat. 1).<sup>10</sup> Meanwhile, Virginia code uses “felony” to denote a crime subject to a prison term of any length, and explicitly excludes the broad class of traffic offenses from designation as crime (Virginia Criminal Code § 18.2-8):

Offenses are either felonies or misdemeanors. Such offenses as are punishable with death or confinement in a state correctional facility are felonies; all other offenses are misdemeanors. Traffic infractions are violations of public order [defined elsewhere in law] not deemed to be criminal in nature.

Still other state codes take different approaches: Connecticut Penal Code § 53a-24 distinguishes between “crimes” and “offenses,” dividing the former into felonies and misdemeanors and setting aside “violations” as “every offense that is not ‘crime’”;<sup>11</sup> Indiana’s criminal code adds a clause including “a delinquent act” as “crime” for purposes of the Victim Rights article of the code (IC 35-40); Colorado Revised Statutes 18-1-104 take “offense” and “crime”

but does not include the concept of public offense; under that state’s law, “‘crime’ means an actor omission forbidden by law which is not designated as a civil infraction,” punishable by one or more of the sanctions mentioned in the California language save that “death” is not an option (“other penal discipline” is) and “fine” is clarified to “fine not designated a civil fine.”

<sup>10</sup>Between 1948 and 1984—when the passage was repealed—U.S. federal criminal code maintained a similar distinction: “any offense punishable by death or imprisonment for a term exceeding one year is a felony;” “any other offense is a misdemeanor;” and “any misdemeanor, the penalty does not exceed imprisonment for a period of six months or a fine of not more than \$500, or both, is a petty offense” (62 Stat. 684). Law enacted on October 30, 1984, revised the \$500 criterion to “\$5,000 for an individual and \$10,000 for a person other than an individual” (98 Stat. 3138)—but the entire definitional section (18 USC § 1) had been repealed 18 days earlier via a continuing appropriations bill (98 Stat. 2027).

<sup>11</sup>“Conviction of a violation shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense” (Connecticut Penal Code § 53a-24).

as synonymous and subdivides offenses among one of 18 felony (drug or nondrug), misdemeanor (drug or nondrug), petty offense (drug or nondrug), or unclassified categories.

Recitation of the legal text may be dry, but it is undeniably vital in defining crime—and it makes clear the challenges of working within a measurement framework defined strictly by the language of federal and state criminal codes. Hence, the second approach illustrated by the language of the MPC, which is to emphasize the general type of behavior that might be said to constitute crime. The first-stated guiding principle given by the authors is that the Code is intended to “forbid and prevent” “conduct that unjustifiably and inexcusably inflicts or threatens harm to individual or public interests” (American Law Institute, 1985:§ 1.02). This language serves as an implicit, behavioral-rather-than-legal definition of crime: roughly speaking, “*crime*” is a class of socially unacceptable behavior that directly harms or threatens harm to others. Like the legal definition, this thread has also frequently been woven into state criminal codes—though substitutions in wording hint at the complexity inherent in this behavioral application. For instance, Texas Penal Code § 1.02 repeats this language, albeit substituting “causes” for “inflicts” and revising “individual or public interests” to “those individual or public interests for which state protection is appropriate.” Washington Criminal Code § 9A.04.020 states the first principle of construction of the code as forbidding “conduct that inflicts or threatens substantial harm to individual or public interests.” Florida Criminal Code § 775.012 eschews “unjustifiably or inexcusably,” stating that the code is meant to prohibit “conduct that improperly causes or threatens substantial harm to individual or public interest.” More than mere semantics, these substitutions in language raise difficult questions in operationalizing a common definition. How “substantial” must the real or threatened harm be before the action constitutes a “crime”? How palpable or immediate must the *threat* of harm be to qualify as “crime”? And—akin to the blurred line between action that is criminal and that which is civil/regulatory in the purely legal definition—how broad are “individual or public interests,” and which qualify as those “for which state protection is appropriate”?

The point may seem basic but is undeniably important: The definition of “crime” is and must be dynamic in nature, because crime is tied to shifts and development in technology, society, and legislation. Just as some crimes such as motor vehicle theft and carjacking were made possible only by the invention of the automobile, so too did the creation and emergence of the Internet spur all manner of new behaviors—some of which are indisputably “crime.” Other incidents, such as those known as “hate crimes,” existed long before there were legislative efforts to recognize and designate such incidents as criminal acts, but come into sharper focus with shifts in social norms and expectations. Some behaviors, such as marijuana possession and use, have involved many legislative

actions to both criminalize and decriminalize such acts over time, and these laws currently exhibit important variations across jurisdictions.

Considering “crime” as a unit of analysis raises further complexity. In the simplest case—thinking of “crime” as an action by one party against some other actor (whether another person, another business/institution, or society at large)—one has to recognize an essential duality: Legal criminal codes may appropriately treat “crime” and “offense” as synonymous, yet “crime” and “victimization” are also inherently linked. Accordingly, thinking of crime from the perspective of its victims can affect what one labels “crime” and how one tries to measure it. Of course, “crime” is not a strictly one-to-one action; broader “incidents” of crime may involve one (or multiple) offender(s) taking one (or multiple) crime-type action(s) against one (or multiple) victims. Hence, measuring “crime” is not completely equivalent to measuring (or counting) crime “incidents.” Moreover, some specific “crime” types are serial in nature and may best (or only) be thought of as processes over time, stalking or harassment being examples of such pattern-of-conduct crimes. A very fundamental measurement concept relative to crime—one with major implications for the scope of this study—is that “crime” also takes place in the context of a broader justice system, in the various stages of which different labels and structures may apply. So the same “crime(s)” become “arrests,” booking “charges,” “arrestable offenses,” or investigative “cases” to law enforcement officers; judicial “cases,” counts of “charges,” and grounds for sentencing criteria in the courts; and charges of conviction in the correctional system. Each of these additional different labels are countable and capable of analysis, but each has different scope and potentially different underlying definitions—and arguably serve as better seeds for measuring other phenomena (such as law enforcement effectiveness or judicial system throughput) than for measuring the level of criminal activity. Yet it is also true that some of these alternative labels and corresponding measures might be the best, if not the only, way to get a reading on some types of criminal behavior—for instance, white-collar offenses such as embezzlement or some types of fraud may only appear to be potential “crime” when charges are rendered or arrests made, much later in the law enforcement and investigatory processes than crimes such as homicide or burglary.

Given this extensive degree of diversity of concept and potential misalignment in definition, one thing that must be said clearly of the historic (and existing) UCR program standards is this: The degree of standardization in concept and reporting style that the UCR program was able to impose beginning in 1929, first under the IACP and continuing under the FBI, across widely disparate law enforcement agencies contributing information on a strictly voluntary basis, was and remains a phenomenal accomplishment. That said, the problem is that the “uniformity” that the UCR has achieved has been greater in concept than in practice—and, in concept at least, has arguably

worked *too* well. Useful standardization rigidified over time—highlighting, in the UCR’s short list of Part I offenses, a set of important crimes to be sure, but not necessarily the most important or most salient (to the American public) crimes—and so the basic features of UCR measurement remain largely the same nearly 90 years later. The FBI annually releases tabulations of UCR data in the broad-titled *Crime in the United States* series, and has done so for decades—so it is not surprising that discussions of “crime in the United States” tend to put great weight on the UCR numbers and largely follow the contours of UCR’s Part I offenses. As described in detail in Chapter 2, changes to Part I offenses (and UCR content, generally) typically require either enacted legislation or years of vetting through an elaborate advisory process. Consequently, it has been difficult for the UCR program (and corresponding crime statistics) to nimbly adapt to the wider range of actors (e.g., offenses by and against businesses and institutions) and offense types that characterize contemporary crime.

Some summary points from the preceding discussion are useful in outlining the directions we take in this report:

- For purposes of developing a modern crime classification, we think it most appropriate to take the criminal *offense* as the most fine-grained unit of analysis—and, specifically, to emphasize *behavioral* definitions of individual offenses rather than rely exclusively on the language of statute and criminal law.
- Though we may classify and think of crime in terms of specific offenses, the practical unit of analysis on which we concentrate is the *incident*. Incidents of crime can be very complex—comprising one or more criminal offenses and “linking” one or more offenders with one or more victims, typically but not necessarily occurring within a tight window of time and physical space.
- While “simple” counts of offenses or incidents are the most common end statistics, the framework we propose does not rule out other measures besides counts as being more useful or applicable for some crimes. That is, there are other measures related to offense behaviors (such as estimates of damage or financial loss inflicted, or even the *perception* of victimizations or occurrences) that may have greater salience for some crime types.

In addition to the above points, we argue that it is both beneficial and essential to recast the enterprise of crime data collection by constructing a rigorous modern classification of criminal offenses. We will argue further, in Chapters 4 and 5, for a classification structure that is attribute-based to the greatest extent possible—most prominently through collection of measurable attributes related to the offense as a coequal part to the structured listing of offense categories. The combination of a classification table with the collection

of attribute information provides the essential flexibility to work with a variety of data resources and collection methodologies (not just reports generated by law enforcement officers or questionnaires completed through personal interviews) that we describe in Chapter 2 and to attempt to meet the myriad demands and desires of users of crime statistics that we describe in Chapter 3.

The key distinction between the rigorous classification we will propose and the “classifications” that have come before in U.S. crime statistics is that it is intended to partition the *entirety* of behaviors that could be considered criminal offenses into mutually exclusive categories. The census-related collections of crime data in the 19th century were premised on grouping prisoner-reported offense descriptions into rough, unstructured categories. The UCR framework developed in 1929 set out to impose more structure based on perceived seriousness of offenses and attempts to derive some “common denominator” across state criminal codes; more categories came into play when NIBRS and NCVS began development, but the coverage of today’s U.S. crime statistics remains a distinct subset of the broader world of “crime.” This comprehensive approach to a rigorous classification is at once its greatest strength and liability: Mapping out the full terrain of “crime” (and building a new set of measures out of the classification) means that the mapping is necessarily broad but sparsely filled with data, including offenses that simply defy measurement of any type, much less cost-effective measurement. These “gaps” in the classification usefully illustrate the types of information that would be important to have, but they could also be interpreted with undue pessimism, as being sufficiently numerous as to undermine the whole enterprise. We argue that the benefit of a fuller framework for thinking about “crime in the United States” outweighs the “cost” of appearing to be very incomplete in filling out that framework—particularly to the extent that data collection based on the classification continues to improve, and that the classification scheme itself is accompanied by a mechanism for future (and regular) revisions, modifications, and adjustments.

### 1.3 THE PANEL AND ITS CHARGE

Between 2007 and 2009, the Committee on National Statistics (CNSTAT) of the National Academies of Sciences, Engineering, and Medicine (in collaboration with the Committee on Law and Justice [CLAJ]) undertook a comprehensive Review of the Programs of the Bureau of Justice Statistics. While specifically tasked to spend its first year suggesting specific strategies for conducting BJS’s ongoing National Crime Victimization Survey, the main goal of the study was to consider the full suite of BJS data collections, to identify gaps and suggest methods of improving the relevance and utility of BJS products. The BJS Review panel produced an interim report on NCVS options (National Research Council, 2008) and a final report addressing the

broader data collection portfolio (National Research Council, 2009a). Because one major use of the NCVS is as a counterpart to UCR measures, and because UCR crime statistics are certainly relevant to the broader question of collecting statistics on the entire justice system, the BJS Review panel was obliged to at least sketch out the role of the UCR. However, more direct assessment of UCR conduct and concepts was outside its study scope.

Four years later, the U.S. Office of Management and Budget (OMB) encouraged BJS and the FBI to jointly sponsor a study that would take an arms-length look at the entire enterprise of data collection on “crime.” The full statement of task of our current Panel on Modernizing the Nation’s Crime Statistics is presented in Appendix A; developed in collaboration with all parties (BJS, FBI, OMB, and the Academies), it is a detailed yet broad mandate, to cover three main topic “planks” in two operational phases. This first report of the panel covers the first phase: the *substantive* plank, which directs the panel to suggest a new classification of “crime”—reflecting development of classifications in other fields such as public health as well as historical and international efforts at classifying criminal activity—as a basis for discussion of a new crime measurement system.

The second phase of the panel’s work (to be covered in its final report) will address the *methodological* and *implementation* planks of the charge. The methodological and implementation challenges associated with generating crime statistics—not the least of which is a governance structure or consideration of a cost-effective division of labor between the BJS and FBI, other data providers, (volunteer) law-enforcement-agency contributors, and others—are sufficiently daunting that one may question the utility of a first report focusing expressly on classification and definition issues. This concern, in turn, derives at least in part from a traditional view of crime classification as a post hoc, labeling and editing procedure. But the letter of our charge positions the broad activities appropriately—using a classification as the blueprint for constructing/rebuilding a modern set of crime indicators, rather than coercing existing statistics into a new post-processing structure. The concern also underplays the value of a new classification of crime as a product in its own right—just as the International Classification of Diseases is useful for discussing the full range of human health problems, or the North American Industry Classification System is itself a useful guide to understanding sectors of the economy, so too could a new crime classification have value in organizing thought about a uniquely complex and important set of behaviors.

In carrying out this first phase of the panel’s work, the panel focused attention on enlisting a broad variety of perspectives—various constituencies of crime data users and providers—to participate in two workshop-style sessions in June and July 2014. In its other meetings, the panel also invited other experts and practitioners to discuss their work and perspectives, including emerging studies of “white-collar” or regulatory offenses, mechanisms for

sharing experiences of cybercrime attacks and formulating responses, and considering corporate security (e.g., internal security teams employed by large retailers) and the resulting “crime” (e.g., pilferage from store stocks) that may not be reported to the police. Participants in the panel’s workshops and other data collection activities, and the discussion questions that drove the workshop-style meetings, are listed in Appendix B. Significantly, the panel became aware early in its work of efforts sponsored by the United Nations Office on Drugs and Crime (UNODC) on formulating an International Classification of Crime for Statistical Purposes (ICCS). As will be described more completely in Chapter 5, the UNODC work would prove a solid base on which to base our defined task of suggesting a modern taxonomy of crime.

#### 1.4 OVERVIEW OF THIS REPORT

Having explored basic premises of the definition of “crime” and its classification in this chapter, our argument in this first report builds toward a recommended initial classification scheme via several integral, detailed parts. Chapter 2 reviews the current, major nationally compiled sources of crime statistics, building from the historical development outlined in this introduction and establishing the vocabulary for what follows. Here, summaries of current collections of data not commonly thought of as sources of “crime statistics” are provided and our discussion is focused on the coverage and scope of these collections rather than their specific benefits and weaknesses. Our charge is very clear in obliging us to weigh the unique demands and requests of the user constituencies for U.S. crime statistics, and Chapter 3 synthesizes the results of our panel’s workshop-style sessions on the same. Likewise, our charge directs us to consider alternate and existing classifications of crime, including those being developed by other countries and international organizations. Chapter 4 begins the process of articulating a recommended modern classification, reviewing several historical and contemporary examples of classification efforts. The argument then takes full form in Chapter 5—delineating some core principles for deriving the recommended initial classification, offering some guidance on what this classification is (and what it is not) relative to current data systems, and closing with some initial thoughts on next steps of work.

This material is supplemented by five appendixes, two of which we have already introduced: Appendix A presents the statement of task to our panel in full detail and Appendix B lists the participants and motivating questions behind the panel’s workshop-style meetings in 2014, our primary “data-gathering” activities. Two subsequent appendixes are presented as back-matter in this report only because their volume would overwhelm the main-text chapters; Appendix C lists out the detailed structure of some of the exemplar

crime classifications (as a supplement to Chapter 4) and Appendix D is the long-form presentation (with specific definitions and included offenses) of the short-form proposed classification we recommend in Chapter 5. Appendix E presents biographical information on members of this panel.





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## Current Scope and State of Nationally Compiled Crime Data

THE MOTIVATING QUESTION for most of this report is simply stated as, “What is ‘crime?’” This chapter is certainly driven by that question, too, though it is also motivated by a dual question—“What are ‘crime statistics?’”—that shares with the first question the vexing property that it seems simple but is very complex to answer. The pat answer is that the United States has two primary sources for nationally compiled statistics on the incidence of crime: the data gathered by the Uniform Crime Reporting (UCR) Program and the results of the ongoing National Crime Victimization Survey (NCVS). The former data are premised on the voluntary contribution of information from local law enforcement agencies (primarily through state coordinators) to the Federal Bureau of Investigation (FBI), and the latter are derived from a major sample survey sponsored by the Bureau of Justice Statistics (BJS) that directly interviews people and households on their experiences with crime and violence.

These two sources span two major concepts or philosophies of data collection: The UCR series are essentially administrative records, premised on the voluntary contribution of information culled from the records of local law enforcement agencies, while the NCVS is a sample survey involving direct interviews with people and households on their experiences with victimization or crime. Ultimately, both data systems produce *estimates* of the incidence of crime, the UCR emphasizing counts of incidents of various types that come to the attention of police (and serving as an estimate of crime because it is also subject to nonreporting or misreporting by local agencies) and the

NCVS emphasizing rates of victimization within the broader population (and overtly being an estimate based on inference from a carefully chosen sample of households).

The UCR and the NCVS are two principal sources of U.S. crime statistics, but are certainly not the only data systems that are or might be sources of crime-related data. As our panel's parent Committee on National Statistics describes in its regular *Principles and Practices for a Federal Statistical Agency* publication, the United States has an extremely decentralized statistical system—the natural product of a historical tendency, when a new issue or topic gains importance in the public eye, of the government to craft new agencies and new data collection programs to address them, instead of vesting broader authority in a central statistical office. The same holds true in the specific field of crime and justice statistics. As we describe below in this chapter, coverage of different crime types has been added to the larger UCR and NCVS data collection schemes, but it has also been common for parallel data collection systems with sometimes strong substantive overlap to be established in other bureaus and departments. Indeed, it is often the case that multiple, “competing” data collections using different methodologies are established to examine the same type of criminal (or socially unacceptable) behavior. Hence, there are examples of the same crime types being covered by different data collections in an administrative-data-compilation arrangement akin to the UCR Program, in a sample survey akin to the NCVS, or through other means. To be clear, the treatment of these parallel data sources in this chapter is meant to be suggestive, not exhaustive of the full range of crime-related data resources. It is simply meant to illustrate the complexity in identifying any single uniquely correct or comprehensive source of “crime statistics” in the United States.

Given their sweeping nature, it is natural to start with a description of the two extant major resources for crime statistics, the UCR and the NCVS, before delving into parallel sources for some specific crime types. In all cases, given the role of this report to suggest a classification of crime in order to guide identification of an eventual set of crime indicators, we limit ourselves to descriptions of the coverage (topic/crime type) and basic nature of the sources of crime statistics. Fuller examination of underlying methodology awaits our final report, as appropriate.

## 2.1 UNIFORM CRIME REPORTING (UCR) PROGRAM AND NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS)

The origin of the Uniform Crime Reporting Program is recounted in Chapter 1; to recap in brief, today's UCR Program compiles the voluntary data contributions from law enforcement agencies (in most cases, monthly reports coordinated through a state-level coordinating agency) into a national-

level resource. Data collection under the UCR Program began in 1929, initially directly under the auspices of the International Association of Chiefs of Police (IACP) but within one year transferred to what would become the Federal Bureau of Investigation (FBI). Today, it is administered by the Criminal Justice Information Services (CJIS) division of the FBI, headquartered in Clarksburg, WV. In nearly all cases, police-report data are channeled to the FBI by way of a state-level coordinating agency, and these agencies have a coordinating arm in the Association of State Uniform Crime Reporting Programs (ASUCRP). Contribution of data to the national UCR Program remains voluntary, as it has since the outset, although statute in some states require law enforcement agencies to report data to the *state* level.<sup>1</sup>

The basic legal authority for UCR data collection stems from a single line in legal authorization text for the U.S. Department of Justice, in which the Attorney General is directed to “acquire, collect, classify, and preserve identification, criminal identification, crime, and other records” (28 USC § 534(a)). Only in 1963 was the UCR program formally described as an FBI function in federal regulation; rules organizing the Justice Department vest the director of the FBI with authority to “operate a central clearinghouse for police statistics under the Uniform Crime Reporting program” (28 CFR 0.85)—making specific reference to “police statistics” rather than crime statistics.<sup>2</sup> Moreover, it was only in 1988 that a definition (short of explicit authorization) of the UCR Program was etched into law: In extending UCR’s scope to include crimes known to federal law enforcement agencies, Congress noted that “the term ‘Uniform Crime Reports’ means the reports” authorized under the Attorney General’s record collection powers “and administered by the Federal Bureau of Investigation which compiles nationwide criminal statistics for use in

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<sup>1</sup>We will return to this point in our final report, but it is worth noting here for clarity: Several states have laws mandating that local law enforcement agencies report UCR-type data to a state coordinating agency (e.g., the state police or highway patrol), but very few of these coordinators are required to submit the data to the FBI—hence, the descriptor of the UCR as a voluntary collection. Virginia is among the exceptions; there, law holds that the Virginia State Police “shall correlate reports submitted to it and shall compile and submit reports to the Federal Bureau of Investigation on behalf of all agencies of the Commonwealth, as may be required by the federal standards for the uniform crime reporting program” (Va. Code Ann. § 52-30 (2015)). Oregon law implies but does not explicitly express required submission of data to the FBI, noting that local agencies are required to submit crime data to the state police, “for purposes of the Uniform Crime Reporting System of the Federal Bureau of Investigation” (ORS § 181.550 (2015)). But many other states are less- or noncommittal: Rhode Island requires only that state-compiled crime data be made available to the FBI “upon request” (R.I. Gen. Laws § 12-24-3 (2015), phrasing that is also used in Michigan law); Louisiana directs the state’s law enforcement commission “to supply data to federal bureaus or departments engaged in collecting national criminal statistics,” omitting specific reference to the UCR (La. R.S. § 15:578 (2015)); Arizona and other states oblige the state repository to “cooperate with” the FBI and UCR Program (A.R.S. § 41-1750 (2015)).

<sup>2</sup>In 1990, a rule added “carry out the Department’s responsibilities under the Hate Crime Statistics Act” to the FBI director’s formal responsibilities (55 FR 28610), as a new item and without changing the UCR authorization.

law enforcement administration, operation, and management and to assess the nature and type of crime in the United States” (P.L. 100-690 § 7332; 102 Stat. 4468).<sup>3</sup>

### 2.1.1 Core Components of the UCR Program

In common usage over several decades (and still continuing), generic references to “UCR” information typically refer to only one part of the fuller suite of data collections that have evolved over time under the UCR aegis. Such general references are typically to the *Summary Reporting System (SRS)* of the UCR—the lineal successor of the original 1929 work that collect summary counts of offenses known or reported to the police. The SRS is sometimes referenced as “Return A” data after the name of the form on which the local agencies are supposed to supply monthly returns. In terms of content, it is important to note that SRS is intended only to cover the small set of offenses dubbed “Part I” crimes (and not those designated “Part II” crimes; the distinction is shown in Box 2.1 and discussed further below). We will describe the *National Incident-Based Reporting System (NIBRS)* more completely below; together, the SRS and NIBRS may be thought of as the central components of incidence-of-crime statistics in the UCR program. Originally envisioned as the next-generation core UCR collection when it was crafted in the 1980s—that is, as a replacement for the SRS—the practice over time has been to treat SRS and NIBRS as distinct, parallel entities, largely due to relatively slow adoption of NIBRS standards for local data submissions. NIBRS is designed to span a wider array of offenses than the SRS, though the NIBRS component of the broader UCR program eschews the “traditional” Part I and II terminology. Detailed incident-level data and arrest information are collected in NIBRS for roughly 22 Group A offense categories while only arrest information is collected for an additional 11 Group B categories.

Given their centrality, references to “the UCR” in this report focus nearly exclusively on SRS or NIBRS. In describing the content and crime coverage of the UCR program as a whole, though, it is important to clarify that the UCR has evolved into a family of related data collections, largely defined by the type or nature of underlying offenses. Other key components of the fuller UCR program include the following:

- The *Supplementary Homicide Report (SHR)* is a form that queries for additional detail—on characteristics of the victim, on weaponry used (and other factors), on victim-offender relationship, and the setting/context—that is expected to be completed for every homicide. The rich contextual

<sup>3</sup>The 1988 legal provisions also ratified the designation of the FBI “as the lead agencies for performing [such functions]” and authorized the “appoint[ment] or establish[ment of] such advisory and oversight boards as may be necessary to assist the Bureau in ensuring uniformity, quality, and maximum use of the data collected” (P.L. 100-690 § 7332; 102 Stat. 4468).

information available in the compiled SHR data exceeds that expected of all crime types in the NIBRS incident-level data, and has fueled extensive research on the nature of the very important single crime type of homicide. SHR data were first collected and published in 1962 (Federal Bureau of Investigation, 2004:2).

- As described below in Box 2.3, additional crime types have been added to the UCR roster over time. In most cases, this functionally takes the form of additional special-case forms that are expected to be filled by local agencies, tallying the numbers of such incidents. So, for instance, separate tallies of specific crimes types are expected to be submitted on the *Monthly Return of Arson Offenses Known to Law Enforcement* and *Monthly Return of Human Trafficking Offenses*. Similar to the SHR, additional detail on specific incidents are meant to be provided on separate *Hate Crime Incident Reports* and *Cargo Theft Incident Reports*.
- The basic unit for “crime statistics” in SRS and NIBRS is an incident known to law enforcement; for much of the UCR Program’s lifetime, a parallel UCR component switched the basic unit to arrests made by law enforcement and the “clearance” or resolution of cases through arrest.<sup>4</sup> The full name associated with the collection is the *Age, Sex, and Race of Persons Arrested* series, in which separate tallies are supposed to be prepared for persons 18 years of age and over and for those under 18 years of age. Given the nomenclature, these arrest data are sometimes referred to by the acronym ASR. Arrestee data have been collected in the UCR Program since 1952 (Federal Bureau of Investigation, 2004:2); arrests are to be recorded and counted for both Part I and Part II offenses, while the “Return A” SRS focuses on Part I offenses.
- The *Law Enforcement Officers Killed or Assaulted (LEOKA)* collection is exactly as described by its name, save for the clarification that it is intended to cover incidents in which the officer is either in the line of duty or off-duty but performing functions that would be normally expected of them when on duty. As has been made clear in the wake of recent incidents involving the lethal application of force by law enforcement officers in the course of arrest, there is no regular, comprehensive data collection covering “use of force” in the United States; the LEOKA

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<sup>4</sup>As per the 2004 version of the *UCR Handbook*, “clearance” is essentially an offense-level attribute rather than a person-level event or count; “several crimes may be cleared by the arrest of one person, or the arrest of many persons may clear only one crime” (Federal Bureau of Investigation, 2004:79). Clearance either occurs through arrest (which includes the filing of charges or the transfer of a suspect to the judicial system for prosecution) or through so-called “exceptional means,” which would apply when an investigation leaves no doubt about the identify of the offender and that there is evidence/grounds to support prosecution, but—for “some reason outside law enforcement control”—the suspect cannot actually be arrested, charged, or prosecuted (Federal Bureau of Investigation, 2004:81). Such “exceptional means” clearances include instances where the offender is deceased.

collection addresses a subset of incidents where harm is done to the police. The first UCR data on law enforcement officers killed on duty were gathered in 1960 (Federal Bureau of Investigation, 2004:2).

A final component of the broader UCR program collects no offense or incident information at all. Rather, it functions as a “rolling census” of sorts of law enforcement personnel. On an annual basis, UCR data providers are asked to submit the *Number of Full-Time Law Enforcement Employees as of October 31*, providing some rough information on size of law enforcement staffs (total and sworn officers) and the resources available to some specific units within the individual agencies. Though this particular subcollection does not gather actual crime data, it does have some bearing on the final estimates of crime generated by the UCR. Size of a law enforcement agency, whether in number of personnel or in population of the communities within the department’s jurisdiction, can play a role in imputation routines for handling missing data through reference to “similar” agencies.

### **2.1.2 Crime-Type Coverage and the Hierarchy Rule in UCR Summary Reporting**

Box 2.1 depicts the basic classification of crimes/offenses covered by the UCR Summary Reporting System as of 2014. Contrasting it with the original Part I and Part II crimes outlined in 1929 (Box 1.2)—and looking over the cosmetic appearance of the 2014 Part I list being expanded to include some subcategories (the reason for said expansion being described below)—it is clear that change has occurred but at a vastly slower pace than might reasonably be expected over many decades. Moreover, the changes that have been made have largely taken the form of expanding crime types or making relatively modest additions, rather than revising definitions.

When discussing the crime-type coverage of the UCR’s Summary Reporting System, one must inevitably describe what is probably the system’s single most distinctive feature, as it is the one that most starkly illustrates the “Summary” nature of the data. This distinctive feature is what is known as the Hierarchy Rule, which is invoked to determine the one—and only one—offense type that is recorded for any particular incident. The order in which offenses are listed in the UCR Part I classification is not accidental, and derives directly from the order in which they were originally presented in 1929; the offense types are listed in a rough descending order of severity while also differentiating between crimes against a person and crimes against property. Box 2.2 presents the Part I listing again, with some expansion, in formally laying out the Hierarchy Rule. As it was stated as a “General Provision” in 1929 (International Association of Chiefs of Police, 1929:34–35):

**Box 2.1** Current Uniform Crime Reporting (UCR) Summary Reporting System (SRS) Crime Classification, 2014

**Part I Classes**

- 1 Criminal homicide
  - 1a Murder and nonnegligent manslaughter
  - 1b Manslaughter by negligence
- 2 Rape
  - 2a Rape
  - 2b Attempts to commit rape
  - 2c Historical rape
- 3 Robbery
  - 3a Firearm
  - 3b Knife or cutting instrument
  - 3c Other dangerous weapon
  - 3d Strong-arm—hands, fists, feet, etc.
- 4 Aggravated assault
  - 4a Firearm
  - 4b Knife or cutting instrument
  - 4c Other dangerous weapon
  - 4d Strong-arm—hands, fists, feet, etc.—aggravated injury
- 5 Burglary
  - 5a Forcible entry
  - 5b Unlawful entry—no force
  - 5c Attempted forcible entry
- 6 Larceny—theft (except motor vehicle theft)
  - 6Xa Pocket-picking
  - 6Xb Purse-snatching
  - 6Xc Shoplifting
  - 6Xd Thefts from motor vehicles
  - 6Xe Theft of motor vehicle parts and accessories
  - 6Xf Theft of bicycles
  - 6Xg Theft from buildings
  - 6Xh Theft from coin-operated device or machine
  - 6Xi All other
- 7 Motor vehicle theft
  - 7a Autos
  - 7b Trucks and buses
  - 7c Other vehicles
- 8 Arson
  - Structural (*Codes 8a–g cover different types of structures*)

- Mobile (*Codes 8h–i differentiate between motor vehicles and other mobile property*)
- Other (*Code 8j*)

- A Human trafficking—commercial sex acts
- B Human trafficking—involuntary servitude

**Part II Classes**

- 9 Other assaults—simple, not aggravated (*also coded 4e “as a quality control matter and for the purpose of looking at total assault violence”*)
- 10 Forgery and counterfeiting
- 11 Fraud
- 12 Embezzlement
- 13 Stolen property: buying, receiving, possessing
- 14 Vandalism
- 15 Weapons; carrying, possessing etc.
- 16 Prostitution and commercialized vice
  - 16a Prostitution
  - 16b Assisting or promoting prostitution (*also coded 30*)
  - 16c Purchasing prostitution (*also coded 31*)
- 17 Sex offenses (except rape and prostitution and commercialized vice)
- 18 Drug abuse violations
- 19 Gambling
- 20 Offenses against the family and children
- 21 Driving under the influence
- 22 Liquor laws
- 23 Drunkenness
- 24 Disorderly conduct
- 25 Vagrancy
- 26 All other offenses
- 27 Suspicion
- 28 Curfew and loitering laws (persons under 18)
- 29 Runaways (persons under 18)

SOURCE: Adapted from Federal Bureau of Investigation (2013b).



**Box 2.2** Hierarchy Rule for Part I Offenses, Uniform Crime Reporting Program

The order in which the Part I offenses and their subcategories are listed in Box 2.1 is not accidental; rather, it defines a preference hierarchy used in the UCR Summary Reporting System to associate incidents (which may involve the commission of multiple crime offenses) with a single crime type for reporting purposes. Lower numbers outrank higher numbers, so that a home invasion/burglary gone awry that ends in serious injury to a homeowner would be counted only as assault; a robbery in which the offender also sexually assaults the victim would be counted only as the rape or attempted rape; and so forth.

The 2013 *Summary Reporting System User Manual* (Federal Bureau of Investigation, 2013b)—the successor to the *Uniform Crime Reporting Program Handbook* that spelled out UCR policy in various revisions over the decades (Federal Bureau of Investigation, 2004)—retains four prominent “exceptions” to the Hierarchy Rule:

- The first, largely technical exception derives from the fact that motor vehicle theft is a subset—but special case—of the broader offense of larceny-theft. In instances of larceny-theft involving theft of a whole vehicle *and* other items (e.g., contents of trunk or parts of the vehicle, as when a stolen car is recovered with parts missing), the theft of the vehicle would trump the theft of the other items and the incident counts as motor vehicle theft.
- Two Part I offenses—arson and human trafficking (both the commercial sex acts and involuntary servitude variants)—are special exceptions to the Hierarchy Rule in that the same incident can result in multiple offenses being counted. Arson and human trafficking are reported on separate forms, so other offenses committed in conjunction with the arson or trafficking (e.g., homicide due to arson) would be reconciled using the Hierarchy Rule and counted on Return A, while the arson/trafficking component would be logged on the separate reporting form.
- For UCR purposes, “justifiable homicide” necessarily occurs in conjunction with some other offense(s); it is defined as “the killing of a felon” either “by a peace officer in the line of duty” or by a private citizen “during the commission of a felony” (Federal Bureau of Investigation, 2013b:30). Accordingly, the same incident can involve multiple offenses being counted: The other offense(s) would be evaluated under the Hierarchy Rule for reporting on Return A while the felon’s death may be reported as a homicide “known to the police” but which is “unfounded” (in this case, not considered a crime) rather than an actual offense.

When several offenses are committed by one person at the same time, list as the crime committed the one which comes first in the classification. For example, *one* offense of robbery would be listed if both assault and robbery had been committed, because Robbery appears before Aggravated Assault in the classification.

In this manner, single incidents occurring at the same time but involving multiple individual offense types are generally collapsed in the SRS to count as only one offense. Box 2.2 describes some exceptions to this general rule that have developed over the years.

A second distinctive rule, known as the Separation of Time and Place Rule, also governs how—and how many—offenses are tallied in the SRS. It, too, derives directly from a “General Provision” promulgated in the original 1929 UCR manual (International Association of Chiefs of Police, 1929:35):

Offenses which follow in a more or less natural sequence but after an appreciable length of time, such as a robbery following auto theft, should be listed as separate offenses in their respective classes.

As currently operationalized (Federal Bureau of Investigation, 2013b:26), the statement of the rule actually addresses the *inverse* of separation of time and place. That is, it does not argue for any minimum interval in time or space that would constitute a separation but rather defines “same time and place” as occurrences in which “the time interval between the offenses and the distance between locations where they occurred is insignificant.” Generally, the rule defers to investigative findings by law enforcement: If “investigation deems the activity to constitute a single criminal transaction,” then even incidents at different times and locations are to be treated as single occurrences in the SRS.

### 2.1.3 National Incident-Based Reporting System (NIBRS)

Problems with the relative inflexibility of UCR structures were already apparent by the early 1980s. After several calls for the creation of a new UCR program, the FBI and BJS formed a joint task force in 1982 to oversee a study by Abt Associates Inc., which led to a major planning conference in 1984 and ultimately to a final report, the *Blueprint for the Future of the Uniform Crime Reporting Program* (Poggio et al., 1985). The *Blueprint* called for implementation of “unit-record” data collection within a tiered structure: All agencies would be asked to submit incident and arrest information in incident-level detail, but the burden on the vast majority of agencies (dubbed “Level I participants”) would only be tasked to provide information on a rough analogue to the list of Part I offenses. A much smaller set of “Level II participants”—albeit comprised of the nation’s largest law enforcement agencies (augmented by a sample of other agencies), and so covering the bulk of committed crime—would provide the incident-level offense and arrest information for a full, broad range of offense categories.

What evolved directly from the *Blueprint* recommendations is what is now known as NIBRS. The focus of this report is the content and coverage of “crime” by NIBRS, not the detail of its design and operations. However, that operational story will be a major part of our second and final report. For this report, it suffices to summarize that NIBRS diverged from the *Blueprint*’s tiers-of-agencies approach and instead adopted something more akin to the tiers-of-offense-types in the UCR Summary Reporting System, as we will describe below. For a variety of reasons—certainly among them the switch in approach,

to a system premised on agencies all-but-completely converting to detailed incident-based reporting of all crime types—adoption of the NIBRS standard has been much slower than hoped. For several years, the kinds of technical system improvement grants administered by BJS—not the FBI—were the best if not only opportunity to help non-NIBRS-compliant agencies begin to adopt the more detailed reporting, and NIBRS take-up remains relatively low. More recently, the work-in-progress National Crime Statistics Exchange (NCS-X; a partnership between BJS and the FBI) is poised to provide assistance to a carefully crafted sample of law enforcement agencies. Combined with data from existing NIBRS contributors, the data resulting from NCS-X investments are intended to be a statistically representative sample of agencies and thus lend itself to reliable estimation and inference on the incidence and characteristics of crime. Still more recently, the highly publicized incidents of apparently excessive use of force resulting in civilian deaths in 2014 and 2015 has led leadership of the Justice Department and the FBI to talk openly of a phase-out of SRS reporting in favor of NIBRS as the sole crime reporting standard. But, again, the focus of this report is more on crime coverage and content and not implementation issues; we will return to these topics in the final report.

Today, as when it began data collection in the late 1980s, NIBRS covers a substantially broader array of crime/offense types than the traditional SRS, as depicted in Table 2.1. Like the traditional SRS, in which contributing agencies are expected to file both “offenses known to police” and arrest counts for Part I crimes but only arrest data for Part II crimes, NIBRS recognizes a distinction between “Group A” and “Group B” offenses. As in the SRS, only arrests are to be reported for the Group B crimes while highly detailed incident-level data is supposed to be filed for Group A crimes. A critical difference is that the list of Group A offenses (subject to the most detailed reporting) is vastly longer than both the lists of Group B offenses and the list of Part I offenses focused on by the SRS.

#### 2.1.4 Continuity and Change in UCR Crime-Type Coverage

A major reason for the relative lack of change in SRS crime-type coverage over time is basic: Little change has occurred because the process to enact change is long and difficult. Changes in UCR and SRS content—particularly in the roster and delineation of Part I offenses—has typically required enacted legislation to achieve. Major changes in UCR coverage achieved by law are described in more detail in Box 2.3. The other mechanism by which change in UCR and SRS procedures can arise is an elaborate Advisory Policy Board (APB) process. The APB is mainly comprised of officials from state and local law enforcement agencies, and includes tiers of discussion at the levels of regional and national working groups. At the national level, the APB has a subcommittee dedicated exclusively to advising the full APB on possible

**Table 2.1** Offenses Covered by National Incident-Based Reporting System (NIBRS) and Summary Reporting System (SRS), Uniform Crime Reporting Program

| Offense Codes                 |      | Description   |
|-------------------------------|------|---|
| NIBRS                         | SRS  |   |
| <b>NIBRS Group A Offenses</b> |      |   |
| 09                            | 1    | <i>Homicide offenses</i>  |
| 09A                           | 1a   | Murder and nonnegligent manslaughter                                |
| 09B                           | 1b   | Negligent manslaughter  |
| 100                           | —    | Kidnapping/abduction  |
| 11                            | 2,17 | <i>Sex offenses</i>   |
| 11A                           | 2a   | Rape (except statutory rape)  |
| —                             | 2b   | Attempts to commit rape   |
| —                             | 2c   | Historical rape <sup>a</sup>  |
| 11B                           | 17   | Sodomy  |
| 11C                           | 17   | Sexual assault with an object                                       |
| 11D                           | 17   | Fondling  |
| —                             | 17   | Sex offenses (except rape and prostitution and commercialized vice) |
| 36A                           | —    | Incest <sup>a</sup>   |
| 36B                           | —    | Statutory rape <sup>a</sup>   |
| 120                           | 3a–d | Robbery   |
| 13                            | 4    | <i>Assault offenses</i>   |
| 13A                           | 4a–d | Aggravated assault  |
| 13B                           | 4e/9 | Simple assault  |
| 13C                           | —    | Intimidation  |
| 200                           | 8a–j | Arson   |
| 210                           | —    | Extortion/blackmail   |
| 220                           | 5a–c | Burglary/breaking and entering                                      |
| 23                            | 6    | <i>Larceny/theft offenses</i>                                       |
| 23A                           | 6Xa  | Pocket-picking  |
| 23B                           | 6Xb  | Purse-snatching   |
| 23C                           | 6Xc  | Shoplifting   |
| 23D                           | 6Xg  | Theft from building   |
| 23E                           | 6Xh  | Theft from coin-operated device or machine                          |
| 23F                           | 6Xd  | Theft from motor vehicles   |
| 23G                           | 6Xe  | Theft of motor vehicle parts and accessories                        |
| 23H                           | 6Xf  | Theft of bicycles   |
| 23H                           | 6Xi  | All other larceny   |
| 240                           | 7a–c | Motor vehicle theft   |
| 250                           | 10   | Counterfeiting and forgery  |
| 26                            | 11   | <i>Fraud offenses</i>   |
| 26A                           | 11   | False pretenses/swindle/confidence game                             |
| 26B                           | 11   | Credit card/automated teller machine fraud                          |
| 26C                           | 11   | Impersonation   |
| 26D                           | 11   | Welfare fraud   |
| 26E                           | 11   | Wire fraud  |
| 26F                           | —    | Identity theft <sup>b</sup>   |
| 26G                           | —    | Hacking/computer invasion <sup>b</sup>                              |

**Table 2.1** (continued)

|     |     |  |
|-----|-----|--|
| 270 | 12  | Embezzlement   |
| 280 | 13  | Stolen property offenses                                   |
| 290 | 14  | Destruction/damage/vandalism of property (except arson)    |
| 35  | 18  | <i>Drug offenses</i>                                       |
| 35A | 18  | Drug/narcotic violations                                   |
| 35B | —   | Drug equipment violations                                  |
| 370 | —   | Pornography/obscene material                               |
| 39  | 19  | <i>Gambling offenses</i>                                   |
| 39A | 19  | Betting/wagering   |
| 39B | 19  | Operating/promoting/assisting gambling                     |
| 39C | 19  | Gambling equipment violations                              |
| 39D | 19  | Sports tampering   |
| 40  | 16  | <i>Prostitution offenses</i>                               |
| 40A | 16a | Prostitution   |
| 40B | 16b | Assisting or promoting prostitution                        |
| 40C | 16c | Purchasing prostitution                                    |
| 510 | —   | Bribery  |
| 520 | 15  | Weapon law violations                                      |
| 64  | A–B | <i>Human trafficking offenses</i>                          |
| 64A | A   | Human trafficking, commercial sex acts                     |
| 64B | B   | Human trafficking, involuntary servitude                   |
| 720 | —   | Animal cruelty <sup>c</sup>                                |
|     |     | <b>NIBRS Group B Offenses</b>                              |
| 90A | —   | Bad checks (except counterfeit or forged checks)           |
| 90B | 25  | Vagrancy   |
| 90B | 28  | Curfew and loitering laws (persons under 18)               |
| 90C | 24  | Disorderly conduct   |
| 90D | 21  | Driving under the influence                                |
| 90E | 23  | Drunkenness (except driving under the influence)           |
| 90F | 20  | Family offenses, nonviolent                                |
| 90G | 22  | Liquor law violations (except driving under the influence) |
| 90H | —   | Peeping Tom  |
| 90J | —   | Trespass of real property                                  |
| 90Z | 26  | All other offenses   |
|     |     | <b>Reportable Offenses, But Deemed “Not a Crime”</b>       |
| 09C | —   | Justifiable homicide                                       |
| 90I | 29  | Runaways (persons under 18)                                |
| —   | 27  | Suspicion  |

**Table 2.1** (continued)

NOTE: NIBRS offense codes take the form *NNX*, where a blank for *X* denotes a top-level grouping category, a zero (0) denotes a specific offense without further subcategories, or an alphabetic character for *X* denotes a specific offense subcategory.

<sup>a</sup> Federal Bureau of Investigation (2013a) continues to list incest and statutory rape under a parent category 36 “Sex offenses, nonforcible,” despite the 2011 change in definitions to eliminate “forcible” as a descriptor of rape. Other sources, such as the request to the U.S. Office of Management and Budget (OMB) for clearance for NIBRS collection attach these 36-stub categories under the broader heading of 11 “Sex offenses;” we follow the latter approach. “Historical rape” refers to data compiled under the pre-2011 definition.

<sup>b</sup> Data collection on two new fraud offenses is to begin in calendar year 2016.

<sup>c</sup> Data collection on 720 “Animal cruelty” is to begin in 2015, with tabulation effective in calendar year 2016, pending OMB approval.

SOURCE: Adapted from Federal Bureau of Investigation (2013a), with reference to Federal Bureau of Investigation (2013b), Criminal Justice Information Services Division (2015a:9), and Criminal Justice Information Services Division (2015b:6). For the NIBRS Information Collection Review package submitted to OMB, search [www.reginfo.gov](http://www.reginfo.gov) for OMB control number 1110-0058.

changes to UCR policy, which in turn may be passed on to the director of the FBI and the Attorney General. Most significantly in recent years, the APB process achieved major change in December 2011, when years of negotiation and discussion resulted in the definition of rape across the UCR component programs being broadened to be gender neutral and to omit the term “forcible” as a descriptor (Federal Bureau of Investigation, 2013a:138). Three years earlier, the APB process resulted in the category for “Runaways” being removed from the Part II list and corresponding arrest statistics (Federal Bureau of Investigation, 2013a:137). The NIBRS categories for animal cruelty offenses and for two variants of cybercrime (“hacking” and identity theft) were both added in 2015 (Criminal Justice Information Services Division, 2015a,b) after discussion through the APB process, though the announcement in both cases suggests that the impetus came primarily from FBI management. But, again, such additions and revisions have been relatively rare.

Of the initiatives mentioned in Box 2.3, the one that arguably promised the most significant single instance of changes was the Uniform Federal Crime Reporting Act of 1988; however, in final form, the 1998 revisions proved to be simultaneously very expansive and practically narrow. The portended change was expansive in that the UCR Program’s scope was expanded to include “national data on Federal criminal offenses” and that “all departments and agencies within the Federal government (including the Department of Defense) which routinely investigate complaints of criminal activity” were now legally obligated to report “details about crime within their respective jurisdiction” to

the UCR Program. Yet it was sharply narrow in that this new mandatory reporting “shall be limited to the reporting of those crimes comprising the Uniform Crime Reports”—that is, to the long-standing designation of UCR crimes (particularly Part I offenses) already in place (P.L. 100-690 § 7332; 102 Stat. 4468). For a variety of reasons, including the definitional, few if any federal law enforcement agencies actually started reporting or enhanced their reporting as a result of the legal change. Indeed, the special “Message from the Director” accompanying the release of 2014 UCR data (Federal Bureau of Investigation, 2015) notes—17 years after the enactment of a law requiring federal law enforcement reporting—that “UCR program staff are [now] working with other federal agencies to encourage them to submit their own crime data like the U.S. Department of [the] Interior has for several years,” ideally in NIBRS format. Moreover, the note confirmed that which was already well known to analysts if not to the broader public: Chief among the federal nonreporters to the FBI’s UCR Program was the FBI itself. “To get our own house in order,” the director’s message observes, the 2014 UCR data release contains a first-of-its-kind compilation of “crime data from our field offices, including the number of arrests for human trafficking, hate crimes, and cyber intrusions. . . . We are working toward collecting data for all applicable UCR offenses so we can report those as well.”

### 2.1.5 Strengths and Weaknesses of UCR/NIBRS Coverage

Detailed examination and consideration of the implementation and operation of the UCR Program’s data collections, including NIBRS, awaits our final report. From the particular lens of the program’s coverage of crime types, we already characterized in Chapter 1 what is simultaneously the UCR Program’s most significant strength *and* weakness. The problem with the list of crimes developed by the assembled police chiefs in the late 1920s is not that it is uninformative—the original Part I crimes were chosen in large part for their salience to the general public, and they remain serious events of interest today. Rather, the issues are that the list of Part I crimes have so successfully “defined”—and limited—what is commonly meant by “crime in the United States” and that the lists of both Part I and Part II crimes have remained so relatively invariant over the years. In the *Crime in the United States* report for 1960, the FBI began the process of simply totaling the number of Part I offenses (by jurisdiction) to obtain a single-number “Crime Index”;<sup>5</sup> later, a “Modified Crime Index” was constructed by adding arson (not yet a Part I crime) to the

<sup>5</sup>The derivation of a simple-summary index based on UCR police-report data was essentially consistent with the notion expressed by Sellin (1931:346) that “*the value of a crime for index purposes decreases as the distance from the crime itself in terms of procedure increases*” (emphasis original)—an argument that crime being reported or becoming known to the police was about as close to the “source” as possible.

**Box 2.3** Changes to Uniform Crime Reporting Program Coverage, Required or Suggested by Enacted Law

- **1978—Arson:** Among the duties assigned to the newly renamed and authorized U.S. Fire Administration (USFA; P.L. 95-422; 92 Stat. 933) in 1978 was to “formulate methods for collection of arson data which would be compatible with methods of collection used for the uniform crime statistics” of the FBI (while still retaining authority for collection of “nationwide arson statistics within the National Fire Incident Reporting System,” coordinated by USFA within the Federal Emergency Management Agency). Later that year, in reauthorizing the U.S. Department of Justice, Congress directed that the FBI “shall in its Uniform Crime reports classify arson as a Part I offense” (P.L. 95-624; 92 Stat. 3465). The Anti-Arson Act of 1982 clarified that the director of the FBI “is authorized and directed to classify the offense of arson as a Part I crime” in the UCR, and further mandated “a special statistical report in cooperation with the National Fire Data Center for the crime of arson” (P.L. 97-298; 96 Stat. 1319).
- **1986, 1988—Child Abuse and Domestic Violence:** A package of child protection reforms enacted in 1986 included a requirement that the Attorney General modify the UCR Program—no later than January 1989, and for a period of at least 10 years—“to include data on the age of the victim of the offense and the relationship, if any, of the victim to the offender, for types of offenses that may involve child abuse, involving child sexual abuse” (P.L. 99-401; 100 Stat. 907). Two years later, Congress strengthened and broadened this mandate, directing that “the Attorney General shall require, and include in uniform crime reports, data that indicate [the] age of the victim [and] the relationship of the victim to the offender, for crimes of murder, aggravated assault, simple assault, rape, sexual offenses, and offenses against children.” The latter legislation also required BJS, “through the annual National Crime Survey,” to “collect and publish data that more accurately measures the extent of domestic violence in America, especially the physical and sexual abuse of children and the elderly” (P.L. 100-690; 102 Stat. 4517).
- **1988—Federal Criminal Offenses and Illegal Drug Trafficking:** Part of a larger Justice Department reauthorization bill, the Uniform Federal Crime Reporting Act of 1988 directed that “the Attorney General shall acquire, collect, classify, and preserve national data on Federal criminal offenses as part of the Uniform Crime Reports,” albeit with such mandatory reporting by federal law enforcement agencies limited to those crimes defined by the UCR Program. The act also authorized the director of the FBI “to classify offenses involving illegal drugs and drug trafficking as a part I crime in the Uniform Crime Reports” (P.L. 100-690; 102 Stat. 4468–4469). In practice, UCR reporting by federal law enforcement agencies remains limited (despite the legal obligation), and drug offenses were not added to the Part I crime roster.
- **1990—Hate Crime:** The Hate Crime Statistics Act of 1990 mandated that the Attorney General begin to acquire data “about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including were appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property” (P.L. 101-275; 104 Stat. 140). Disability and “gender and gender identity” were added as covered motivation factors in 1994 and 2009, respectively (108 Stat. 2131; 123 Stat. 2841). The act was only authorized to cover collection through calendar year 1994 and was subsequently extended through 2002, but has not been reauthorized since; still, the FBI has incorporated hate crime data collection as a permanent part of the UCR program despite the lapse in authorization.



**Box 2.3** (continued)

- **1994—Gang Violence:** The Violent Crime Control and Law Enforcement Act of 1994 stipulated that the FBI “shall acquire and collect information on incidence of gang violence for inclusion in an annual uniform crime report” (P.L. 103-322; 108 Stat. 2036).
- **1996—Violence Against Government Employees:** Though the UCR Program was not explicitly named as the vehicle, a provision in the Antiterrorism and Effective Death Penalty Act of 1996 directed the Attorney General to collect data on “crimes and incidents of threats of violence and acts of violence against Federal, State, and local government employees and their families in the performance of their lawful duties,” to include “the deterrent effect on the performance of their jobs” produced by the crime or the threat/attempt (P.L. 104-132; 110 Stat. 1310). Data collection was to be retroactive to 1990. However, the provision was formally repealed in 2002 (P.L. 107-273; 116 Stat. 1786).
- **2006—Cargo Theft:** Reauthorization of the USA PATRIOT Act in 2006 included the requirement that “the Attorney General shall take the steps necessary to ensure that reports of cargo theft collected by Federal, State, and local officials are reflected as a separate category in the Uniform Crime Reporting System, or any successor system, by no later than December 31, 2006” (P.L. 109-177; 120 Stat. 240).
- **2008—Human Trafficking and Prostitution Offenses:** The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 directed the FBI to “classify the offense of human trafficking” as both a Part I UCR crime and “a Group A offense for purpose of the National Incident-Based Reporting System.” Specifically, “to the extent feasible,” the offense was to include “subcategories for State sex crimes that involve—(A) a person who is younger than 18 years of age; (B) the use of force, fraud or coercion; or (C) neither of [those] elements.” Separately, the FBI was ordered to “revise” UCR and NIBRS to distinguish between three separate variants of prostitution offenses:
  - “Assisting or promoting prostitution,” referring to offenses committed by persons who “direct, manage, or profit from [commercial sex] acts, such as State pimping and pandering crimes”;
  - “Purchasing prostitution,” to include “crimes committed by persons who purchase or attempt to purchase or trade anything of value for commercial sex acts;” and
  - “prostitution,” to include “crimes committed by persons providing or attempting to provide commercial sex acts” (P.L. 110-457; 122 Stat. 5083).

Part I offenses. Not until 2004, and action through the APB process at that time, was this practice of trying to collapse “criminality” into a single-number summary discontinued in lieu of emphasizing separate violent crime and property crime totals instead (“About the Uniform Crime Reporting (UCR) Program” document in Federal Bureau of Investigation, 2015). However, the decades had taken their toll on what is meant by “criminality” in the United States; researchers and law enforcement practitioners alike understood that the indices were necessarily skewed toward high-volume offenses (like larceny-theft) without regard to crime seriousness, yet the obsession for decades was trying to impute meaning to upticks and downticks in the crude index measures.

More generally, the fundamental challenge of crime coverage in the UCR Program’s data collections is major uncertainty as to what information is

really at hand. In the case of the SRS, the problem returns to the language used at the beginning of this chapter—the SRS really and necessarily produces *estimates* of crime totals and rates. The historical branding of UCR tabulations as *Crime in the United States* contributes to a somewhat exaggerated sense of comprehensiveness and absolute accuracy—for several reasons, not least of which is that the UCR logically cannot encompass *total* crime because not all crime is reported to the police. In addition, the myriad tables of the annual *Crime in the United States* report each come with considerable fine print in companion “data declaration” and “methodology” documents. So, the UCR data tables are characterized in the report text and overview summaries as having impressive overall participation rates (“About the Uniform Crime Reporting (UCR) Program” document in Federal Bureau of Investigation, 2015):

In 2014, law enforcement agencies active in the UCR Program represented more than 311 million United States inhabitants (97.7 percent of the total population). The coverage amounted to 98.6 percent of the population in Metropolitan Statistical Areas, 91.6 percent of the population in cities outside metropolitan areas, and 92.6 percent of the population in nonmetropolitan counties.

But the tables typically avoid mention of the extent to which individual law enforcement agencies actually submitted a full 12 months worth of data (or whether and how many months of missing data had to be imputed), nor do they indicate whether all departments provided data on all the types of crime in the UCR framework. In essence, the SRS tabulations create the impression of being a complete census of crime activity, yet do nothing to suggest that individual entries in the tables may have considerable variation due to nonresponse. This level of uncertainty is undoubtedly elevated for the newer crimes—for example, arson, human trafficking, and so forth. Likewise, in the case of NIBRS, the problem is even more acute because adoption of the new reporting standards has been much slower than hoped. Alas, NIBRS coverage is such that it does not suffer from the false impression of being fully comprehensive and authoritative; NIBRS take-up, varying by state, is such that the accumulation of NIBRS data cannot be said to be representative of the nation as a whole. While NIBRS adds a substantial number of new crime types to the mix, the relatively low take-up rate (again, the reasons for and nature of which will be a major focus of our final report) is such that NIBRS’s strong potential for understanding crime in context remains largely unexplored by researchers and unknown to the general public. (At the end of this chapter, we will revisit this point in describing one current avenue of improvement.)

## 2.2 NATIONAL CRIME VICTIMIZATION SURVEY (NCVS) AND ITS SUPPLEMENTS

One of the nation's two principal sources of information on crime and violence, the National Crime Victimization Survey (NCVS) has a storied history of innovation and redesign that belies its relative youth as a data collection. Confronted with the task of assessing a seemingly growing but ill-understood crime problem in the mid-1960s, the President's Commission on Law Enforcement and Administration of Justice (1967) sponsored a set of prototype studies,<sup>6</sup> the centerpiece of which was a first-of-its-scale survey of 10,000 households that asked household members about the incidence of—and incident-specific details on—experiences with crime and violence. This prototype survey was administered by the National Opinion Research Center (now NORC of the University of Chicago) with the express intent of shedding light on what had been contemporaneously and evocatively dubbed by Biderman and Reiss (1967) as the “dark figure of crime,” the incidences of crime that go unreported to the police. The prototype survey's results were seismic—revolutionary—in their starkness. The survey documented that “for the Nation as a whole there is far more crime than ever is reported” to the police (and so counted in the existing UCR data), and the misses were hardly small: For some crime types, UCR/police-report totals were one-half or one-third the levels suggested by the survey, suggesting that in some cities “only one-tenth of the total number of certain kinds of crimes are reported to the police” (President's Commission on Law Enforcement and Administration of Justice, 1967:v).

The commission's report led directly to the creation of what is now the Office of Justice Programs (and then known as the Law Enforcement Assistance Administration [LEAA]), and fully realized versions of the commission's prototype studies—the national representative survey, along with a survey of businesses and a few city-specific surveys—quickly became part of the new unit's transmit. Formally, the full-fledged national survey (first fielded in 1972, sponsored by what developed into BJS with data collection by the U.S. Census Bureau) was but one part of the broader National Crime Surveys (plural) program, though it rapidly came to be known by the NCS abbreviation. However, an early National Research Council (1976) review of the program advised channeling resources into the national survey and scrapping the business- and city-specific components; upon implementation of this advice, the survey continued under the National Crime Survey (singular) banner. Several years later, the first wave of improvement and refinement took hold:

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<sup>6</sup>The other prototype surveys included more detailed surveys of particular precincts in three cities (Boston, Chicago, and Washington), conducted by the Bureau of Social Science Research and the University of Michigan's Survey Research Center (President's Commission on Law Enforcement and Administration of Justice, 1967:21).

A broad redesign consortium worked through a comprehensive overhaul of the survey (in particular, improvements in its routine for a “screening” interview, as described below [Biderman et al., 1986]). Following that redesign, it was also decided to rename the survey as the NCVS to denote its new approach.

Data collection under the redesigned protocols began in 1992 and continued for over a decade, when the time came for another reappraisal—this time, inspired at least equally by fiscal realities as by the desire for measurement improvement. While undeniably important to BJS’s mission, the NCVS became a special burden—with half or more of BJS’s annual funding being routed exclusively to administer the NCVS. Even with that, the survey was made to endure cuts in sample size, jeopardizing the ability to distinguish anything but the largest of year-to-year shifts in crime or victimization at the national level. BJS commissioned another National Research Council (2008, 2009a) review to evaluate its entire data collection portfolio, but with specific emphasis (and one report exclusively) on options for conducting the NCVS. Based on that review and its own research, BJS remains in the midst of another NCVS redesign—one that portends to yield, among other things, some subnational estimates of victimization from the main survey.

### 2.2.1 Basic Structure and Crime Coverage of the Base NCVS

Throughout its various distinct “lives” as a data collection program, the NCVS has maintained a fundamental structure—consisting (stated in simplified form) of personal interviews between a Census Bureau field representative and all individual members of a household age 12 and above, each beginning with a “screener” section meant to trigger recall (and count) of individual incidences of violence and followed by completion of a detailed “incident report” interview for each incident enumerated in the screener section. An important feature of this structure is that the use of crime-type labels and legalistic language is avoided to the greatest extent possible in the interview: neither the survey respondent nor the field representative is called upon to label a particular offense or incident as a robbery, an aggravated assault, etc. Instead, the survey’s intent is to collect descriptive information on and basic attributes of the incident, in order to permit crime type(s) to be derived in post hoc data preparation. Invoking the language that we will use later in this report, it may be said that the base NCVS uses a rough attribute-based classification, wherein crime types are derived algorithmically based on the presence/absence or levels of a set of variables (e.g., whether the incident included an element of taking property from a victim or whether entry to a site was achieved by force) rather than matching the letter of a legal definition.

In combination with the reasons for the survey’s creation, the NCVS’s fundamental structure has major consequences for the types of crimes covered by the survey:

- *The survey/personal interview about individual victimization is uniquely suited to measure some crime types that are not well handled by police report data—but rules out coverage of some crimes and complicates others:* The canonical crime type made out-of-scope by the nature of the NCVS is homicide, inasmuch as the victim logically cannot provide details about that particular incident. But, more subtly, survey designers recognized from the outset that the personal interview context created inherent difficulties in measuring crimes where the distinction between “victim” and “offender” is blurry or nonexistent. Providing an initial summary of the NORC prototype survey, Ennis (1967:3) commented that “people are simply not going to report their participation in illegal activities ranging from violation of gambling, game, or liquor laws to abortion or the use of narcotics. Nor is it desirable for the survey to be used as an instrument of confession” of misdeeds. The NCVS’s current technical documentation (Bureau of Justice Statistics, 2014b:5) explicit articulation of “crimes not covered by the NCVS” expands upon the listing of these borderline offense types, “such as public drunkenness, drug abuse, prostitution, illegal gambling, con games, and blackmail,” adding also that the survey at present does not measure “kidnapping, verbal threats over the phone, and other forms of crime involving social media, arson, fraud, vandalism, drunk driving, and commercial entities.”
- *A major initial (and ongoing) objective of the NCVS is to complement the UCR, which requires consistency with UCR definitions and protocols:* National Research Council (2008:§ 2–A) provides more extensive detail on the historical goals and objectives of the NCVS, but it is fair to say that two goals dominated the early construction of the survey. The first was a rare and revolutionary (both, for the time) focus on the *victim’s* perspective on acts that had almost invariably been viewed from the offender or incident standpoint. But equally important was the goal for the survey to measure “total” crime, not just that which is reported to police—and the contrast with the level of crime that *is* reported/known to the police only works effectively if the two programs are measuring roughly the same thing. Similarity in content and concept permits periodic assessment of the extent of and continued pervasiveness of the “dark figure” of crime that goes unreported to law enforcement. For instance, Langton et al. (2012) analyzed NCVS responses for 2006–2010 to conclude that just over half (52 percent) of violent victimizations go unreported, with crime-specific nonreporting rates ranging from 17 percent for motor vehicle theft to 65–67 percent for household theft and for rape and sexual assault. The analysis was based solely on NCVS response data, not on any kind of match between NCVS and UCR information—but continuity in concept does permit meaningful discussion of differences between the different sources.

Both the NCVS and the UCR have roots in questions of the effectiveness of *policing* and law enforcement, which affected their construction and prompted a similarity in content. The full-fledged NCVS began under the aegis of the LEAA, an entity that (as its name suggests) was to provide assistance to local law enforcement agencies; the LEAA's original statistical mandate (under which the survey was developed) was to "collect, evaluate, publish, and disseminate statistics and other information on *the condition and progress of law enforcement in the several States*" (in the Omnibus Crime Control and Safe Streets Act of 1968; 82 Stat. 207; emphasis added)—not unlike the reference to "police statistics" in the first mention of UCR data in statute. Not surprisingly, then, developers chose to principally focus the NCVS on the same crime types measured under the UCR summary, with definitions and concepts carrying over to the survey. Only later—in 1979, when the LEAA was legally dismantled (to be replaced by the Office of Justice Programs)—was BJS created and chartered more broadly, with legislative language directly envisioning an ongoing (if not expanded) NCVS. The new agency was directed "to collect and analyze information concerning criminal victimization, including crimes against the elderly, and civil disputes," and moreover to construct "data that will serve as a continuous and comparable national social indication of the prevalence, incidence, rates, extent, distribution, and attributes of crime" and related factors (93 Stat. 1176).

The upshot of these two lines of arguments is that the general list of crimes covered by the base NCVS—summarized in Box 2.4—looks remarkably similar to, and roughly follows, the Hierarchy Rule listing of the UCR Summary Reporting System. The NCVS is an interesting hybrid in that it both employs and eschews a rigid hierarchical rule. On a quarterly basis, a crime type is allocated to each Incident Report in the incoming NCVS data (which would have previously undergone basic editing and coding performed on a monthly cycle). "Incidents that cannot be classified according to the crime classification algorithm (e.g., arson, confidence games, and kidnapping) are deleted from the file," and the level-of-seriousness algorithm—embodied in the final list in Box 2.4—is used to identify the single most serious offense associated with an Incident Report (Bureau of Justice Statistics, 2014b:47). It is that single, most serious offense that is used for basic tabulation and presentation of the survey's results. However, the public-use NCVS data files contain at least a secondary offense code—as well as the attribute and variable data used to derive the type-of-crime codes—so that researchers may examine and classify incidents in a very flexible manner.

As a survey, the level of detail that can be gathered by the base NCVS is immense, bounded only by constraints in comprehension in posing questions

#### **Box 2.4** Basic Crime Types/Victimization Rates Estimated by National Crime Victimization Survey

The earliest form of the NCVS—the prototype survey fielded by the National Opinion Research Center (NORC), in support of the work of the President’s Commission on Law Enforcement and Administration of Justice—was particularly ambitious in its crime coverage. It aimed to cover all of the “major offenses as defined by the Part I crimes” of the UCR, “suitably translated into everyday language yet retaining the vital elements.” In addition, “a substantial number of Part II offenses were also included,” as were “several crimes at the boundary of the criminal law, such as consumer fraud landlord-tenant problems, and family problems” (Ennis, 1967:7). This broad sweep was necessary, given the primary interest in comparison with extant UCR data, and enabled in part by deemphasizing some specific incident-level detail and conducting the interview in the classical single-respondent household survey manner (asking a single respondent whether they or anyone else in the household had experienced certain things). The specific crimes estimated in the pilot survey were: homicide, forcible rape, robbery, assaults (aggravated and simple), burglary, larceny (over \$50 or under \$50), vehicle theft, other automobile offenses (e.g., hit-and-run, reckless or drunk driving), malicious mischief or arson, forgery/counterfeiting, fraud, consumer fraud, other sex crimes, family problems (e.g., desertion, failure to provide child support), soliciting a bribe, building violations, and kidnapping.

Once started in “permanent” form as the National Crime Survey (NCS), the survey also developed stricter adherence to interviewing about personal victimization episodes (rather than “anyone in the household”). Necessarily, this involved some revision of the list of covered crimes—most notably (and logically), the omission of homicide. Attention was focused on a short list (roughly 6–7) of fundamental crime types. An early National Research Council (1976:App.D) review of the NCS identified these key crime categories as

- *Assaultive violence with theft*, with subcategories for rape, attempted rape, serious assault (with or without weapon), and minor assault;
- *Assaultive violence without theft*, with subcategories for rape, attempted rape, serious assault (with or without weapon), attempted assault (with or without weapon), and minor assault;
- *Personal theft without assault*, with subcategories for robbery (with or without weapon), attempted robbery (with or without weapon), purse snatch without force (completed or attempted), and pocket picking;
- *Burglary*, with subcategories for forcible entry—nothing taken (with or without property damage), forcible entry—something taken, unlawful entry without force, and attempted forcible entry;
- *Larceny*, with subcategories for value of stolen goods of under \$10, \$10–24, \$25–49, \$50–99, \$100–249, \$250 or more, and value not available/not known, as well as attempted larceny; and
- *Auto theft*, with subcategories for theft of car, theft of other vehicle, attempted theft of car, and attempted theft of other vehicle.

Again, the categories were chosen to enable comparison (if not achieve lock-step conformity in label and definition) with UCR figures. The NCS designers stepped back a bit from the NORC prototype in its handling of rape (and sexual assault, generally), which it considered a form of assaultive violence but declined to single out as a top-level category; then, as now, rape remains a sensitive topic, but the norms of the early 1970s (when the NCS took shape) treated it as a particularly taboo (and interview-disruptive) topic.

**Box 2.4** (continued)

Over time, the importance of data collection on rape (and sexual assault) became more clear and some concepts shifted to better match UCR practice (e.g., equating “robbery” with theft including an element of assault). Accordingly, by the time of the NCS’s extensive late-1980s redesign (and rebranding as the NCVS in 1992), the high-level short list of NCVS crimes had shifted to “rape, personal robbery, assault, personal and household larceny, burglary, and motor vehicle theft.” In line with that redesign, vandalism was briefly added to the list of crimes formally covered and estimated by the NCVS, but it was removed several years later.

One slight liability of the NCVS’s great flexibility is that there exist multiple (and slightly differing) lists of the current crime classification used in analyzing the survey. The codebook for the 2014 public NCVS data file details the level-of-seriousness hierarchy used in processing NCVS returns, as follows (Bureau of Justice Statistics, 2014a):

**Personal Crime (Violent)**

1. Completed rape
2. Attempted rape
3. Sexual assault with serious assault
4. Sexual assault with minor assault
5. Completed robbery with injury from serious assault
6. Completed robbery with injury from minor assault
7. Completed robbery without injury
8. Attempted robbery with injury from serious assault
9. Attempted robbery with injury from minor assault
10. Attempted robbery without injury
11. Completed aggravated assault with injury
12. Attempted aggravated assault with weapon
13. Threatened assault with weapon
14. Simple assault completed with injury
15. Sexual assault without injury
16. Unwanted sexual contact without force

17. Assault without weapon without injury
18. Verbal threat of rape
19. Verbal threat of sexual assault
20. Verbal threat of assault

**Personal Crime (Nonviolent)**

21. Completed purse-snatching
22. Attempted purse-snatching
23. Completed pocket-picking

**Property Crime**

24. Completed burglary, forcible entry
25. Completed burglary, unlawful entry without force
26. Attempted forcible entry
27. Completed motor vehicle theft
28. Attempted motor vehicle theft
29. Completed theft, less than \$10
30. Completed theft, \$10–49
31. Completed theft, \$50–249
32. Completed theft, \$250 or greater
33. Completed theft, value unknown
34. Attempted theft

This listing of covered crimes is generally consistent with the “crime classification taxonomy in the NCVS” articulated in the survey’s recent technical documentation (Bureau of Justice Statistics, 2014b:4). The technical documentation listing combines or collapses some specific offenses (e.g., elements 3, 4, and 15 above are combined into one single sexual assault measure and the theft of items valued at less than \$10 and at \$10–49 are combined); notably, the technical documentation does not include elements 16 (unwanted sexual contact without force) or the verbal threat elements 18–20. But still a third list exists in the U.S. Census Bureau (2012:C2-3) manual for NCVS interviewers—which simplifies but is likewise generally consistent with the codebook list. It, too, omits unwanted sexual contact—but adds verbal threat of personal robbery—as a violent crime.



to respondents and restrictions against making the interviews unduly burdensome. Yet, at the same time, the survey fundamentally queries respondents about events that may be enormously consequential in people's lives but that are—in the statistical sense, and fortunately in the societal sense—relatively rare events. For any given individual respondent, asked to report incidences of crime and violence in the past 6 months, the chances that the interview will yield zero “incident reports” are considerable, simply because there is no such activity for the respondent to report. Estimation based on the survey requires finding occurrences of incidents of a particular type and making inference from that sample—and so, of necessity, two competing dynamics operate at once. The flexibility of the survey's content makes it possible to articulate very fine categories of crime, with different attributes such as weapon use or the value of property involved in an incident—at the expense of precision and volatility in estimates. Simultaneously, NCVS publications focus on coarser constructs such as all “violent crime,” all “property crime,” or all acts of serious violence between family members, because those broader categories (and changes over time within them) can be estimated more precisely.

Particularly during the late 1980s redesign effort, when early efforts to build NIBRS were occurring in parallel, the notion of formally increasing the base NCVS's coverage of crime types was considered. The redesign consortium's summary document acknowledged that designers briefly contemplated a thorough reimagining of the survey's crime classification—and heard staff proposals on the same. In particular, the objectives of some of these proposed reclassifications were less about “matching” the UCR in generating comparative incidence statistics, but rather “facilitat[ing] study of households touched by crime (and alternatively households free from crime), home intrusion, crimes in which motor vehicles either were objects of crime or were used in the commission of crime, domestic violence, and crimes committed by strangers and nonstrangers.” Ultimately, the redesign group retained the existing crime classification structure, and focused the major changes on the sample design and the structuring and content of the initial screener interview to boost recall and reporting of difficult-to-measure victimizations. However, the consortium did note that the reimagining work did “illustrat[e] the ways in which our understanding of the dynamics of crime can be expanded beyond the information available from legally based classifications and demonstrate the utility of developing additional attribute-based classifications for criminal events” (Bureau of Justice Statistics, 1989:15–16). Short of overhauling the underlying crime classification, the redesign consortium gave strong consideration to simply augmenting the list of crime types derived from and estimated by the survey; the summary document (Bureau of Justice Statistics, 1989:15) mentions highest consideration being given to the addition of “bombings, parental kidnapping [*sic*], arson, fraud, and vandalism.” However, most new suggestions “did not appear to be promising

for measurement, using victim survey methods, because of the rarity of the crime or concerns about the potential unreliability of victim reports.”

Over the years, BJS has acquired several direct mandates through Congressional action to collect certain information on criminal victimization in the NCVS. For instance, the Crime Victims with Disabilities Awareness Act of 1998 (P.L. 105-301) directed that the NCVS produce measures of “the nature of crimes against individuals with developmental disabilities” and “the specific characteristics of the victims of those crimes,” which led to the eventual addition of several questions to the survey (including one asking the respondent to judge whether any physical or mental impairment provided an opportunity for their victimization). Two years later, the Protecting Seniors from Fraud Act of 2000 (P.L. 106-534) explicitly mandated that BJS, “as part of each National Crime Victimization Survey,” collect information on “crimes targeting or disproportionately affecting seniors,” including “crime risk factors for seniors” such as the “time and locations at which crimes victimizing seniors are most likely to occur.” This mandate, in part, led to the eventual fielding of an Identity Theft Supplement to the NCVS for the first time in 2008. Most recently, U.S. House appropriators crafting the spending bill for Justice Department agencies for fiscal year 2015 added—as a condition for BJS funding as a whole—a provision “that beginning not later than 2 years after the date of enactment of this Act, as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to honor violence”—without specifying explicitly what is meant by “honor violence.” One common interpretation of honor violence is punishment for disobeying or disrespecting family dignity, particularly acts against women or girls in families. But the range of interpretations could also extend to “stand your ground”/self-defense laws. Even under a more generic definition of “honor violence” as violence committed to avenge a perceived slight to personal or family dignity, the explicit designation of the NCVS as the vehicle is surprising, both because construction of such a measure requires strong speculation by victims about the motives of their attackers and because the most extreme variant of honor violence (honor killing) would be out-of-scope for the NCVS (like all homicide). The honor violence provision survived in the final omnibus spending act for fiscal 2015 and became part of P.L. 113-235.

### 2.2.2 NCVS Supplements

The phrasing above and in Box 2.4, speaking of the coverage of crimes in the “base” NCVS, is deliberate, because a great strength of the NCVS is its capacity to accommodate supplemental modules of questions—focused on different possible crime types or on the incidence of crime within unique populations—that can broaden the survey’s content. Typically conducted with sponsorship from some other federal agency, some of these topic supplements

have been purely one-shot efforts while others have been conducted on a somewhat more regular schedule, and the supplements have also provided a forum for survey questions and content to make their way into the base NCVS interviews. The history of NCVS supplements is described more fully in National Research Council (2008) and Bureau of Justice Statistics (2014b), but in brief:

- The NCVS supplement that arguably draws the most media and public attention is one that harkens directly to the NCVS's origins in assessing law enforcement performance: a *Police-Public Contact Survey* (PPCS) that asks citizens about the prevalence and characteristics of their contacts with law enforcement personnel and other parts of the criminal justice system (including such settings as traffic stops). The PPCS might not yield estimates of new/different crime types, but it is a rich potential source of information for understanding crime (and reaction to it) in broader context.
- The single supplement that has been fielded most frequently in conjunction with the NCVS is the *School Crime Supplement*, conducted in collaboration with the National Center for Education Statistics. The supplement prompts 12–18-year-old school attendees to describe experiences of victimization; accordingly, it is uniquely poised to gather systematic survey-based information about juvenile victimizations by bullying or gang-related violence and the prevalence of drugs in the school environment.
- Beginning in mid-2004, pioneering questions related to *identity theft* were added to the NCVS questionnaire, providing the basis for some of the first quantitative measures of certain types of fraud (Baum, 2007). In 2008, that content was expanded and converted to a separate Identity Theft Supplement, intended to estimate prevalence of several variants of identity theft, ranging from unauthorized use of credit card or checking accounts to misuse of personal information to obtain benefits or renting housing. Significantly, the supplement queried for information on the time and resources necessary for victims of identity theft to resolve the problems, and on whether the incidents were reported to credit card companies/financial institutions or to law enforcement (Langton and Planty, 2010). The original 2008 incarnation of the supplement suffered from what were later deemed to be design problems, including a too-long (2-year) reference window that confused respondents and a screening mechanism (a question focusing on monetary loss) that mistakenly barred collection of information on identity theft *attempts*. However, these problems were said to be resolved when the supplement was implemented again in 2012 (Bureau of Justice Statistics, 2014b).

- During the first six months of 2006, BJS fielded the Supplemental Victimization Survey—which served as the most extensive survey yet conducted to assess the level and characteristics of *criminal harassment generally and the specific offense of stalking*. (The generic title was chosen to avoid direct mention of the module’s focus on stalking, “to avoid biasing the responses of individuals and the subsequent estimates.”) Results from this supplement were initially released in 2009 (Baum et al., 2009), but had to be revised in 2012 in part because a computational error caused the original percentages and rates to reflect the “usual” NCVS base population of persons age 12 or older (Catalano, 2012). The Supplemental Victimization Survey was sponsored by BJS’s sister agency in the Office of Justice Programs, the Office on Violence Against Women.
- Other supplements that have delved into specific crime types or the effects of crime on special populations include the Workplace Risk Supplement sponsored by the National Institute for Occupational Safety and Health in 2002, examining nonfatal violence in the workplace.

### 2.2.3 Conceptual Strengths and Weaknesses of NCVS Crime Coverage

In terms of the types of crime for which the NCVS can generate measures, and as a data collection platform in general, the principal strength and weakness of the NCVS can be stated simply and directly. Its principal strength is its flexibility, both analytically and in terms of content. It is unique in its capacity to generate estimates using multiple units of analysis, including incident-, person-, and household-levels of analysis.

To “emulate” and facilitate comparison with the UCR, NCVS estimates can be analyzed at the incident-level, assessing levels and rates of change in incidence of crimes of particular types (not to mention that it can be used to generate different metrics of “harm” induced by such crimes other than the raw count). One of the survey’s original hallmarks was that it shed light on the commonly overlooked perspective of the individual-person victim, and can be used to study individual reactions to and losses due to crime. But the nature of its collection also enables the use of the *household* as the unit of analysis, and so can start to generate insights into household and family effects of crime and violence. Finally, the NCVS can provide a unique perspective on criminal offending. In its incident reports, the NCVS asks victims of crime about the number and character of criminal incidents they experience, gathering information about what victims know about the offenders involved in incidents. Certainly, there are limits to which victims know or can know with precision the motives or characteristics of offenders, but some useful information is possible, particularly for offenses involving face-to-face contact between victim and offender. Accordingly, though it is best known for its victimization measures, the NCVS (and its precursor, the NCS) has been used

to construct crime incidence rates (by different characteristics of offender) independent of those gathered in police-report data. Such data have been used to study the similarities and differences in criminal offending as estimated by police-report data and by victim survey data that include crimes not reported to the police (see, e.g., Biderman and Lynch, 1991; Lynch and Addington, 2007b; McDowall and Loftin, 1992). The NCVS also has been used to produce rates of violent criminal offending over time, from 1973 to the present, for males and females (e.g., Lauritsen et al., 2009) and for persons of specific race and ethnic groups (e.g., Steffensmeier et al., 2011), and for some age groups such as juveniles (e.g., Lynch, 2002). In addition, trends in these survey data have been compared to trends in police estimates of crime for some types of offenses across a limited number of areas, such as metropolitan places (e.g., Lauritsen and Schaum, 2005) and urban, suburban, and rural places (Berg and Lauritsen, 2015).

However, the principal weakness of the NCVS is that its flexibility can only be pushed so far: It is designed to be a nationally representative survey, and so is best suited to produce national-level estimates. It is, moreover, a survey that began in 1972 interviewing persons in 72,000 households but—principally for budgetary reasons—the survey experienced cuts in sample size over the years. The smaller sample sizes, combined with the underlying premise of querying for details of statistically rare events meant that, by the mid- and late-2000s, the NCVS was falling short of its basic goal to estimate the level and annual rate of change in criminal victimization. In order to reliably estimate changes in victimization levels, comparisons had to be made between two-year “windows” of collected survey data (National Research Council, 2009a:28). It should be noted clearly that these weaknesses are not yet completely remedied, but that BJS is currently engaged in efforts to further address them: refining analysis and sample in order to derive some subnational estimates from the NCVS data and, within tight budgetary parameters, having made substantial effort to restore some part of the sample size cuts. In short, then, it remains true that the NCVS’s principal weakness is that it is sharply limited in its capacity for highly detailed annual geographic, demographic, or crime-type disaggregation, simply because a large number of events must occur in the data in order to yield reliable estimates. Individual states, and perhaps some large law enforcement departments, have fielded their own victimization surveys, but the NCVS sample is not designed to produce estimates of crime at the local-jurisdiction level that would be most useful to a variety of users. NCVS estimates certainly cannot be used for making comparisons to police-report-based estimates for a particular (arbitrarily small) city or police department precinct.

### 2.3 THE WIDER FIELD OF “CRIME” DATA

The NCVS and the UCR Program’s data collections are omnibus in terms of their coverage of crime and related topics. They are not fully comprehensive over the full extent of “crime,” yet each does still cover some considerable terrain, with the intent of collecting information in a standard way. Yet crime, and related behavior, is of sufficient public importance that numerous other data collections have emerged over the years, to cover some very specific offense types in a more detailed manner or to focus attention on a specific victim (or offender) population group in more detail than is possible in the more omnibus, nationally compiled crime datasets. These data systems are not routinely thought of as being part of the nation’s crime statistics system but—nonetheless—are sources that *might* serve as sources of indicators of some types of crime. The data collections that touch on some aspect of “crime” comprise a very rough patchwork—the inevitable result of different data resources being developed for different purposes, to cover different constituencies or populations, as has been the developmental path for national statistics in the United States, generally.

As we noted in previewing this chapter, the description of data resources in this section is not intended to be construed as comprehensive or exhaustive, and mention of a data collection here (at the exclusion of others) is not any special “endorsement” of the data. Nor are these capsule summaries meant to be thorough reviews or assessments. As with the UCR and the NCVS, our primary emphasis is the coverage of crime-related information the data collections may contain but, given their relative unfamiliarity, we also try to go a step further in describing the ways in which the data are currently being used.

In this section, then, we describe an illustrative set of possible data resources—potential sources for crime indicators or critical contextual information that may inform gaps or weaknesses in extant BJS and FBI crime data series, or that may be uniquely suited to measure crime-related phenomena among special subpopulations. We begin by reviewing some examples of data systems that are analogous to the UCR in that they are compiled from law enforcement or public safety sources, but also focus on some particular population or set of offenses. We then turn to some measures from self-report surveys, of victimization like the NCVS, of offending (in some cases), or of perceptions of specific crimes or offenses. Finally, we turn to some resources that do not align neatly with either of these data collection models but that are, in some sense, either administrative surveys (queries made of facilities or institutions) or compilations of administrative records data outside the law enforcement/public safety sphere.

### 2.3.1 Law-Enforcement and Public-Safety Based Sources of Crime Data

#### Clery Act Collections on Crime on College and University Campuses

Postsecondary education institutions began compiling and regularly disclosing statistics on crime and security on campuses as a result of the 1990 Crime Awareness and Campus Security Act (P.L. 101-542; 104 Stat. 2384). The reporting is effectively mandatory on most institutions because it was made a condition for institutions' eligibility for federal student financial aid funds. In addition to required statements on campus security procedures, the 1990 law mandated that occurrences of six types of crime—the UCR Part I offenses of murder, rape, robbery, aggravated assault, burglary, and motor vehicle theft, albeit not explicitly labeled as such—be tallied for the current and the two preceding school years, to include “offenses reported to [either] campus security authorities or local police agencies.”<sup>7</sup> In addition, the law directed that arrest statistics be collected regarding on-campus liquor law, drug abuse, and weapon possession violations. Though written to include offenses handled by law enforcement in the communities surrounding college campuses—and so overlapping in content with reports to the FBI under the UCR program—the campus crime reporting law vested collection authority directly in the U.S. Department of Education, where it continues to be operated by the Office of Postsecondary Education (OPE).

Eight years later, the crime reporting provisions were revised and expanded, and renamed in memory of Lehigh University freshman Jeanne Clery, who was murdered in her campus residence hall room in 1986 (P.L. 105-244, 112 Stat. 1742). In terms of crime covered, the new Clery Act<sup>8</sup> expanded the list of reportable offenses to include manslaughter (distinct from murder) and replaced “rape” with “sex offenses, forcible or nonforcible.” The act also paralleled the structure of the Hate Crime Statistics Act and directed that the offense counts be disaggregated to include crimes “in which the person is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.” (Simultaneously, arson was added to the list of reportable offenses and the arrest counts on liquor, drug, or weapon possession charges were made subject to past-two-year reporting, but none of these were made subject to the hate crime categorization.)

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<sup>7</sup>The legal text indicated that the crime statistics should be collected in deference to standards in the existing UCR Program: “The statistics . . . shall be compiled in accordance with the definitions used in uniform crime reporting system” of the FBI, as modified pursuant to the Hate Crime Statistics Act (P.L. 101-542; 104 Stat. 2387).

<sup>8</sup>Formally, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act; codified at 20 USC § 1092(f) with companion U.S. Department of Education rules for compliance at 34 CFR § 668.46.

In terms of crime coverage, then, the campus crime statistics collected under the Clery Act are closely patterned after the UCR Summary Reporting System, with some additions directed by the enabling law. That said, OPE's website for dissemination of the data (<http://ope.ed.gov/security/>) takes care to caution users against directly comparing UCR figures with the OPE-compiled data, because the latter includes a mixture of data from local law enforcement agencies (which should report data to UCR) and campus security forces (which may not be so obligated). The Clery Act data also differ from the UCR and other traditional crime statistics programs in that their primary means of dissemination is dictated by law: The same law that requires the data to be collected mandates that an annual security report be published and disclosed/disseminated by all the individual schools to not just current students and employees but to "any applicant for enrollment or employment upon request" (20 U.S.C. § 1092(f)(1)). There is not, however, a standalone document akin to *Crime in the United States* that draws inference from the nationally compiled data. In addition to the "data analysis cutting tool" on the OPE's website, the Clery Act data are accessible through the National Center for Education Statistics' College Navigator interface (<https://nces.ed.gov/collegenavigator/>).

### Defense Incident-Based Reporting System (DIBRS)

Members of the U.S. armed forces, personnel at U.S. military installations, and enemy combatants and prisoners in military custody<sup>9</sup> are subject to the adjudication processes outlined in the Uniform Code of Military Justice (UCMJ), comprising Title 10, Chapter 47 of the U.S. Code. Subchapter X of the UCMJ lists a battery of "punitive measures"—in essence, a set of sentencing guidelines dictating what offenses are governed by a court-martial and which incur other penalties; in so doing, the UCMJ lays out an array of crime types unique to the military context, as described in Box 2.5.

As mentioned above in Section 2.1.4, the enactment of the Uniform Federal Crime Reporting Act of 1988 did not result in much increased reporting to the UCR Program—but it did partially spur the development of what would become the Defense Incident-Based Reporting System (DIBRS). DIBRS was principally developed within the U.S. Department of Defense (DoD) to coordinate and bring order to the inputs from the numerous law enforcement agencies that serve within and support the functions of the nation's armed services. But a central data repository system also became essential to meet a number of legal mandates—not just reporting to the FBI under the Uniform Federal Crime Reporting Act, but also to satisfy recordkeeping

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<sup>9</sup>This is a highly simplified version of the description of all persons governed by the Uniform Code of Military Justice, including detailed discussion of what exactly it means to be a "member" of the armed forces; the fuller description is at 10 U.S.C. § 802.



**Box 2.5** Crime Types Uniquely Defined by the Uniform Code of Military Justice

The following are among the crime types (or “punitive articles”) defined by the Uniform Code of Military Justice (UCMJ) that have designated codes in the Defense Incident-Based Reporting System (DIBRS) but that would “convert” to category 90Z (“all other offenses”) in the National Incident-Based Reporting System (NIBRS; as per Table 2.1):

- *Fraudulent/unlawful enlistment into or separation from the armed forces* (10 U.S.C. § 883–884);
- Various offenses related to *absence from duty*, ranging from simple or short-term *absence without leave/unauthorized absence* (10 U.S.C. 886) to much more severe *desertion* (10 U.S.C. § 885)—which itself has major subcategories for going absent from unit/duty with intent to remain away, quitting unit with intent to avoid hazardous duty, or enlisting/joining another U.S. armed service or entering any foreign armed service without being separated from current enlistment;
- Various gradations concerning *disrespectful behavior toward officers*, from basic *disrespect toward a superior commissioned officer to contempt toward officials* (“using contemptuous words against”) including the president, Congress, or state government officials (10 U.S.C. 888–889), to *insubordination toward a noncommissioned officer* (10 U.S.C. 891);
- *General failure to obey orders or regulations* or dereliction in performance of duties (10 U.S.C. § 892);
- *Mutiny and sedition* (10 U.S.C. § 894), the refusal to obey orders with the intent of usurping military authority and the creation of revolt/violence with the intent of usurping civil authority, respectively;
- *Aiding, harboring or protecting, or communicating to the enemy* (10 U.S.C. 904);
- *Misbehavior before the enemy* (10 U.S.C. § 899), shorthand for any of nine behaviors “before or in the presence of the enemy,” including running away, “shamefully abandon[ing or] surrender[ing]” any command or property, “cast[ing] away his arms or ammunition,” and “quit[ting] his place of duty to plunder or pillage;”
- *Malingering* (10 U.S.C. § 115)—feigning illness or physical/mental disability—or the deliberate self-infliction of injury, in order to avoid duty; and
- *Misbehavior of sentinel* (10 U.S.C. § 913), punishing particular dereliction (including being “found drunk or sleeping upon his post, or leav[ing] it” without proper relief); and
- The ill-specified but on-the-books offense of *conduct unbecoming an officer and a gentleman* (10 U.S.C. § 933)

Other crimes defined in the UCMJ either directly match NIBRS categories (e.g., murder and robbery) or map reasonably closely to them (e.g., the UCMJ offense of “drunk on duty” [10 U.S.C. § 912] as applied to persons “other than a sentinel or look-out”, which maps to NIBRS’ “drunk and disorderly” code). In addition to personal and property crimes, the UCMJ defines what are generally termed inchoate offenses—as those inchoate offenses apply to other UCMJ-specific offenses. So, for example, the UCMJ defines the inchoate offense of (*criminal*) *solicitation* (10 U.S.C. § 882), covering the solicitation or advising of other persons to desert, mutiny, misbehave before the enemy, or commit acts of sedition. Similar wording holds for (*criminal*) conspiracy or functioning as an accessory.

requirements imposed by the Victims' Rights and Restitution Act of 1990 and the Brady Handgun Violence Prevention Act. On October 15, 1996, DoD published Directive 7730.47, "Defense Incident-Based Reporting System (DIBRS)," to introduce the system and implement legal requirements, and to enable responsiveness to anticipated congressional and DoD information needs.

Per a technical document regarding the system (U.S. Department of Defense, 2010), DoD areas with responsibility for populating and reporting to DIBRS run the gamut of the internal military justice system:

- *Law enforcement*: general police operations under the broader DoD aegis, such as those conducted by each military service's military police unit, by the Pentagon Police, as well as by Defense agency civilian police;
- *Criminal investigations*: investigations conducted by the Air Force Office of Special Investigations, the Naval Criminal Investigative Service, or other criminal investigative organizations within DoD;
- *Command actions*: case dispositions resulting from command authority or referral for judicial action;
- *Judicial functions*: proceedings conducted through military legal offices and courts responsible for prosecuting DoD offenders, and the dispositions of courts-martial; and
- *Corrections*: actions conducted at military correctional facilities and by persons responsible for DoD employees convicted of a crime and sentenced to imprisonment.

DIBRS also is meant to enable the Department of Defense to track a criminal incident from initial allegation through final disposition. It includes data segments on the law enforcement, criminal investigation, judicial, and corrections phases. These segments from the later phases of the military justice process have substantially more missing data than those segments required for NIBRS.<sup>10</sup> Contributions to DIBRS from within DoD are mandatory, in contrast to the voluntary participation of states and localities in NIBRS, suggesting coverage issues for the core data elements may be less severe.

A DoD Inspector General report in late 2014 noted that "10 years of DoD criminal incident data have not been provided to the FBI for inclusion in the annual uniform crime reports" (U.S. Department of Defense, Inspector General, 2014). As of August 2015, DoD remains in the process of obtaining FBI certification for DIBRS to clear the way for transmittal of its criminal incident data for inclusion in NIBRS as required by the Uniform Federal Crime Reporting Act of 1988 and DoD Instruction 7730.47. The remaining hurdle to certification is resolution of geographic tags to avoid inadvertent attribution

<sup>10</sup>This inference on higher levels of missingness was made by Defense Human Resources Activity (DHRA) staff, describing DIBRS for the panel at its meeting on August 4, 2015.

of incidents to the city or state in which a military installation is located, as opposed to the installation itself or the military service.

DoD produces no regular reports using DIBRS data that track trends on crime in the U.S. military. There are no public access files for DIBRS, whereas NIBRS has released data through the Inter-university Consortium for Political and Social Research. We consequently have found no secondary analyses of the data outside of government that speak to its strengths and weaknesses.

### **Arson and Emergency Response Information in the National Fire Incident Reporting System (NFIRS)**

Responding to the recommendations of a National Commission on Fire Prevention and Control, Congress determined—in the Federal Fire Prevention and Control Act of 1974 (P.L. 93-498; 88 Stat. 1535)—that “a national system for the collection, analysis, and dissemination of fire data is needed to help local fire services establish research and action priorities.” The 1974 act established a National Fire Prevention and Control Administration within the Department of Commerce, and directed that this agency establish a National Fire Data Center to “gather and analyze” data on the “frequency, causes, spread, and extinguishment of fires,” as well as deaths, injuries, and property losses incurred by fires (among other firefighting-specific information). In response, the first-generation National Fire Incident Reporting System (NFIRS) was created in 1976, compiling voluntary data submissions from local fire departments in the same manner as the UCR Program collects voluntary submissions from law enforcement agencies. As described in Box 2.3, the agency was renamed the U.S. Fire Administration (USFA) by law in 1978 and simultaneously was given a strong mandate to collect information on the specific crime of arson in the NFIRS, prior to enactment of separate legislation decreed that arson be designated a Part I offense in the UCR Program.

Today, NFIRS continues to be coordinated by the USFA, though the USFA’s administrative placement has shifted over the years. It is now housed within the Federal Emergency Management Agency (FEMA), in turn overseen by the U.S. Department of Homeland Security. The National Fire Information Council (NFIC)—originated in 1979, and comprised of a group of (volunteer) representative NFIRS users—serves as a liaison between USFA and the broader USFA participants, though with less formal standing in policy decisions than the UCR’s Advisory Policy Board.

Generally, NFIRS parallels the UCR Program in construction: It relies on the voluntary contribution of data from local fire departments. Over 20,000 fire departments from all 50 states submit data to NFIRS. Most states relay information to NFIRS through the state fire marshal’s office. Due to budgetary constraints, however, a few states have discontinued NFIRS support at the state level but encourage local departments to continue participation via

direct submission to FEMA's Data Entry Browser Interface (DEBI). Arizona, Nevada, and Washington are a few of the states that no longer provide state-level support. To supplement the state coverage, NFIRS also strives to record data for 35 major metropolitan areas with populations of 500,000 or greater.

It is estimated that 44 percent of total fire incidents are reported in NFIRS—a total that exceeds 900,000 incidents but that, like NIBRS, represents a minority of the total share of incidents in the country *and* a set of incidents that is difficult to characterize as being representative of any broader population.<sup>11</sup> In part, low NFIRS participation may be attributable to an extensive reporting burden; the NFIRS instruments ask for substantially more information than NIBRS for a particular incident, and cover a much vaster scope of events. Though originally motivated by the desire for better quantification of fire and arson incidents, NFIRS has developed into a record system of *all* functions and activities performed by local fire departments, from emergency medical services (EMS) runs to hazardous material responses to “first responder” calls not actually involving a fire. NFIRS has a modular structure, with fire department personnel intended to fill out a core/Basic module for every response incident, followed by detailed question modules for applicable circumstances.

In the current “NFIRS 5.0” system, a core/Basic module (dubbed NFIRS-1) is completed by fire department personnel for each incident to which they have responded. NFIRS-1 prompts for basic identifier information (e.g., an identifier code for the reporting department, the geographic location, and a rough categorization of the incident). It also asks for information about the aid given or received and the actions taken by fire department personnel; whether dollar/property losses were incurred or whether fatalities resulted; and whether any hazardous materials were released. The basic module could also include “incidents” not actually involving a fire (e.g., first responder calls) or very minor incidents (e.g., “contained no-loss fires,” such as food-on-stove extinguished when fire department arrives). In addition to the Basic Module, NFIRS contains nearly a dozen specific additional “modules” that may apply to particular incidents. The second, “Fire” Module (NFIRS-2), starts the process of documenting actual fire incidents, including details about the property and what is known about human factors involved in the ignition of the fire. Depending on the type of land/property involved, a Structure Fire or a Woodland Fire Module would be completed. If the fire resulted in a casualty, then either the Civilian Fire Casualty Module or the Fire Service Casualty Module would be completed; both of those involve the fire department rendering an opinion on the causes of the injury leading to death, including human and contributing factors. Depending on the situation and

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<sup>11</sup>This level of coverage was described by USFA staff in describing NFIRS at the panel's meeting on August 4–5, 2015.

the specific equipment and staff put into play, then the HazMat, Apparatus, or Personnel Modules would be completed.

In addition to some of the information collected on NFIRS-1 and NFIRS-2 (and the associated Property Type module), interest in NFIRS as a companion measure of arson (or, generally, malicious burning or other property-damage crimes involving the use of fire) centers around two other modules:

- The Arson Module applies to incidents where a fire is believed to be intentionally set. The module includes documentation of case status, possible/suspected motivation factors, and information on how entry was secured and what specific devices or incendiary materials may have been used.
- The general EMS Module would apply to non-fire incidents—any time the fire department applies emergency medical services. The module calls on the reporting department to report the EMS providers’ “impression/assessment” of the underlying problem (including trauma, sexual assault, overdose/poisoning, and “obvious death”) and speculate on the nature/cause of the injury (or illness).

Retrieval of such NFIRS data and subsequent comparison with/attribution to incidents collected through other reporting sources is difficult because of NFIRS’ unique structure.

### **National Child Abuse and Neglect Data System (NCANDS)**

The original Child Abuse Prevention and Treatment Act (CAPTA), enacted in 1974, required a new center within the U.S. Department of Health, Education, and Welfare to “make a complete and full study and investigation of the national incidence of child abuse and neglect, including a determination of the extent to which incidence of child abuse and neglect are increasing in number or severity” (P.L. 93-247; 88 Stat. 5). A 1988 revision of CAPTA (formally the Child Abuse Prevention, Adoption, and Family Services Act; P.L. 100-294, codified at 42 USC § 5104 et seq.) required the Secretary of Health and Human Services (HHS) to establish and appoint a director for the National Center on Child Abuse and Neglect, as well as establish a national clearinghouse for information relating to child abuse. The general task of coordinating information (from state and local resources) on national-level incidence of child abuse and neglect swelled in magnitude and specificity as CAPTA was periodically revised over the years. The current specifications of data required to be collected by the U.S. Department of Health and Human Services on “the national incidence of child abuse and neglect” includes 11 specific dimensions, ranging from “the incidence of substantiated and unsubstantiated reported child abuse and neglect cases” to “the extent to which reports of suspected or known instances of child abuse . . . are being screened out solely on the

basis of the cross-jurisdictional complications” of multiple agencies (42 USC § 5105(a)(1)(O)). Though the legislation beginning in 1974 laid the groundwork for a data collection system, it would take until enactment of P.L. 111-320, the CAPTA Reauthorization Act of 2010, for amendment text to formally define “child abuse and neglect” for these purposes: “any recent act or failure to act on the part of a parent or caretaker, which results in death, serious physical or emotional harm, sexual abuse or exploitation, or an act or failure to act which presents an imminent risk of serious harm.”

The specific data system established to meet these legislatively mandated requests is the National Child Abuse and Neglect Data System (NCANDS), under which HHS’s Administration for Children and Families (ACF) coordinates data inputs from state child welfare agencies. In its basic structure, NCANDS uncannily parallels both the core mission of BJS and emulates the methodology of the UCR Program. Under its information clearinghouse authority under law, HHS (through ACF) is required to “annually compile and analyze research on child abuse and neglect and publish a summary of such research,” to promulgate “materials and information to assist State programs for investigating and prosecuting child abuse cases,” and “establish model information collection systems.” That mission is akin to BJS’s authorizing legislation, emphasizing the function of providing technical assistance to individual communities. Meanwhile, the broad-brush structure of NCANDS participation—local child welfare agencies and authorities reporting to state agencies, which in turn submit data to ACF and NCANDS—is similar to the report-through-state model of the UCR. Operationally, NCANDS does differ markedly from the UCR model in frequency; its contributors are asked to provide counts and information for an entire financial fiscal year (October 1–September 30) at a time rather than on a monthly basis.

Both NCANDS and the UCR Program have a strong state-level coordination role, though that role is arguably stronger for the former than the latter. To wit, there is no provision for local agencies to supply NCANDS data *without* going through the state. Moreover, state statutes are commonly such that local reporting to the state-level child welfare agency is not optional. The level of state compliance with NCANDS reporting has been and remains impressive—starting with 46 states submitting in 1990, and including all 50 states, the District of Columbia, and Puerto Rico today. That said, it is important to note that the final step in the data relay, from the states to NCANDS, is strictly voluntary.

Established to provide insight on the highly specific crimes of child abuse and neglect, NCANDS features two functional dynamics that merit brief mention. First, HHS and ACF arranged for the development and availability of “local”-agency information systems in order to facilitate uniform data submission. Specifically, HHS developed Statewide and Tribal Automated Child Welfare Information Systems (SACWIS) software, and a provision in

1993's Omnibus Budget Reconciliation Act (P.L. 103-66) offered states financial incentives to implement a SACWIS, leaving open the option of some system customizability in order to incorporate state-specific data collection items. As of April 2015, 35 states and the District of Columbia have fully operational SACWIS, and three states' SACWIS are still in development; the remaining 12 states and Puerto Rico use non-SACWIS models to submit their data to NCANDS and other child welfare systems. Second, NCANDS is an interesting case study in moving from a mixed detail-and-summary-type reporting system to full incident-based reporting. For several years, NCANDS operated two major file types in parallel—a detailed Case Level Data File (also referred to as the Child File) and a Summary Data Component, the latter explicitly intended to collect summary incidence information from states lacking the capacity to submit the detailed case-level files. However, the NCANDS program was able to discontinue the Summary Data Component in 2012, every state having successfully acquired the capability for detailed reporting.

Child File entries consist of cases that received a disposition from a Child Protective Services (CPS) entity within any particular state. This file collects information on the reporting source, type of abuse or neglect, type of allegation (indicated, substantiated, unsubstantiated, victim, nonvictim, etc.), victim demographics, family court history and select family risk factors, child fatalities, and perpetrator information. The Child File has seven primary abuse and neglect categories: physical abuse, neglect or deprivation, medical neglect, sexual abuse, psychological or emotional abuse, other, and unknown. These seven categories constitute the full detail on the means of the abuse within these categories; NCANDS does not collect specific data on the method of abuse within these headings. Just as the UCR Program also includes a rolling census of sorts of law enforcement personnel, so too does NCANDS include a component that gathers some contextual information about the Child Protective Services entities at work in a state. This Agency File gathers aggregated state-level data on preventative services, screening, and other topics, including information from agencies operating outside of the state government's CPS structure.

NCANDS data is stored, aggregated, and processed at the National Data Archive on Child Abuse and Neglect (NDACAN) at Cornell University. NDACAN is funded by a grant from the Children's Bureau. The data center conducts secondary analysis of NCANDS data and provides datasets and technical support, free of charge to researchers and data users. Other units in HHS are, arguably, the principal consumers of NCANDS data, making extensive use of them for reports required by law (e.g., the annual *Child Welfare Outcomes* report annually submitted to Congress as required by the Adoption and Safe Families Act of 1997, compiling data from NCANDS and other sources), regular "omnibus" publications (e.g., the annual *Child Maltreatment* report published by ACF's Children's Bureau, which typically presents analyses

of data lagged by two calendar years), and a variety of special topic reports. Other users of NCANDS data include the American Humane Association, which frequently updates “fact sheets” on child abuse and neglect using the compiled data.

### 2.3.2 National Self-Report Surveys

#### Self-Report Surveys of Criminal Offending

Independent of the NCVS, which focuses exclusively on obtaining self-reports of recent victimization experiences, there are very few national-level self-report estimates of criminal offending. Five notable exceptions are:

- *National Youth Survey (NYS)*: Started in 1976, the NYS is a longitudinal study of an original sample of 1,725 adolescents who were between ages 11 and 17 at the first interview and who were selected to be representative of the national population. The study is still ongoing, with follow-up assessments most recently when the sample was ages 39–45.<sup>12</sup> Data from the NYS has been used extensively to study delinquency and criminal offending as well as victimization and associated factors.
- *National Longitudinal Survey of Youth (NLSY)*: There are two distinct versions/waves of the NLSY, dubbed NLSY79 and NLSY97 for their beginnings in 1979 and 1997, respectively. NLSY79 is a nationally representative sample of 12,686 persons who were between ages 14–22 at the first interview in 1979 (born 1957–1964); NLSY97 tapped a nationally representative sample of about 9,000 persons who were ages 12–16 at the end of 1996 (born 1980–1984). In both iterations, though, the NLSY contains information on participants’ self-reported arrests, incarcerations, and a limited set of criminal activities, with its longitudinal contacts making it a useful source for studying cohort effects of criminal offending.<sup>13</sup>
- *Monitoring the Future (MTF) Studies*: Begun in 1975, the MTF collects self-report data on the behaviors and attitudes of secondary school students, college students, and young adults annually. The MTF survey interviews about 50,000 8th, 10th, and 12th grade students, with annual follow-up surveys conducted with a sample of each graduating class for several years after initial participation.<sup>14</sup> Although it contains some information on

<sup>12</sup>For additional information, see <http://www.colorado.edu/ibg/human-research-studies/national-youth-survey-family-study>.

<sup>13</sup>See <http://www.bls.gov/nls/> for general information on the surveys and <https://www.nlsinfo.org/content/cohorts/nlsy97/topical-guide/crime/crime-delinquency-arrest> for discussion specific to crime and delinquency.

<sup>14</sup>Additional information on the studies can be found at <http://www.monitoringthefuture.org/>.



self-reported delinquency, most of the antisocial behavior information contained in the MTF is focused on drug and alcohol use.

- *National Longitudinal Study of Adolescent Health (Add Health)*: The Add Health is a longitudinal study of a nationally representative sample of adolescents in grades 7–12 in the U.S. during the 1994–1995 year, and includes four follow-up interviews with the same subjects, the most recent in 2008 when the sample was aged 24–32.<sup>15</sup> The Add Health survey data contains some self-reported information on delinquency and criminal offending, though its main focus is to gather data on the physical, psychological, social and economic well-being of the respondents.
- *Youth Risk Behavior Surveillance System (YRBSS)*: Sponsored by the U.S. Centers for Disease Control and Prevention (CDC), the YRBSS is actually a suite of ongoing annual surveys of high-school and middle-school students. A “national” questionnaire specified by the CDC is administered to the students included in the sample, while the CDC’s state and local health department partners can field a supplementary survey (typically building from a “standard” questionnaire of suggested items and focused on the high-school students in the sample).<sup>16</sup> Like the other surveys, the YRBSS instruments cover a wide array of behaviors and activities (e.g., alcohol/tobacco/“electronic cigarette” or vapor inhalant usage, and sexual behavior), but do branch into eliciting self-report surveys of both crime victimization and offending. For instance, recent versions of the surveys have asked students how frequently they drive vehicles when they have been drinking alcohol (as well as how many times they ride in cars with peer drivers who have been drinking). Questions have also focused on bullying and cyberbullying in the school setting (both victimization and offending), and on instances of forced sexual intercourse or physical abuse by someone a respondent was dating.

In addition, the annual National Survey on Drug Use and Health (NSDUH), administered by RTI International with sponsorship from the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA), generates information on the use (and abuse) of “legal” drugs (alcohol and tobacco) as well as controlled substances. The survey targets the population aged 12 and older, and makes use of computer-assisted self-interviewing to try to actively promote the privacy of respondent answers.

Although each of these data sources has served as an important resource for understanding the correlates of delinquent and criminal activity, each is limited in some ways for purposes of estimating levels of crimes. Some of

<sup>15</sup>Additional information on Add Health may be found at <http://www.cpc.unc.edu/projects/addhealth>.

<sup>16</sup>Additional information on the YRBSS is available at <http://www.cdc.gov/healthyyouth/data/yrbbs/index.htm>.

these limitations are associated with methodological problems common to self-report surveys, such as sample biases and errors associated with respondent under- and over-reporting (see Thornberry and Krohn, 2000); other limitations are due to study-specific differences. For example, longitudinal surveys such as the NYS and the Add Health data suffer from sample attrition over time and the low levels of self-reported involvement in violence suggests that survey participation may not be fully representative of the population. The MTF self-report information estimates only certain delinquent and antisocial behaviors and is limited to younger age persons in schools. The NLSY does not contain sufficient information on a large array of delinquent or criminal acts, and annual assessments are not routinely conducted. Therefore, although there have been efforts to obtain self-report information directly from persons about their involvement in criminal offending, these data collections are not capable of providing ongoing, reliable national-level estimates of crime.

As the NCVS sheds some light on the characteristics of offenders, other national surveys provide specialized glimpses at crimes and offenders, particularly in the area of family and intimate partner violence. Like the NCVS, the focus of these studies is on measuring victimization incidents that are often classifiable as “crime” as well as some important information about the offenders in such incidents (such as victim-offender relationship). In the area of child victimization, the National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMAART) has twice measured abductions of children by strangers and nonstrangers (see, e.g., Hammer et al., 2004), once in 1988 and a second time in 1999. The Developmental Victimization Survey, conducted once in early 2003, used a combination of self-reports and proxy reports to measure the extent to which children younger than age 12 have experienced various forms of victimization (Finkelhor et al., 2005). Like other victim surveys, these data include incidents that are not captured in official records by either the police or by child welfare agencies, or captured in the NCVS because it excludes respondents under the age of 12.

Violence against women and intimate partner violence have been captured in various national surveys, the largest including the National Violence Against Women Survey (Tjaden and Thoennes, 2000) and the National Intimate Partner and Sexual Violence Survey (NISVS, <http://www.cdc.gov/violenceprevention/NISVS/index.html>). Several other violence-against-women surveys, including one measuring the sexual victimization against college students (Cullen et al., 2001), are summarized by National Research Council (2004a).

It is important to note, in listing these various surveys, that they vary greatly in terms of frequency of administration and sample size. Some, like NSDUH, are ongoing surveys that are meant to produce ongoing data series, but others—either by design or as a result of cost of administration—have been strictly one-shot affairs. Hence, the surveys can produce radically different estimates of what is purportedly the same phenomenon and, with a one-shot

survey, it can be nearly impossible to conclude that one source is inherently better or more accurate than another. That said, the time-limited, one-shot surveys should not necessarily be denigrated; indeed, a well-designed one-shot survey with a solid research base can be highly valuable in pointing out deficiencies in the other, ongoing surveys and studies.

### **Federal Trade Commission Consumer Fraud Surveys**

The Federal Trade Commission (FTC) has two data collections that may be partial indicators of the occurrence of fraud in the United States. We discuss the Consumer Sentinel Network database in the next section, but focus here on the series of survey-based measures that the FTC has sponsored over recent years.

The FTC in 2003 commissioned the first of three surveys of consumer fraud in the United States to understand the extent to which complaints in the Consumer Sentinel database are representative of consumers' experiences with fraud in the marketplace, to assess the extent to which these experiences vary across demographics, and to identify the determinants of victims filing a complaint with authorities (Anderson, 2004, 2007, 2013). The surveys' samples were large enough to enable some comparison of victimization by race and ethnicity, but not to make subnational estimates by geography.

The first survey explicitly asked respondents about 10 types of fraud that covered those that appeared most frequently in the FTC's complaint database and had led to FTC enforcement actions. These included:

- Paying an advance fee to obtain a loan or credit card that a consumer was promised or guaranteed to receive;
- Being billed for a buyers' club membership a consumer did not agree to purchase;
- Purchasing credit card insurance;
- Purchasing credit repair services;
- Paying money or making a purchase to receive a promised prize and then not receiving the prize or receiving a prize that was not as promised;
- Being billed for Internet services a consumer did not agreed to purchase;
- Purchasing a membership in a pyramid scheme;
- Being billed for information services provided either over the Internet or by pay-per-call telephone service that a consumer had not agreed to purchase;
- Making a payment to someone who represented that as a result of making the payment, a consumer would receive a government job; and
- Purchasing a business opportunity where the seller made earnings claims that were not realized or promised assistance that was not provided.

The survey also asked about “slamming,” where a consumer’s long-distance telephone service was switched from one provider to another without permission, and two situations that often suggest a fraud may have occurred: paying for a product or service that a consumer does not receive or being billed for a product, other than the specific products identified above, that a consumer had not agreed to purchase.

The survey, conducted on FTC’s behalf by Public Opinion Strategies, had 2,500 respondents obtained via random direct-dialing sampling. The response rate is not included in the documentation available on the FTC’s website. No further information is available on the sampling frame.

The FTC’s second consumer fraud survey was conducted in late 2005 by Synovate with 3,888 respondents (Anderson, 2007). The final report indicates that 52,986 phone numbers were called, an individual number was called up to seven times to make contact, and the response rate was 23 percent, using the American Association of Public Opinion Research’s Response Rate 3. The 2005 and 2003 surveys are not directly comparable. The second survey reformulated questions related to fraudulent advance fee loans, fraudulent credit card insurance, fraudulent credit repair, unauthorized billing for Internet services, fraudulent prize promotions, and fraudulent business opportunities and pyramid schemes. The questionnaire also addressed four additional frauds unexamined in the initial survey: fraudulent weight-loss products, fraudulent work-at-home programs, fraudulent foreign lotteries, and fraudulent debt consolidation.

The FTC’s third consumer fraud survey was conducted in late 2011 and early 2012 by Synovate with 3,638 respondents (Anderson, 2013). The final report indicates 51,192 working telephone numbers were called, with at least seven attempts if no one answered the number, producing a response rate of 14 percent, using the American Association of Public Opinion Research’s Response Rate 3. This survey retained the frauds covered in the 2005 iteration with the addition of questions on mortgage relief fraud and grant fraud.

FTC released a single report on each survey (Anderson, 2004, 2007, 2013). One article by FTC staff using data from the initial survey, examining the demographics of identity theft, appeared in the *Journal of Public Policy and Marketing* (Anderson, 2006). FTC staff published another article using data from the second survey in the *Journal of Economic Perspectives* (Anderson et al., 2008). The survey data are not publicly available and do not appear to have been analyzed elsewhere.

### 2.3.3 National Administrative Surveys or Records-Based Collections

#### Federal Trade Commission Consumer Sentinel Network

Several statutes authorize the FTC to collect and maintain consumer complaints. Section 6(a) of the act that established the FTC (codified at 15 U.S.C. § 46(a)) authorizes the Commission to compile information concerning and to investigate business practices in or affecting commerce, with certain exceptions. Information relating to unsolicited commercial email is collected pursuant to the FTC's law enforcement and investigatory authority under the CAN-SPAM Act of 2003, 15 U.S.C. § 7704. In addition, the Identity Theft and Assumption Deterrence Act of 1998, 18 U.S.C. § 1028 note, mandates the Commission's collection of IDT complaints, and the Fair and Accurate Credit Transactions Act of 2003, Pub L. 108-159, 117 Stat. 1952, requires the sharing of information with consumer reporting agencies. Amendments to the Telemarketing Sales Rule (TSR), 16 C.F.R. Part 310, required the implementation of the National Do Not Call (DNC) Registry and collection of consumer telephone numbers and DNC-related complaints. The TSR also requires telemarketers to access the National Do Not Call Registry. Telemarketer SSN/EIN collection is mandatory under 31 U.S.C. § 7701. User names, password, and other system user data that are collected from CSN users accessing the secure system are collected pursuant to the Federal Information Security Management Act (FISMA), 44 U.S.C. § 3541.

The FTC's Bureau of Consumer Protection in 1997 deployed the Consumer Sentinel database to help both it and law enforcement agencies identify and address the most pressing and newly emerging consumer issues (Muris, 2006). By the end of 1999, Consumer Sentinel contained more than 200,000 reports (Federal Trade Commission, 1999). By the end of 2014 the collection consisted of more than 10 million complaints—complaints older than five years are purged biannually—with inflows of more than 2.5 million complaints in calendar year 2014 (Federal Trade Commission, 2015). The collection includes contributions from Canada but geographic tags allow analysis by location of the victim and of the alleged perpetrator.

The data consist of unverified complaints filed by consumers directly to the FTC, along with those filed with numerous state law enforcement agencies, federal agencies and departments (such as the Consumer Financial Protection Bureau, the FBI's Internet Crime Complaint Center, and the Departments of Defense, Education, and Veterans Affairs), and nongovernmental organizations (such as Better Business Bureaus, Green Dot, MoneyGram International, and Western Union; Federal Trade Commission, 2015).<sup>17</sup> Roughly one-third of the

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<sup>17</sup>The full list of designated Consumer Sentinel Network data contributors includes: 18 state attorney general or public safety offices; 5 other state or local regulatory agency (e.g., Los Angeles County Department of Consumer and Business Affairs and Tennessee Consumer Affairs Division);

complaints were filed directly with the FTC. One-fifth of the complaints come from PrivacyStar, a company with a smartphone application that enables users to identify and block unwanted calls. The next largest complaint contributors are Better Business Bureaus (15 percent), the Internet Crime Complaint Center (9 percent), and the Consumer Financial Protection Bureau (8 percent).<sup>18</sup> There appears to be some effort to eliminate duplicate reports on the front end of directing reporting to the FTC,<sup>19</sup> but it is not clear to what extent reporting from other data streams contributes to duplicate complaints.

There do not appear to be any codebooks or technical specifications for the Consumer Sentinel database that reveal the complete structure and content. The FTC does have on its website a file that includes the product service codes applied to complaints—a total of 113 as of July 2014, including categories for complaints about credit cards; food; funeral services; banks, savings and loans, and credit unions; and video games.<sup>20</sup> A review of sample complaint forms suggests that the data files contain copious amounts of personally identifying information on the victims and alleged perpetrators (Federal Trade Commission, 2004). Directions on the FTC site about filing a complaint ask the filer to be prepared to provide (<https://www.ftc.gov/faq/consumer-protection/submit-consumer-complaint-ftc>):

- Your contact information: name, address, phone number, email
- The type of product or service involved
- Information about the company or seller: business name, address, phone number, website, email address, representative's name
- Details about the transaction: the amount you paid, how you paid, the date.

Consumer Sentinel data access is available to any federal, state, or local law enforcement agencies and select international law enforcement authorities. As

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at least 5 federal agencies or affiliated bureaus (Consumer Financial Protection Bureau, Internet Crime Complaint Center, U.S. Department of Defense, U.S. Department of Veterans Affairs, U.S. Postal Inspection Service); 2 Canadian agencies (the Anti-Fraud Centre and the Competition Bureau); and a mix of private-sector firms and interest groups (e.g., Council for Better Business Bureaus, MoneyGram International, Privacy Rights Clearinghouse, Xerox Corporation) (see <https://www.ftc.gov/enforcement/consumer-sentinel-network/data-contributors> [9/2/2015]). In addition, several entities refer complaints to the FTC, though they are not designated as data contributors; these range from Catholic Charities USA and the Financial Fraud Enforcement Task Force to the Internal Revenue Service and the U.S. Senate Special Committee on Aging.

<sup>18</sup>Share of complaints contributed are based on calendar year 2014, as documented in Appendixes A2 and A3 of Federal Trade Commission (2015).

<sup>19</sup>The FTC First Amended CRC SOW for its Consumer Response Center notes requirements for the contractor to eliminate some forms of duplication of complaints, such as those arriving from a single IP address. See [https://www.ftc.gov/sites/default/files/attachments/hot-topics/dnc\\_crc\\_sow\\_first\\_amend\\_0.pdf](https://www.ftc.gov/sites/default/files/attachments/hot-topics/dnc_crc_sow_first_amend_0.pdf).

<sup>20</sup>Federal Trade Commission. Consumer Sentinel Product Code Descriptions. July 2014. See <https://www.ftc.gov/system/files/attachments/data-sets/csn-psc-full-descript.pdf>.

noted before, the collection mechanism was not designed to support traditional crime analysis, but rather to support investigations and decisionmaking about where to focus resources to combat fraud against consumers. The FTC publishes an annual data book in PDF and makes the aggregated data available in Excel format. The data books are often cited by the media in stories about fraud, but there are no public data files available for further analysis.

### **Financial Crimes Enforcement Network (FinCEN) Suspicious Activity Reports**

The Financial Crimes Enforcement Network (FinCEN), established in 1990, is tasked with safeguarding the financial system from illicit use, combating money laundering, and promoting national security through the collection, analysis, and dissemination of financial intelligence and strategic use of financial authorities. The Bank Secrecy Act (BSA), composed of the Currency and Financial Transactions Reporting Act of 1970, as amended by Title III of the USA PATRIOT Act of 2001 and other legislation, requires banks and other financial institutions to file reports to FinCEN. These reports, in turn, have been found useful by the Treasury Department in its criminal, tax, and regulatory investigations and proceedings, as well as certain intelligence and counterterrorism matters. Of the data series produced under the BSA, Suspicious Activity Reports (SARs) generate the data most likely to reflect a range of criminal activities and, as such, prove useful in the creation of crime indicators.

FinCEN is responsible for the central collection, analysis, and dissemination of data reported under the Bank Secrecy Act. Despite its nomenclature, FinCEN's core task is not the determination, prosecution, or measurement of crime per se, but rather—through analysis of a series of reports—to be bellwethers of activities that may subsequently be determined to be criminal. The types of reports FinCEN collects include:

- Currency Transaction Reports (CTRs): Financial institutions must report currency transactions exceeding \$10,000 (31 U.S.C. § 5313);
- Currency and Monetary Instrument Reports (CMIRs): Persons must report transporting more than \$10,000 in currency or monetary instruments into or out of the United States (31 U.S.C. § 5316);
- Suspicious Activity Reports (SARs): Financial institutions report suspicious transactions involving more than \$5,000 (\$2,000 generally in the case of money services businesses [MSBs]; 31 U.S.C. § 5318(g));
- Foreign Bank Account Reports (FBARs): Reports of foreign bank and financial accounts that contain in the aggregate more than \$10,000 (31 U.S.C. § 5314(a));

- Form 8300, Cash Transactions: Non-financial businesses report the receipt of more than \$10,000 in cash in a single transaction or series of related transactions (31 U.S.C. § 5331, which mirrors 26 U.S.C. § 6050I); and
- Money Service Business Registration: MSBs must register, provide a list of agents, and renew every two years (31 U.S.C. § 5330).

FinCEN since April 1996 has collected SARs filed by banks and other financial institutions that identify possible criminal activity affecting or conducted through the reporting institution (Financial Crimes Enforcement Network, 1998). SAR filings replaced two prior reporting systems, one which required depository institutions to file criminal referral forms with their primary federal financial regulator and federal law enforcement agencies and the other which required checking a box on Currency Transaction Reports to note transactions the bank thought were suspicious.

FinCEN introduced industry-specific SAR forms as anti-money laundering and reporting requirements were levied on sectors beyond depository institutions, moving to a single form in March 2012. In conjunction with the move to the uniform SAR form, FinCEN began accepting SARs through its BSA E-Filing System (Financial Crimes Enforcement Network, 2012a) and, as of 1 April 2013, only accepts SAR submissions through that system. Comparisons of data collected beginning April 2013 with prior years' data are complicated by these changes and the one-year transition period through which some institutions continued to submit SARs on legacy forms.

The range of institutions filing SARs under the BSA has expanded since the 1992 Annunzio-Wylie Anti-Money Laundering Act that initially required financial institutions to report suspicious activity. SAR filers now encompass (Financial Crimes Enforcement Network, 2015):

- Depository institutions, including commercial banks (federal and state chartered), savings and thrift institutions (federal and state chartered), trust companies, branches of foreign chartered banks doing business in the United States, and credit unions;
- Non-bank financial institutions, including broker dealers, futures commissions, merchants/introducing brokers, dealers in precious metals, stones, and jewels (PMSJs), insurance companies, and non-bank residential mortgage lenders and originators; and
- Money services businesses and casinos, including money order businesses, money transmitters (including virtual currencies), check cashers, currency exchangers, travel check businesses, U.S. Postal Service, Casinos/Card Clubs (including Tribal Casinos), and prepaid access (i.e., payment cards that are funded in advance of use at a certain monetary value).



FinCEN's SARs—which accounted for nearly 2 million of the roughly 19 million BSA reports FinCEN received in FY2014—are not a traditional source of crime measures (largely those recorded by the police or reported by victims), but nonetheless could support the creation of data series on indicators of criminal activity that otherwise go unmeasured in national crime statistics.<sup>21</sup> A SAR is filed when a filer—a depository institution, non-bank financial institution, money services business, or casino—suspects that a transaction: involves funds derived from illegal activity, or is intended to hide or disguise the proceeds of illegal activity; is designed to evade BSA reporting requirements; has no business or lawful purpose; or is not an expected transaction for that particular customer.

The SAR has five parts: Part I—Subject Information; Part II—Suspicious Activity Information; Part III—Information about the Financial Institution Where Activity Occurred; Part IV—Filing Institution Contact Information; and Part V—Narrative. Detailed descriptions of each item on the SAR form are included in official guidance available on FinCEN's website (Financial Crimes Enforcement Network, 2015). Filers are asked to record the type of suspicious activity by selecting from 10 categories, each of which has multiple subcategories:

- Structuring,
- Terrorist Financing,
- Fraud,
- Casinos,
- Money Laundering,
- Identification/Documentation,
- Other Suspicious Activities,
- Insurance,
- Securities/Futures/Options, and
- Mortgage Fraud.

Some SARs address multiple financial transactions; some assign more than one suspicious activity to a single transaction. These variations would require investment in data management to generate series with consistent units of analysis. FinCEN typically aggregates the number of instances of each type of suspicious activity reported, such that a SAR citing solely check fraud would be tabulated as one instance of check fraud whereas a SAR citing check fraud and identity theft would be tabulated as one instance of each suspicious activity.

SARs are viewed primarily as sources of potential lead information for regulators and law enforcement that, when further investigated, may produce or supplement evidence of criminal activity. FinCEN publishes regular updates

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<sup>21</sup>Numbers from presentation by FinCEN staff to the Panel on Modernizing the Nation's Crime Statistics, June 2015.

highlighting trends and emerging issues in suspicious activity reporting both within and across industries. FinCEN has also published more focused examinations of industry-specific trends or particular suspicious activities. Several of these published between 2006 and 2013 focused on reports of mortgage loan fraud, foreclosure rescue scams, and loan modification fraud; another examined several years of SAR filings by casinos and card clubs (Financial Crimes Enforcement Network, 2013, 2012c).<sup>22</sup> Limited access to these data outside of law enforcement and other government entities means there has been little independent exploration of the data, but FinCEN in 2015 introduced an interactive SAR Statistics tool on its website that permits the generation of data extracts that may increase their use going forward.

FinCEN analysts have identified emerging crime types—beyond those explicitly listed on the SAR form—by monitoring the narratives and other free-text fields. Insights derived from analysis of the SARs can inform advisory notices to filing institutions that sensitize reporters to recognize suspicious activities, possibly prompting shifts in the level of reporting independent of changes in the underlying level of the suspected criminal activity. For example, FinCEN in 2012 issued guidance on suspicious activity related to mortgage loan fraud (Financial Crimes Enforcement Network, 2012b) and in 2014 issued guidance on recognizing financial activity that may be associated with human smuggling and human trafficking (Financial Crimes Enforcement Network, 2014).

Based on conversations with FinCEN officers, there does not appear to be any system in place that would enable statistical linkage of SAR data monitor flows through the justice system. Some fraction of completed prosecutions and administrative remedies are highlighted in media releases citing the role of SARs and other BSA reports in addressing the violations.

### Theft/Loss Recordkeeping Requirements and Databases

Another glimpse at possible criminal activity may be possible because of federally required recordkeeping regulations, requiring the prompt reporting of suspected theft (or general) loss of specific, sensitive “property.” The amount of detail about the nature of the possible theft and the affected property—and whether the offense is also required to be reported to local law enforcement—varies by collection. Among these recordkeeping-type collections are:

- *Firearm loss or theft:* Federal Firearm Licensees (FFLs) are obligated by federal law to “report the theft or loss of a firearm from the licensee’s inventory or collection within 48 hours after the theft or loss

<sup>22</sup>See [http://www.fincen.gov/news\\_room/rp/mortgagefraud\\_suspectedMortgageFraud.html](http://www.fincen.gov/news_room/rp/mortgagefraud_suspectedMortgageFraud.html) for additional reports and news releases issued by FinCEN that explore mortgage loan and other real estate fraud activity appearing in FinCEN SARs.

is discovered”; said report is required to be made to both “the Attorney General and to the appropriate local authorities” (18 USC § 923(g)). The vehicle for reporting to the Attorney General—the Bureau of Alcohol, Tobacco, Firearms, and Explosives’ (ATF’s) Form 3310.11—obligates the licensee to categorize the incident as burglary, larceny, robbery, or “missing inventory”; the date and time of notification of local law enforcement; a brief (free-text response) description of the incident; and specifications (manufacturer, model, caliber/gauge, and serial number) of the lost or missing firearms.<sup>23</sup>

- *Explosives loss or theft*: Similarly to firearms, federal law makes it “unlawful for any person who has knowledge of the theft or loss of any explosive materials from his stock, to fail to report such theft or loss” to both the Attorney General and to “appropriate local authorities”—albeit within an even tighter timeframe of 24 hours (18 USC § 842(k)). The requisite ATF Form 5400.5 requires more detail on the theft/loss incident than the firearm form: date and time when the magazine/inventory was last checked, when the loss/theft was discovered, and (approximately) when the loss/theft occurred; the type of building or vehicle from which the material was lost/stolen from and the (apparent) method of entry to obtain access; whether (and how) locks on the explosive materials were defeated; whether “employee-involved theft” is suspected; and “Circumstances Pertaining to the Theft, Loss or Suspicious Activity (*Any details you can provide*)” (capitalization and italics in original).<sup>24</sup>
- *Drug/controlled substance loss or theft*: Pursuant to 21 CFR 1301.74(c), losses or thefts of controlled substances are to be reported to the Drug Enforcement Administration (DEA), though there is no legal obligation for the thefts to be reported to local law enforcement. DEA Form 106 includes a yes/no question as to whether the theft was reported. Respondents are asked to characterize the “type of theft or loss” as night break-in, armed robbery, employee pilferage, or customer theft (as well as either “other” or “lost in transit”). The form also asks respondents, “If Armed Robbery, was anyone” killed or injured; if yes to either, “how many[?]”<sup>25</sup>

<sup>23</sup>Additional information on the form and the justification for the data collection is available by searching [www.reginfo.gov](http://www.reginfo.gov) for U.S. Office of Management and Budget (OMB) control number 1140-0039.

<sup>24</sup>Additional information on the form and the justification for the data collection is available by searching [www.reginfo.gov](http://www.reginfo.gov) for OMB control number 1140-0026. Quotes here are from the version cleared by OMB for use on September 12, 2014, and valid through September 30, 2016.

<sup>25</sup>Additional information on the form and the justification for the data collection is available by searching [www.reginfo.gov](http://www.reginfo.gov) for OMB control number 1117-0001. Quotes here are from the version cleared by OMB for use on September 19, 2014, and valid through September 30, 2017.

### 2.3.4 Public Health Data Resources

Around the world, death certificates are completed using codes drawn from the International Statistical Classification of Diseases and Related Health Problems maintained by the World Health Organization (WHO). Currently in its 10th major revision, the master version of the classification owned and maintained by the WHO is commonly known as ICD-10. In the United States, the National Center for Health Statistics (NCHS) of the U.S. Centers for Disease Control and Prevention (CDC) is responsible (under WHO's authorization) for development of U.S.-specific code lists<sup>26</sup> (including the Clinical Modification version of the ICD used to code morbidity [distinct from mortality] and health problem information on inpatient and outpatient medical records). All the states<sup>27</sup> participate in the Vital Statistics Cooperative Program (VSCP) administered by NCHS, to which birth and death certificate information is routed for compilation.

Akin to the UCR Program, a primary (“underlying”) cause of death is identified on the death certificate and is commonly used for summary tabulation purposes. However, the VSCP also produces what are commonly known as the Mortality Multiple Cause-of-Death files (as public use data files) that permit coding of an additional 20 contributing causes of death. Of course, what is salient to discussion of crime statistics is that not all the causes of death described by the ICD-10 are internal (to the body) or natural causes. Previous ICD revisions maintained a separate, supplementary listing of “external” cause-of-death codes covering homicide, suicide, accidental deaths, and the like; ICD-10 was the first to fold these external causes directly into the main classification and numbering scheme.

For purposes of factoring into possible measures of crime, mortality data have both major strengths and liabilities. The strength is that the time for medical examiners to do their work arguably provides the best (and perhaps only) source of some contextual information of the detailed circumstances of a death, such as the presence of specific drugs in the decedent's system at the time of death or the exact nature of the weapon that inflicted a lethal injury. One major weakness is obvious and inherent, which is to say that mortality data pertinent to crime are necessarily limited to homicide, manslaughter, and other criminal events leading to death. But others are more subtle. The mortality data represent the determination by one source—typically, the medical examiner or coroner—as to whether death was due to deliberate measures or to accidental or

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<sup>26</sup>It is worth noting that NCHS has added one entirely new “chapter” of codes to its coding lists: the “\*U” codes for causes of death or injury resulting from terrorist activities. The \* prefix attached to the codes denotes that they are not reflected in the current ICD. Additional information is available at [http://www.cdc.gov/nchs/icd/terrorism\\_code.htm](http://www.cdc.gov/nchs/icd/terrorism_code.htm).

<sup>27</sup>Technically, 57 “vital event registration areas” participate in the cooperative program: the 50 states, the District of Columbia, New York City (separate from New York state), and five commonwealths and territories (National Research Council, 2009c).

other means. However, the coroner's determination may or may not square with determinations made at any level of the criminal justice arena. More subtly, mortality data have historically suffered from timeliness concerns—not just from the time of death to the publication of data but also simply to edit and compile all of the deaths in a given year from every participant area (recalling that the “external cause” deaths are but a subset of the much broader set of all deaths and corresponding certificates).

Over the course of the 1990s, increased attention to injury-related morbidity and mortality led to the creation of a new National Center for Injury Prevention and Control in the CDC. The new center, with the Harvard School of Public Health, secured funding in 1999 to pilot a National Violent Injury Statistics System in 13 sites throughout the nation, focusing on violent deaths (homicide, suicide, accidental deaths involving external means or weaponry). Following initial success, a full-fledged National Violent Death Reporting System (NVDRS) was established in 1992. The NVDRS (and its pilot predecessor) resembles the standard mortality data in that it is a surveillance data system, amalgamating the records from lower-level contributors. It also resembles the standard mortality data in that data submissions are coordinated through the states, which are the primary participants in the system. Where NVDRS differs from the conventional mortality data—beyond the restriction of scope to violent deaths—is the exact mechanism of coordinating data input and the range of original-source providers. States agree to provide data to NVDRS via cooperative agreement with the CDC—which is to say that state participants receive funding to compile and submit their data, rather than relying on purely voluntary data submissions. As to the second point, medical examiner offices (and death certificate data) constitute a major part of NVDRS coverage but they are not the only source; NVDRS is also meant to involve input (or additional data items on specific deaths) from law enforcement agencies and their crime laboratories.

Again, for purposes of possible role in measures of crime, the NVDRS represents the possibility for detailed contextual and situational information about homicide and accidental killings that exceed the detail in the current Supplementary Homicide Reports (SHR) of the UCR Program. It could, for instance, provide insight on mental health history of perpetrators and victims, in addition to the kind of precision of drug involvement or weapon use that may only be available through postmortem examination. Being dependent on continued funding and the maintenance of cooperative agreements, the major problem with NVDRS is the same one confronting the National Incident-Based Reporting System (NIBRS): Not all the states participate (or can participate, contingent on additional funding), meaning that the “national” data compiled by the system are not representative of the nation as a whole. Approximately 32 states currently participate in NVDRS—and absentees include California, Texas, and Florida. Hence, like NIBRS, the data may be used to generate very informative analyses of violent deaths within participant states, but

the system's full analytic power to describe national-level trends is currently limited. Conceptually, NVDRS's restriction to violent deaths comes closer (than mortality data writ large) to concentrating on the set of events relevant to crime analysis, but "violent death" is not strictly synonymous with "death by criminal means." Hence, as described earlier, the NVDRS coding from a medical examiner or crime laboratory may not necessarily agree with determinations made in the criminal justice system (e.g., negligent homicide).

## 2.4 RECENT AND CONCURRENT EFFORTS AT IMPROVEMENT

Having described a patchwork of crime-related data resources, we turn in Chapters 3 and 4 to broader context—to the demands on crime statistics made by their users and to alternative strategies for mapping out the full range of "crime" through classification schemes. Recent years have seen some attempts—including two predecessor study panels—to look at crime statistics as a more cohesive whole and suggest major omissions or improvements in the same.

As we noted in Section 1.3, an earlier National Research Council (2008, 2009a) panel was asked by BJS to review its full data collection portfolio. The review was designed to put particular emphasis on the NCVS, given its dominance of the agency's resources, but also covered its extensive data collection work in corrections, law enforcement management, and judicial processing. Though the BJS Review panel completed its work six years ago, it can still fairly be described as a recent and concurrent effort at improving crime-related statistics because implementation of several of its recommendations is still ongoing. In particular, the BJS Review panel's evaluation of options for the NCVS spurred a new round of redesign of the NCVS, including the conduct of a suite of methodological studies on ways to decrease survey costs while increasing the survey's relevance. The panel noted the survey's key, current liability—its inability to generate reliable subnational estimates of victimization—and encouraged both selective "boosting" of sample in geographic areas and derivation of model-based estimates. It is expected that this work will result in the production of new subnational estimates from the NCVS in 2016. Looking at the BJS portfolio as a whole, the BJS review panel argued that the portfolio lacked underlying conceptual frameworks—making it unclear how individual data series fit within, or contribute to understanding of, the criminal justice system as a whole; the suggestion of development of a modern crime classification is certainly consistent with that guidance. Finally—while observing that responsibility for their production could not be solely BJS's duties, within its historical resource constraints—the BJS review panel noted a dearth of data coverage in four critical areas:

- "White-collar" crime generally, particularly fraud and cybercrime;
- Offenses that are sometimes, or frequently, processed in the civil justice system rather than criminal courts;

- Juvenile justice, where the distinct parallel processing track of juvenile authorities and adjudication leads to juvenile crime statistics that are also an adjunct to the overall picture of crime in the nation; and
- Critical contextual factors concerning and surrounding crime—most notably the interaction between drugs and crime.

We will return to all four of these, in different ways, in suggesting our crime classification in Chapter 5.

More recently, a National Research Council (2014) panel was convened at BJS's request to focus on the measurement of sexual violence—rape and sexual assault—via household surveys such as the NCVS as well as other independent (and typically one-shot or more sporadic) surveys intended to yield national-level statistics. Rape and sexual assault have always been difficult to measure, not least because the offenses are such that many victims are reluctant to report them to anybody, law enforcement officer or survey administrator alike. BJS had already initiated pilot work on a new survey specific to the measurement of these crimes, which is consistent with one of that panel's central recommendations: establishment of an independent survey specifically designed to measure incidence of rape and sexual assault, with more visible and effective means of ensuring respondent privacy while completing the survey and extreme care and precision in the definition and wording of questions. Work on a full-fledged version of this new survey is continuing. That panel's work is useful to recall, not necessarily due to the exact nature of its recommendations but because it illustrates the complexity of deriving useful measures amidst myriad (and often conflicting) definitions in state and federal criminal codes and across data collection instruments.

Finally, beginning in late 2012, BJS has periodically convened an informal Crime Indicators Working Group, comprised primarily of police chiefs, sheriffs, other law enforcement personnel, and representatives of their major service organizations. The group has not issued a formal report, but its sessions have provided a very useful sounding board about the ideal shape of a set of national crime indicators—and how that corresponds with both the internal data resources offered by departments' own records management systems as well as the information that such practitioners are *expected* by the public to know and grasp at any moment's notice. Members and staff of our panel have participated in several of the working group's discussions, and what might be most telling about them is the fervency with which the need to be able to study crime data in neighborhood and broader context is raised. Indeed, many of the discussions of the Crime Indicators Working Group center around the type of *non-crime* statistics—demographic and socioeconomic indicators for small geographic areas—that are highly desired as part of an overall, new crime statistics system.

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## Users (and Uses) of Crime Statistics

**C**RIME STATISTICS HAVE MANY USERS, and the panel elicited extensive input on the uses of crime data through a series of open meeting discussions with researchers, practitioners, advocates, business representatives, policy makers, and others. These discussions were designed to hear a wide range of views about current uses of data, gaps in users' data needs, and what an ideal set of crime indicators for the nation would entail. In doing so, the panel also heard comments from numerous users who also gather such crime data, such as representatives from police departments and other investigative agencies, businesses, and researchers. These discussions provided additional information about the practical challenges involved in obtaining the kinds of data that are sufficient for different purposes. In this chapter we focus on providing an overview of the broad range of uses of crime statistics discussed during these meetings so that the scope of crime information needs can be better understood in conjunction with the taxonomy that is proposed in this report. Issues associated with the implementation challenges of the proposed crime classification system raised by potential data collectors will be discussed in the final report.

In general, the uses of existing crime data include operational and resource allocation decisions by law enforcement, local and state government agencies, and businesses and other groups. Crime data are also a critical source of information for program and policy evaluations by researchers in government, academia, and the public and private sectors. They are also used by advocates of particular issues and by the public, and are often seen as measures of accountability. For some of these purposes, existing crime data appear to be adequate, though users often noted many ways that the available data could be



improved. For many types of crime, however, the data are incomplete, lacking in consistency, inadequate, or unavailable.

We profile the demands for crime statistics, and summarize what we heard from a multitude of users and practitioners in crime data, for the obvious and important reason that those discussions are a major part of our evidentiary record and greatly informed our panel's discussions. But we also do so because it is certainly rare for a review of U.S. crime statistics to tap so broad and diverse a range of perspectives. The International Association of Chiefs of Police (IACP) committee that created the Uniform Crime Reporting (UCR) Program was—by nature—comprised of 12 police chiefs or commissioners; its work was supported by an 11-member advisory committee whose membership included future Federal Bureau of Investigation (FBI) director J. Edgar Hoover and Census Bureau director William M. Steuart and was largely comprised of federal, state, or local agency heads. The consultant committee engaged by the FBI in 1957 (Federal Bureau of Investigation, 1958:9) was chaired by an academic researcher and rounded out by two police chiefs. And the redesign consortium that worked on the revised National Crime Victimization Survey in the late 1980s drew extensively from academia, survey research organizations, and statistical agencies but—with its focus on the survey—did not extensively mine law enforcement practitioner input. What follows, then, in this brief overview of the users and uses of crime data, is a rare attempt to get all sides to the same table, so to speak, in the hopes of envisioning a more useful crime statistics system.

### 3.1 LAW ENFORCEMENT AGENCIES

Law enforcement agencies are one of the major providers of crime data and the ways in which the different agencies in the country use their crime data differs considerably. Some of the smaller local police departments in the country, for example, simply record the crime incidents that come to their attention and forward their reports to their state's Statistical Analysis Center or directly to the FBI's UCR program. However, not all police departments do this on a regular basis as participation in the national UCR program is voluntary. The reasons for non-regular participation are varied, but in some cases this is because the agency has relatively few crimes to report on a monthly basis and therefore reports are accumulated and then submitted periodically or annually. The majority of the nation's approximately 18,000 law enforcement agencies, however, do report regularly to the UCR program, using either the Summary Reporting System (SRS) format or using the National Incident Based Reporting System (NIBRS). Many police departments use the data to issue their own reports on crime in their jurisdictions on an annual basis, and most states issue annual reports based on the compilations of local agency crime reports

that are sent to them. These reports are then used to inform the public and government officials about local and state levels of crime, and changes in the levels of crime over time.

Aside from serving as a general indicator of crime in their own communities, crime data compiled by state, local, and other law enforcement agencies are often used for strategic decision-making and operational or tactical purposes. Many police departments use what is referred to as a “CompStat” approach in which detailed departmental crime data are summarized by in-house crime analysis units and disseminated to police commanders (typically on a weekly basis). These data are used to discuss the nature of emerging and continuing crime problems in different areas of the jurisdiction. The purpose of these meetings is to track crimes and the efforts used to deal with these crimes, and to provide information that allows for better decision-making about tactical strategies for addressing these problems. Another important aspect of CompStat meetings is that they provide police commanders with greater managerial control over their field operations. However, it can be argued with similar strength that the CompStat approach to police management has drawbacks to temper its benefits—not the least of which a sort of “negative quota” mentality that comes from managing *to* crime counts, creating at least the appearance of an incentive to manipulate or misreport crime incidences so as to curb the appearance of spikes of crime (see, e.g. Eterno and Silverman, 2012). More fundamentally, not all police departments have the luxury of dedicated crime analysis units—and even those that do face the difficult problem of putting CompStat-type crime numbers in proper context, to understand the underlying dynamics behind upticks or downticks of some crime types.

An important concern that was raised about police-based crime statistics is the timeliness of their release from the FBI’s UCR program; pointedly, even participants from departments that reported making use of “evidence-based” approaches spoke of having little use for time-lagged counts that progressed through the entire UCR collection process. Crime statistics typically are released by the FBI in their annual publication *Crime in the United States* approximately 10 months after the collection year (for example, crime statistics for 2014 were released during the last week of September 2015). Although police departments have crime data for their jurisdictions as soon as they are compiled in their own data management systems, information about crime in other jurisdictions is not available to them through the UCR program until much later, thus precluding timely comparative assessments about how changes in their crime rates may be related to problems occurring elsewhere. Moreover, the information available in the UCR annual publication necessarily excludes details on the types of problems that may be emerging because the data are reported in summary form, primarily consisting of the total counts and rates for the eight index offenses (i.e., the eight major categories of violent and property crime), rather than with the more expansive detail that the NIBRS system can

provide (e.g., 23 offense categories, victim characteristics, etc.). The lack of detail in the annual report is largely due to the fact that NIBRS crime reporting is not used by the majority of police departments (approximately 6,300 agencies use NIBRS to report to the FBI) and therefore such detailed crime comparisons cannot be made across all agencies.

The importance of the delay in the release of crime statistics was most recently made evident in 2015 when police chief organizations and the U.S. Attorney General held meetings to discuss apparent homicide and crime increases across the country;<sup>1</sup> a similar set of discussions was convened in 2006 (see, e.g., Police Executive Research Forum, 2006; Rosenfeld, 2007).<sup>2</sup> During both of these periods, law enforcement agencies were in need of timely information about whether the increases in violence they were experiencing locally were unique to their own cities or part of a broader national pattern and trend. Such information informs police departments about the nature of their crime problems and their needs for resources, and also informs the public about whether and how increases in crime in their areas might be unique (for example, whether the increases in homicides are limited to drug-related or domestic violence). However, because the necessary crime data would not be available from the FBI until long after the apparent crisis period, police organizations, including the Police Executive Research Forum in 2006 and the Major Cities Chiefs Association in 2015, commissioned their own informal surveys of their membership in an attempt to obtain the data necessary to evaluate the problem. A critical limitation of these ad hoc surveys of crime is that they are based on information of unknown reliability as cities experiencing crime increases are more likely to be over-represented in the data. Other examples of frustration over the lack of timely release of crime data are evident when advocacy groups and news media and academic researchers compile their own city crime databases using the “real-time” data that are available on the large majority of urban police department websites. The use of ad hoc and non-systematic gathering of crime data is problematic, leading to unproductive debates about resource needs, the causes of apparent increases and decreases in crime, and accountability. During crisis periods, an important problem with the current system noted by law enforcement agencies and others is the time delay between data submission to the UCR program and dissemination.

### 3.2 FEDERAL, STATE, AND LOCAL POLICY MAKERS

Policy makers at the local, state, and federal levels need accurate and timely data on crime to inform budgetary decisions about the amount of resources

<sup>1</sup>See <http://www.justice.gov/opa/speech/attorney-general-loretta-e-lynch-delivers-remarks-justice-department-summit-violent-crime>.

<sup>2</sup>See also the announcement of one such summit at <http://mpdc.dc.gov/release/major-cities-chiefs-association-national-summit-violence-americanpress-event>.

needed to address crimes of various types. Crime data are used to inform projections of the resources needed for criminal justice agencies to investigate cases, prosecute and defend arrestees, supervise persons on probation and parole, and incarcerate offenders in jails and prisons. In addition, policy makers may use crime and victimization data to estimate the amount of resources needed for specific types of crime victims (such as child abuse, intimate partner violence, and elder abuse victims), and grant agencies often require victim service providers to use such data to evaluate the effectiveness of their programs designed to reduce these crimes.

### 3.2.1 State Statistical Analysis Centers

Tasked by its legal authorizing language to “give primary emphasis to the problems of State and local justice systems” (42 USC § 3731), BJS has cultivated a network of Statistical Analysis Centers (SACs). The SACs have a coordinating and support link in the Justice Research and Statistics Association (JRSA), and BJS provides limited funding and technical assistance to SACs through the agency’s State Justice Statistics (SJS) grant program. Currently, there are 51 SACs in the United States that are responsible for collecting and distributing state and local crime and criminal justice data from the states and U.S. territories. The organizational characteristics and placement of SACs varies across states and territories, though most are housed within their State Administering Agency (typically located in the office of the Governor or Attorney General). In eight states, the SACs are housed in other state agencies (such as state Highway Patrol) and in another seven states, they are located in universities. Only two states (Texas and North Carolina) do not have SACs.<sup>3</sup> In some states, SACs play the role of, or are co-located, with the state UCR Program that relays police-report data to the FBI and the national UCR Program. However, the basic role of the SACs is not as an intermediate collector for any nationally compiled crime data but as a critical, research-oriented interpreter of justice-related data (including non-BJS crime statistics) for state policy makers. Our predecessor National Research Council (2009a:175) panel was highly complimentary of this “relatively low-cost activity on BJS’s part,” noting that it brings with it “great dividends in terms of outreach and feedback.”

SACs also play an important role in compiling information for state planning initiatives related to the criminal justice system. They use crime and criminal justice data to inform a variety of stakeholders about the nature of their data availability, collection processes and procedures, and promote the capacity of organizations to conduct evaluations of various criminal justice programs and public policies. As one example of such work, the New York

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<sup>3</sup>This statement is based on the listing of SACs at <http://jrso.org/sac/saclist.html> [7/27/2015].

State Division of Criminal Justice Services (with approximately 30 personnel) provides tools to help facilitate and improve the automated transmission of crime data from police departments, and to reduce errors in the uploading of incident reports. They also develop special topic reports for the state on issues such as homicide and domestic homicide, and have developed tools to assess cost-benefit approaches to examine the state's alternatives-to-incarceration programs. A second example from Arizona's Criminal Justice Commission informs local, county, and state agencies about the strengths and limitations of the criminal history records data repository, and their analysis of criminal history records has been used to assess the effectiveness of funds intended to reduce the amount of time necessary for criminal case processing. A third example is the Georgia SAC, which uses crime and criminal justice data to conduct needs assessments of state drug enforcement strategies by combining data from numerous sources, and also conducts victim service needs assessments by linking geographic crime and victim claims data. These examples of SAC activities are intended to illustrate some of the ways in which crime data is used to help inform state policy makers and the public about crime and responses to crime.

### 3.2.2 Legislative Uses

Federal, state, and local legislators often are provided with crime and justice data to assist them with efforts to identify priority areas, design responsive legislation, and help make budgetary decisions for law enforcement and justice agencies in specific locales. Reports based on these data may come from numerous sources, including members of their constituencies, advocacy groups, or research from state SACs or other crime analysts. Because of the overlap in data use by legislators and the others users noted here, only a few illustrative examples of how these officials use crime data are provided. It should be noted, however, that many meeting participants voiced concerns that legislators often fail to use crime data to inform their decisions and legislative actions.<sup>4</sup>

Not all issues of concern to legislators and their constituencies can be addressed with existing crime data. Consequently, in some of these instances legislative efforts have been made to require the collection of new crime data. For example, the Hate Crimes Statistics Act of 1990 ordered the Department of Justice to establish guidelines and gather data on crimes involving prejudice based on race, ethnicity, religion, or sexual orientation. The original act developed out of concern over the national coverage and accuracy of data compiled by third-party sources such as the Anti-Defamation League, as well as growing concern over perceived increases in such bias-motivated crime over

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<sup>4</sup>Examples of such concerns also can be readily found in newspapers: see, for example, the *Los Angeles Times* editorial "Crime legislation: Focus on facts, not fear" (April 7, 2013).

the preceding decade. Independent of the statute, then-President Clinton announced in 1997 that the NCVS also would be used to produce estimates of hate crimes because of worries that hate crimes might be particularly underrepresented in reports to law enforcement. A second example of the use of legislation to spur the development of data on a specific form of crime was the Trafficking Victims Protection Reauthorization Act of 2005, which required biennial reporting on the scope and characteristics of human trafficking in the United States (Banks and Kyckelhahn, 2011). As discussed earlier in this report, a third example appeared in the final omnibus federal spending bill for 2015, which included provisions that required the NCVS to “include statistics relating to honor violence,” though this was done without specifying what is meant by the term or noting why the NCVS, as opposed to some other crime data collection effort, was considered to be a reliable tool for doing so (P.L. 113-235).

Federal legislators often request crime information and related assessments from the Government Accountability Office (GAO) to inform legislative issues, and reports from these requests are made available on the GAO website. GAO reports cover a wide range of crime-related topics and include assessments of the availability of data on specific crimes (for example, on sexual assault, fraud risks in federal programs, and cybersecurity), the quality of some of the existing crime data, the rigor of the methodologies used in research evaluations of crime-related programs, and the state of the evidence about specific crime programs. Though these reports are often requested by federal legislators, it is challenging to determine whether and how the findings in these reports may have been used subsequently by legislators. It should be noted that when such assessments are completed, the results may lead to well-founded decisions to offer no legislative changes. However, evidence of such decisions is inherently more difficult to obtain.

### 3.2.3 Justice Assistance and Fund Allocation

Policy formulation requires identifying problems, weighing the importance of those problems based on their magnitude and impact, and developing policy approaches to address them. Policy implementation involves making decisions for the appropriateness of the policy, encouraging people to adopt that policy, and securing the resources necessary to carry it out. Accordingly, in the crime and justice area, crime statistics play vital roles in both policy justification and fund allocation. Participants in our meetings acknowledged that nationally compiled crime statistics are certainly not the only determinant of what policies are developed and put forward, in part because many crime-related problems currently do not have well-developed comparative data to support crime concerns. But the participants also noted that crime statistics are routinely used to make the case for the importance of the problem the policy

is designed to solve. Crime is a high-profile and sensitive issue and there is still a tendency to “govern by anecdote” or formulate policy responses on the basis of a single, particularly dramatic issue. But the panel also heard that agencies’ ability to put such exceptional incidents into broader context through the use of crime statistics can prove particularly effective in initiating and evaluating policy changes or maintaining current policies.

The Bureau of Justice Assistance (BJA), a component of the Office of Justice Programs (OJP), is the largest public funding agency in the justice area, moving on the order of \$2.1 billion annually. Much of those funds are awarded to state and local law enforcement agencies by legally defined formula, based on calculations by BJS that use UCR data. The largest component of BJA-distributed funds is the Edward Byrne Memorial Justice Assistance Grant (or Byrne JAG) program that provides grants to state and local law enforcement departments for both planning and practical (e.g., procurement of new equipment) purposes. Overall funding levels for the Byrne JAG program has become commonly contentious in the annual congressional appropriations cycle—typically because some departments’ allocations are trimmed to be added back into the JAG pool of funds.

By law, JAG funds are explicitly tied to the proportion of UCR crime in a jurisdiction, and reporting of three years of data is a prerequisite for fund eligibility. This is implied by the allocation formula and made explicit in another passage in the law. One of three specified limitations on allocations to local governments is that “no allocation under this section shall be made to a unit of local government that has not reported at least three years of data on part 1 violent crimes of the Uniform Crime Reports to the Federal Bureau of Investigation within the immediately preceding 10 years” (42 USC § 3755(e)(3)).<sup>5</sup> For funds going to states, the law directs that 50 percent of the pool be distributed proportionately to state population size, and 50 percent distributed based on ratio of “the average number of part 1 violent crimes of the Uniform Crime Reports of the Federal Bureau of Investigation reported by such State for the three most recent years reported by such State” to “the average annual number of such crimes reported by all States for such years” (42 USC § 3755(a)(1)). For funds to local governments, there is no comparable population-based allocation, but rather the full pool is allocated “bear[ing] the same ratio to such share as the average annual number of part 1 violent crimes reported by such unit to the Federal Bureau of Investigation for the

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<sup>5</sup>As described earlier, there is no direct/explicit authorization of the UCR program in the U.S. Code, relying instead on general powers vested in the Attorney General to collect crime records. However, the use of UCR statistics for Byrne JAG grant allocation is sufficiently ubiquitous that the Byrne JAG passages of code sometimes become vehicles to adjust UCR code. For instance, the bill H.R. 906 in the 113th Congress sought to define “part 1 violent crimes” in the JAG statute to include human trafficking (commercial sex acts) and human trafficking (involuntary servitude)—and so requiring immediate elevation of those offenses to Part I status and collection of them.

3 most recent calendar years for which such data is available” to the total reported Part I crimes for the state (42 USC § 3755(d)(2)(A)). Even under some special circumstances, BJA grant allocations are made to correspond to UCR-reported numbers. Notably, an emergency supplemental appropriations act in 2007 dedicated \$50 million in new state and local law enforcement grant funds “for local law enforcement initiatives in the Gulf Coast region related to the aftermath of Hurricane Katrina”—but subject to being “apportioned among the States in quotient to their level of violent crime as estimated” by the UCR Program “for the year 2005” (P.L. 110-28; 121 Stat. 152).

Other law enforcement and public safety grant-making programs administered by the BJA and other OJP units are not as explicitly based on UCR or other crime statistics. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) uses a relative rate index matrix that includes the ratios of UCR-measured arrest rates for delinquency among different racial and ethnic groups as a factor in some of its funding. The Office of Violence Against Women (OVW) generally uses population numbers instead of crime statistics, while the fixed disbursements and other grants from the Crime Victims Fund administered by the Office for Victims of Crime (OVC) are not directly tied to crime statistics information. It should also be noted that nationally compiled crime statistics typically are not used by the federal grant-making agencies for accountability purposes—that is, to judge the effectiveness of a previously issued grant. Rather, these numbers are used as indicators of resource need associated with the magnitude of the crime problem. That said, as grantmakers such as BJA shift toward the integration of evidence-based policies and research into their work, crime statistics and their analysis in community context would be expected to play a stronger role in grant application decisions.

In at least one notable historic instance, the use of UCR data was required by law for the administration of grant funding. The Violent Crime Control and Law Enforcement Act of 1994 authorized the award of grant money to as many as 15 “chronic high intensive crime areas” in order to spur the development of “comprehensive model crime prevention programs.” No precise formula was assigned for deriving these areas except that “at a minimum,” such areas have “consistently high rates of violent crime as reported in the Federal Bureau of Investigation’s ‘Uniform Crime Reports’” and “chronically high rates of poverty as determined by the Bureau of the Census” (P.L. 103-322; 108 Stat. 1844, 1846). In addition, other federal granting agencies outside of the Department of Justice may require UCR crime data to demonstrate need for funding. For example, the U.S. Department of Labor also required for its “Training to Work 2-Adult Reentry” grants that applicants demonstrate that the target areas for their programs are in areas of high poverty and high crime by “providing statistical data that shows that the felony crime rate of the target area is higher than the felony crime rate of one or more of the adjoining communities.” This comparative crime data can only be provided by the UCR.



Similar types of provisions hold in different states for the allocation of public safety grant funds. For instance, California’s Budget Act of 2014 (SB 852) mandated that local assistance grants from their Board of State and Community Corrections pool of \$28 million include direct allocations to “be made available to the city in California with the highest rate” of particular crimes “as reported by city police departments in the most recent United States Department of Justice Uniform Crime Report”: specifically, \$670,000 to the city with the highest murder rate and \$665,000 each to the cities with the highest reported rape and robbery rates.

In sum, meeting participants revealed numerous ways in which crime data are required for purposes of obtaining federal or state assistance and resources for a variety of different types of programs. This was not always the case, however, because data for some types of crime problems are not available from the UCR. This may be because the crime issue of concern is not recorded in police data because it lies outside the jurisdiction of local police departments (such as crimes covered by federal law), or because it is the responsibility of other state and local agencies (e.g., cases of child abuse and neglect), or because the potentially necessary details that would demonstrate high rates of need are not widely available in the UCR summary reports (such as violence against women or elder abuse).

### 3.2.4 Program Evaluation Entities

While the state-level SACs described in Section 3.2.1 can play an important role in marshaling available data to analyze the impacts of crime-related policies, the past two decades have seen larger steps toward evidence-based policy-making in criminal justice. The nonpartisan Washington State Institute for Public Policy (WSIPP) is an early example, created at Evergreen State College in 1982 by the state legislature. It is mandated by state policy makers that the WSIPP update and maintain an inventory of evidence-based practices in a variety of policy areas, including use of a benefit-cost simulation model to estimate potential returns on investment of specified policy approaches. In the adult and juvenile criminal justice arenas, much of their cost-benefit analysis has concentrated on correctional and judicial processing levers (e.g., drug courts and rehabilitation/treatment diversion programs for offenders with addiction or mental health problems). In 2011, WSIPP took on a project to begin applying the same cost-benefit analyses to policing interventions (Aos and Drake, 2013). More recently, the Results First Initiative jointly funded by the Pew Charitable Trusts and the John D. and Catherine T. MacArthur Foundation has built partnerships with, at most recent count, just over 20 additional states to apply similar cost-benefit analysis in various policy arenas.<sup>6</sup>

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<sup>6</sup>See <http://www.pewtrusts.org/en/projects/pew-macarthur-results-first-initiative>.

Even focused on corrections and judicial processing issues, high-quality crime statistics are an important input in understanding inflows and trends in the justice system. But, certainly to the extent that these entities become more invested in applying evidence-based methods in crime prevention and policing, demand for complete and consistent crime data—capable of comparison across both time and location—will only escalate.

### 3.3 PUBLIC SECTOR AND ACADEMIC RESEARCHERS

Use of crime data by researchers in both the public sector and academia is extensive and diverse. Because this research covers a very large range of data uses and approaches, the discussion below necessarily provides a very brief overview of its primary features with respect to currently available crime data and gaps in existing data. In addition, public-sector researchers (such as those in SACs and other research organizations) and academic researchers often work in collaboration with other users of crime data such as law enforcement agencies, local, state, and federal agencies, businesses, and other groups, so there is considerable overlap between their uses of crime data and uses by others.

#### 3.3.1 Academic Researchers

Academic and public-sector research consists of both descriptive and multivariate analysis of crime and victimization problems and their outcomes. Crime data are used at numerous levels of analysis to describe the extent to which crime varies over time, across places (such as countries, states, cities, neighborhoods, and other areas), across organizations (such as schools, businesses, and sectors of the economy), between individuals and groups, and how individuals' experiences with crime and victimization vary and change over the life-course. The type of data used for the descriptive analyses of these variations necessarily depends on the research question and the availability of crime data at the various levels of analysis. For example, studies of national-level crime trends for major categories of crime must use UCR or NCVS data as they are the nation's two main indicators of crime, providing different types of information as well as distinct trends during some time periods. Studies of subnational variations in violent and property crime rates, however, have relied on the UCR because the current NCVS sample was not designed to produce reliable subnational estimates of crime.<sup>7</sup> The demand for additional subnational information by researchers and others recently prompted BJS to redesign the sample in ways that will allow reliable multi-year state-level

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<sup>7</sup>Currently, the publicly available NCVS data do allow for general comparisons between urban, suburban, and rural areas, and some ability to estimate victimization rates for the 40 largest (core county) MSAs.

estimates of victimization for approximately half of the largest states in the United States.

Beyond describing trends in the major categories of violence and property crime, researchers often examine these data with additional information from other sources to assess the association of crime rates with social, demographic, and economic factors; criminal justice resources and practices; and changes in the law. Some researchers have also attempted to forecast future rates of crime, though this is an area fraught with significant challenges (see National Research Council, 2009b, for an overview of the literature on crime trends).

While studies of UCR (and NCVS) crime trends provide basic and essential information about levels and changes in violent and property over time, researchers noted a wide range of crimes that are not captured by these measurement systems. It is very difficult to determine, for example, whether crimes against businesses and other organizations, the environment, or government agencies have increased or decreased over time, and trends for some types of crimes against persons are unknown as well (e.g., human trafficking, fraud). There are numerous reasons why such information is difficult to obtain, but the lack of this basic information means that current understandings of crime trends are incomplete and dominated by analyses of “street crimes” that can be more easily obtained because the reports are initiated by victims and local police. Other types of crime (such as fraud) can have different detection rates and mechanisms, and data for these types of incidents may only be available after investigations are completed. When this is the case, the crime data are dependent on the level of investigation and the incidents are only revealed when prosecutors proceed with charges of illegal activity. Without additional information about investigation resources and processes, charge count data provides information on crime that may be misleading in terms of both levels and trends in such crimes.

Another major component of public-sector and academic research combines data and statistical models to infer how different factors and policies affect crime rates, and how crime rates may, in turn, affect other important socioeconomic outcomes (such as neighborhood change and economic development). The unit of analysis for these types of studies also varies and includes highly aggregated rates for places such as states, cities, counties, and neighborhoods, but may also be based on lower levels of aggregation or persons when the research is interested in understanding how different treatment policies affect individuals’ risk for future criminal involvement. Some examples of these aggregate rate studies include research on the effects of the death penalty on homicide rates (e.g., National Research Council, 2012), gun legislation on county or state violence rates (National Research Council, 2005), and policing strategies on neighborhood, block group, or street segment rates of crime (e.g., National Research Council, 2004b; Weisburd et al., 2012). In each of these types of studies, the need for geographic information about the location of the

incident is important, and with more targeted interventions, the geographic data for incidents of crime needs to be more precise. Studies of program effects on individuals' offending typically follow persons over time and use either arrest or other criminal justice system data as an indicator of criminal involvement. Alternatively, because such data only include information on detected criminal activity, some researchers track persons over time and administer self-report surveys to obtain information about offending. With either approach, the researcher must be able to link the person's crime data with previous information about the individuals and their participation in the program under evaluation. The more detailed and reliable the crime information, the more useful the results will be for policy evaluation purposes.

### 3.3.2 Policy Advocacy and Issue Constituencies

There are many policy advocates or issue constituencies that use crime and victimization data to make arguments to advance their claims about the nature and extent of the problem they want to see addressed. Some of these groups may be advocating for new data collections (such as in the case of previously discussed efforts to obtain hate crime statistics), while others may be advocating for changes in existing data collections to better capture the problem of concern. A recent example of the latter instance can be found in the effort to redefine "rape" incidents in the UCR program. Advocates for this change argued that the long-standing definition used by the FBI was highly restricted and did not capture the full range of sexual assaults, as it defined rape as "the carnal knowledge of a female forcibly and against her will." Many police agencies interpreted this to exclude sexual offenses that were criminal in their own jurisdictions, such as those involving anal or oral penetration, or penetration with objects. In addition, the definition excluded rapes committed against males. The new UCR definition of rape became effective on January 1, 2013, and states that rape is "penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim." Assessments of the difference in 2013 NIBRS counts of rape between the legacy and the revised definition suggests that this change increased the number of incidents in that year by roughly 42 percent.<sup>8</sup>

Advocacy groups also were recently successful in their efforts to change the way animal abuse crimes are counted and presented in national FBI crime statistics. In particular, the Animal Welfare Institute and the National Sheriffs' Association separately proposed the addition, and were joined by the Association of Prosecuting Attorneys and the Animal Legal Defense Fund.<sup>9</sup>

<sup>8</sup>See [https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/rape-addendum/rape\\_addendum\\_final](https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/rape-addendum/rape_addendum_final).

<sup>9</sup>See <https://awionline.org/content/fbi-adds-animal-cruelty-category-nations-crime-report>.

Beginning in January 2016, these crimes will move from the NIBRS “group B” category of “other crimes” and be counted as a new “group A” crime of animal abuse. Under the new rules, animal abuse is defined to include incidents of simple or gross neglect, intentional abuse and torture, organized abuse, and animal sexual abuse (Criminal Justice Information Services Division, 2015a:9). For group A offenses in NIBRS, police agencies are asked to submit incident data, while for group B offenses, only arrest data are submitted. Therefore, this change will produce data that will allow for the monitoring of trends in animal abuse incidents that come to the attention of police.

Advocacy groups also request that other national data sources, such as the NCVS, be modified to obtain data on their issue of concern, particularly when it is believed that victims of certain crimes are unlikely to report the incident to the police. However, because the NCVS is a self-report survey rather than a record-keeping mechanism by police departments, changes to the survey are not often easily accommodated as each request would require unique considerations. For example, if a new victimization rate is desired for a subgroup in the population that is relatively small in size, the sampling framework of the NCVS necessarily limits the precision of the rate that would be obtained and may not be feasible. In addition, the questions necessary to identify the subgroup may be problematic in that respondents may not be willing to answer such questions, such as would likely be the case to learn whether undocumented immigrants experience higher rates of crime than citizens. For these types of reasons, the issues that are necessary to consider for obtaining new crime and victimization data via the NCVS are different from those that must be considered when changes are proposed for the UCR.

### 3.4 BUSINESS SECTOR

The panel also obtained input about uses of crime data from the business sector, and oftentimes their uses of these data are unique from those of other groups. Businesses may use UCR crime data to learn about the nature and extent of problems in the cities or communities in which they operate or are considering for expansion or relocation opportunities. Some businesses may use local crime data to target sales of their products, such as burglar alarms or antitheft devices. But a large component of crime data use by businesses is focused on analyzing and responding to their own crime information collection systems to protect the businesses against thefts from customers and employees, as well as other crimes including cyberattacks of various types. Discussions with business representatives suggested that a large, but unknown proportion of the crimes against their companies is not reported to police. Instead the data are used to monitor losses, improve security, and thwart anticipated future

incidents. There appears to be growing coordination of these security efforts by businesses in related sectors and over common concerns.

One example of business “crime” data that contains information distinct from that provided by either the UCR or NCVS is the National Retail Federation’s annual National Retail Security Survey (NRSS). According to the 2015 survey of 100 senior loss-prevention executives, inventory shrinkage in 2014 due to shoplifting, employee and other internal theft, paperwork errors, and other factors amounted to approximately \$44 billion. The two largest components of this loss were attributed to shoplifting (38%) and employee/internal theft (35%). However, unlike the UCR which provides larceny incident counts, these data estimate crime in terms of inventory loss amounts that are more readily estimated than the number of distinct incidents or persons involved in retail inventory loss.

### 3.5 NEWS MEDIA AND THE PUBLIC

A very large amount of crime information appears daily in news media outlets, most often as descriptions of recent specific incidents, offenders, and victims, but also in the form of national and local crime statistics to illustrate comparative crime rates and trends. For example, the release of annual statistics from the UCR and NCVS by the U.S. Department of Justice is typically covered in major news outlets, but increasingly local media outlets turn to their local police departments to provide regular updates on recorded crimes. Several unique issues about media and public use of crime statistics are noted here, including efforts to improve the understanding of crime and appropriate uses of data to help better inform the public about crime and related issues.

Journalists and other media personnel often have been criticized for their misuse or misinterpretation of crime statistics, and for failing to put recent unique or high-profile incidents in broader temporal context. Without such contextual information, the most recent newsworthy crime is often seen as an indicator of a new trend, and the continual coverage of crime in this way can contribute to the false impression that rates are continuously on the rise. Efforts to improve journalists’ coverage of crime and justice issues are being developed by the Center on Media, Crime and Justice at John Jay College in New York, including dissemination of handbooks on covering crime and justice issues, conferences to discuss media and data and substantive issues, awards for examples of best crime and justice coverage, as well as other activities.

Media coverage of crime has helped in some instances to spur public criticisms of gaps in data systems, and journalists have been responsible for producing pressure to make changes in crime data records. For instance, in several cities, such as Baltimore, St. Louis, and Philadelphia, journalists uncovered anomalous rates and trends in police records for rapes in these cities,

leading to questions about police “unfounding” or not recording rapes that were brought to their attention by victims, and these stories led to challenges among police departments to justify their numbers. Following the shooting death of Michael Brown in Ferguson, Missouri, many journalists from around the world reported that the U.S. data for illegal police-killings of civilians are highly inadequate for analysis of trends or associated factors.<sup>10</sup> The lack of data on these incidents led several media and other organizations to “crowd-source” and develop their own, often competing, counts of these incidents from online reports. Subsequently, federal legislation has been proposed to require states to report these and other police use-of-force incidents.<sup>11</sup>

The panel also heard about an additional media use of crime statistics that prompted accusations of unfairness and negative stereotyping of cities and police departments, and this involved the reporting of simplistic crime “rankings” by some media outlets. Crime rankings simply list cities in order of their FBI reported crime rates, typically by using an index of crimes or index of violent crimes. Cities may score near the top of such rankings because they actually have higher crime rates, or because they are more likely to record their crimes, have higher crime-reporting rates by victims, or have cities that are relatively small in proportion to their surrounding metropolitan areas, thus capturing more incidents in the numerator of their crime rates without additional population in the denominator. Cities that have not regularly participated in the UCR program (e.g., Chicago) are also excluded from these rankings and therefore they benefit from their failure to provide data. Though the FBI website and other organizations have warned against such simplistic rankings, they persist and cities that are ranked near the top of these lists report that this misuse of crime data harms their efforts to attract businesses, conventions, and other events, perhaps further perpetuating the problems that those producing such rankings seek to correct.

Reflecting a similar type of concern, police departments and city officials report concerns about damages to their cities when their data systems change over from the UCR summary system to the NIBRS system. NIBRS data do not use the same hierarchical coding structure and therefore can count crimes differently from the SRS, for example in incidents that involve multiple crimes (such as robbery and aggravated assault). Officials noted the need for assistance to help explain to the media and the public why the new NIBRS

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<sup>10</sup>Of course, the lack of systematic, national collection of data on incidents involving (excessive) use of force also drew publicity when the shortcomings in existing data were publicly noted by FBI director James Comey; see <https://www.fbi.gov/news/speeches/hard-truths-law-enforcement-and-race>.

<sup>11</sup>See, e.g., the Police Reporting Information, Data, and Evidence (PRIDE) Act of 2015, introduced in the Senate by Sens. Barbara Boxer (D-CA) and Cory Booker (D-NJ) and in the House by Rep. Joaquin Castro (D-TX) as S.1476 and H.R.3481, respectively.

crime counts are likely to produce higher rates than those provided by the traditional summary system.

### 3.6 CONCLUSIONS

Participants in the discussion meetings provided extensive feedback to the panel about how they did or did not use crime data, the perceived gaps in the data for their specific purposes, and the challenges involved with using crime data accurately and in a timely way. More importantly, they spoke to the schism between the current and ideal systems: what they would *like to do* with crime data, relative to what they *actually do* (or can do) with current data. There was also discussion about the various mechanisms by which crime data could be reported and released in ways that would best inform the public about crime in the nation, as well as in their communities. Annual national, state, and local reports were deemed useful, but participants also noted that additional information to better understand the contexts in which crime rates differ would be more helpful. It was suggested that national reports would be more complete if they included information about other crimes, such as federal crimes that were not recorded in the UCR system but were equally important to understanding the fuller nature and amount of crime in the nation. Suggestions were also made for more detailed reports on specific types of crimes, such as domestic violence and gun violence at the subnational level, rather than relying strictly on broader crime categories as is typically done with UCR data. In addition, local reports were believed to be more responsive if they could be compiled and released in a more timely way so that public community initiatives to improve crime can be better monitored.

We are, purposefully, very sparing in designating formal recommendations and conclusions, because the major point of this report is to propose a single new classification for crime, in Chapter 5. That said, we think that our canvassing of crime data user needs supports a general conclusion—however blunt or “obvious” it may be—that merits explicit statement, as it informs the remainder of our work. That basic conclusion, put colloquially, is that there is no “magic bullet” for crime measurement and statistics; the terrain is too broad and the demands too diverse to be satisfied by any single, omnibus data system.

**Conclusion 3.1:** There is strong demand for comprehensive, yet detailed, information about crime by a broad range of users. No single data collection can completely fulfill the needs of every user and stakeholder, providing data with sufficient detail, timeliness, and quality to address every interest of importance. Any structure devised to measure “crime in the United States” should necessarily be conceptualized as a system of data collection efforts, and informative details about the collection and quality of the distinct



components in this data system should be included to help ensure proper interpretation and use of the data.

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## Historical and Extant Classifications of Crime

**A**T THE MOST BASIC LEVEL, “classification” is a means for grouping like things alike. The difference between classification schemas is the manner by which things are judged “like enough” to be put in the same category, and the full extent to which a set of categories is delineated. There are abundantly many classifications that can be developed surrounding some particular phenomena and just as many specific, worked-out examples, ranging from very crude definition lists for a few specialty categories of interest to intricate, hierarchically structured “trees” covering the whole range of experience of a particular group or phenomenon.

We initially touched on this conceptual issue in Section 1.2, but it is natural to delve into it again here: A key underlying question to this chapter and report is why should “crime” be developed into a classification? More specifically, why is it important to classify crime as a prelude to discussing improvements in crime statistics collection? The answer is that a proper classification provides a strong basis for structuring and organizing information, and so provides a useful blueprint for operationalizing actual information collection. In the parlance of official statistics, a classification is a form of standard meant as reference across related data collections (and ideally across various countries or jurisdictions operating those collections). For the United Nations Statistics Commission, Hoffman and Chamie (1999:2) defined a statistical classification as one having “a set of discrete categories, which may be assigned to a specific variable registered in a statistical survey or in an administrative file, and used in the production and presentation of statistics”—emphasizing standardization in variable listings

and presentation. But—cast more expansively—a classification scheme can serve as a map of the entire space of a complex phenomenon. Writing specifically of full implementation of the National Incident-Based Reporting System (NIBRS), Lynch and Addington (2007a:317–318) lamented that “using all of the information in NIBRS simply to re-create the [Uniform Crime Reporting (UCR) “index crime” categories] is a lost opportunity to learn more about crime.” They argued for a thorough reimagining of NIBRS’s purpose and, along with it, experimentation with alternative crime classifications “that can [each] tell us something important about crime and that can be reasonably estimated within each system”—regardless of whether those estimates flow naturally from current data systems. To better mobilize crime statistics with the end goal of conveying the risks of criminal victimization to the public, for instance, they suggested that a classification could be built around any of three dimensions, each of which would put a slightly different lens on the problem (Lynch and Addington, 2007a:318–319):

- Classifying crime between those “involving intimates and acquaintances and those involving strangers,” because “stereotypic crime [between strangers] is what we are afraid of and what we demand that our police address, whereas crimes among persons who know each other are more complex and require different responses”;
- Distinguishing between “crimes occurring in public as opposed to private places,” in which expectations and assumptions of law enforcement control vary; and
- Splitting “crime by activity at the time of victimization,” where even a four-way split of activity among “home, school, work, and leisure” would be profoundly useful to public understanding.

In this chapter, we review some exemplar classifications of crime that have been proposed at differing times, drawing mainly from international experience but also including some U.S. variations as well. To this mix of examples, we can also further mention some embedded classifications we have already discussed—and it is useful to do so, inasmuch as they extend the set of extreme approaches to classification. To wit, the original set of UCR offenses delineated by the International Association of Chiefs of Police in 1929 (Box 1.2) is a quintessential definition- or *listing-based* classification schema, trying to use similarity in explicit offense definitions across jurisdictions and balance those with identifying major crimes of particular public interest. This was underscored by the format of the original *Uniform Crime Reporting* manual (International Association of Chiefs of Police, 1929)—a thick volume, with most of its heft coming from a small-print compilation of extracts from state criminal codes. As the UCR definitions have remained relatively unaltered over the decades—with expansion when NIBRS was implemented—so too has the UCR Program’s maintenance of a primarily (*penal/criminal*) *code-based*

classification scheme. By contrast, the National Crime Victimization Survey (NCVS) arrives at a similar list of covered crimes but does so via entirely different means; where the UCR Program requires local police departments or state coordinators to parse available information and decide which definition best suits a particular incident/offense, the NCVS never puts the burden on the respondent or the interviewer to “label” the crime at hand. Rather, the NCVS’s event- or roughly *attribute-based classification* asks a number of general questions and combines that information—formulaically, yet flexibly—to construct the proper classification label.

#### 4.1 PREVIOUS IMPLEMENTATIONS OF, AND PROPOSALS FOR, A MODERN CRIME CLASSIFICATION

##### 4.1.1 PERF and the Simplified Victim-Outcome Framework

In the early 1980s, the Police Executive Research Forum (PERF) developed a simplified Crime Classification System (CCS) for testing and deployment in various sites, notably Peoria, IL (Police Executive Research Forum, nd). PERF’s proposed classification was innovative in both its most fundamental principle—deciding up front that the classification should be “non-legal [and] victim-focused,” rather than offense-focused—and its stark brevity. In fact, the classification sought to resolve all criminal behavior into a set of only five categories, three of which were meant to be “straightforward” and “based on the type of harm experienced by the victim” (Police Executive Research Forum, nd:2–3):

- *Injury (only)*—“reported crimes in which at least one victim received physical injury or was threatened with physical injury (e.g., assault, rape, etc.);”
- *Loss (only)*—“reported crimes in which at least one victim had property stolen, damaged or destroyed (e.g., burglary, larceny, fraud, etc.);” and
- *Injury and Loss*—“reported crimes in which at least one victim was physically injured or threatened with injury and property was stolen, damaged or destroyed (e.g., robbery).”

Some time later, a separate task force that developed the *Blueprint for the Future of the Uniform Crime Reporting Program* (Poggio et al., 1985:91) restated the CCS (citing an unpublished summary). In the restatement, the victim-harm categories were expanded to include two combinations:

- *Threat plus loss*—intended to cover UCR-defined robbery, not involving injury; and
- *Injury plus loss*—intended to cover violent crimes like homicide or rape that also included theft of property as well as the crime of robbery with injury.

The original CCS's final two categories covered cases where either the victim or the harm can not be specified:

- *Regulatory*—“crimes in which the harm is not to an individual or business but against society or governmental order,” including “crimes such as perjury, treason, and runaways.” “As a practical matter, most of the regulatory crimes reported by the police are typically vice offenses such as prostitution, gambling, drunken driving, and narcotics offenses.”
- *Incomplete*—“reported crimes that have an identifiable victim but neither injury nor loss,” including “crimes that are planned and perhaps begin but not to the point that the victim is harmed” and commonly referring to “attempts and conspiracy-type offenses” (so much so that the *Blueprint* task force revised this category to simply “Attempts” of any crime type).

Anticipating concern over the level of detail possible with such a small number of “crime” categories, the CCS developers sought to minimize “any inconvenience incurred as a result of giving up the familiarity of legal categories” by prescribing a battery of offense and victim characteristics to be collected along with the simplified crime type. The CCS was intended to be something that could be compiled directly from law enforcement records systems, and the detailed characteristics were described as data that are “widely available in contemporary police incident reports but [not] usually presented to the public” (Police Executive Research Forum, nd:4). The original CCS suggested collection of victim characteristics as precise as “level and type of injury” and type of medical treatment obtained, and such offense characteristics as the victim/offender relationship and the “extent of force” used. Also included among the CCS offense characteristics was a variant of the “seriousness score” calculation proposed by Sellin and Wolfgang (1964); the seriousness calculation is not described in any detail in the Peoria CCS testing, but was still characterized as relatively easy for records clerks to implement using information in departments’ regular incident reports.

The report summarizing the performance of the CCS in testing by the Peoria Police Department suggested some unanticipated difficulties, notably that 27 percent of crime incident reports in the coding sample could not be assigned a geographic location as precise as a census tract. Tellingly, the report also included a cross-tabulation of the CCS categories versus the UCR category (including both Part I and II offenses) that would apply to the incident. Inclusion of such a table in the report is not surprising, as an examination of the performance of a new classification scheme relative to an older one. However, by the time of the restatement of the CCS by the *Blueprint* authors, “UCR category” was subtly but explicitly added to the list of “offense characteristics” to be coded when using the CCS—effectively, making the CCS more the generation of a top-level, grouping code rather than a substitute for the UCR’s classification scheme (Poggio et al., 1985:92). In essence, the *Blueprint* authors

concluded, the auxiliary “characteristics” data required by the CCS (including the UCR category) were too integral to deriving useful information from the CCS to make it feasible; for law enforcement agencies with records systems that lacked *all* of the CCS “characteristics,” CCS-typed classifications “are insufficiently precise and cannot substitute for the current UCR classification,” and so the framework was abandoned.

#### 4.1.2 SEARCH and the Pure Attribute-Based Classification

In 1975, the SEARCH Group<sup>1</sup> set out to construct a prototype records system—capable of exploiting increased computerization of law enforcement departments—to bring fully attribute-based classification to police report statistics. Put most succinctly, attribute-based reporting of crime was intended as “a means of systematically capturing crime event data in the basic detail required to classify the particular offense according to any classification system” (SEARCH Group, Inc., 1976:v). The fine-grained detail—like the answers to individual questions on the NCVS—could be pieced together to match a variety of other classifications, be they a single state’s criminal code or the reporting requirements of a UCR-type program.

The crucial parameter in defining the SEARCH Group’s classification scheme was determining the number of attributes/variables necessary to completely span the crime-type coverage of five selected existing schemes:

- The existing UCR offense lists and definitions;
- The Uniform Offense Classification (UOC), now maintained by the Federal Bureau of Investigation’s National Crime Information Center, that essentially defines the offenses coded on criminal history records;
- The Model Penal Code (MPC) developed by the American Law Institute (originally published in 1962, current full release being American Law Institute, 1985) that provided suggested text for standardized crime definitions that would be used, in part if not in full, in several states’ individual efforts to restate their criminal codes;
- The Texas Penal Code; and
- The California Penal Code.

Ultimately, with some revision, the group found that 28 attributes, derived from parsing the texts of these five sources, were adequate in reconstructing the detail from any of the source codes. Due to the length of the resulting

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<sup>1</sup>The SEARCH Group, founded in 1969, is now more properly known as SEARCH, The National Consortium for Justice Information and Statistics. It is self-described as “a nonprofit organization governed by a Membership Group of governor appointees from the 50 States, the District of Columbia, and the territories” to support “the information sharing, interoperability, communications, information technology, high-tech crime investigative and criminal records systems needs of State, local and tribal justice and public safety agencies and practitioners nationwide” (<http://www.search.org/about-search/company-background/>).

code list, we refer the reader to Section C.1 in the report appendixes. Of particular note in that listing is the use of 128 verbs—the 26 actions perpetrators can take against property (attribute B5), the 72 actions perpetrators can take against person victims (D5), and the 30 crime-type actions perpetrators can take that are not directed toward either a person “victim” or property (E7)—that are pivotal to determining crime type in a pure attribute-based classification. Akin to NCVS processing, the SEARCH Group developers then set about determining roughly 200 rules—called equations in their report—that built a specific code’s offense list by combining the presence/absence or value of various attributes.

Ten city or state police departments were recruited to provide a sample of source documents—500 each, including the detailed incident report as well as how the local agency would code the incident for UCR, UOC, or state penal code purposes (two agencies each participated from California and Texas, because their codes were used in defining the classification). The SEARCH Group classification was run on this training set, and the generated values were compared with the agencies’ “actual” codes to validate the methodology.

Though acknowledging classification errors “rang[ing] from 22 to 31%,” the SEARCH Group, Inc. (1976) expressed general satisfaction with the results. The error rates could largely be explained, developers argued, by variability in the skill of the human coders of the incident reports—as well as two longstanding concerns with crime classifications. First, assault is inherently difficult to classify, particularly the distinction between aggravated assault and simple assault. Second, the multiple sources for the attribute-based scheme overlap substantively with each other for some crime types and don’t clearly achieve mutual exclusivity of concept; for instance, “the unauthorized signing of someone else’s name to a credit card slip prepared with a stolen card” could fall into any of two UCR codes or three UOC codes (SEARCH Group, Inc., 1976:14).

The SEARCH Group produced human coder performance rates and computer processing times that it felt were impressive, and argued that the next logical step was to move from prototype to implementation in live operations in one or more individual departments. Alas, the record suggests that there were no local-agency takers for the live operational trial.

#### 4.1.3 Australia and New Zealand

Work on a standardized classification of crime in Australia began in the late 1970s, culminating in a draft classification (apparently opened for stakeholder discussion in 1980) that was circulated as the Australian National Classification of Offences (ANCO) in 1985. In use over the next decade, gaps and deficiencies were noted in the ANCO, and a more thorough revision and reassessment led to publication of the formal first edition of the Australian Standard Offence

Classification (ASOC) in 1997. Again, the new system was subjected to years of work and experience before another major round of revisions was applied and a second edition was released—this time, with the “substantial review” said to be supplemented by “extensive consultation, predominantly with government agencies responsible for formation and administration, and non-government analysts of crime and justice issues.” An unchanged (save for typographical fixes) third edition was published in 2011, albeit now rebranded as the Australian and New Zealand Standard Offence Classification (ANZSOC) after adoption for use by New Zealand entities and in keeping with efforts to harmonize classification schemes between the Australian Bureau of Statistics (ABS) and Statistics New Zealand (Australian Bureau of Statistics, 2011:vii).

The ANZSOC definition document lists six “criteria” used to identify the individual categories in its classification scheme (Australian Bureau of Statistics, 2011:6):

- *Violence*: To convey whether violence is involved and—if so—its nature and extent;
- *Acquisition*: To convey whether the basic intent of the offense is acquisitive, or to obtain property;
- *Nature of Victim*: To characterize “the nature and vulnerability” of victims, whether the victims are “persons, property [or] the community”;
- *Ancillary Offences*: “Whether the offence only exists as an extension of, or in relation to, another offence”;
- *Seriousness*: The severity of offense, based on such factors as aggravating circumstances/conditions and vulnerability of the victim; and
- *Intent*: Whether the offense was intentional or negligent/reckless.

The ANZSOC authors take pains to note that “the divisions of the Classification are not ranked by seriousness,” though seriousness is one of the criteria. ABS maintains a separate listing—the National Offence Index (NOI), based in part on levels of reported crimes in the different categories and the length/severity of sentences given to offenders—that “enables selected ANZSOC groups to be ranked in order of seriousness” (Australian Bureau of Statistics, 2011:6).

Further, the ANZSOC designers note that “certain design considerations were deemed to be of particular importance in determining the structure of the Classification” (Australian Bureau of Statistics, 2011:7):

- *Conformance with jurisdictional criminal codes*: Definitions constructed to “encompass, as far as possible, the various legal definitions and criminal codes” used throughout both nations;
- *Correspondence with “usual” data collection*: Crimes should be “representative of information available and typically reported on when collecting data”;



- *Relevance*: Definitions should allow collection of relevant data to “address important areas of social concern”; and
- *Statistical balance*: Crimes should be distributed “relatively evenly” across the full classification, or at least not overly concentrated in just a few categories.

The basic ANZSOC structure is listed in Section C.2, in the appendixes, due to its length. The ANZSOC developers note up-front that capturing the full range of attributes of interest is “beyond the current capabilities” of the current classification. In particular, the developers concede that the scheme itself does not allow for grouping or analysis by three important concepts: (1) family and domestic violence offenses (attributes of victim/offender relationship and location of incident, among others); (2) “e-crime” or cybercrime (attributes of the mode of the offense, meaning computer involvement); and (3) terrorism-involved offenses (as distinct from non-terrorism-related assaults, homicides, and other crimes) (Australian Bureau of Statistics, 2011:8–9).

In the 1997 first edition, the ABS suggested that the ASOC would be “progressively introduced”—adopted and phased in over time, because “each State and Territory will need to undertake a detailed mapping program that will link every individual criminal offence within their statutes to a single ASOC category. When completed this linkage will be compiled into a single detailed concordance by the ABS” (McLennan, 1997:1). Though the ANZSOC remains an official ABS standard, several Australian states use their own customized—and, generally, extended—classifications for crime recording and reporting. The government of Queensland defines a formal “extension” to ASOC/ANZSOC, adding a fourth hierarchical level to the classification for several categories. For instance, the “Queensland Extension” (QASOC) subdivides the ANZSOC group “serious assault resulting in injury” into five subgroups—assault occasioning grievous bodily harm; torture; wounding; assault occasioning actual bodily harm; and serious assault resulting in injury (remainder)—and the “unlawful entry with intent/burglary, break and enter” group into eight subgroups depending on type of premises (dwelling, shop, other building), whether violence or threats were used, and whether both breaking and entering were involved (Office of Economic and Statistical Research, Queensland Government, 2008). South Australia’s JANCO crime classification goes even further in allowing more detailed hierarchical layers, providing for 10-digit offense codes—and is further distinguished from the ANZSOC because, as its name suggests, it is premised on the original 1985 ANCO draft rather than the more recent ASOC and ANZSOC taxonomies. The JANCO documentation notes only that JANCO codes “continue to be used in South Australia for State based crime reporting” despite ASOC’s issuance in 1997, and that the “two systems are not directly comparable, with ASOC having sixteen divisions for criminal offences rather than ANCO’s

eight divisions” (Office of Crime Statistics and Research, Government of South Australia, 2014:Cover, viii).

In particular, the state of Victoria’s newly independent (as of January 2015) Crime Statistics Agency (CSA) maintains its own crime classification, “largely based on the structure and principles” of the ANZSOC but that “has been modified to suit the legislative environment” of the state. Its modifications are described as following “similar logic” to the UNODC’s proposed international crime classification (Crime Statistics Agency, Government of Victoria, 2015:1), which we describe below in Section 4.1.5. We single out Victoria’s classification as another exemplar for classification—and provide a full listing of the classification in Section C.3—because it makes some interesting changes to both the ANZSOC and UNODC structures.

#### 4.1.4 Ireland

Prior to 2000, Irish crime statistics published by An Garda Síochána (the Irish national police) were categorized into two broad categories—“Indictable” and “Non-Indictable”—based on the level of court (circuit or high court versus district court) that would have jurisdiction. In line with efforts to modernize police business processes, crimes were recategorized in 2000 but still into two basic categories: “Headline” and “Non-Headline” offenses, intended to correspond more closely to the distinction between serious and less serious crimes that had come to be informally attached to the previous classification. About five years later, authority for production of official crime statistics was transferred from the Garda to Ireland’s Central Statistical Office (CSO; its national statistics office), on the recommendation of a government-wide Task Force on Crime Statistics; the transfer was completed in 2006 (Carey, 2008:1). Shortly thereafter, stakeholder consultations began to assess user/research needs and develop a fuller taxonomy of crime. The resulting Irish Crime Classification System was promulgated in April 2008 (Central Statistics Office, 2008:6).

The CSO’s stated rationale in constructing their specific classification scheme include:

- *Accessibility and Clarity to Users:* Recalling that their previous system relied heavily on “legalistic” jargon that either clashed with or was entirely unknown to users outside the criminal justice system, the CSO notes that the classification uses common terminology “to the greatest extent possible,” the primary exception being reference to the specific titles of some legislative acts (Central Statistics Office, 2008:6).
- *Data Availability and Coverage:* The Irish developers acknowledge using concepts and approaches from the Australian and New Zealand Standard Offence Classification System as a base, adapting approaches from that

classification “to make them more relevant in an Irish context.” The Irish classification is meant to be comprehensive—spanning more than just violent, street crime and crime reported to the Garda—yet “a major design consideration was data availability” (Central Statistics Office, 2008:6). That is, the scheme was developed knowing that much of the classification would remain blank or incomplete for at least the early phases of implementation; crimes reported to the Garda would continue to be the core of Irish crime data for several years. With its broad scope, the Irish classification envisions “incorporating offences investigated and processed by other agencies” such as tax and environmental authorities—and “reference needs to be made to other sources, such as Crime and Victimization surveys”—for a “fuller picture” of crime levels in the country (Central Statistics Office, 2008:7). Knowledge of the type of information that could be acquired directly from Garda records played some role in the construction of categories—and the fact that Ireland has a single, national police force (in the Garda) made uniformity of definitions across local jurisdictions a moot point.

- *Shifting from “Total Crime” to a Fuller Picture:* One historic problem in the designation of the two massive categories in earlier classifications—either Indictable/Non-Indictable or Headline/Non-Headline—is that temptation grew to treat these two main numbers as the “total crime” level in the country. Purposely, the new Irish classification was designed so as *not* to provide for a grand total, but rather to emphasize the 16 main groups (and totals for subgroups) for a more nuanced picture and a deliberate “shift away from the notional concept of a total crime level” (Central Statistics Office, 2008:7).
- *Capacity for Revision:* Developers acknowledged that different agencies—not just the Garda (supplying information to the CSO)—might overlap in their coverage of particular incidents, and wanted a system flexible enough to accommodate evolution over time based on that input. The desire for general continuity of concept over time led to the construction of a “condensed” classification (listed elsewhere in these materials) for some reporting purposes. The condensed classification collapses some detailed offense types (and so would be somewhat robust to addition/subtraction of individual offense types under those headings).

The Irish crime classification is certainly not directly transferable to the U.S. experience, due mainly to the highly centralized nature of the Irish (national) Garda relative to the highly decentralized American law enforcement system, and accordingly its focus on such events as traffic violations. Still, it is a useful model to consider, in several respects—not least of which because the Irish experience of trying to break from the longstanding Headline versus Non-Headline Crime divide parallels the U.S. problem of expanding focus wider

than the small set of UCR Part I crimes. Structurally, a key feature of the Irish system is the way in which it reconciles the desire for relatively fine-grained classification with public demand for a relatively smaller number of defined offenses/statistics. The CSO introduced, and commonly uses for tabulation, a “condensed” classification scheme—selectively collapsing some detail levels and grouping them slightly differently to produce more intelligible summaries of crime for public consumption. The structure of the condensed classification is depicted in Appendix Section C.4. Second, upon introducing the classification in April 2008, the CSO took care to “back cast” recorded crime for the previous five years—that is, recalculating recorded crime totals for 2003–2008 using the new scheme—to ease the transition (Carey, 2008:1).

For good or ill, the Irish experience is also a very telling one for a reason to which we will return in closing this report and explore in more detail in our second report: It offers the cautionary tale that even an excellent classification scheme is for naught if system implementation issues are not addressed in tandem. As part of a wider ranging review of agency practices, the Garda Síochána Inspectorate (2014:9–11) noted “systemic failures in recording practices and non-compliance with crime counting rules” in the Police Using Leading Systems Effectively (PULSE) system, the Garda’s incident recording system. PULSE is effectively analogous to the UCR Program’s databases—it is a recording system, not directly derived from or populated by the Garda’s records management system. An audit sample of PULSE records examined by the Inspectorate suggested misclassification rates of 30 percent or greater, including an unusually large number of entries coded in PULSE as “Attention and Complaints” or “Property Lost”—both of those being technically non-crime categories. It is PULSE crime records that are transferred to the CSO for classification and tabulation—and so flawed data inputs necessarily led to flawed national crime data. Following the release of the Inspectorate’s report, the CSO suspended the publication of Irish police-report crime statistics for six months and initiated its own review. In so doing, Ireland followed the recent example of the United Kingdom Statistics Authority (2014a,b), which pointedly decertified police-report statistics—barring them from bearing the label of “National Statistics” or official statistics—due to similar data quality concerns. Upon completing its review, the Central Statistics Office (2015) agreed to resume publication of police-report crime statistics, while working with the Garda on data improvements and simultaneously beginning a Crime and Victimization Survey (akin to the U.S. National Crime Victimization Survey and British Crime Survey) as a separate check on the level of crime. The basic and condensed Irish Crime Classification Systems are listed in Section C.4, in the appendixes.

#### 4.1.5 International Classification of Crime for Statistical Purposes

In 2007–2008, several parties revived a notion that had surfaced as early as 1951 and separately began to raise the idea of extending the set of international standards to include a new classification of crime. The United Nations Statistical Division assembled an expert group in September 2008 to discuss the idea, and the European Commission likewise indicated interest in developing a Europe-specific crime classification scheme. A conference in Vienna in October 2008 led to the proposal that the United Nations Office on Drugs and Crime (UNODC), with the United Nations Economic Commission for Europe, establish a task force under the Conference of European Statisticians to develop such a system. From the outset, the task as outlined was difficult (UNECE Secretariat, 2009:1):

Any [crime] classification for statistical purposes could not easily be imposed for use at local level and would not necessarily solve difficulties of cross-national comparability. Rather, in addition to a national legal classification system, a parallel, behavioural/event based classification—based on but not restricted by legal definitions—would be useful for grouping data for statistical purposes at the international level.

Initial task force work included an informal survey of other nations' existing data systems and further discussions (in which the United States participated, via BJS). The first phase of work led to production of a “principles and framework” document in September 2011 (UNODC/UNECE Task Force on Crime Classification, 2011), in which the task force committed to developing a classification intended for and satisfying the demand of statistical purposes and to using the event/incident as the standard unit of analysis (we discuss the principles of a classification for statistical purposes further in Section 5.1). Significantly, the task force also worked out a first-cut classification that included a companion, coequal set of “tags” or attributes meant to be completed for each crime event/incident. In doing so, the task force recognized that the tags would give eventual data users the possibility to recover great specificity in deriving incident counts—to the point of suggesting that the tags could be concatenated to form labels akin to the defining “equations” of the SEARCH attribute-based classification (Section 4.1.2). So, for instance, the task force suggested that “1.1.At.Fi.FV.OC” (using the numbering scheme they used at the time) would represent a member of an organized criminal group (OC tag, for organized crime involvement) shooting (Fi tag, for firearm) at a female (FV tag, for female victim) with intent to kill or seriously injure (1.1, the category for “intentional homicide”) but missing (At tag, for attempted). (UNODC/UNECE Task Force on Crime Classification, 2011:16).

After reporting back to the Conference of European Statisticians in June 2012, the UNODC and Mexico's national statistical office (the National Institute of Statistics and Geography, or INEGI) set out to put the work in

greater context, drafting a “road map” for improvement of international crime statistics with the new classification as a starting point. Meanwhile, the task force was renewed (expanding to a broader “expert group”) and continued working and meeting periodically, with meetings in 2013 and 2014 set with the goal of submitting a first official version of an International Classification of Crime for Statistical Purposes for approval by the appropriate United Nations’ commissions in early 2015. The group’s final preparatory/development meeting in Vienna in May 2014 included a first round of “testing”—feedback from participating countries on the degree of concordance between the draft ICCS and the primary criminal statistics repository in a country. From the U.S. perspective, the UCR was treated as the nation’s primary repository—mainly using the Summary Reporting System as the reference, but also referencing NIBRS as necessary. That meeting also involved considerable testing and discussion on how best (or whether) to further extend the classification to better recover information on homicide (United Nations Office on Drugs and Crime, 2014).

After a period of further editing and refinement, including a reworking of the general numbering scheme, Version 1.0 of the ICCS was published in March 2015 (United Nations Office on Drugs and Crime, 2015). Presented for approval by the two United Nations bodies, the ICCS was ratified by the Statistical Commission during its March 3–6, 2015, meeting and the Commission on Crime Prevention and Criminal Justice during its May 18–22, 2015, meeting.

As we discuss in more detail in the next chapter, we use the Version 1.0 ICCS as the base for our own suggested classification of crime—and so do not go into detail here about the structure or content of the ICCS, since that will naturally occur in outlining our own suggestion. For reference, the short-form headings (excluding detailed definitions and specific legal inclusions or exclusions from categories) is rendered in Section C.5 in the Appendixes.



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## Proposed Classification of Crime for Statistical Purposes

**B**UILDING FROM AND WEIGHING ALL of the preceding material—the range of crime-related information currently gathered (or that could be gathered) in existing data collections, the user and stakeholder input obtained at the panel’s workshop-style sessions, and the examples of past and current crime classification schemes—we arrive at the main purpose and sole formal recommendation in this first report. Below, we summarize a set of design principles and objectives (Section 5.1) before outlining our suggested classification in Section 5.2 and the way it differs from current classifications in Section 5.2.3. Due to its size, we present a “short” form in-line with Section 5.2.1 along with a corresponding set of attributes (Section 5.2.2); the full “long” form of the classification, with definitions and example of specific inclusions for each category is in one of the appendixes to the entire report, Appendix D. We close in Section 5.3 with a short preview of “next steps” and issues awaiting consideration in our second, final report.

### 5.1 OBJECTIVES FOR A MODERN CRIME CLASSIFICATION

#### 5.1.1 Design Principles

We identified four basic principles to guide our development of a specific, modern classification of crime in the United States. Our panel’s charge (Appendix A) directly suggests some of these, including that (1) *the suggested classification should not be limited to current crime statistics’ traditional focus on*



*violent or street crime, and should encompass new and emerging crime types*—certainly, new crime types that have developed since the onset of the Uniform Crime Reporting (UCR) Program in 1929. Moreover, our charge compels us to consider topics that are not currently in the task set of any data collection maintained by the Bureau of Justice Statistics (BJS), the Federal Bureau of Investigation (FBI), or perhaps any agency. At the same time, we do face practical and logical limits in deeming various socially unacceptable behaviors as “crime”—which is to say that it would be inappropriate for the classification to include behaviors or phenomena that are *nowhere* deemed “criminal” acts in the nation.

Two additional basic design principles—on which we settled early in considering the problem—give structure and shape to our proposed classification:

- (2) *The suggested classification should satisfy all the properties of a fully realized classification for statistical purposes:* A statistical classification of crime would be one meant to provide information on the structure and extent of crime, rather than just be an amalgam of topics related to crime. Summarizing for a United Nations-sponsored conference, Hancock (2013:4) articulates a set of “essential components of a statistical classification”<sup>1</sup>:
  - Maintenance of a consistent conceptual basis throughout;
  - Adoption of categories that are mutually exclusive and exhaustive, which is to say that a specific element/crime should correspond to only one category and that set of categories should span the whole terrain of “crime”;
  - Adoption of either a flat (basic listing) or hierarchic (subcategories nested within each other) structure; and
  - Definitions that are clear, unambiguous, and measurable, and which define the content of each category.

For too long, UCR-based crime statistics have followed a “classification” only in the sense that events or incidents are *labeled* as crimes; classification becomes the cognitive exercise of determining which label, from a loosely structured list, is most applicable.

At this point, two related points should be made very clear. First, as described in Section 1.2, we take the criminal *offense* as the basic unit for classification purposes. Accordingly, in the parlance of a statistical classification, we seek to partition “crime” into offense categories, such that each individual offense corresponds to one and only one category. Second, by preferring that the classification have a *hierarchical* structure, we mean only that the finest-grained offense categories can be “rolled

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<sup>1</sup>In this work, Hancock (2013) summarizes and extends earlier comments on the task of classification by Hoffman and Chamie (1999).

up” to meaningful, higher-level aggregates (e.g., detailed variants of trafficking in persons for specific purposes being nested within a higher-level trafficking heading), and vice versa. It is not to suggest anything hard-set about the ordering of offenses within the classification, such as their severity or importance. The relationship between these two points is driven by the assumption that the operational unit of analysis for eventual data collection will be crime *incidents* that may consist of more than one offenses—and we oppose the imposition of a UCR-type “Hierarchy Rule” that would try to compress a broader criminal incident into something where only one offense is permitted/collected. Certainly, one could argue for an NCVS-type algorithm that may flag one of several offenses within a given incident as the “most serious” in some sense—but it is inherently wasteful to discard valuable information through imposition of an arbitrary Hierarchy Rule.

- (3) *The suggested classification should follow—to the greatest extent possible—an attribute-based approach, yet should also be a hybrid with a code-or definition-based approach due to the nature of the topic:* This is a complicated principle that arises from reconciling two fundamentally opposite impulses. The first—and possibly the chief aim of a proposed new classification of crime—is a reflection of the near-century span it has taken to embark on such a reassessment of national crime statistics: The primary objective is to accomplish *flexibility* in content and coverage. Central to achieving that aim is relaxing strict adherence to the precise wording of state criminal or penal codes in favor of more generalizable, behavior-based definitions. We think it useful to express this sentiment as a formal finding, for clarity:

**Conclusion 5.1:** The definitions and concepts in the current U.S. crime statistics system were developed primarily from categorization of statutory language, which varies by jurisdiction. Reliance on statutory language is inflexible and not comprehensive, and it is unduly focused on limited input sources (reports from police/law enforcement or individual victims).

Further, as a sign of a clear “break” from the strictures of past categorizations (and a preventative of another 90 years passing before U.S. crime statistics are reassessed in a comprehensive way), we also suggest the need for the flexibility that comes from continual monitoring of the field and from regular, periodic review:

**Conclusion 5.2:** “Crime” continues to evolve and take different shapes. Accordingly, there is a need for an expansive

framework for crime classification that is amenable to periodic revision.

To ensure this flexibility, we find much to admire in attribute-based classification schemes, akin to that described in Section 4.1.2—plans that focus on the behavior/action of a criminal offense while simultaneously gathering critical contextual information that could support reanalysis (and eventual reclassification using revised standards, if need be).

Yet the second, contradictory impulse is also very strong, and derives from the specific topic matter at hand: In working with “crime,” a break from the meaning (if not the specific language) of criminal law can only be taken so far. Behaviors may be very “bad” or socially undesirable but, as noted in beginning Section 1.2, the simplest distinction between “crime” and general “bad” behavior is that “crime” is that which is unlawful. Accordingly, federal and state criminal codes remain an essential reference and anchor in defining and classifying crime. For at least baseline concordance with the actions for which law enforcement officers can make arrests and that the justice system can pursue charges, it would be useful for the main thrust of the classification to resemble a list of known, identifiable offenses.

Hence, reconciling these two concepts, we arrive at the statement of the design principle above and the suggestion of a hybrid approach akin to that used in the International Classification of Crime for Statistical Purposes (Section 4.1.5). This hybrid approach combines, as coequal companions, a classical listing of criminal offense categories (based on behavioral definitions, and invoking their applicability to *unlawful* behaviors as appropriate to account for state/local variation in underlying law) and a list of attributes (or contextual variables) to be collected about each offense or incident. While it can certainly be argued that this hybrid structure adds unnecessary complexity, we think that its benefits in providing flexibility and range outweigh such added complexity. (Indeed, the direct counterargument has weight—recording values of objective, simply measurable attributes or contextual variables is arguably *less* burdensome and complex than the cognitive task of absorbing an entire set of definitions to find the right individual offense category.) Flexibility in building out a classification comes from negotiating what kinds of phenomena are best handled as specific, defined offenses in the classification table or left as more general offenses (but analyzed with reference to associated attribute values). Two wide-ranging examples that we will discuss below, but that are useful to illustrate the concept here, include near-fatal shooting of another person (on one hand) and shoplifting (on the other). Both of those offenses could be entered, and specifically defined, as individual specific categories in the classification

table; likewise, they could be logged as assault + [weapon use attribute = firearm] or theft + [incident location attribute = retail store]. In any event, collection of the attribute information along with the offense classification permits more detailed analysis—and future revisions could either fold specific offense-attribute combinations into the classification table or dissolve them, as judged appropriate.

To these design principles, we think it useful to add one related to purpose—one that certainly hearkens back to the spirit of the nation’s earliest crime statistics, and one that was touched upon by virtually every user or constituency we consulted. This principle is that (4) *the suggested classification should be designed in order to enable and promote comparisons between jurisdictions, between periods of time, and across state and national boundaries*. For years, volumes of *Crime in the United States* have directly admonished UCR data users against making direct comparison of crime levels across jurisdictions. Yet facility for comparability of information on crime is certainly one of the highest—if not *the* highest—desire for crime statistics, not to belittle or condemn jurisdictions that are worse off crime-wise than one’s own but to be able to sort out which anti-crime approaches or interventions may work (and which may not). The desire to assess relative crime risk or offending levels between different neighborhoods, precincts, or places is real, and should be a major consideration. But, while high-level aggregates like states or the nation as a whole may be of little direct value for many domestic crime statistics users, easing cross-national comparison of types of crimes is also a useful goal. This is particularly the case when attention shifts toward white-collar offenses rather than violent “street” crime—and especially when starting to get a sense of the levels and extent of cybercrime, given the way that computer involvement can supersede traditional physical geography. There is certainly a mass of complicated analytical issues involved with making cross-national comparison that would require detailed studies in their own right, but such comparison certainly is not enabled at all if definitions do not have some modicum of standardization.

### 5.1.2 Objectives of Crime Classification

These four basic principles, together and separately, raise a number of corollaries that merit separate explication. These related, objectives include the following:

- *Balance the desire to add and focus on “new” crimes with statistical series continuity, retaining categories and definitions that still “work.”* Suggesting a complete upending of all concepts for measuring crime—just for the sake of change—would be a disservice. The task has to be approached with some care to avoid hubris—after all, some of the definitions and

concepts laid down with the UCR program in 1929 have endured in current crime statistics because they are still useful, and because they are salient in the public eye today just as they were then. We also recognize that some change in crime measurement concepts has taken place over the decades—with great difficulty—and this work should not be summarily dismissed. Perhaps most notably, years of debate and deliberation went into the 2011 update and revision of the definition of rape, and the current UCR program is still in the process of “bridging” the old and new definitions. Surely, as a predecessor National Research Council (2014) panel explored in greater detail, the measurement of rape and sexual assault can be improved, but it would not be wise to summarily overhaul a bitterly fought-for definition just to make all things “new.” (As we discuss below, the definition—and all others—should not be invariant for another several decades, and should be changed if it is demonstrably in need of refinement.) Another force for maintaining some continuity in categories and definitions is consistent with the constraint we noted earlier (and will again), that—in the field of crime—the language of federal and state criminal law is a necessary reference and anchor. Specifically, we have to recognize that some of the topics and definitions in current U.S. crime statistics are explicitly spelled out by federal law—law that can and should be revised over time, too, but that is nonetheless a working constraint.

- *Establish a classification that covers, or at least anticipates collection of, crime incidences involving a range of different actors/units and modes of collection:* Reviewing BJS’s ambitious data collection portfolio, our predecessor National Research Council (2009a) panel noted that the parallel-track collection of (some) data about the juvenile justice system and the dearth of general information on white-collar and business-involved crime were both major gaps in an otherwise strong portfolio. Both gaps still loom large, even when expanding view outside of BJS’s own holdings, and so a suggested classification for “crime in the U.S.” should be applicable to juveniles as well as adults, and to businesses or establishments as victims (or offenders) as well as persons. In terms of the mode of collection, we think it safe to assume that *both* local law enforcement reports of crimes known to the police and household survey measures of victimization will continue to be a major part of crime measurement going forward, but not the *only* sources. We are obliged by our charge to consider “nontraditional” types of crime, and correspondingly must envision a role for nontraditional actors in the crime measurement system—private companies, credit agencies, nongovernmental agencies, private police/security firms, and other federal statistical agencies—for which the “standard” data collection modes might not be most apt.

- *Reflect and balance user needs by resolving known issues with existing crime measurement systems:* Perhaps most notably, as we will discuss in more detail below, the distinction between “aggravated assault” and “simple assault” has always been—and remains—murky. Over the decades, though, this definitional ambiguity has become more than just a source of measurement inaccuracy—it has become a recurring controversy, with misclassification (deliberate or not) of aggravated assaults (more visible and scrutinized, Part I offenses) as simple assaults (less visible, Part II) commonly being the root problem when police departments are accused of swaying crime statistics to look better. A new measurement system, and classification system, that actually permits construction of statistics on assaults where injury is inflicted—or where a firearm is actually discharged—would be beneficial to a broad swath of users. Similarly, in the absence of fuller participation in the National Incident-Based Reporting System (NIBRS), it is also the case that users and practitioners of crime statistics lack the capacity to drill down broader offense types by key, policy-relevant strata (e.g., within-household or domestic assaults). A new classification, and resulting system, would ideally resolve that problem and facilitate more extensive analyses of crime statistics.
- *Establish a classification that is current, relevant, and capable of lasting for several years—but one that can and should be revisited and updated on a regular basis:* This point may occur low in this listing, but that placement should not be construed to minimize its importance. The basic charge to our panel to step back and consider the crime statistics infrastructure as a whole is, now, effectively a once-in-a-lifetime opportunity (not having been done extensively since 1929)—but it should not be so, going forward. It is critical to point out that our suggested classification is intended as a start but not an end, and a regular feedback and refinement/revision routine should be agreed upon in setting up a new crime measurement system. Update mechanisms can be intricate—for the International Classification of Diseases (ICD), World Health Organization (2011) member states reached agreement in the late 1990s for a multilayer updating scheme enabling minor updates annually, more substantive updates (as needed) every three years, and (the goal of a) thorough revision every 10 years—and can also evolve over time.
- *Anticipate that the raw incident count may not be the only, or even the most ideal, metric that may apply:* Classification is fundamentally an exercise in grouping things, and certainly the basic count of events that fall into a particular category is the most natural product when data are collected according to a classification. But raw counts alone do not adequately describe the impact or effect of crime. For some crime types, an estimate of financial harm/damage may be a much more salient (and important, to various data constituencies) measure than a basic tally.

- *Anticipate data integration in the future.* We already alluded to this in summarizing our charge’s mandate that we look beyond the current data collections of BJS and the FBI, but the point can be made more expansively still. For example, the potential availability of more richly geocoded data on crime—and with them the capacity for linkages to other sources, not just to demographic and social data but to feeds from automated sensors—may be of great use in deriving risk assessments for small local areas. Likewise, information culled from online sources has already been used by police to determine on-street activity, and may ultimately prove useful in refined statistical collection as well.

Finally, it might not be a principle of construction, but it is nonetheless important to state clearly one thing that the proposed classification is *not*. The classification we outline below is not a new list of codes to replace in full—immediately—the crimes measured by any of the current U.S. crime statistics programs, whether the UCR (including NIBRS), the National Crime Victimization Survey (NCVS), or anything else. It is not yet ready for direct implementation, and is a preparatory and partial step in that direction, but much work remains in our final report to work with this classification, suggest which categories must (and which should not) be implemented immediately, and which would be good to know about (but perhaps not immediately available or essential).

## 5.2 RECOMMENDED CLASSIFICATION OF CRIME

Weighing these principles and objectives, reviewing the demands of crime statistics users and stakeholders, and considering the existing examples of crime classification plans, we find one uniquely promising alternative:

**Conclusion 5.3:** The International Classification of Crime for Statistical Purposes (ICCS) framework, proposed and maintained by the United National Office on Drugs and Crime (UNODC), meets the desired criteria for a modern crime classification, and the use of shared, international frameworks enables studies of transjurisdictional and locationless crime.

To be clear, we argue that the ICCS provides a strong *base* on which to construct a modern classification of criminal offenses, which would in turn be used to develop a modern set of crime indicators for the United States. The ICCS is not a classification that can or should be applied directly, exactly as is, without any customization based on the user/stakeholder needs described in Chapter 3—but, by the same token, extensive departure from the ICCS structure would undermine the classification’s value for comparative purposes.

There are highly admirable elements of other exemplar classification systems: For instance, the state of Victoria's fresh-eyes approach to building from an already-strong base in the Australia and New Zealand Standard Offense Classification turned up some desirable alternative structuring, such as the handling of drug offenses. The pure attribute-based classification prototyped by the SEARCH Group in 1975 remains a striking, ahead-of-its-time work, and gives hope that very flexible classifications can be given workable, operational forms in today's computing environment. And the Irish Crime Classification System's "condensed" formulation plays loosely with pure hierarchical layering but, doing so in the interest of distilling information of peak public interest, is an elegant solution to conveying a large quantity of information in approachable form. In working through revisions to the ICCS in stating our recommended classification, we also seek to borrow useful elements from these other classifications.

That said, we found the ICCS an ideal base to work with because it corresponds closely with our desired principles. In particular, its explicit pairing of a fairly detailed classification tree or listing of categories with an extensive set of attributes is the closest fit to a hybrid approach (i.e., the appearance of a list, but with vast added flexibility through the attributes). The ICCS was also an ideal base because of its emergence as the product of several years of expert collaboration by numerous national statistical offices and crime statistics producers—solid work that warrants consideration and adaptation, rather than starting from scratch. It is also to the ICCS's credit that it has won the approval of the various United Nations commissions to which it has been submitted—not because full compliance with international standards is a paramount goal, but because the capacity for international comparison of different crime types is ultimately a good thing, in our assessment. It is also to the ICCS' credit that it was constructed in concert and with involvement from Australia, Ireland, and other nations from whose crime classifications we have drawn ideas and inspiration.

Accordingly, much of what follows and which is spelled out in more detail in Appendix D is directly derived from and comports with Version 1.0 of the ICCS as promulgated by the UNODC. We acknowledge the UNODC's role and its coordination of expert work groups to develop the ICCS, and properly give them credit for much hard work in structuring a great mass of material. To be clear, though, we have made some revisions to both the base classification and to the attribute list; we will return to these differences in Section 5.2.3 after stating our suggested classification (in brief form) and attribute list.

***Recommendation 5.1:*** The attribute-based classification of offenses described in brief in Sections 5.2.1–5.2.2 and in detail in Appendix D should be used as an initial framework for



**developing modern statistical measures of crime in the United States.**

**5.2.1 Suggested Classification of Crime for Statistical Purposes (Short Version)**

Our suggested classification of crime is premised upon 11 first-level categories, which provide a general structure to the classification:

1. Acts leading to death or intending to cause death
2. Acts causing harm or intending to cause harm to the person
3. Injurious acts of a sexual nature
4. Acts of violence or threatened violence against a person that involve property
5. Acts against property only
6. Acts involving controlled substances
7. Acts involving fraud, deception, or corruption
8. Acts against public order and authority
9. Acts against public safety and national security
10. Acts against the natural environment or against animals
11. Other criminal acts not elsewhere classified

These are essentially identical to the 11 first-level offenses defined in the ICCS, save for the substantive difference that we reverse the order of the elements in the label for category 4. The ICCS's version, "Acts against property involving violence or threat against a person," casts robbery and other crimes under the heading as property-focused crimes involving an element of violence. However, particularly given its placement in the list (following three broad headings of violent crime and before the purely property-based crime category), we tend to think of the category as violent crimes that involve property.

Our classification sets forth 71 offenses at the second level of the hierarchy (denoted *X.X* in the listings), relative to 62 such second-level categories in the ICCS. We subdivide 38 of these second-level crimes into 131 third-level entries (denoted *X.X.X*); hence, fully expanding our classification to the third level (treating unsplit second-level offenses comparably to defined *X.X.X* categories) would yield a list of 164 third-level crime categories. (The comparable total for the ICCS is 165 third-level categories.) Similarly, we split 13 third-level offenses into 38 specific fourth-level (*X.X.X.X*) categories, meaning that a fully expanded fourth-level listing from our classification would have 189 listings. (The ICCS would yield 230 fourth-level offenses, fully extended.)

1. **Acts leading to death or intending to cause death**
  - 1.1. Murder and intentional homicide
  - 1.2. Nonintentional homicide
    - 1.2.1. Nonnegligent manslaughter

- 1.2.2. Negligent manslaughter
  - 1.2.2.1 Vehicular manslaughter; 1.2.2.2 Nonvehicular manslaughter
- 1.3. Assisting or instigating suicide
  - 1.3.1. Unlawful<sup>2</sup> assisted suicide
  - 1.3.2. Other acts leading to death by suicide
- 1.4. Unlawful euthanasia
- 1.5. Unlawful feticide
- 1.6. Unlawful killing associated with armed conflict
- 1.7. Other unlawful acts leading to death
- 2. **Acts causing harm or intending to cause harm to the person**
  - 2.1. Assault
    - 2.1.1. Serious assault involving shooting or discharge of a firearm
    - 2.1.2. Serious assault by means other than discharge of a firearm
    - 2.1.3. Minor assault
  - 2.2. Threat
    - 2.2.1. Serious threat through shooting or discharge of a firearm
    - 2.2.2. Serious threat through the display or pointing of a firearm
    - 2.2.3. Serious threat by means other than firearm
    - 2.2.4. Minor threat
    - 2.2.5. Other acts causing or threatening injury or harm
  - 2.3. Acts against liberty
    - 2.3.1. Abduction of a minor
      - 2.3.1.1 Parental abduction; 2.3.1.2 Abduction by a family member; 2.3.1.3 Abduction by a legal guardian; 2.3.1.4 Abduction by another person
    - 2.3.2. Kidnapping for ransom
    - 2.3.3. Illegal restraint
    - 2.3.4. Hijacking
    - 2.3.5. Illegal adoption
    - 2.3.6. Forced marriage
    - 2.3.7. Other deprivation of liberty or acts against liberty
  - 2.4. Slavery and exploitation
    - 2.4.1. Slavery and involuntary servitude
    - 2.4.2. Forced labor
      - 2.4.2.1 Forced labor for domestic services; 2.4.2.2 Forced labor for industry services; 2.4.2.3 Other forced labor

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<sup>2</sup>In most cases in this classification, we omit the term “unlawful” in the *name* of the offense, though we commonly use it in the detailed definitions in Appendix D in order to explicitly acknowledge that the underlying behavior may not be deemed criminal in all states and jurisdictions. However, we think it appropriate to include “unlawful” in the title of those offenses involving death but that vary by statute and legal authority.

- 2.4.3. Other acts of slavery and exploitation
- 2.5. Trafficking in persons
  - 2.5.1. Trafficking in persons for sexual exploitation
  - 2.5.2. Trafficking in persons for forced labor or services
  - 2.5.3. Trafficking in persons for organ removal
  - 2.5.4. Trafficking in persons for other purposes
- 2.6. Coercion
  - 2.6.1. Extortion or blackmail
  - 2.6.2. Other acts of coercion
- 2.7. Negligent acts
  - 2.7.1. Negligence in situations of persons under care
    - 2.7.1.1 *Negligence in situations of children under care;*
    - 2.7.1.2 *Negligence in situations of other dependent persons under care;*
    - 2.7.1.3 *Other negligence in situations of persons under care*
  - 2.7.2. Professional negligence
  - 2.7.3. Negligence related to driving a vehicle
  - 2.7.4. Other acts of negligence
- 2.8. Dangerous acts
  - 2.8.1. Acts that endanger health of another person
  - 2.8.2. Operation of a vehicle under the influence of alcohol or other psychoactive substances
  - 2.8.3. Other dangerous acts leading to injury
- 2.9. Acts intended to induce fear or emotional distress
  - 2.9.1. Harassment
  - 2.9.2. Stalking
  - 2.9.3. Other acts intended to induce fear or emotional distress
- 2.10. Defamation
- 2.11. Discrimination
- 2.12. Acts that trespass against the person
  - 2.12.1. Invasion of privacy
  - 2.12.2. Other acts that trespass against the person
- 2.13. Other acts causing harm or intending to cause harm to the person
- 3. **Injurious acts of a sexual nature**
  - 3.1. Rape
    - 3.1.1. Rape with force
    - 3.1.2. Rape without force
    - 3.1.3. Rape involving inability to express consent or nonconsent
    - 3.1.4. Threat of rape
  - 3.2. Sexual assault
    - 3.2.1. Physical sexual assault
    - 3.2.2. Threat of a sexual nature

- 3.3. Sexual violations of a nonphysical nature
- 3.4. Sexual exploitation of adults
- 3.5. Sexual exploitation of children
  - 3.5.1. Child pornography
  - 3.5.2. Child prostitution, production and provision
  - 3.5.3. Child prostitution, procurement
  - 3.5.4. Other sexual exploitation of children
- 3.6. Other injurious acts of a sexual nature
- 4. **Acts of violence or threatened violence against a person that involve property**
  - 4.1. Robbery
    - 4.1.1. Robbery from the person
    - 4.1.2. Carjacking/robbery of a car or vehicle
    - 4.1.3. Robbery of valuables or goods in transit
    - 4.1.4. Robbery of an establishment or institution
    - 4.1.5. Robbery of livestock
    - 4.1.6. Other acts of robbery
  - 4.2. Terroristic or disruptive threats to buildings or critical infrastructure
  - 4.3. Other acts against property involving violence against a person
- 5. **Acts against property only**
  - 5.1. Burglary
    - 5.1.1. Burglary of business premises
    - 5.1.2. Burglary of residential/private premises
    - 5.1.3. Burglary of public premises
    - 5.1.4. Other acts of burglary
  - 5.2. Theft
    - 5.2.1. Theft of a motorized vehicle or parts thereof
      - 5.2.1.1 *Theft of a motor vehicle*; 5.2.1.2 *Illegal use of a motor vehicle*; 5.2.1.3 *Theft of parts of a motor vehicle*; 5.2.1.4 *Other theft of a motorized vehicle or parts thereof*
    - 5.2.2. Theft of personal property
      - 5.2.2.1 *Theft of personal property from a person*; 5.2.2.2 *Theft of personal property from a vehicle*; 5.2.2.3 *Other theft of personal property*
    - 5.2.3. Theft from business or other nonpublic organization
    - 5.2.4. Theft of public property
    - 5.2.5. Theft of livestock
    - 5.2.6. Theft of services
    - 5.2.7. Other theft
  - 5.3. Acts against computer systems
    - 5.3.1. Unlawful access to a computer system

- 5.3.2. Unlawful interference with a computer system or computer data
  - 5.3.2.1 *Unlawful interference with a computer system;*
  - 5.3.2.2 *Unlawful interference with computer data*
- 5.3.3. Unlawful interception or access of computer data
- 5.3.4. Other acts against computer systems
- 5.4. Intellectual property offenses
- 5.5. Property damage
  - 5.5.1. Arson
    - 5.5.1.1 *Arson of personal/residential property; 5.5.1.2 Arson of business or other nonpublic establishment property;*
    - 5.5.1.3 *Arson of public property*
  - 5.5.2. Reckless burning
  - 5.5.3. Other damage of property
- 5.6. Other acts against property only
- 6. **Acts involving controlled substances**
  - 6.1. Unlawful possession or use of controlled drugs for personal consumption
  - 6.2. Unlawful cultivation or production of controlled drugs
  - 6.3. Unlawful trafficking or distribution of controlled drugs
    - 6.3.1. Street-level selling of quantities of controlled drugs suitable for personal consumption
    - 6.3.2. Wholesale distribution/trading/possession of controlled drugs
  - 6.4. Unlawful acts involving drug equipment or paraphernalia
  - 6.5. Other unlawful acts involving controlled drugs, psychoactive substances or precursors
- 7. **Acts involving fraud, deception, or corruption**
  - 7.1. Fraud
    - 7.1.1. Consumer financial and products/services fraud
    - 7.1.2. Identity theft
    - 7.1.3. Fraud against businesses or establishments, including nonprofit organizations
    - 7.1.4. Fraud against government agencies
    - 7.1.5. Other types of fraud
  - 7.2. Forgery/counterfeiting
    - 7.2.1. Counterfeiting means of payment
      - 7.2.1.1 *Counterfeiting means of cash payment; 7.2.1.2 Counterfeiting means of noncash payment*
    - 7.2.2. Counterfeit product offenses
    - 7.2.3. Acts of forgery/counterfeiting documents
    - 7.2.4. Other acts of forgery/counterfeiting
  - 7.3. Corruption

- 7.3.1. Bribery
- 7.3.2. Embezzlement
- 7.3.3. Abuse of functions
- 7.3.4. Trading in influence
- 7.3.5. Other acts of corruption
- 7.4. Acts involving proceeds of crime
  - 7.4.1. Money laundering
  - 7.4.2. Illicit trafficking in cultural property
  - 7.4.3. Fencing stolen goods
  - 7.4.4. Other acts involving proceeds of crime
- 8. **Acts against public order and authority**
  - 8.1. Acts against public order behavioral standards
    - 8.1.1. Violent public disorder offenses
    - 8.1.2. Acts related to social public order norms and standards
    - 8.1.3. Other acts against public order behavioral standards
  - 8.2. Acts against public order sexual standards
    - 8.2.1. Prostitution offenses
    - 8.2.2. Pornography offenses
    - 8.2.3. Other acts against public order sexual standards
  - 8.3. Acts related to freedom of expression or control of expression
    - 8.3.1. Acts against freedom of expression
    - 8.3.2. Acts related to expressions of controlled social beliefs and norms
  - 8.4. Acts contrary to public revenue or regulatory provisions
    - 8.4.1. Tax evasion, and other acts against taxation provisions
    - 8.4.2. Market manipulation, insider trading, and other acts against market or financial regulations
    - 8.4.3. Acts against regulations on alcohol, tobacco, or gambling
      - 8.4.3.1 *Acts against regulations on alcohol or tobacco;*
      - 8.4.3.2 *Acts against regulations on gambling*
    - 8.4.4. Customs violations
    - 8.4.5. Other violations of public revenue and regulatory provisions
  - 8.5. Acts related to migration
    - 8.5.1. Offenses related to smuggling of migrants
    - 8.5.2. Unlawful entry/border crossing
    - 8.5.3. Unlawful employment or housing of an undocumented migrant
    - 8.5.4. Other unlawful acts related to migration
  - 8.6. Acts against the justice system
    - 8.6.1. Obstruction of justice
    - 8.6.2. Breach of justice system authority
    - 8.6.3. Preparatory or enabling crimes

- 8.6.4. Other acts against the justice system
- 8.7. Acts related to democratic elections
  - 8.7.1. Acts intended to unduly influence voters at elections
  - 8.7.2. Other acts related to democratic elections
- 8.8. Acts contrary to labor law
  - 8.8.1. Collective labor law violations
  - 8.8.2. Individual labor law violations
- 8.9. Acts contrary to juvenile justice regulations or involving juveniles/minors
  - 8.9.1. Status offenses
    - 8.9.1.1 *Status offenses committed by juveniles; 8.9.1.2 Status offenses committed upon juveniles*
  - 8.9.2. Other acts contrary to juvenile justice regulations
- 8.10. Other acts against public order and authority
- 9. **Acts against public safety and national security**
  - 9.1. Acts involving weapons, explosives, and other destructive materials
    - 9.1.1. Unlawful possession or use of weapons and explosives
      - 9.1.1.1 *Unlawful possession or use of firearms; 9.1.1.2 Unlawful possession or use of other weapons or explosives; 9.1.1.3 Unlawful possession or use of chemical, biological, or radioactive materials; 9.1.1.4 Other acts related to possession or use of weapons and explosives*
    - 9.1.2. Trafficking of weapons and explosives
      - 9.1.2.1 *Trafficking of firearms; 9.1.2.2 Trafficking of other weapons or explosives; 9.1.2.3 Trafficking of chemical, biological or radioactive materials; 9.1.2.4 Other acts related to trafficking of weapons and explosives*
    - 9.1.3. Other acts relating to weapons and explosives
  - 9.2. Acts against national security
  - 9.3. Acts related to organized criminal groups
    - 9.3.1. Racketeering, and violations of the Racketeer Influenced and Corrupt Organizations (RICO) Act
    - 9.3.2. Other acts related to an organized criminal group
  - 9.4. Terrorism
    - 9.4.1. Participation in a terrorist group
    - 9.4.2. Financing of terrorism
    - 9.4.3. Other acts related to the activities of a terrorist group
- 10. **Acts against the natural environment or against animals**
  - 10.1. Acts that cause environmental pollution or degradation
  - 10.2. Acts involving the movement or dumping of waste
  - 10.3. Trade or possession of protected or prohibited species of fauna and flora

- 10.4. Acts that result in the depletion or degradation of natural resources
  - 10.4.1. Illegal logging or mining
  - 10.4.2. Illegal hunting, fishing, or gathering of wild fauna and flora
- 10.5. Acts against animals
- 10.6. Other acts against the natural environment or against animals
- 11. **Other criminal acts not elsewhere classified**
  - 11.1. Violations of military law
  - 11.2. Violations of tribal law
  - 11.3. Torture
  - 11.4. Piracy
  - 11.5. Genocide
  - 11.6. War crimes
  - 11.7. Other criminal acts not elsewhere classified

#### 5.2.2 Provisional Set of Attributes or Tags to Accompany Proposed Classification of Crime for Statistical Purposes

The following set of attributes—some covering the complete crime incident (and so, potentially, multiple offenses); others applying to each offense within an incident; and the remainder describing the victim, (suspected) offender/perpetrator, and victim/offender relationship—is of coequal importance in specifying this suggested classification. We use the term “attributes” to describe these data items; the UNODC’s ICCS describes them as “tags.” Thinking ahead to eventual implementation of a crime data system building from this classification, it is also reasonable to describe them based on their major function: These attributes are disaggregating variables that should allow eventual users of the crime data to zero in on substantive subsets of crime of interest (and to reclassify offenses and incidents according in different ways).

In working with the ICCS “tags” as a base, and reflecting comments made during the panel’s user/stakeholder workshop-style sessions, the intent of this suggested attribute table is to focus on contextual variables that are objectively (and relatively easily) measurable. Certainly, one model for eventual collection of crime statistics is resolving the task down to relatively simple questions—a data collection instrument that could be completed with relative ease by either a law enforcement officer on the street or survey respondent, or perhaps in an automated fashion through harvesting text strings from electronic written incident reports. The focus on straightforward-to-define attributes enables that strategy and is meant to improve end data quality, but it does have consequences in excluding some points of information. We built notions of the quantity/value of drugs involved into the statements of offenses, but have omitted a general attribute for value of property involved (e.g., stolen



or damaged)—the value of property variable being commonly described as fraught with error or difficulty by current NIBRS-reporting departments. Likewise, reliable information about the mental health status (and history) of offenders, or the drug or alcohol involvement/usage by both offender and victim, would be greatly beneficial for policy development—but so difficult to measure precisely and objectively in a routine crime statistics collection system that we omit them. We have also tried to be relatively sparing in the number of attributes, again in the interest of easing eventual implementation.

### **Incident Attributes**

- Incident date and time: *Date and time when incident occurred (or began); time, ideally, at least to precision of nearest hour of the day (00–23) as in NIBRS*
- Incident geographic location: *Ideally an appropriately anonymized latitude/longitude pair; otherwise, a geocode to some small-area geography such as census block or tract*
- Incident location type: *Based, initially, on a partitioning of location codes currently defined in NIBRS*
  - Residential location: Residence or home; school or college residential facility; nursing care or assisted living facility; other
  - Store or retail: Grocery store or supermarket; convenience store; liquor store; pharmacy or drugstore; department or discount store; specialty store; shopping mall; auto dealership; other
  - Financial institution: Bank or savings and loan; automated teller machine (ATM) separate from bank; other
  - Commercial establishment: Commercial or office building; hotel, motel, or other lodging; service or gas station; rental storage facility; farm or agricultural facility; industrial site; other
  - Entertainment venue: Bar or nightclub; restaurant; theater; stadium/arena; gambling facility (casino/racetrack); other
  - School grounds and academic buildings: College/university; secondary; middle; elementary
  - Civic or justice system establishment: Hospital, medical office, or clinic; daycare or child care facility; public safety (police or fire station or substation) facility; religious facility; military installation; community center; government or public building (including courthouses); correctional facility (jail, prison, penitentiary); mission or homeless shelter; other
  - Transportation or related facility: Private or commercial motor vehicle (car, taxi, truck, etc.); public transportation or rail vehicle (train, subway, bus, etc.); water-borne vehicle; airport or bus/train terminal or station; parking lot or garage; dock, wharf, or modal terminal; other

- Outdoors: Street, sidewalk, road, alley, or highway; park or playground; beach, lake, or waterway; camp or campground; field or woods; other
- Other physical location: Construction site; abandoned/condemned structure; tribal lands; other/unspecified physical location
- Multiple physical locations
- Not location-based (e.g., cybercrime)
- Number of victims, all offenses in incident: *Numeric, with provision for coding “victimless” crimes and unknown/many victims*
- Number of offenders, all offenses in incident: *Numeric*
- Extraterritoriality: *Yes/No depending on whether the incident includes offenses that may have been committed, executed, or initiated in another country or state, but federal or state law holds that such offense may be considered as though committed within local jurisdiction*
- Multiple jurisdiction: *Yes/No if the incident includes offenses that could be legitimately counted or reported in more than one law enforcement agency’s operational jurisdiction*

#### **Per-Offense Attributes**

- Offense attempt or completion:
  - Attempted
  - Threatened (neither attempted nor completed)
  - Completed
  - Not applicable
  - Not known
- Victim/offender situation:
  - Single victim/single offender
  - Single victim/unknown offender(s)
  - Single victim/multiple offenders
  - Multiple victims/single offender
  - Multiple victims/multiple offenders
  - Multiple victims/unknown offender(s)
- Victim/offender relationship: *Perpetrator is, to the victim. . .*
  - Stranger
  - Relative: Parent; child; sibling; grandparent; grandchild; other relative
  - Known to the victim: Current spouse or intimate partner; former spouse or intimate partner; colleague (e.g., at workplace); friend; other known person/acquaintance
- Type of weapon or force involved, for attack-type crimes:
  - No weapon or force involved
  - Weapon or force involved
    - Attack with firearm: Handgun/pistol; rifle/long gun; other/unknown

- Attack with non-firearm weapon: Knife, cutting instrument, or sharp object; blunt object; motor vehicle; poison; fire or incendiary device; explosives; drugs or narcotics; other external weapon/force
- Attack without external weapon: Bodily attacks (hands/fists, feet, etc.); asphyxiation or strangulation; drowning or submersion; pushing into harm's way (e.g., from high place)
- Unknown
- Group support/motivation:
  - Organized: Gang-related; organized crime-related; terrorism-related; unknown organized involvement
  - Unorganized (e.g., protest/demonstration)
  - Not applicable
  - Not known
- Apparent/suspected bias motivation: *Yes/no indicators for any of:*
  - Race/ethnicity
  - Religion
  - Sexual orientation
  - Gender
  - Disability
  - Professional affiliation (including justice system/law enforcement)
  - Other bias
  - No apparent bias motivation
  - Not known
- Cybercrime-related: *Yes/No depending on whether the use of computer data or computer systems was an integral part of the modus operandi of the offense*
- Type of property involved (stolen, damaged, etc.) in offense, if applicable: *Should include some revision of the roughly 80 property types defined in NIBRS, and include intangibles such as intellectual property and personally identifiable information*
- Type, and quantity, of drug/psychoactive substance involved (for Group 6 controlled drug offenses): *Should involve some variant on the roughly 20 drug types/classes currently coded in NIBRS, up to 3 of which can be specified and including a category to indicate involvement of more than 3 drug types*

#### **Victim Attributes**

- Type of victim: *Should include, at minimum:*
  - Person/individual
  - Business
  - Financial institution
  - Government
  - Religious organization

- Law enforcement officer
- Other
- Unknown
- Race/ethnicity, victim: *Consistent with race/ethnicity categories used by U.S. Census Bureau and/or required by U.S. Office of Management and Budget*
- Gender, victim:
  - Male
  - Female
  - Not applicable
  - Not known
- Age, victim: *Numeric*
- Resident status, victim: *(with respect to operational jurisdiction of reporting law enforcement agency)*
  - Nonresident
  - Resident
  - Unknown
- Citizenship, victim:
  - U.S. citizen (includes dual citizens with U.S.)
  - Foreign citizen
  - Refugee/no citizenship
  - Not known

#### **Offender Attributes**

- Type of offender: *Same values as type of victim*
- Race/ethnicity, offender: *Same values as race/ethnicity, victim*
- Gender, offender: *Same values as gender, victim*
- Age, offender: *Same values as age, victim*
- Resident status, offender: *Same values as resident status, victim*
- Citizenship, offender: *Same values as citizenship, victim*

#### **5.2.3 Changes and Deviations from the ICCS and from Current U.S. Crime Measurement Norms**

To make clear again, our suggested classification draws directly from the UNODC's ICCS, with and implying all due credit to the UNODC task force and expert work group for their work in drawing up the structure. Some changes that we make to the ICCS are essentially cosmetic in nature, Americanizing spellings and removing from the list of exclusions in the long-form presentation some specific offenses that seem clearly to be features of European law rather than U.S. standards. We also lightly revise some category titles for clarity or use of common U.S. terminology, as in adding "for ransom" to 2.3.2 Kidnapping for ransom (to more clearly signal the distinction with

illegal restraint or abduction, namely the demand for money or action in return for release of a victim) or using the more commonly understood term “carjacking” in 4.1.2 as a label rather than generic reference to robbery of a vehicle (in the presence of, and at least threatening violence toward, the operator).

### Structural and Stylistic Differences

We have already alluded to one divergence from the UNODC’s ICCS model, which we settled on early in the process: We chose to be substantially more sparing in working the classification down to the fourth level of categorization. The net numbers of second- and third-level categories we define are very similar to corresponding totals in the ICCS, but the totals mask some purposeful rearrangements. In some cases, we collapse fourth-level breaks suggested by the UNODC; in others, we “promote” some lower-level categories up by one or two levels, where it seemed natural to do so. The Irish “condensed” crime classification was one inspiration for this stylistic choice, but more generally we sought to make the second- and third-level category lists as meaningful as possible, and so felt that working down to that level (particularly with the added flexibility for reclassification that would come with the companion collection of attribute data) would be sufficiently precise for an array of uses.

Revisiting the point we made above in arguing for a hybrid approach between purely attribute-based and purely code-/definition-based classification systems, we had to continually deal with a necessary tension: When is it appropriate to carve out an explicit, new crime category (having corresponding weight with all the others), rather than to rely on attribute collection to modify and facilitate deeper analysis/reclassification by downstream users? There are no easy answers—hence, again, the importance of an ongoing feedback and review process to refine the classification and related measures. In the next subsection, we describe in detail the most prominent example in which we opted to fold an attribute into the categories themselves: Where the ICCS would collect information about assaults and threats and rely on a weapon-use attribute to go into more detail, we judged it a priority to create firearm-specific subcategories, so that a U.S. crime statistics system would be equipped to assess the number of shootings. Similarly, 2.3.1 abduction of a minor is an offense in which both victim age and the victim-offender relationship combine to create such materially different offenses that separate categories seem justified, relative to just general “abduction” or illegal restraint with the accompanying attributes. But the decisions go the opposite direction, too. Shoplifting is one such example—a high-volume offense, and hence one specific offense that could dwarf the counts of other specifically included crimes under category 5.2.3 theft from business or other nonpublic organization. But volume of incidents alone

did not seem to us to be compelling argument for carving it out as a numbered offense. Some gradation by the type of property stolen (and, accordingly, a rough sense of its value) might be more salient, but that information is already called for in our attribute table, so it would seem unduly redundant to assign categories that way.

Stating the problem more generally, we recognize that achieving categories that are mutually exclusive and exhaustive requires the drawing of sharp lines between events and circumstances that may be ambiguous and would appear different to different observers. Moreover, the ostensibly objective attributes, such as age, race, sex, and education may incorporate some ambiguity as well: a 20-year-old single mother may not be directly comparable in important respects to a 20-year-old college student; the measurement of information on race and ethnicity, and self-identification of the same, has always been fraught with definitional peril; and sex and gender identification are beginning to raise similar concerns. Nonetheless, we feel that these categories may provide some measure of comparability, and the specific values or choices offered in collecting the attribute data can be revised as needed in the future.

### **Disentangling “(Aggravated) Assault” and Prioritizing Information on Shootings**

The biggest changes that we suggest in our classification occur early on, and directly result from the shortcomings in current data—and most-desired improvements in measurement quality, going forward—that we heard from stakeholder groups in our conversations. These changes are the deliberate avoidance of the long-standing concept of “aggravated assault,” instead focusing on components that were previously fused under that general heading, and the incorporation of one particular type of weaponry—firearms—into category headings for assault and threat, so as to be able to systematically count events that involve the shooting of a firearm.

On the first of these points, it is important to note that assault has always been a difficult concept in crime measurement, lacking as it does the clearly identifiable extreme-point outcomes of either ultimate harm (death) or zero harm. The drafters of the original UCR definitions grappled with the problem that generic definitions of assault can be overly broad (International Association of Chiefs of Police, 1929:197–199):

Assault is generally defined as any unlawful physical force, partly or fully put in motion, creating in the victim a reasonable apprehension of immediate physical injury. This definition is sometimes extended by statute to include any unlawful attempt, coupled with the present ability to inflict serious bodily injury on the person of another. [However,] it is clear that if either of the foregoing definitions were adhered to, a large number of unimportant and petty offenses would be included in this class.

Offenses like touching another in a rude, insolent, and angry manner, and hazing, would fall in the same category and score just as heavily as assault with a deadly weapon with intent to kill, and maiming. Obviously, there is no comparison in the relative gravity of these two types of assaults and the inclusion of both in the same class would diminish its reliability as an index of crime.

Accordingly, the UCR drafters sought to “confine” assault in its short list of Part I crimes to “serious or aggravated,” borrowing the term “aggravated” from its occurrence in some state laws “where it is employed to indicate a special kind of assault, such as assault while hooded or disguised, assault upon an officer in the discharge of his duty, assault in a court of justice, and the like.” In staking out their own definition of “aggravated assault,” the drafters noted their intent to have the category cover “only those serious assaults most likely to result in severe bodily injury or death.” This was a reasonable objective, but one somewhat undercut over the next several paragraphs of their own description:

- The UCR drafters observed seven “natural classes” or subcategories within their new “aggravated assault” category—including a central one that presumes good knowledge of intent (“assault with intent to kill or murder”), one laden with unclear legal terminology (“maiming, mayhem, and assault with intent to maim or commit mayhem”), and one at considerable odds with the interpersonal violence focus of the other subcategories (“willful obstruction of railroads”).
- In one sentence, the 1929 UCR manual sets the precedent for the still-current practice of firearm involvement being a trigger for an assault being deemed aggravated—these aggravated assaults are “most likely to be reported to the police” precisely “because of the gravity of their nature and because in each case the overt act is accompanied by the use of a weapon or means likely to produce death or great bodily harm.” However, a few sentences later, “offenses such as shooting, or throwing at or into railroad trains[,] have been omitted from the aggravated assault group”—not because they lack the potential to produce death or great bodily harm, but because “they are usually offenses of malicious mischief by children.”

Ambiguity as to whether the use of an external weapon automatically makes an assault “aggravated” rather than “simple”—and so counted among the more serious UCR Part I offenses, rather than the less visible Part II—continues in current UCR usage. The UCR program currently uses a two-sentence definition that stipulates that weaponry “usually” triggers counting as aggravated assault (Federal Bureau of Investigation, 2013b:37):

[Aggravated assault is] 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.

Arguably, this definition creates the necessary opening for assaults involving only hands/fists, feet, and such, but that do lead to serious, life-threatening injury, to be deemed aggravated assault, and the “automatic” inclusion as aggravated assault would come about through the use of an external weapon. This last point seems to be the point raised shortly following the definition in the current UCR manual (Federal Bureau of Investigation, 2013b:38):

It is the practice of local jurisdictions to charge assailants in assault cases with assault and battery, disorderly conduct, domestic violence, or simple assault even though a knife, gun, or other weapon was used in the incident. This type of offense is reported to the UCR Program as Aggravated Assault.

What has transpired over the decades with “aggravated assault” is not necessarily a purely naive misapplication of an unclear and overly broad definition—but it certainly could be. Participants in the panel’s workshop-style sessions critiqued the overinclusive nature of the current UCR definition, frustrated at the stereotypical barroom dispute that—in the mere presence of a single firearm—leads to the recording of potentially dozens of aggravated assaults—with no sense whatsoever from the data whether the firearm was actually used, how real the threat may have been, or whether any actual shooting or wounding took place. But just as there is no solid reason to believe that misclassification between aggravated and simple assault is purely naive, neither can the possibility of willful “cooking the books” to make headline-grabbing violent crime totals appear lower be dismissed. When police departments have been accused of distorting crime statistics—for example, in Milwaukee (Poston, 2012b,a,d,c), Chicago (Bernstein and Isackson, 2014a,b, 2015), and most recently (at this writing) Los Angeles (Poston and Rubin, 2015)—one common cause is the blurred line on counting assaults. In the Los Angeles case, reanalysis of a sample of nearly 4,000 case files across the seven years 2008–2014 suggested that, in each of those years, aggravated assault had been undercounted by roughly 36 percent (3,700 cases) due to misclassification of events as simple assault (Bustamante, 2015:9).<sup>3</sup>

The Los Angeles Police Department (LAPD) case is illustrative of other sources of error in distinguishing assault types, raising topics we will return to in our second report as they are more the province of implementation and methodology than fundamental classification. But it is worthy of brief mention here because there is a definitional and conceptual issue at root: the perpetual lack of concordance between state criminal codes, national (UCR)

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<sup>3</sup>The audit, by the Inspector General for the Los Angeles Police Commission, also found that events that should have been counted as aggravated assault for UCR purposes were logged as other Part II offenses as well, including kidnapping or sexual assault (Bustamante, 2015:9).



reporting standards, and the code lists used in information systems throughout the process. In brief: Individual officers file paper investigative or incident reports, and are directed to “title” them with the California Penal Code offenses involved. Information from the paper report is then entered into the Los Angeles Police Department’s records management systems by records clerks, who can assign up to four Crime Class Codes to the report’s entry. The records management system, in turn, translates the Crime Class Codes into UCR categories for reporting to the California Department of Justice (and then to the FBI). That said, California is among the states whose criminal codes distinguish between assault (“an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another”) and battery (“any willful and unlawful use of force or violence upon the person of another”)—with battery, and the actual explicit use of force, being the more severe offense (California Penal Code §§ 240 and 245, respectively). The problem for crime statistics reporting is that the definitions do not strictly align, but is exacerbated by flaws in the code lists used to populate the local records management system. An officer could properly “title” an incident as being “felony battery”—battery through use of hands/fists or feet, without weapons, that causes serious bodily injury—but “felony battery” does not exist in the Crime Class Code list. Hence, offenses labeled by the reporting officer as “felony battery” or just “battery” are prone to being coded by the records clerks as just “battery”—which the records management system treats as *simple* assault for UCR purposes rather than aggravated assault (Bustamante, 2015).<sup>4</sup>

The problem is further exacerbated by discordance between the records system’s routine for ranking the Crime Class Codes and the UCR Program’s hierarchy rule for Summary Reporting System data; to wit, in an incident in which a person is kidnapped by gunpoint/threatened force, the kidnapping code would outrank the element of (UCR aggravated) assault (and logically so, given that the circumstances of the kidnapping would be of primary investigative importance), yet in the UCR the aggravated assault would be the ranking offense for summary purposes. Some errors, however, are more clearly due to inadequate or ineffective training. For example, the only circumstances in which reporting LAPD officers are instructed to “title” their reports as to whether an assaultive incident is “aggravated” or “simple” in nature are domestic violence or child abuse incidents. Yet an Inspector General audit found that over 75 percent of the original incident reports failed to include such a distinction, meaning that they were likely to be coded as simple assault by clerks (Bustamante, 2015).

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<sup>4</sup>Similar mismatches occur for the (admittedly rarer) Penal Code-defined offense of mayhem, serious assault resulting in permanent disfigurement/mutilation. Mayhem is explicitly considered aggravated assault in the UCR definitions—but, again, the Los Angeles Police Department system lacks a Crime Class Code for mayhem, leading to those (few) cases being classified as Part II “other miscellaneous crimes” (Bustamante, 2015).

Current nationally compiled statistics on aggravated assault tell something about the levels of serious but nonlethal violence in the United States, but it is not clear exactly what that “something” is. One thing that it clearly is *not*, however, is a clean measure of the number of shootings (or, more generally, assaults or threats in which firearms are used, fired or not fired) for any given time period. Participants in our workshop-style meetings repeatedly described frustration that such a measure is not easily (or at all) derivable from current national sources for comparative purposes—particularly because the number of shootings last night, or last week, or last month are summary statistics that every police chief, sheriff, or other law enforcement official is said to want to know (and is expected to know) instantly. It is certainly important to know the weaponry (or not) involved in every homicide, every assault, and every serious threat—hence its prominence as an attribute/tag in our listing—but firearm involvement is of such high public import and interest that we judge shootings (or at least the necessary elements to easily calculate such a total) to merit a role, built in to our suggested classification’s categories rather than relying solely on reference to the attribute listing.

Based on these two objectives, we structure pieces of our categories 1 and 2 to try to decompose the common elements of current “aggravated assault”—and deliberately do not use that term in new headings—and fold information that would otherwise be covered by the weapon-used attribute into relevant category headings:

- Under category 2, we “promote” assault and threat into two separate second-level headings rather than combine the two, as the ICCS does. In our definitions, we attempt to distinguish between assault as behavior that results in actual injury/harm and threat as behavior that does not.
- Our assault category distinguishes between “severe” and “minor” assault based on the level of injury inflicted, and further distinguishes serious assault by whether it involves a shooting or not.
- Our threat category includes the proviso that it involves intentional behavior against a person that is “not part of the attempt or completion of some other defined crime,” by so doing trying to isolate the element of threat from other crimes such as harassment, threat of rape, or the like. In subcategories for threat, we seek to disentangle the type of gun brandishing/display-but-no-firing occurrences that would currently be counted as aggravated assault from those where a shot is fired (but does not cause injury).
- To avoid problems with mutual exclusivity of categories—in particular, confusion or overlap with our serious assault subcategory—we differ from the UNODC ICCS by striking their “attempted intentional homicide” as a subcategory under category 1. The specific legally defined crimes that are named in the ICCS under “attempted intentional homicide”—

conspiracy to murder and attempted (but failed/incomplete) killings in terrorist attacks—are addressed elsewhere in the classification.

### **Delineating Places in Classification for Fraud, Arson, Harassment/Stalking, and Other Offenses**

Areas where we fundamentally disagree with the ICCS are very rare, and so instances where we differ from the ICCS are generally motivated by other factors. In the case of fraud (7.1), the ICCS invokes a very general definition (“obtaining money or other benefit, or evading a liability through deceit or dishonest conduct”), and differentiates only between “financial fraud” and “other acts of fraud” at the second level of classification. Accordingly, ICCS’s “other acts for fraud” swells to include things from identity theft to insurance fraud to medical quackery (not amounting to malpractice). We take as nearly certain that fraud represents sufficiently unfamiliar measurement terrain for nationally compiled statistics that further refinement of the category is inevitable, eventually, based on what data are or are not available for collection. But, even with that, we thought it best to aim somewhat more broadly in this initial classification:

- A task force wholly separate from our panel, assembled by the Stanford Center for Longevity’s Financial Fraud Research Center (FFRC) and including membership from BJS, devoted time to constructing a full classification for financial fraud alone; their resulting classification is stated by Beals et al. (2015) and summarized in brief in Box 5.1. From the FFRC’s solid work, we adapt a more detailed definition of fraud (and the related definition of deceit), and seek to impart some of the key features of the FFRC classification in our fraud subcategories and included offenses, including recasting the first subcategory as “consumer financial and products/services fraud” to connote the broad array of behaviors included.
- Given its emphasis on classes of financial fraud, the offense of identity theft does not fit naturally into the FFRC classification. However, we retain it as a subtype of fraud (as 7.1.2 in our hierarchy) for several reasons. It is one of the explicit inclusions as an “other type of fraud” in the ICCS, so we are “promoting” it in our classification, and it has generally been classed as a type of fraud or deception in U.S. applications (e.g., topic supplements to the National Crime Victimization Survey and the surveys of consumer fraud conducted by the Federal Trade Commission).
- As does the FFRC, we add a subcategory for fraud against businesses or establishments (including nonprofit organizations); the ICCS recognizes

only a distinction between finance fraud against persons and finance fraud against the state/government.

One crime type of relatively long standing in U.S. crime statistics that is not well handled or delineated in the ICCS is arson. Though it can be a particularly problematic crime to measure, and though we are not bound to strictly conform to definitions in current federal or state law, we think it appropriate to define arson (and the related crime of reckless burning, which does not include the insurance collection or similar motive that commonly drives arson) as a standalone category of 5.5 property damage. The ICCS treats arson solely as a named example of an inclusion under general property damage. The ICCS suggests integrating information about the property/location in question into the definition of categories under the core property-related offenses of burglary and theft, namely suggesting that there are meaningful differences between those crimes when the target is residential, commercial/business, or public premises. We concur, and apply the same subcategory breaks to arson.

As a final example of a major change we suggest relative to the ICCS, we modify the definitions of harassment and (particularly) stalking based on what we heard from advocacy groups and practitioners in our workshop-style meetings. We agree with the ICCS about grouping these two crime types under the heading (2.9, in our classification) of acts intended to induce fear or emotional distress. But, in our assessment, the ICCS definitions of both crimes fundamentally misstate how the crimes are considered in American procedure. In particular, in U.S. usage, both are considered “course of conduct” offenses in which the harassment or stalking “incident” is not a single action at a single point of time, but rather a pattern of behavior over a spell of time (however short). To further clarify:

- The ICCS builds from other United Nations documents to define harassment as, at minimum, “improper behaviour directed at and which is offensive to a person by another person who reasonably knew the behaviour was offensive. This includes objectionable or unacceptable conduct that demeans, belittles or causes personal humiliation or embarrassment to an individual.” Again, we find that this definition is incomplete, rather than strictly inaccurate, because the behavior in question is not specified as a pattern of repeated conduct. The ICCS subcategorizes “harassment in the workplace” as distinct from “other harassment,” but we decline to follow that split, given that workplace harassment (including sexual harassment in the workplace) is not commonly included in federal or state *criminal* code, but may be subject to civil sanctions and (particularly) penalties under employers’ policies.
- The ICCS definition of stalking—“unwanted communication, following or watching a person”—is, again, ill-specified in our estimation. It misses

**Box 5.1** Financial Fraud Resource Center Suggested Taxonomy of Criminal Fraud

**1 Individual financial fraud**

- 1.1 Consumer investment fraud
  - 1.1.1 Securities fraud
    - 1.1.1.1 Equity investment fraud — *7 subcategories by type of equity (e.g., Real Estate Investment Trust, oil and gas exploration)*
    - 1.1.1.2 Debt investment fraud — *4 subcategories by type of investment (e.g., promissory note)*
    - 1.1.1.3 Other securities fraud
  - 1.1.2 Commodities trading fraud
    - 1.1.2.1 Forex (foreign exchange) fraud
    - 1.1.2.2 Commodity pool fraud
    - 1.1.2.3 Precious metals fraud
    - 1.1.2.4 Other commodities fraud
  - 1.1.3 Other investment opportunities fraud
    - 1.1.3.1 Hollywood film scam
    - 1.1.3.2 Property/real estate scam
    - 1.1.3.3 Rare object scam
- 1.2 Consumer products and services fraud
  - 1.2.1 Worthless or nonexistent products (intentionally entered agreement)
    - 1.2.1.1 Worthless products — *9 subcategories by product type (e.g., weight loss products, fake gemstones)*
    - 1.2.1.2 Paid never received — *Subcategories for online marketplace fraud and other*
    - 1.2.1.3 Other worthless/nonexistent products
  - 1.2.2 Worthless, unnecessary, or nonexistent services (intentionally entered agreement)
    - 1.2.2.1 Phony insurance
    - 1.2.2.2 Immigration services/Notario fraud
    - 1.2.2.3 Invention fraud
    - 1.2.2.4 Fraud loss recovery
    - 1.2.2.5 Debt relief scam — *5 subcategories (e.g., student debt relief, mortgage relief)*
    - 1.2.2.6 Credit repair scam
    - 1.2.2.7 Fake credit lines and loans — *Subcategories for fake loans, fake credit lines/credit cards, and other*
    - 1.2.2.8 Fortune-telling fraud
    - 1.2.2.9 Phishing websites/emails/calls — *Subcategories for tech support scam, spoofing websites, and other*
    - 1.2.2.10 Timeshare resale fraud
    - 1.2.2.11 Adoption scam
    - 1.2.2.12 Internet gambling fraud
    - 1.2.2.13 Fake buyers scam
    - 1.2.2.14 Unnecessary or overpriced repairs, or repairs never performed — *Subcategories for auto repair, home repair, and other*
    - 1.2.2.15 Travel booking scam
    - 1.2.2.16 Website hosting/design scam
    - 1.2.2.17 Domain name scam
    - 1.2.2.18 Other

**Box 5.1** (continued)

- 1.2 Consumer products and services fraud (continued)
  - 1.2.3 Unauthorized billing for products or services
    - 1.2.3.1 Buyer's clubs
    - 1.2.3.2 Unauthorized billing, Internet services — *Subcategories for online Yellow Pages and other*
    - 1.2.3.3 Unauthorized billing, phone services — *Subcategories for cramming, slamming, and other*
    - 1.2.3.4 Unauthorized billing, magazines
    - 1.2.3.5 Unauthorized billing, credit monitoring services
    - 1.2.3.6 Other unauthorized billing fraud
  - 1.2.4 Other consumer products and services fraud
- 1.3 Employment fraud
  - 1.3.1 Business opportunities fraud
    - 1.3.1.1 Multilevel marketing scheme
    - 1.3.1.2 Vending machines/ATM leasing scam
    - 1.3.1.3 House flipping courses
    - 1.3.1.4 Business coaching scam
    - 1.3.1.5 Other
  - 1.3.2 Work-at-home scam
    - 1.3.2.1 Home assembly
    - 1.3.2.2 Envelope stuffing
    - 1.3.2.3 Mystery Shopper
    - 1.3.2.4 Reshipping
    - 1.3.2.5 Other
  - 1.3.3 Government job placement scam
  - 1.3.4 Other employment scam
    - 1.3.4.1 Nanny scam
    - 1.3.4.2 Modeling fraud
- 1.4 Prize and grant fraud
  - 1.4.1 Prize promotion/sweepstakes scam
    - 1.4.1.1 Free product
    - 1.4.1.2 Free vacation
    - 1.4.1.3 Cash prize
    - 1.4.1.4 Sweepstakes scam
    - 1.4.1.5 Other
  - 1.4.2 Bogus lottery scam
    - 1.4.2.1 Foreign lottery scam
    - 1.4.2.2 Other
  - 1.4.3 Nigerian letter fraud
  - 1.4.4 Government grant scam
  - 1.4.5 Inheritance scam
  - 1.4.6 IRS tax refund opportunity
  - 1.4.7 Other prize and grant fraud
- 1.5 Phantom debt collection fraud
  - 1.5.1 Government debt collection scam
    - 1.5.1.1 Court impersonation scam
    - 1.5.1.2 IRS back taxes scheme
    - 1.5.1.3 Other
  - 1.5.2 Lender debt collection scam
    - 1.5.2.1 Obituary scam
    - 1.5.2.2 Loan debt scam
    - 1.5.2.3 Other

**Box 5.1** (continued)

- 1.5 Phantom debt collection fraud (continued)
  - 1.5.3 Business debt collection scam
    - 1.5.3.1 Fake health and medical debt
    - 1.5.3.2 Other
  - 1.5.4 Other phantom debt fraud
- 1.6. Charity fraud
  - 1.6.1 Bogus charitable organization
    - 1.6.1.1 Bogus natural disaster-related charity
    - 1.6.1.2 Bogus disease-related charity
    - 1.6.1.3 Bogus law enforcement charity
    - 1.6.1.4 Bogus veteran charity
    - 1.6.1.5 Bogus church/religious group charity
    - 1.6.1.6 Bogus animal shelter
    - 1.6.1.7 Bogus alumni charitable giving
    - 1.6.1.8 Bogus children's charity
    - 1.6.1.9 Bogus political group
    - 1.6.1.10 Bogus youth organization
    - 1.6.1.11 Other
  - 1.6.2 Crowdfunding for bogus cause
    - 1.6.2.1 Fake personal medical expenses
    - 1.6.2.2 False identity as natural disaster or national tragedy survivor
    - 1.6.2.3 Other
  - 1.6.3 Other charity fraud
- 1.7 Relationship and trust fraud (*wherein expected outcome is fostering a relationship*)
  - 1.7.1 Romance or sweetheart scam
  - 1.7.2 Friends or relatives imposter scam
    - 1.7.2.1 Grandparent scam
    - 1.7.2.2 Other
  - 1.7.3 Other relationship and trust fraud
- 2 Fraud against organizations**
  - 2.1 Fraud against government agencies, programs, regulations, and society
    - 2.1.1 Government programs (*includes welfare fraud; disability fraud; Medicare/Medicaid fraud*)
    - 2.1.2 Government regulations (*includes immigration fraud; voting fraud; tax fraud; stamp fraud*)
    - 2.1.3 Other (*includes insider trading; environmental fraud*)
  - 2.2 Fraud against nongovernmental businesses or organizations
    - 2.2.1 Occupational fraud (committed by internal perpetrator) (*includes corruption; asset misappropriation; financial statement fraud*)
    - 2.2.2 Fraud committed by external perpetrator (*includes insurance fraud; bank fraud; fraudulent suppliers*)

NOTES: Taxonomy accompanied by suggestion for 6 *incident-related attributes/tags*—general incident description (9 values), method of advertising (6 values), purchase setting (5 values), method of money transfer (10 values), dollar loss categories, and duration; 7 *values of a victim descriptor tag* (e.g., veteran victim; victim reported fraud to authorities); and 5 *values of a perpetrator descriptor tag*. Full development of category 2, fraud against an organization, was deemed “beyond the scope” of initial activity.

SOURCE: Beals et al. (2015:Sec. VI).

the course-of-conduct, repeated-acts nature of the offense and, worse, too strongly connotes the notion of stalking almost necessarily involving surreptitious physical surveillance of a victim. We redefine stalking for our purposes based on the language used in some state criminal codes and, in particular, the Model Stalking Code suggested and revised by the National Center for Victims of Crime (2007).

### **Other Major Changes from International Classification or from Current U.S. Practice**

Other fairly major restructuring of categories or revision of labels or definitions, relative to the ICCS or to current U.S. practice, embedded in our suggested classification include the following:

- In the text of the definition for our 1.1 murder and intentional homicide, we add the phrasing “committed with reckless indifference to life” as one standard for defining intentional homicide. While we are not beholden to the extant text of federal or state criminal code, “reckless indifference to human life” is prominent in the wording of the American Law Institute’s Model Penal Code definition of murder/intentional homicide, and so has made its way into various state statutes. In this nod to current widespread usage, we also recognize the need for care with the term “reckless,” because it might be inappropriately deemed to be equal with “negligent.”
- The ICCS crafts a second-level category for sexual violence, with rape and sexual assault as third-level categories within. We elevate both those offenses to second-level status (3.1 and 3.2, respectively), to increase their visibility as crime categories. We also make substantive revisions to the subcategories of both. We revise the ICCS’s mention of “statutory rape”—which can be a problematic term in U.S. state statute—to more directly get at what we think is intended as a subcategory, namely rape involving inability to express consent or nonconsent (3.1.3). In terms of sexual assault, the ICCS differentiates between physical sexual assault, non-physical sexual assault, and other sexual assault. However, the distinction between the last two subcategories is not readily clear from the ICCS’s stated definitions and legal inclusions; we think that the more general (single) subcategory “threat of a sexual nature” is an effective complement to the physical sexual assault entry, once we add a new second-level category 3.3 for sexual violations of a nonphysical nature, which would cover such behaviors as voyeurism or recording a person without consent.
- We restructure the categories under 3.5 sexual exploitation of children, for two principal reasons. First, the ICCS’s single subcategory for child prostitution blends two very different types of unlawful and unacceptable



behaviors—put most bluntly, between the pimp/provider side and the procurement/“customer” side—that we think merit separate delineation. Second, the ICCS includes a separate subcategory for sexual grooming of children, a term that may have picked up usage in international law discussions but that we think has not acquired sufficient standing in U.S. usage (or federal/state law) to warrant a separate partition in our classification; we fold it into our category 3.5.4 for other offenses related to sexual exploitation of children.

- In the ICCS, category 4—using our revised title, acts of violence or threatened violence against a person that involve property—is effectively synonymous with robbery. One crime type that has made its way into the criminal codes of some U.S. states, that is not directly referenced in the ICCS, and that we add to our classification to fill a perceived gap in category 4, is sometimes simply referred to as “terroristic threats.” We expand that label, and definition, to refer more fully to terroristic or disruptive threats to buildings or critical infrastructure—covering bomb, biohazard, and other threats to buildings, transportation facilities, power infrastructure, and the like, done to cause serious harm to a large number of people (where that harm might be severe disruption of daily routines as well as actual physical injury). An actual completed act of terrorism, beyond the threat, would fall under 9.4.1’s participation in a terrorist group (along with whatever homicide or assault offenses might apply), but the communicated threat to cause disruption seems sufficiently serious as to warrant separate categorization.
- The ICCS’s category 6 heading, acts involving controlled drugs or other psychoactive substances, includes the second clause so as to include alcohol, tobacco, or other substances—things that may be more tightly regulated in other countries than they are in the American experience. For the most part, the specific items listed as inclusion in the alcohol and tobacco section of the ICCS read to us as being more about revenue or customs policies than about the substances themselves. Accordingly, we took particular note of how Victoria handles drugs, alcohol, tobacco, and related substances in its crime classification and borrowed the approach for our classification. We retitle our category 6 to refer only to “controlled substances” and, short of specifying specific weights or measures (which would certainly vary by drug), differentiate between “street-level” quantities and “wholesale” quantities under 6.3’s unlawful trafficking or distribution of controlled drugs heading. We take care to define 6.1 as unlawful possession or use of controlled drugs for personal consumption, adding in the explicit “unlawful” nomenclature to reflect state-by-state variation in permissions; currently, marijuana would fall under this heading because it is a federally defined controlled substance, but states are increasingly decriminalizing

possession of personal-consumption amounts (and the individual state definition would determine whether the event is “unlawful” or not). We do leave possession of “wholesale” levels of controlled substances as a specific offense under category 6.3.2 because U.S. law treats possession of controlled substances as *prima facie* evidence of distribution (or intent to distribute) if the quantity in question is above that legally deemed suitable for personal consumption. Meanwhile, inasmuch as the content of the ICCS’s alcohol and tobacco plank seemed to deal with taxation/revenue policy, we combined the two with another “sin tax” category with variation by state—gambling—as a subcategory under 8.4 acts contrary to public revenue or regulatory provisions.

- For sake of parsimony, and recognizing the likely difficulty that lies ahead in collecting data on the topic, we opted to collapse the ICC’s distinction between “active bribery” and “passive bribery” under our category 7.3.1. Colloquially, the distinction between active and passive bribery is simply between offering/paying a bribe and receiving a bribe. As a first cut, we think it best to add a note that our notion of bribery includes both sides but not to define separate categories.
- We make numerous changes throughout category 8, acts against public order and authority—none of which are large in scope but that, collectively, are meant to preserve consistency with the ICCS (to facilitate comparison to the greatest extent possible). However, elements of categories 8.1–8.3 are instances where there is ground for greater discrepancy between other nations’ “public order” behavioral or sexual standards and the U.S. standards—and the staunch American value of freedom of expression certainly complicates (if not fully negates) definition of offenses under the ICCS’s acts related to freedom of expression or control of expression (our category 8.3). We attempt to disentangle tax, customs, and other revenue-related provisions in defining subcategories under heading 8.4, and we also delineate two new subcategories under category 8.5 acts related to migration: unlawful entry/border crossing (into the U.S.) and unlawful employment or housing of an undocumented migrant, elevating two important concepts that were previously compressed into one of the ICCS’s catch-all categories. Under 8.6.2, the ICCS uses the phraseology “breach of justice order,” which corresponds too closely with the notion of a formal “court order” in American usage. From the inclusions under this category, it is evident that the ICCS intends the subcategory to be substantially broader, including the specific offenses of resisting arrest and violating procedures (as an inmate) internal to correctional facilities. Accordingly, we use the substitute wording “breach of justice system authority.” Finally, and arguably the biggest change in this specific category, we expand the ICCS’s mention of status offenses—behaviors that are criminal solely

because of the age of either the victim or the perpetrator—and shift it from the catch-all category 11 to category 8, where it seems a more natural fit (and which avoids truancy/absence from school from falling in the same category with treason and genocide).

- Under category 9, acts against public safety and national security, we eliminate a second-level heading suggested by the ICCS—removing acts against health and safety as a standalone category, and adding mention of occupational safety and health violations to 2.8.1’s acts that endanger health of another person. Category 9.3’s handling of organized crime was and remains a point of debate with the UNODC work group, and is certainly worthy of inclusion in an international crime framework. However, we struggled with how best to cast this in our suggested classification, largely due to the inherent difficulty of fully documenting organized crime involvement without (and even sometimes with) lengthy investigation. The ICCS’s offense category “participation in an organized criminal group” seemed overly broad, and it was difficult to identify specific crimes related to organized crime—other than racketeering offenses—in its stead. We do include organized crime affiliation as one of the group support/attribution attribute levels (completed on a per-offense basis), but it seemed inapt to simply designate “participation” in a group as a named offense in the hierarchy. Ultimately, we felt it best to borrow a page from, in particular, the Irish crime classification system, which is replete with references to violations of specific pieces of legislation, and so make our category 9.3.1 into violations of the (federal) Racketeer Influenced and Corrupt Organization (RICO) Act.

### What Is Missing from Our Suggested Crime Classification

Consistent with the goal, as part of the properties of a proper statistical classification, of making the classification exhaustive of the phenomena of interest, we believe our suggested classification to be comprehensive. To be sure, there are still “gaps” that can be pointed to, but the ones that come readily to the fore are not included for two basic reasons. The first is that the seeming “gap” is something that may take time or investigation to rule as “crime” or not—and, hence, may not in fact be correctly designated as “crime.” So, for instance, there is no standalone category for “justifiable homicide” in our classification—properly so, since such events are not crime, by definition, if being found to be justifiable after due adjudication and investigation. Our suggested classification is not bound to any particular data collection, or to any particular time of data collection relative to the incident, and so it covers things like justifiable homicide (which requires adjudication, and would translate to murder or intentional homicide if deemed to be not justifiable), arson (which commonly requires investigation of the circumstances of burn evidence), and

some white-collar offense/fraud variants (where the first signal of the crime in question might not be a report to law enforcement at all, but rather the filing of charges or complaints).

The second type of gap in the classification—types or classes of crime that should or may be recoverable from a fully realized dataset built around the classification (attributes and all), but that are not explicitly called out in the classification’s listing—is probably best exemplified by cybercrime. We retain the ICCS’s per-offense attribute of cybercrime involvement—a binary yes/no flag based on whether computer systems or data were integral to the modus operandi of the offense, and the offenses listed under category 5.3 in our hierarchy are explicitly computer-centric. With that, our suggested classification has the potential to generate pieces of the overall cybercrime puzzle—harassment can be modified and reanalyzed to detect cyberharassment or cyberbullying, and likewise cyber-related stalking, identity theft (using computer means), and others. But, based on what we heard from users and stakeholders, we concluded that cybercrime per se is much like fraud or intentional homicide—a sufficiently broad and diverse concept that it could warrant a fully realized three- or four-level hierarchical classification on its own. But cybercrime poses the added complication that even the vocabulary used to describe specific variants in such a detailed classification would almost certainly be out of date by the time it was published. Hence, we deemed it best not to try to consolidate all the pieces of cybercrime in one place in the hierarchy, or to try to assess what a classification sub-tree for cybercrime might look like; instead, we opt to wait and see how the base crime + attribute combination works in practice.

Short of missing crime types, another fault that could be raised with our suggested classification—but again a point on which we made a conscious decision—is that it does not “impose” any binding, national-level constraints or parameters. Through repeated use of the word “unlawful” in the definitions and, less frequently, the category titles, we are generally deferential to the precise definitions that might apply in a particular state. We do this to set a starting position, expecting that a national-level standard, cut-off value, or the like may be revisited after some period of data collection and refinement. But, in the interim, we recognize that this does introduce some lack of “precision” in our specifications. So, for instance, in 2.3.1 abduction of a minor, 3.5 sexual exploitation of children, and 8.9 acts contrary to juvenile justice regulations or involving juveniles/minors—among other places in the classification—we decline to suggest a fixed, uniform age cut-off that distinguishes minors/juveniles/children from adults. State criminal statutes vary greatly in the age cut-offs below which a person is deemed unable to grant consent for sexual activity or other purposes, or below which referral to child protective services (or other juvenile-specific law enforcement branches)

or juvenile justice systems would take hold. Rather, as an interim measure, we permit the standards that would apply in a particular reporting jurisdiction.

### 5.3 NEXT STEPS: ISSUES GOING FORWARD

If used as a blueprint for constructing a new set of indicators of crime in the United States, the crime classification we suggest in this chapter and report has the potential to be path-breaking in advancing the nation's understanding of crime. By dismantling the current definition of aggravated assault and collecting information on the pieces, the nation would be poised to better and more directly estimate the levels, trends, and costs of the kinds of assaults that cause greatest angst among the public. The classification opens the door, potentially, to the gathering of data on "new" frontiers of crime, at least for U.S. nationally compiled data. White-collar offenses like corruption, embezzlement, and market manipulation could finally be presented side-by-side with "street crime"; systematic collection of offenses related to the operation of the criminal justice system itself (breach of justice system authority, obstruction of justice) could yield insight into separate analyses of the functioning of the judicial branch; and damaging crimes that have heretofore been studied principally through use of limited survey data (such as harassment, stalking, and identity theft) could finally have another benchmark for comparison.

The subsequent steps of implementation and methodological development are daunting, and should begin naturally with a first revisiting of our suggested crime classification and mapping it to current (or not-as-yet created) data sources that might supply the requisite information. For this interim report, we purposefully set out not to overwhelm readers with specific findings and recommendations, instead keeping the focus on the suggested crime classification.

That said, we recognize that this particular moment in time presents a unique opportunity, coming as it does in the wake of public statements by the director of the Federal Bureau of Investigation noting frustration with the state of current crime statistics, indicating intent to sunset the UCR Program's Summary Reporting System in favor of a full-fledged NIBRS, and elevating improvement of crime statistics (and creation of a parallel database to record law enforcement use-of-force incidents). It also comes as the Bureau of Justice Statistics (BJS) is poised, by equipping a sample of law enforcement agencies to begin reporting data in NIBRS format through the National Crime Statistics Exchange (NCS-X) Program), to finally showcase the analytic power of NIBRS because NIBRS so seeded with selected agencies will finally constitute a representative sample of the population. It also comes as the major organizational bodies of chiefs of police (including the International Association of Chiefs of Police, the Major Cities Chiefs Association, the

National Sheriffs' Association, and the Major County Sheriffs' Association) jointly issued a statement supporting the FBI's proposed transition from Summary Reporting to NIBRS, and as the group of police chiefs and law enforcement practitioners convened by BJS (the Crime Indicators Working Group) advocates for joint analysis of crime indicator data with community and demographic information in order to put crime and its trends into proper context.

In short, this is a uniquely opportune time to state a few select conclusions that derive directly from this report's focus on development of a crime classification and from what we learned from outreach to the broader crime statistics constituencies. We think that some basic truths need to be stated—directly and bluntly—as the debate on how to move forward with (reformed) crime statistics data collection begins, and that these conclusions do not prejudice implementation- and methodology-specific recommendations we will offer in our final report.

To begin, we repeat a point that we made earlier in this chapter describing our objectives for constructing the classification: By stating the classification now and in this form, we do not suggest or expect that it be immediately swapped in as the underlying offense code list for NIBRS, the National Crime Victimization Survey (NCVS), or any current data collection. It is, as described in Recommendation 5.1, a first and foundational step, around which a data collection system should be designed and developed after considering numerous issues and implementation challenges. The main purpose of the suggested classification is to suggest the sheer breadth of “crime in the United States” relative to the more limited picture forged over the past nine decades, and not to generate angst over how much is left unexplored in current U.S. crime statistics.

Drawing a correspondence between this suggested classification and current (or as-yet nonexistent) data collections awaits our second report. That said, even the most cursory review of the current list of crimes covered by NIBRS (Table 2.1), by the NCVS (Box 2.4), and (particularly) by the UCR Summary Reporting System (SRS; Box 2.1) in contrast with our suggested classification suggests that the gaps in coverage/knowledge will be numerous and glaring. This suggests a basic conclusion:

**Conclusion 5.4:** Full-scale adoption of incident-based crime reporting by all respondents or sources, that is sufficiently detailed to permit accurate classification and extensive disaggregation and analysis, is essential to achieving the kind of flexibility in crime statistics afforded by a modern crime classification.

To be clear, our use of the phrase “by all respondents or sources” is intended to connote that we anticipate that both police-report data and survey-based measures of crime and victimization (at a minimum) will have essential roles in a modern crime measurement system.

There are two basic corollaries to this conclusion that are supported by this report's classification-based focus and that we feel should be made now in order to contribute in a timely manner to current debates, even though more detailed discussion awaits our second report. Both relate to the FBI's recent decision (stated most clearly in the director's note accompanying Federal Bureau of Investigation (2015)) to work with its law enforcement agency contributors and to transition from the SRS to full NIBRS implementation. The first corollary is that the transition away from the SRS format and content is sound and appropriate. The SRS was a major advance when created in 1929–1930 and proved instrumental for decades in shedding basic light on national crime trends, but it is simply inadequate to provide information of the quality or the level of detail demanded by modern crime data users. But the second corollary concerns the transition to NIBRS: It is important that the transition to full-up NIBRS be cast strictly as an *intermediate* step. A full-participation NIBRS that holds to that system's current design and content would have great difficulty satisfying all or most crime statistics user needs. To be fair, the relatively spotty participation in NIBRS has undercut the capacity to demonstrate the full analytic power afforded by the system, because NIBRS estimates to date are not representative of broader regional or national populations. And, it is important to reemphasize that we do not expect that any single data collection (NIBRS, NCVS, or otherwise) can satisfy user needs or come close to filling out all parts of our suggested classification. Our concern is that NIBRS's core development work and structuring took place in the late 1980s, and it is not clear that its design has kept pace with changes in reporting practices, computing technology, and emerging crime types. Upgrading from a 1929-vintage crime data management system to a 1990-vintage system falls well short of the data infrastructure that crime statistics deserve, but it would indeed be a remarkable advance.

Finally, we end this report by recognizing that implementing new technical systems—distributed across some 18,000 local, state, and federal agencies with highly differential resources and capacities—is incredibly difficult, let alone phasing in a wholesale change to the underlying classification of events that underlies the system. The 30-plus-years (and counting) history of NIBRS falling short of participation expectations (and, with them, the system's analytic potential) is testament to that difficulty, as is the failure to move the pure attribute-based classification of the mid-1970s (SEARCH) from prototype to limited production. Sorting out the barriers, real and imagined, to NIBRS implementation over recent decades will be a critical part of our final report, as will determining what lessons may be learned from (among others) the United Kingdom's and Ireland's experience with major process or classification change being undermined by flaws in data collection at the source. Likewise, learning from the Australian experience of individual states maintaining their own classifications while ensuring compatibility with a modern (but fairly

mature) classification scheme will be important to building effective federal and subnational partnership. Classifying crime is but the first step—very complex in its own right, but arguably the “easy” part—in modernizing the nation’s crime statistics infrastructure.





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# Appendixes



– A –

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## Charge to the Panel on Modernizing the Nation’s Crime Statistics

A panel of the National Research Council will assess and make recommendations for the development of a modern set of crime measures in the United States and the best means for obtaining them. For example, better information is needed on certain crime types such as against businesses or organizations and personal identity theft; also needed is greater ability to associate attributes such as firearms or drug involvement to crime types, and more complete adoption of electronic reporting, data capture, and system interoperability. The review will evaluate and make recommendations in the following areas:

- *Substantive*—Development of a framework for identifying the types of crimes to be considered in a modern crime classification, based on examining the strengths and limitations of various perspectives, such as: technical or legal definitions of crime types in criminal law or penal codes; definitions of “common unacceptable actions” in common law; and public health-type definitions that use affected persons (or victims) as the unit of analysis. The review will focus on full and accurate measurement of criminal victimization events and their attributes, considering types of crime (and their definitions), including the current scope of crime types covered by existing Federal Bureau of Investigation (FBI) and Bureau of Justice Statistics (BJS) data collections; gaps in knowledge of contemporary crime; development of international

crime classification frameworks that should be considered in increasing international comparability; and the optimal scope of crime statistics to serve the needs of the full array of data users and stakeholders—federal agencies, other law enforcement agencies, Congress, other actors in the justice system (such as the courts and corrections officials), researchers, and the general public;

- *Methodological*—Assessment of optimal methods to collect the data to complete the crime classification framework developed in the review, including assessment of the appropriateness of existing instruments and methods currently used by the FBI and BJS to collect crime information and the effectiveness and accuracy of their data processing techniques (including routines for imputation and estimation and the handling of missing data); the possible role of integrating data from non-FBI/BJS and nongovernmental sources (such as from credit card companies) into crime measurement; and capabilities for flexibly identifying and measuring new and emerging crime types going forward; and
- *Implementation*—How to maximize the use of locally collected and existing data as well as information technology assets while minding the voluntary nature of crime reporting in current systems, minimizing the effects of changes on state, local, and tribal law enforcement information management systems, meeting the needs of local law enforcement operations, and populating the national FBI and BJS data collections.

The review will also consider contextual information about crime produced by other statistical entities from different perspectives (such as contextual information on homicides, sexual assault, and stalking that may be derived from public health data collections), though the focus of the study is the taxonomy and measurement of crime and not the etiology of violence or deviant behavior generally. In addition, the review may consider cost-effectiveness and budgetary issues, such as priority uses for additional funding that may be obtained through budget initiatives or reallocation of resources among units of the U.S. Department of Justice.

The review will proceed in two stages. In phase one the panel will focus on the taxonomy and measurement of crime by hosting two workshop-style meetings, one with the research community and one with practitioners and policy makers, both addressing the scope and content of an ideal set of crime measures and indicators for the United States. Proceedings will be issued from both workshops, and the panel will produce an interim report that identifies lessons learned from the workshop input and directions for the panel's remaining work. In phase two, the panel will focus on the shape and structure of a modern set of crime measures—their sources, methods, tools, and processes—including what current sources of information could be used or modified to meet user needs, particularly for the higher priority measures. The

panel will produce a final report at the end of the study that addresses ways to ensure that the nation has an integrated, complete, and contemporary set of indicators of the full range of crime (including the best means for disseminating data and findings) and document the joint role of FBI and BJS in producing those indicators.





– B –

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## Participants in the Panel’s Workshop-Style Meetings and Regular Sessions

### B.1 PARTICIPANTS IN THE JUNE 12, 2014, WORKSHOP

The panel’s June 2014 workshop-style meeting let participants spend most of the day in breakout rooms organized roughly by local-level, state-level, and national-level interests in crime statistics and their uses. After a brief plenary session, participants in the breakout rooms worked through three topics/groups of questions in turn:

- How frequently do you use the existing nationally compiled crime data sources (the Uniform Crime Reporting [UCR] System and the National Crime Victimization Survey [NCVS]) to answer questions relevant for your day-to-day operations and for policy makers, the public, or other constituencies? What types of questions can you answer readily, and what kinds of questions are you unable to answer?
- What aspects of crime measurement—whether new, emerging, or poorly measured crime types; attributes of crime such as weapon or drug involvement; correspondence (or lack thereof) to existing criminal codes; or the like—do you view as essential to a modern system of crime statistics? How frequently, and at what level of geographic/operational resolution, must crime data be available, and at which levels would data be desirable (but not essential)? [Discussion should also concern issues

of data quality and coverage, and how those interact with current and potential use of crime statistical series.]

- Do you use, or would it be desirable to use, systematically collected measures of phenomena that are not explicitly “crime” related but that may yield insight on the overall picture of “crime in the United States”? (These phenomena might include measures of individual or community well-being, health interview or surveillance data, or the like.) [Discussion should also consider the mechanics of data release and dissemination, and what attributes a modern set of crime statistics should have to be most useful to stakeholders.]

In each breakout room, one member of the panel served as moderator and another as reporter for the group. At the end of the day, the participants reconvened in plenary, the reporter panel members summarized discussion from their rooms, and time was provided for general discussion.

#### Local-Level Interests Breakout Group

- JOHN DALEY, Deputy Superintendent, Information Services Group, Boston Police Department
- COLIN DRANE, SpotCrime, Baltimore, Maryland
- STEVE EVANS, Director, Management Services, Arlington, Texas, Police Department
- TED GEST, Criminal Justice Journalists/*The Crime Report*
- SEAN GOODISON, Police Executive Research Forum
- RICHARD HARRIS, Research Specialist, University of Chicago Crime Lab
- MARY HOERIG, Inspector of Police, Strategic Management, Milwaukee Police Department
- RICHARD JANIKOWSKI, Department of Criminology and Criminal Justice, University of Memphis (retired)
- KIMBERLY MARTIN, Bureau of Justice Statistics, U.S. Department of Justice
- JAMES NOONAN, Criminal Justice Information Services Division, Federal Bureau of Investigation
- BRIAN ROOT, Quantitative Analyst, Human Rights Watch
- JENNA SAVAGE, Senior Research Coordinator, Office of Research and Development, Boston Police Department
- DANIEL WAGNER, Crime Analysis Unit, Cambridge, Massachusetts, Police Department
- *Panel/Staff:* Nola Joyce (*moderator*), Jeffrey Sedgwick (*reporter*), Arlene Lee, James Nolan, Amy O’Hara, Paul Wormeli

#### State-Level Interests Breakout Group

- CYNTHIA BARNETT-RYAN, Criminal Justice Information Services Division, Federal Bureau of Investigation

- ELIZABETH DRAKE, Senior Research Associate, Washington State Institute for Public Policy, Olympia
- JOSHUA EXLER, Maryland StateStat, Office of the Governor
- STEPHEN HAAS, Director, Criminal Justice Statistical Analysis Center, Division of Justice and Community Services, Charleston, West Virginia
- KEN HASENEI, Commander, Technology and Information Management Command, Maryland Department of State Police
- ROBERT MCMANUS, Director, South Carolina State Statistical Analysis Center, Office of Justice Programs, South Carolina Department of Public Safety
- MARK MYRENT, Research Director, Illinois Criminal Justice Information Authority
- STAN ORCHOWSKY, Research Director, Justice Research and Statistics Association
- SUSAN PARKER, Project Manager, University of Chicago Crime Lab
- THERESA SALO, Director, New York State Statistical Analysis Center, Office of Justice Research and Performance, New York State Division of Criminal Justice Services
- RONOJOY SEN, Maryland StateStat, Office of the Governor
- ERICA SMITH, Bureau of Justice Statistics, U.S. Department of Justice
- JANEENA WING, Principal Research Analyst, Idaho Statistical Analysis Center, Idaho State Police
- JEFFREY ZUBACK, Director, Maryland Statistical Analysis Center, Governor's Office of Crime Control and Prevention
- *Panel/Staff:* Kim English (*moderator*), David McDowall (*reporter*), Daniel Bibel, Daniel Cork, Robert Goerge, Alex Piquero

#### **National-Level Interests Breakout Group**

- BEN ADAMS, Pew Public Safety Performance Project
- VIRGINIA BARAN, Office of Violence Against Women, U.S. Department of Justice
- DAVID BURNHAM, Co-director, Transactional Records Access Clearinghouse Project (Syracuse University), Washington, DC
- ERINN HERBERMAN, Bureau of Justice Statistics, U.S. Department of Justice
- RICHARD HERTLING, Covington and Burling LLP, Washington, DC
- ALISSA HUNTOON, Bureau of Justice Assistance, U.S. Department of Justice
- LAURA IVKOVICH, Lead Policy Analyst, Office for Victims of Crime, U.S. Department of Justice
- KRISTEN MAHONEY, Deputy Director, Policy, Bureau of Justice Assistance, U.S. Department of Justice
- KIMBERLEY MEINERT, Domestic Policy Council

- MELISSA SICKMUND, Director, National Center for Juvenile Justice, Pittsburgh, Pennsylvania
- *Panel/Staff:* Janet Lauritsen (*moderator*), Jim Lynch (*reporter*), Jonathan Caulkins, Jennifer Madans, Michael Miller, Ed Spar

## B.2 PARTICIPANTS IN THE JULY 24, 2014, WORKSHOP

For the second workshop session, the panel chose to focus discussion in two ways: on a more technical level with a set of local law enforcement personnel, and along lines of specific crime types and contexts that are not well reported to local law enforcement departments (or for which there are entirely separate reporting streams) and that, accordingly, may not be well measured in police-report data. Hence, this workshop consisted of two discussion panels, with discussion and questioning from the whole audience.

Participants in the first, local law enforcement/technology-themed panel were made aware of the set of discussion questions from the June workshop (Section B.1), but were asked to comment specifically on a second bank of topic questions:

1. Does your agency report NIBRS-format data to your state or to the FBI? In either way, your thoughts on the cost/benefit trade-off are welcome: If you do report NIBRS-format data, does that detail help/“benefit” your agency? If not, what are the major barriers to sharing those data?
2. Generally, how flexible (or capable of change, from minor tweaks/maintenance to more fundamental revisions) are your agency’s records management systems?
3. Does your agency have the capacity (hardware, software, and personnel) to conduct analytical studies on crime trends and factors influencing crime rates?
4. In routine reporting or special analyses, does your agency use data from NCVS or its topic supplements? If so, how is it helpful?
5. What major changes would you like to see in national crime statistics systems (NCVS or NIBRS)? Are there gaps in reporting that should be fixed—or are there components of existing reporting structures that could be removed or streamlined? What changes in national statistical reporting protocols would make the compiled information more useful to your agency?
6. Are there any other recommendations you would make about improving our national systems of crime statistics?

Participants in the second, specific-crime-type panel were asked to comment on the same thought questions as in the June workshop (Section B.1), plus three others:

1. What is the ideal role for the NCVS, its previously fielded topic supplements, or other content that might be included in a supplement to such an “omnibus” crime survey, in measuring the crime types most relevant to you?
2. Are there specific critical weaknesses in the current systems of crime measurement for studies in your area, and are there tractable solutions to overcome them?
3. If you field your own data collections, or draw from other state/local data sources (even as a “workaround” to the nationally compiled crime data sources), what

are the key differences between them and the NCVS and UCR/NIBRS systems? What lessons might be learned from these alternate sources for wider, national implementation?

#### **Local Law Enforcement Systems Panel**

- ANGELIQUE ABBOTT, Director, Crime, Traffic, and Intelligence Analysis, Fairfax County, Virginia, Police Department
- PATRICK BALDWIN, Director of Crime Analysis, Las Vegas Metropolitan Police Department and Southern Nevada Counter-Terrorism Center
- JEFF GODOWN, Director, Technical Services Section, University of California, San Francisco, Police Department
- CHRIS HALEY, Program Manager, Information Services Division, San Diego Police Department
- JOHN KAPINOS, Strategic Planner, Planning and Research Bureau, Fairfax County, Virginia, Police Department
- JONATHAN LEWIN, Managing Deputy Director, Public Safety Information Technology, Chicago Police Department

#### **Specific, Not-Well-Measured Crimes Panel**

- KEITH ANDERSON, Economist, Consumer Protection, Federal Trade Commission
- KATHRYN CHANDLER, Sample Surveys Division and Cross-Sectional Surveys Branch, National Center for Education Statistics, with SIMONE ROBERS, Education Program, American Institutes for Research
- MICHELLE GARCIA, Stalking Resource Center, National Center for Victims of Crime
- ALLISON KISS, Executive Director, Clery Center for Security on Campus, Wayne, Pennsylvania
- MICHAEL LIEBERMAN, Washington Counsel and Director, Civil Rights Policy Planning Center, Anti-Defamation League
- ANNE MENARD, Executive Director, National Resource Center on Domestic Violence

### **B.3 OTHER CONTRIBUTORS TO PANEL DISCUSSIONS**

In its meetings before and after the two workshop-style sessions, the panel sought additional perspectives on the general question of what “crime” should mean for purposes of data collection, from invited speakers/discussants:

- ANGELA ME, United Nations Office on Drugs and Crime
- HEATHER MITCHELL, Senior Group Manager, Corporate Security Business Intelligence, Target Corporation

- RICHARD ROSENFELD, Curators' Professor of Criminology and Criminal Justice, University of Missouri–St. Louis, and Chair, National Research Council Roundtable on Crime Trends
- SALLY SIMPSON, Department of Criminology and Criminal Justice, University of Maryland
- MARIA VELLO, Executive Director, National Cyber-Forensics and Training Alliance, Pittsburgh, PA
- PETER YEAGER, Department of Sociology, Boston University

At the panel's May and August 2015 meetings, the panel organized several discussion sessions, to draw together threads from previous meetings—on international experience in developing new crime classifications and on the challenges in converting local justice records management systems to NIBRS format, among other topics. We also arranged for a series of representatives to describe some of the alternative data resources profiled in Chapter 3. These presenters included:

- JOHN F. AWTRY, Director, Law Enforcement Policy and Support, Office of the Under Secretary of Defense (Personnel and Readiness)/Defense Human Resources Activity
- ED CLAUGHTON, PRI Management Group, Coral Gables, Florida
- MICHAEL DE LUCA, Financial Crimes Enforcement Network, U.S. Department of the Treasury
- FIONA DOWSLEY, Chief Statistician, Crime Statistics Agency, Victoria, Australia
- CHET EPPERSON, Chief, Rockford, Illinois, Police Department
- KURT HEISLER, Office of Data Analysis, Research, and Evaluation, Administration on Children, Youth, and Families, U.S. Department of Health and Human Services
- JIM HEESCHEN, National Fire Data Center, U.S. Fire Administration, Federal Emergency Management Administration, U.S. Department of Homeland Security
- Capt. TIM HEROFF, Services Division, Rochester, Minnesota, Police Department
- BRUCE KELLING, Chief Executive Officer, Athena Advanced Networks
- CONSTANCE KOSTELAC, Director, Wisconsin Bureau of Justice Information and Analysis
- TIM LINEHAN, Central Statistical Office, Ireland
- DAVE MULHOLLAND, Chief Executive Officer, Rylex Public Safety Consulting
- CHRISTOPHER NIELSEN, Program Manager, U.S. Postal Inspection Service
- JERRY O'FARRELL, Inspector in Charge, U.S. Postal Inspection Service
- KSHEMENDRA PAUL, Program Manager, Information Sharing Environment

- KEVIN STROM, Center for Justice, Safety, and Resilience, RTI International
- JENNIFER YOUNGBERG, Criminal Investigation Division, Environmental Protection Agency

In addition, panel members working in state and local law enforcement—Daniel Bibel, Nola Joyce, and Michael Miller—briefed the panel on the nature of the records management systems in current use in their departments. In this presentation and demonstration, Miller was joined by Sgt. KLAUS REINOSO of the Coral Gables, Florida, Police Department.





– C –

## Alternative and Example Classifications of Crime

### C.1 SEARCH GROUP ATTRIBUTE-BASED CRIME CLASSIFICATION, 1976

See Section 4.1.2 for discussion. This code list is adapted from the “final” code list reported in SEARCH Group, Inc. (1976:Appendix A, Figure 3).

**GENERAL DATA** *(completed for all reports)*

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>A1 Incident number</li> <li>A2 Type of report</li> <li>A3 Time</li> <li>A4 Offense agent                             <ul style="list-style-type: none"> <li>1. No identifiable victim</li> <li>2. No offense (suspicious occurrence, missing person, etc.)</li> <li>3. Other (residence, household, business, etc.)</li> <li>4. Persons</li> <li>5. Persons and other</li> <li>6. Any other combination of above</li> </ul> </li> <li>A5 Number of person victims</li> <li>A6 Number of other victims</li> <li>A7 Apparent motivation of perpetrator                             <ul style="list-style-type: none"> <li>1. Unknown</li> <li>2. Accidental</li> <li>3. Destruction of property</li> <li>4. Disagreement between parties</li> <li>5. Escape</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>6. Financial gain by confrontation</li> <li>7. Financial gain by deception</li> <li>8. Financial gain by stealth</li> <li>9. Injury of victim</li> <li>10. Self-protection</li> <li>11. Sexual gratification</li> <li>12. Traffic related</li> <li>13. Other</li> <li>A8 Perpetrator's presence                             <ul style="list-style-type: none"> <li>1. Unknown</li> <li>2. Lawful</li> <li>3. Lawful, gained by misrepresentation</li> <li>4. Lawful, suspicious circumstances</li> <li>5. Unlawful, no forced entry</li> <li>6. Unlawful, concealment</li> <li>7. Unlawful, attempted force entry</li> <li>8. Unlawful, forced entry</li> </ul> </li> <li>A9 Number of perpetrators</li> <li>A10 Location                             <ul style="list-style-type: none"> <li>1. Unknown</li> </ul> </li> </ul> |
|---|---|

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>2. Any motorized vehicle (other than interstate shipment)</li> <li>3. Coin-operated machine</li> <li>4. Government building</li> <li>5. Interstate shipment</li> <li>6. Office building</li> <li>7. Other occupied building or structure</li> <li>8. Other unoccupied building or structure</li> <li>9. Other commercial building</li> <li>10. Outbuilding (unoccupied, garage, shed, etc.)</li> <li>11. Park, playgrounds</li> <li>12. Parking lot</li> <li>13. Posted location (e.g., “No Trespassing”, “No Admitting”)</li> <li>14. Property of U.S. Postal Service</li> <li>15. Public place</li> <li>16. Public transportation vehicle</li> <li>17. Residence</li> <li>18. Retail sales establishment</li> <li>19. School</li> <li>20. Street, alley, or highway</li> <li>21. Temporary residence</li> <li>22. U.S. government reservation</li> <li>23. Yards</li> </ul> | <ul style="list-style-type: none"> <li>22. Personal services</li> <li>23. Pets (other)</li> <li>24. Property (from coin-operated device)</li> <li>25. Public property</li> <li>26. Purse and contents</li> <li>27. Telephone/telegraph service</li> <li>28. Train or roadbed</li> <li>29. Vehicle (other than above)</li> <li>30. Venerated object (monument, church, grave, flag, etc.)</li> <li>31. Wallet and contents</li> <li>32. Unknown</li> </ul>  |
|  | <ul style="list-style-type: none"> <li>B2 Type of property loss                             <ul style="list-style-type: none"> <li>1. Not applicable</li> <li>2. Damage to location</li> <li>3. Damage to property</li> <li>4. Theft of property or services</li> <li>5. Damage to location, theft of property</li> <li>6. Damage to location and property</li> <li>7. Location and property destroyed</li> </ul> </li> <li>B3 Value of property lost or damaged</li> <li>B4 Value of property recovered</li> <li>B5 Perpetrator’s actions against property                             <ul style="list-style-type: none"> <li>1. Altered</li> <li>2. Bombed</li> <li>3. Broken</li> <li>4. Burned</li> <li>5. Damaged</li> <li>6. Defaced</li> <li>7. Destroyed</li> <li>8. Disfigured</li> <li>9. Marked</li> <li>10. Maimed</li> <li>11. Misapplied</li> <li>12. Misappropriated</li> <li>13. Painted</li> <li>14. Poisoned</li> <li>15. Shot at with firearm</li> <li>16. Slaughtered animals</li> <li>17. Stripped, vehicles</li> <li>18. Taken with consent</li> <li>19. Taken by deception</li> <li>20. Taken without consent</li> <li>21. Taken after being misplaced</li> <li>22. Tampered with</li> <li>23. Threats to bomb</li> <li>24. Threats to burn</li> <li>25. Torn</li> <li>26. Wrecked (train)</li> </ul> </li> </ul> |

**PROPERTY DATA** (for all incidents involving property)

- B1 Property/services involved
  - 1. Not applicable
  - 2. Aircraft
  - 3. Automobile
  - 4. Bicycle
  - 5. Bus or truck
  - 6. Cash or negotiable instruments
  - 7. Credit cards
  - 8. Document
  - 9. Dog
  - 10. Electrical services
  - 11. Gas services (utility)
  - 12. Goods or merchandise (exposed for sale)
  - 13. Goods or merchandise (other)
  - 14. Livestock (excluding pets)
  - 15. Office equipment
  - 16. Other property
  - 17. Other services
  - 18. Mails
  - 19. Medical supplies
  - 20. Parts (motor vehicle) and accessories
  - 21. Personal property

**NON-PERSON VICTIM DATA**

- C1 Type of non-person victim

- 1. Not applicable
- 2. Commercial transportation
- 3. Financial institution
- 4. Government agency
- 5. Public utility
- 6. Residence or household
- 7. Retail business establishment (including restaurants, etc.)
- 8. Other business establishment
- C2 Type of implement used
  - 1. Not applicable
  - 2. Caustic or other chemical
  - 3. Cutting torch
  - 4. Explosive device
  - 5. Gun
  - 6. Incendiary device
  - 7. Knife or other cutting instrument
  - 8. Vehicle
  - 9. Other item used to force entry or damage
  - 10. Altered/forged document or article
  - 11. Counterfeited document
  - 12. Credit cards
  - 13. False representation (confidence game)
  - 14. False representation (other)
  - 15. Unauthorized use of valid document
  - 16. Worthless documents (i.e., bad checks)
- C3 Perpetrator actions against non-person victim
  - 1. Not applicable
  - 2. See *category B*
  - 3. Deceived
  - 4. Defrauded
  - 5. Embezzled
  - 6. Endangered due to reckless act
  - 7. Stolen, trade secrets
- PERPETRATOR DATA**
- D1 Age
- D2 Sex
- D3 Perpetrator status
  - 1. Unknown and at large
  - 2. Identified and at large
  - 3. Identified, no arrest
  - 4. Cited
  - 5. Arrested
  - 6. Deceased
  - 7. Deceased, justifiable
  - 8. Deceased, excusable
  - 9. Deceased, suicide
- D4 Special cases (i.e., aggravating conditions)
- D5 Perpetrator's actions and/or attempts (other than against victim or property)
  - 1. Aiding (suicide)
  - 2. Arguing
  - 3. Betting
  - 4. Bigamy
  - 5. Bribery
  - 6. Buying
  - 7. Carrying
  - 8. Causing (suicide)
  - 9. Coercion of public servant
  - 10. Completing (credit cards, documents)
  - 11. Concealing
  - 12. Conspiring to commit unlawful act
  - 13. Contribute to delinquency of a minor
  - 14. Copulating (mutual consent)
  - 15. Copulating (oral, mutual consent)
  - 16. Counterfeiting
  - 17. Cultivating
  - 18. Discharging (weapon)
  - 19. Disturbing the peace
  - 20. Distributing obscene material
  - 21. Displaying (weapon)
  - 22. Driving under influence
  - 23. Dueling
  - 24. Dumping
  - 25. Engaging (other sex acts, consent)
  - 26. Escaping from custody
  - 27. Exposing (genitals, anus)
  - 28. Failing to appear, i.e., to disperse
  - 29. Failing to obey lawful order
  - 30. False reports
  - 31. Furnishing to minors
  - 32. Fighting
  - 33. Growing
  - 34. Harboring fugitive
  - 35. Impersonating
  - 36. Influencing by improper means
  - 37. Interfering with lawful custody of child
  - 38. Interfering with police or fire
  - 39. Keeping (house of prostitution)
  - 40. Leasing (firearms)
  - 41. Licensing
  - 42. Loitering
  - 43. Making
  - 44. Manufacturing

- 45. Obstructing use
  - 46. Operating gambling house
  - 47. Pandering
  - 48. Peeping (through windows)
  - 49. Perjuring
  - 50. Playing, gambling
  - 51. Permitting escape
  - 52. Possessing
  - 53. Possessing for sale
  - 54. Procuring females for prostitution
  - 55. Producing
  - 56. Quarreling
  - 57. Receiving
  - 58. Resisting arrest
  - 59. Rigging contest
  - 60. Rioting, seven or more persons
  - 61. Securing
  - 62. Selling
  - 63. Smuggling
  - 64. Soliciting (prostitution, male/female)
  - 65. Tampering (evidence or government records)
  - 66. Tampering with witness
  - 67. Transporting females (other)
  - 68. Trespassing
  - 69. Using
  - 70. Uttering worthless document
  - 71. Under influence of
  - 72. Withholding official action
  - D6 Unlawful property/intoxicants [(only applicable to some offenses)]
    - 1. Alcohol
    - 2. Altered/forged/counterfeited documents/articles
    - 3. Burglary tools
    - 4. Commission of felony offense (with soliciting or conspiring only)
    - 5. Counterfeiting apparatus
    - 6. Deadly weapon (penal institution)
    - 7. Distillery or brewing apparatus
    - 8. Escape materials (penal institution)
    - 9. Governmental record
    - 10. Illegal weapons
    - 11. Leased property
    - 12. Loaded firearms
    - 13. Marijuana
    - 14. Narcotics paraphernalia
    - 15. Obscene material to/with minors
    - 16. Other controlled substances, drugs
    - 17. Other unlawful property
    - 18. Physical evidence
  - 19. Property used as security for credit or loan
  - 20. Stolen property
  - 21. Weapon
- PERSON VICTIM DATA**
- E1 Victim age (years)
  - E2 Victim sex
  - E3 Victim involvement
    - 1. Deceased
    - 2. Suicide
    - 3. Serious injury
    - 4. Minor injury
    - 5. Sexual assault without injury
    - 6. Mental anguish/fear
    - 7. Present and aware, no fear
    - 8. Present and unaware
    - 9. Not present
  - E4 Special cases (aggravating circumstances, e.g., peace officer)
  - E5 Victim/perpetrator relationship
    - 1. Relationship unknown
    - 2. Spouse
    - 3. Family
    - 4. Non-family, social companions
    - 5. Non-family, acquainted
    - 6. Non-family, not acquainted
    - 7. Same person
  - E6 Extent/type force used against person victim
    - 1. No force or deception
    - 2. Deception
    - 3. Negligence
    - 4. Threat to use force without weapon (hands, feet, etc.)
    - 5. Force without weapon (hands, feet, etc.)
    - 6. Weapon threatened, not seen by victim
    - 7. Weapon scene, no verbal threat to use
    - 8. Weapon seen and threatened
    - 9. Weapon used
  - E7 Perpetrator's actions against person victim
    - 1. Abandoned
    - 2. Abducted
    - 3. Abused
    - 4. Annoyed
    - 5. Assaulted with intent to murder
    - 6. Attacked
    - 7. Confined
    - 8. Deceived
    - 9. Denied civil rights

- |  |  |
|--|--|
| 10. Defrauded  | 20. Offended   |
| 11. Deserted   | 21. Raped (victim male or female, penetration of vagina or anus) |
| 12. Detained   | 22. Restrained   |
| 13. Disfigured   | 23. Sexual liberties   |
| 14. Drugged (administered by perpetrator)  | 24. Sexual acts (forced to perform)                              |
| 15. Endangered due to reckless act   | 25. Threatened, physical harm, victim                            |
| 16. Harassed (by obscene telephone calls or repetitious calls at unreasonable times) | 26. Threatened, physical harm, another                           |
| 17. Kidnapped  | 27. Threatened, embarrassment                                    |
| 18. Killed   | 28. Threatened, financial loss                                   |
| 19. Molested   | 29. Transported  |
|  | 30. Unsupported (non-support)                                    |

## C.2 AUSTRALIA AND NEW ZEALAND

See Section 4.1.3 for description of the development of ANZSOC.

- |  |  |
|--|--|
| <b>01 Homicide and Related Offences</b>                                | 041 Dangerous or negligent operation of a vehicle                                    |
| 011 0111 Murder  | 0411 Driving under the influence of alcohol or other substance                       |
| 012 0121 Attempted murder  | 0412 Dangerous or negligent operation (driving) of a vehicle                         |
| 013 Manslaughter and driving causing death                             | 049 Other dangerous or negligent acts endangering persons                            |
| 0131 Manslaughter  | 0491 Neglect or ill-treatment of persons under care                                  |
| 0132 Driving causing death   | 0499 Other dangerous or negligent acts endangering persons, not elsewhere classified |
| <b>02 Acts Intended to Cause Injury</b>                                | <b>05 Abduction, Harassment and Other Offences against the Person</b>                |
| 021 Assault  | 051 0511 Abduction and kidnapping  |
| 0211 Serious assault resulting in injury                               | 052 0521 Deprivation of liberty/false imprisonment                                   |
| 0212 Serious assault not resulting in injury                           | 053 Harassment and threatening behaviour   |
| 0213 Common assault  | 0531 Harassment and private nuisance   |
| 029 0299 Other acts intended to cause injury, not elsewhere classified | 0532 Threatening behaviour   |
| <b>03 Sexual Assault and Related Offences</b>                          | <b>06 Robbery, Extortion and Related Offences</b>                                    |
| 031 Sexual assault   | 061 Robbery  |
| 0311 Aggravated sexual assault   | 0611 Aggravated robbery  |
| 0312 Non-aggravated sexual assault                                     | 0612 Non-aggravated robbery  |
| 032 Non-assaultive sexual offences                                     | 062 0621 Blackmail and extortion   |
| 0321 Non-assaultive sexual offences against a child                    |  |
| 0322 Child pornography offences  |  |
| 0323 Sexual servitude offences   |  |
| 0329 Non-assaultive sexual offences, not elsewhere classified          |  |
| <b>04 Dangerous or Negligent Acts Endangering Persons</b>              |  |

**07 Unlawful Entry with Intent/Burglary, Break and Enter**

071 0711 Unlawful entry with intent/burglary, break and enter

**08 Theft and Related Offences**

081 Motor vehicle theft and related offences  
 0811 Theft of a motor vehicle  
 0812 Illegal use of a motor vehicle  
 0813 Theft of motor vehicle parts or contents

082 Theft (except motor vehicles)  
 0821 Theft from a person (excluding by force)  
 0822 Theft of intellectual property  
 0823 Theft from retail premises  
 0829 Theft (except motor vehicles), not elsewhere classified

083 0831 Receive or handle proceeds of crime

084 0841 Illegal use of property (except motor vehicles)

**09 Fraud, Deception and Related Offences**

091 0911 Obtain benefit by deception  
 092 Forgery and counterfeiting  
 0921 Counterfeiting of currency  
 0922 Forgery of documents  
 0923 Possess equipment to make false/illegal instrument

093 Deceptive business/government practices  
 0931 Fraudulent trade practices  
 0932 Misrepresentation of professional status  
 0933 Illegal non-fraudulent trade practices

099 Other fraud and deception offences  
 0991 Dishonest conversion  
 0999 Other fraud and deception offences, not elsewhere classified

**10 Illicit Drug Offences**

101 Import or export illicit drugs  
 1011 Import illicit drugs  
 1012 Export illicit drugs  
 102 Deal or traffic in illicit drugs  
 1021 Deal or traffic in illicit drugs—commercial quantity

1022 Deal or traffic in illicit drugs—non-commercial quantity

103 Manufacture or cultivate illicit drugs  
 1031 Manufacture illicit drugs  
 1032 Cultivate illicit drugs

104 Possess and/or use illicit drugs  
 1041 Possess illicit drugs  
 1042 Use illicit drugs

109 1099 Other illicit drug offences, not elsewhere classified

**11 Prohibited and Regulated Weapons and Explosives Offences**

111 Prohibited weapons/explosives offences  
 1111 Import or export prohibited weapons/explosives  
 1112 Sell, possess and/or use prohibited weapons/explosives  
 1119 Prohibited weapons/explosives offences, not elsewhere classified

112 Regulated weapons/explosives offences  
 1121 Unlawfully obtain or possess regulated weapons/explosives  
 1122 Misuse of regulated weapons/explosives  
 1123 Deal or traffic regulated weapons/explosives offences  
 1129 Regulated weapons/explosives offences, not elsewhere classified

**12 Property Damage and Environmental Pollution**

121 Property damage  
 1211 Property damage by fire or explosion  
 1212 Graffiti  
 1219 Property damage, not elsewhere classified

122 Environmental pollution  
 1221 Air pollution offences  
 1222 Water pollution offences  
 1223 Noise pollution offences  
 1224 Soil pollution offences  
 1229 Environmental pollution, not elsewhere classified

**13 Public Order Offences**





|      |   |      |  |
|------|---|------|--|
| 1621 | Sanitation offences   | 169  | Other miscellaneous offences                           |
| 1622 | Disease prevention offences                                 | 1691 | Environmental regulation offences                      |
| 1623 | Occupational health and safety offences                     | 1692 | Bribery excluding government officials                 |
| 1624 | Transport regulation offences                               | 1693 | Quarantine offences                                    |
| 1625 | Dangerous substances offences                               | 1694 | Import/export regulations                              |
| 1626 | Licit drug offences   | 1695 | Procure or commit illegal abortion                     |
| 1629 | Public health and safety offences, not elsewhere classified | 1699 | Other miscellaneous offences, not elsewhere classified |
| 163  | 1631 Commercial/industry/financial regulation               |      |  |

### C.3 VICTORIA CRIME STATISTICS AGENCY (CSA) CLASSIFICATION, 2015

See Section 4.1.3 for discussion of the Victoria CSA classification, relative to the Australian and New Zealand standard. This code list is adapted from Crime Statistics Agency, Government of Victoria (2015).

#### A: Crimes against the person

|     |  |
|-----|--|
| A10 | Homicide and related offences                                  |
| A11 | Murder   |
| A12 | Attempted murder   |
| A13 | Accessory or conspiracy to murder                              |
| A14 | Manslaughter   |
| A15 | Driving causing death  |
| A20 | Assault and related offences                                   |
| A21 | Serious assault  |
| A22 | Assault police, emergency services or other authorised officer |
| A23 | Common assault   |
| A30 | Sexual offences  |
| A31 | Rape   |
| A32 | Indecent assault   |
| A33 | Incest   |
| A34 | Sexual offences against children                               |
| A39 | Other sexual offences  |
| A40 | Abduction and related offences                                 |
| A41 | Abduction  |
| A42 | False imprisonment   |
| A43 | Slavery and sexual servitude offences                          |
| A50 | Robbery  |
| A51 | Aggravated robbery   |
| A52 | Non-Aggravated robbery   |
| A60 | Blackmail and extortion  |

|     |  |
|-----|--|
| A61 | Blackmail  |
| A62 | Extortion  |
| A70 | Stalking, harassment and threatening behaviour       |
| A71 | Stalking   |
| A72 | Harassment and private nuisance                      |
| A73 | Threatening behaviour                                |
| A80 | Dangerous and negligent acts endangering people      |
| A81 | Dangerous driving                                    |
| A82 | Neglect or ill treatment of people                   |
| A83 | Throw or discharge object endangering people         |
| A89 | Other dangerous or negligent acts endangering people |

#### B: Property and deception offences

|     |                                |
|-----|--------------------------------|
| B10 | Arson                          |
| B11 | Cause damage by fire           |
| B12 | Cause a bushfire               |
| B19 | Other fire related offences    |
| B20 | Property damage                |
| B21 | Criminal damage                |
| B22 | Graffiti                       |
| B29 | Other property damage offences |
| B30 | Burglary/Break and enter       |
| B31 | Aggravated burglary            |

- B32 Non-aggravated burglary
- B40 Theft
  - B41 Motor vehicle theft
  - B42 Steal from a motor vehicle
  - B43 Steal from a retail store
  - B44 Theft of a bicycle
  - B45 Receiving or handling stolen goods
  - B46 Fare evasion
  - B49 Other theft
- B50 Deception
  - B51 Forgery and counterfeiting
  - B52 Possess equipment to make false instrument
  - B53 Obtain benefit by deception
  - B54 State false information
  - B55 Deceptive business practices
  - B56 Professional malpractice and misrepresentation
  - B59 Other deception offences
- B60 Bribery
  - B61 Bribery of officials

**C: Drug offences**

- C10 Drug dealing and trafficking
  - C11 Drug dealing
  - C12 Drug trafficking
- C20 Cultivate or manufacture drugs
  - C21 Cultivate drugs
  - C22 Manufacture drugs
  - C23 Possess drug manufacturing equipment or precursor
- C30 Drug use and possession
  - C31 Drug use
  - C32 Drug possession
- C90 Other drug offences
  - C99 Other drug offences

**D: Public order and security offences**

- D10 Weapons and explosives offences
  - D11 Firearms offences
  - D12 Prohibited and controlled weapons offences
  - D13 Explosives offences
- D20 Disorderly and offensive conduct
  - D21 Riot and affray
  - D22 Drunk and disorderly in public
  - D23 Offensive conduct
  - D24 Disorderly conduct
  - D25 Offensive language
  - D26 Criminal intent
- D30 Public nuisance offences
  - D31 Privacy offences
  - D32 Hoaxes

- D33 Begging
- D34 Defamation and libel
- D35 Improper movement on public or private space
- D36 Other public nuisance offences
- D40 Public security offences
  - D41 Immigration offences
  - D42 Sabotage
  - D43 Hacking
  - D44 Terrorism offences
  - D49 Other public security offences

**E: Justice procedures offences**

- E10 Justice procedures
  - E11 Escape custody
  - E12 Fail to appear
  - E13 Resist or hinder officer
  - E14 Pervert the course of justice or commit perjury
  - E15 Prison regulation offences
  - E19 Other justice procedures offences
- E20 Breaches of orders
  - E21 Breach family violence order
  - E22 Breach intervention order
  - E23 Breach bail conditions
  - E29 Breach of other orders

**F: Other offences**

- F10 Regulatory driving offences
  - F11 Drink driving
  - F12 Drug driving
  - F13 Speeding offences
  - F14 Parking offences
  - F15 Licensing offences
  - F16 Registration and roadworthiness offences
  - F19 Other regulatory driving offences
- F20 Transport regulation offences
  - F21 Public transport
  - F22 Aviation regulations offences
  - F23 Maritime regulations offences
  - F24 Pedestrian offences
  - F29 Other transport regulation offences
- F30 Other government regulatory offences
  - F31 Betting and gaming offences
  - F32 Commercial regulation offences
  - F33 Liquor and tobacco licensing offences

- |     |                                      |     |                                   |
|-----|--------------------------------------|-----|-----------------------------------|
| F34 | Pornography and censorship offences  | F91 | Environmental offences            |
| F35 | Intellectual property                | F92 | Public health and safety offences |
| F36 | Prostitution offences                | F93 | Cruelty to animals                |
| F39 | Other government regulatory offences | F94 | Dangerous substance offences      |
| F90 | Miscellaneous offences               | F99 | Other miscellaneous offences      |

#### C.4 IRISH CRIME CLASSIFICATION SYSTEM, FULL AND CONDENSED, 2008

See Section 4.1.4 for discussion of the development of the Irish Crime Classification System. This code list is adapted from Central Statistics Office (2008). In the Irish classification system, standard, “full” offense codes are represented by four-digit strings, one for each hierarchical level. For tabulation and presentation, the “condensed” (and so-called ICCSc) codes comprised of two digits and one lower case letter are used. Four-digit offenses that are collapsed into a “condensed” code—include combining from other branches in the hierarchy—are rendered in italics.

##### 01 Homicide Offences

- 01a 0111 Murder
- 01b 0112 Manslaughter
- 01c 0113 Infanticide
- 01d Dangerous driving leading to death
  - 0121 *Manslaughter (traffic fatality)*
  - 0122 *Dangerous driving causing death*

##### 02 Sexual Offences

- 02a 0211 Rape of a male or female
- 02b 0212 Defilement of a boy or girl less than 17 years old
- 02c 0213 Sexual offence involving mentally impaired person
- 02d 0214 Aggravated sexual assault
- 02e 0215 Sexual assault (not aggravated)
- 02f Other sexual offences
  - 0221 *Incest*
  - 0222 *Child pornography offences*
  - 0223 *Child pornography—obstruction of warrant*
  - 0224 *Gross indecency*

##### 03 Attempts/Threats to Murder, Assaults, Harassments and Related Offences

- 03a 0311 Murder-attempt

- 03b 0312 Murder-threat
- 03c Assault causing harm, poisoning
  - 0321 *Assault causing harm*
  - 0322 *Poisoning*
- 03d Other assault
  - 0323 *Assault or obstruction of Garda/official, resisting arrest*
  - 0324 *Minor assault*
- 03e Harassment and related offences
  - 0331 *Harassment, stalking, threats*
  - 0332 *Coercion*
  - 0333 *Menacing phone calls*
  - 0334 *Incitement to hatred offences*
  - 0335 *Demanding payment of debt causing alarm*

##### 04 Dangerous or Negligent Acts

- 04a 0411 Dangerous driving causing serious bodily harm
- 04b 0412 Driving/In charge of a vehicle while over legal alcohol limit
- 04c 0413 Driving/In charge of a vehicle under the influence of drugs
- 04d 0414 Dangerous/careless driving and motorway offences
- 04e 0415 Speeding
- 04f 0421 Endangerment with potential for serious harm/death
- 04g 0422 Abandoning a child, child neglect and cruelty



11e 1141 Fireworks offences (for sale, igniting etc.)

**12 Damage to Property and to the Environment**

12a 1211 Arson  
 12b 1212 Criminal damage (not arson)  
 12c 1221 Litter offences

**13 Public Order and other Social Code Offences**

13a Disorderly conduct  
     1311 *Affray/riot/violent disorder*  
     1312 *Public order offences*  
     1313 *Drunkenness offences*  
     1314 *Air rage—disruptive or drunken behaviour on aircraft*  
 13b Trespass offences  
     1321 *Forcible entry and occupation (not burglary)*  
     1322 *Trespass on lands or enclosed areas*  
 13c Liquor licensing offences  
     1331 *Liquor licensing offences*  
     1332 *Registered clubs offences*  
     1333 *Special restaurant offences*  
 13d Prostitution offences  
     1341 *Brothel keeping*  
     1342 *Organisation of prostitution*  
     1343 *Prostitution, including soliciting etc.*  
 13e Regulated betting/money, collection/trading offences  
     1351 *Offences under the Betting Acts*  
     1352 *Collecting money without permit, unauthorised collection*  
     1353 *Offences under Gaming and Lotteries Acts*  
     1354 *Permit/License offences for casual/street trading*  
 13f Other social code offences, not elsewhere classified  
     1361 *Bestiality*  
     1362 *Indecency*  
     1363 *Allowing a child (under 16 years) to beg*  
     1364 *Bigamy*  
     1365 *Begging*

**14 Road and Traffic Offences, not elsewhere classified**

14a Driving licence/insurance offences

1411 *Driving licence—failure to have, produce, etc.*  
 1412 *Insurance—failure to have, produce, display, etc.*

14b Vehicle tax/registration offences  
     1421 *No tax, non-display of tax, unregistered vehicle etc.*  
     1422 *Misuse of Trade Licence*  
 14c Roadworthiness/regulatory offences  
     1431 *Misuse of trailers, weight and other offences*  
     1432 *Obstruction under Road Traffic Acts*  
     1433 *Other road offences*  
 14d Road transport/public service vehicle offences  
     1441 *Road Transport—carriage of goods offences*  
     1442 *Public Service Vehicle offences*  
     1443 *Light rail offences (Luas)*

**15 Offences against Government, Justice Procedures and Organisation of Crime**

15a Offences against government and its agents  
     1511 *Treason*  
     1512 *Breaches of Offences against the State Acts*  
     1513 *Breaches of Official Secrets Act*  
     1514 *Impersonating member of An Garda Síochána*  
     1515 *Electoral offences including personation*  
     1516 *Public mischief—annoying phone calls and wasting police time*  
     1517 *Criminal Assets Bureau offences*  
     1518 *Non compliance with Garda direction*  
 15b Organisation of crime and conspiracy to commit crime  
     1521 *Criminal organisation offences (organised crime)*  
     1522 *Conspiracy to commit a crime*  
 15c Perverting the course of justice  
     1531 *Perjury*  
     1532 *Interfering with a jury (embracery)*  
     1533 *Assisting offenders*

|   |   |      |  |
|---|---|------|--|
| 1534  | <i>Public mischief, pervert course of justice, conceal offence</i>          | 1621 | <i>Breaches of EU fishing quota and related EU regulation</i>        |
| 15d   | Offences while in custody, breach of court orders                           | 1622 | <i>Merchant shipping/maritime safety offences</i>                    |
| 1541  | <i>Escape or help to escape from custody</i>                                | 16c  | Use of data, electronic counterfeit, and broadcasting offences       |
| 1542  | <i>Prison offences</i>  | 1631 | <i>Unauthorised accessing of data</i>                                |
| 1551  | <i>Breach of Domestic Violence Order (protection, safety, barring)</i>      | 1632 | <i>Recording, possession or distribution of counterfeit material</i> |
| 1552  | <i>Breach of bail</i>   | 1633 | <i>Unauthorised broadcasting and illegal signal reception</i>        |
| 1553  | <i>Failure to comply under Sex Offenders Act</i>                            | 16d  | Miscellaneous offences   |
| 1554  | <i>Breach of Order under Family Law Act</i>                                 | 1641 | <i>Abortion</i>  |
| 1555  | <i>Other failure to comply with court order, jury summons, warrant etc.</i> | 1642 | <i>Procuring or assisting in abortion</i>                            |
|   |   | 1643 | <i>Concealment of birth</i>  |
|   |   | 1644 | <i>Destroying/disposing of a dead body</i>                           |
|   |   | 1645 | <i>Pawnbroking offences</i>  |
| <b>16 Offences Not Elsewhere Classified</b> |   | 1646 | <i>Offences in connection with rail travel</i>                       |
| 16a   | Importation/control/welfare of animals offences                             | 1647 | <i>Employment permit offences (relating to non-Irish national)</i>   |
| 1611  | <i>Illegal importation of animals</i>                                       | 1648 | <i>Immigration offences/carrier liability</i>                        |
| 1612  | <i>Control of horses offences</i>   |      |  |
| 1613  | <i>Dog ownership offences (licence, control, etc.)</i>                      |      |  |
| 1614  | <i>Offences against animals</i>   |      |  |
| 16b   | Fisheries/maritime offences   |      |  |

### C.5 INTERNATIONAL CLASSIFICATION OF CRIME FOR STATISTICAL PURPOSES

See Section 4.1.5 for discussion of the development of the International Classification of Crime for Statistical Purposes, maintained by the United Nations Office on Drugs and Crime. This code list is adapted from United Nations Office on Drugs and Crime (2015).

|   |                                   |  |   |
|---|-----------------------------------|--|---|
| <b>01 Acts leading to death or intending to cause death</b> | 01049                             | Other acts of assisting or instigating suicide                       |   |
| 0101  | Intentional homicide              | 0105   | Euthanasia  |
| 0102  | Attempted intentional homicide    | 0106   | Illegal feticide  |
| 0103  | Non-intentional homicide          | 0107   | Unlawful killing associated with armed conflict         |
| 01031   | Non-negligent manslaughter        | 0109   | Other acts leading to death or intending to cause death |
| 01032   | Negligent manslaughter            |  |   |
| 010321  | <i>Vehicular homicide; 010322</i> |  |   |
|   | <i>Non-vehicular homicide</i>     | <b>02 Acts causing harm or intending to cause harm to the person</b> |   |
| 0104  | Assisting or instigating suicide  | 0201   | Assaults and threats                                    |
| 01041   | Assisting suicide                 | 02011  | Assault   |

|       |  |       |  |
|-------|--|-------|--|
|       | 020111 Serious assault;<br>020112 Minor assault  |       | Negligence in situations of<br>other dependent persons<br>under care; 020619   |
| 02012 | Threat<br>020121 Serious threat;<br>020122 Minor threat  |       | Other negligence in<br>situations of persons<br>under care   |
| 02019 | Other assaults or threats  |       |  |
| 0202  | Acts against liberty   | 02062 | Professional negligence  |
| 02021 | Abduction of a minor<br>020211 Parental<br>abduction; 020212<br>Abduction by another<br>family member; 020213<br>Abduction by a legal<br>guardian; 020219 Other<br>abduction of a minor                        | 02063 | Negligence related to<br>driving a vehicle   |
| 02022 | Deprivation of liberty<br>020221 Kidnapping;<br>020222 Illegal restraint;<br>020223 Hijacking;<br>020229 Other deprivation<br>of liberty   | 02069 | Other acts of negligence   |
| 02029 | Other acts against liberty<br>020291 Illegal adoption;<br>020292 Forced marriage;<br>020299 Other acts<br>against liberty  | 0207  | Dangerous acts   |
|       |  | 02071 | Acts that endanger health  |
|       |  | 02072 | Operating a vehicle under<br>the influence of<br>psychoactive substances<br>020721 Operating a<br>vehicle under the<br>influence of alcohol;<br>020722 Operating a<br>vehicle under the<br>influence of illicit drugs;<br>020729 Operating a<br>vehicle under the<br>influence of other<br>psychoactive substances |
| 0203  | Slavery and exploitation   | 02079 | Other dangerous acts   |
| 02031 | Slavery  | 0208  | Acts intended to induce fear or<br>emotional distress  |
| 02032 | Forced labour<br>020321 Forced labour for<br>domestic services;<br>020322 Forced labour for<br>industrial services;<br>020323 Forced labour for<br>the State or armed forces;<br>020329 Other forced<br>labour | 02081 | Harassment<br>020811 Harassment in<br>the workplace; 020819<br>Other harassment  |
| 02039 | Other acts of slavery and<br>exploitation  | 02082 | Stalking   |
| 0204  | Trafficking in persons (TIP)   | 02089 | Other acts intended to<br>induce fear or emotional<br>distress   |
| 02041 | TIP for sexual exploitation  | 0209  | Defamation or insult   |
| 02042 | TIP for forced labour or<br>services   | 02091 | Defamation or insult due<br>to the victim's<br>characteristics or ascribed<br>attributes   |
| 02043 | TIP for organ removal  | 02092 | Defamation or insult due<br>to the victim's ascribed<br>beliefs or values  |
| 02049 | TIP for other purposes   | 02099 | Other defamation or insult   |
| 0205  | Coercion   | 0210  | Discrimination   |
| 02051 | Extortion or blackmail   | 02101 | Personal discrimination  |
| 02059 | Other acts of coercion   | 02102 | Group discrimination   |
| 0206  | Negligence   | 02109 | Other discrimination   |
| 02061 | Negligence in situations of<br>persons under care<br>020611 Negligence in<br>situations of children<br>under care; 020612  | 0211  | Acts that trespass against the<br>person   |
|       |  | 02111 | Invasion of privacy  |
|       |  | 02119 | Other acts that trespass<br>against the person   |

- 0219 Other acts causing harm or intending to cause harm to the person
- 03 Injurious acts of a sexual nature**
- 0301 Sexual violence
- 03011 Rape  
030111 Rape with force;  
030112 Rape without force; 030113 Statutory rape; 030119 Other rape
- 03012 Sexual assault  
030121 Physical sexual assault; 030122 Non-physical sexual assault; 030129 Other sexual assault not elsewhere classified
- 03019 Other acts of sexual violence
- 0302 Sexual exploitation
- 03021 Sexual exploitation of adults
- 03022 Sexual exploitation of children  
030221 Child pornography; 030222 Child prostitution; 030223 Sexual grooming of children; 030229 Other sexual exploitation of children
- 03029 Other acts of sexual exploitation
- 0309 Other injurious acts of a sexual nature
- 04 Acts against property involving violence or threat against a person**
- 0401 Robbery
- 04011 Robbery from the person  
040111 Robbery from the person in a public location; 040112 Robbery from the person in a private location; 040119 Other robbery from the person
- 04012 Robbery of valuables or goods in transit  
040121 Robbery of a car or vehicle; 040129 Other robbery of valuables or goods in transit
- 04013 Robbery of an establishment or institution  
040131 Robbery of a financial institution; 040132 Robbery of a non-financial institution
- 04014 Robbery of livestock
- 04019 Other acts of robbery
- 0409 Other acts against property involving violence or threat against a person
- 05 Acts against property only**
- 0501 Burglary
- 05011 Burglary of business premises
- 05012 Burglary of private residential premises  
050121 Burglary of permanent private residences; 050122 Burglary of non-permanent private residences
- 05013 Burglary of public premises
- 05019 Other acts of burglary
- 0502 Theft
- 05021 Theft of a motorized vehicle or parts thereof  
050211 Theft of a motorized land vehicle; 050212 Illegal use of a motorized land vehicle; 050213 Theft of parts of a motorized land vehicle; 050219 Other theft of a motorized vehicle or parts thereof
- 05022 Theft of personal property  
050221 Theft of personal property from a person; 050222 Theft of personal property from a vehicle; 050229 Other theft of personal property
- 05023 Theft of business property  
050231 Theft from a shop; 050239 Other theft of business property
- 05024 Theft of public property
- 05025 Theft of livestock
- 05026 Theft of services



- 0503 05029 Other acts of theft
- 0504 Intellectual property offences
- 05041 Property damage
- 05042 05041 Damage of public property
- 05043 05042 Damage of personal property
- 05049 05043 Damage of business property
- 0509 05049 Other damage of property
- 0509 Other acts against property only
  
- 06 Acts involving controlled drugs or other psychoactive substances**
- 0601 Unlawful acts involving controlled drugs or precursors
- 06011 06011 Unlawful possession, purchase, use, cultivation or production of controlled drugs for personal consumption
- 060111 060111 *Unlawful possession, purchase or use of controlled drugs for personal consumption;*
- 060112 060112 *Unlawful cultivation or production of controlled drugs for personal consumption*
- 06012 Unlawful trafficking, cultivation or production of controlled drugs or precursors not for personal consumption
- 060121 060121 *Unlawful trafficking of controlled drugs not for personal consumption;*
- 060122 060122 *Unlawful manufacture of controlled drugs not for personal consumption;*
- 060123 060123 *Unlawful cultivation of controlled drugs not for personal consumption;*
- 060124 060124 *Unlawful diversion of precursors not for personal consumption;*
- 060129 060129 *Other unlawful trafficking, cultivation or production of controlled drugs or precursors not for personal consumption*
- 06019 06019 Other unlawful acts involving controlled drugs or precursors
- 0602 Unlawful acts involving alcohol, tobacco or other controlled substances
- 06021 06021 Unlawful production, handling, possession or use of alcohol products
- 060211 060211 *Unlawful production, possession or use of alcohol products;*
- 060212 060212 *Unlawful production, trafficking or distribution of alcohol products;*
- 060219 060219 *Other unlawful production, handling, possession or use of alcohol products*
- 06022 06022 Unlawful production, handling, possession or use of tobacco products
- 060221 060221 *Unlawful possession or use of tobacco products;*
- 060222 060222 *Unlawful production, trafficking or distribution of tobacco products;*
- 060229 060229 *Other unlawful production, handling, possession or use of tobacco products*
- 06029 06029 Other unlawful acts involving alcohol, tobacco or other controlled substances
- 0609 0609 Other acts involving controlled drugs or other psychoactive substances
  
- 07 Acts involving fraud, deception or corruption**
- 0701 Fraud
- 07011 07011 Financial fraud
- 070111 070111 *Financial fraud against the State;*
- 070112 070112 *Financial fraud against natural or legal persons*
- 07019 07019 Other acts of fraud
- 0702 Forgery/counterfeiting
- 07021 07021 Counterfeiting means of payment



|   |  |  |  |
|---|--|--|--|
| <b>09 Acts against public safety and state security</b> |  | 0904   | Acts against state security  |
| 0901  | Acts involving weapons, explosives and other destructive materials   | 0905   | Acts related to an organized criminal group  |
| 09011   | Possession or use of weapons and explosives  | 09051  | Participation in an organized criminal group   |
|   | <i>090111 Unlawful possession or use of firearms; 090112 Unlawful possession or use of other weapons or explosives; 090113 Unlawful possession or use of chemical, biological or radioactive materials; 090119 Other acts related to possession or use of weapons and explosives</i> | 09059  | Other acts related to an organized criminal group  |
| 09012   | Trafficking of weapons and explosives  | 0906   | Terrorism  |
|   | <i>090121 Trafficking of firearms; 090122 Trafficking of other weapons or explosives; 090123 Trafficking of chemical, biological or radioactive materials; 090129 Other acts related to trafficking of weapons and explosives</i>  | 09061  | Participation in a terrorist group   |
| 09019   | Other acts relating to weapons and explosives  | 09062  | Financing of terrorism   |
| 0902  | Acts against health and safety   | 09069  | Other acts related to the activities of a terrorist group  |
| 09021   | Acts against health and safety at work   | 0907   | Non-injurious traffic violations   |
| 09029   | Other acts against health and safety   | 0909   | Other acts against public safety and state security  |
| 0903  | Acts against computer systems  | <b>10 Acts against the natural environment</b> |  |
| 09031   | Unlawful access to a computer system   | 1001   | Acts that cause environmental pollution or degradation   |
| 09032   | Unlawful interference with a computer system or computer data  | 10011  | Acts that cause the pollution or degradation of air  |
|   | <i>090321 Unlawful interference with a computer system; 090322 Unlawful interference with computer data</i>  | 10012  | Acts that cause the pollution or degradation of water  |
| 09033   | Unlawful interception or access of computer data   | 10013  | Acts that cause the pollution or degradation of soil   |
| 09039   | Other acts against computer systems  | 10019  | Other acts that cause environmental pollution or degradation                                       |
|   |  | 1002   | Acts involving the movement or dumping of waste  |
|   |  | 10021  | Acts involving the movement or dumping of waste within national borders                            |
|   |  | 10022  | Acts involving the movement or dumping of waste across national borders                            |
|   |  | 1003   | Trade or possession of protected or prohibited species of fauna and flora                          |
|   |  | 10031  | Trade or possession of protected species of wild fauna and flora                                   |
|   |  |  | <i>100311 Trade or possession of protected species within national borders; 100312 Trafficking</i> |

|       |   |       |  |
|-------|---|-------|--|
|       | <i>of protected species across national borders</i>                             |       |  |
| 10032 | Trade or possession of prohibited or controlled species of animals              |       |  |
| 10039 | Other trade or possession of protected or prohibited species of fauna and flora |       |  |
| 1004  | Acts that result in the depletion or degradation of natural resources           |       |  |
| 10041 | Illegal logging   |       |  |
| 10042 | Illegal hunting, fishing or gathering of wild fauna and flora                   |       |  |
| 10043 | Illegal mining  |       |  |
| 10049 | Other acts that result in the depletion or degradation of natural resources     |       |  |
| 1009  | Other acts against the natural environment                                      |       |  |
| 10091 | Acts against animals  |       |  |
| 10099 | Other acts against the natural environment                                      |       |  |
|       | <b>11 Other criminal acts not elsewhere classified</b>                          |       |  |
| 1101  | Acts under universal jurisdiction   |       |  |
| 11011 | Torture   |       |  |
| 11012 | Piracy  |       |  |
| 11013 | War crimes  |       |  |
|       |   |       | <i>110131 Unlawfully killing, causing or intending to cause death or serious injury associated with armed conflict; 110132 Unlawful destruction or damage to property associated with armed conflict; 110133 Sexual violence associated with armed conflict; 110134 Acts against liberty or human dignity associated with armed conflict; 110135 Conscripting or enlisting child soldiers; 110139 Other war crimes</i> |
|       |   | 11014 | Genocide   |
|       |   | 11015 | Crimes against humanity  |
|       |   | 11016 | Crime of aggression  |
|       |   | 11019 | Other acts under universal jurisdiction  |
| 1102  | Acts contrary to youth regulations and acts on minors                           |       |  |
| 11021 | Status offences   |       |  |
| 11029 | Other acts contrary to youth regulations and acts on minors                     |       |  |
| 1109  | Other criminal acts not elsewhere classified                                    |       |  |



– *D* –

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**Detailed Definitions and  
Exclusions, Panel’s Proposed  
Classification of Crime**

**Table D.1** Suggested Classification of Crime for Statistical Purposes, With Definitions and Inclusions

| Code | Offense, Definition, and Inclusions/Exclusions  |
|------|---|
| 1    | <b>ACTS LEADING TO DEATH OR INTENDING TO CAUSE DEATH</b>  |
| 1.1  | <p data-bbox="519 1155 544 1522">Murder and intentional homicide</p> <p data-bbox="552 430 609 1522">Unlawful death inflicted upon a person with the intent to cause death or serious bodily injury,<sup>1</sup> or resulting from assault committed with reckless indifference to life<sup>2</sup></p> <ul data-bbox="617 430 803 1522" style="list-style-type: none"> <li data-bbox="617 430 673 1522">• <i>Terminology/Scope:</i> Includes bias-motivated or status-motivated homicide, including specifically named variants such as femicide or infanticide, through reference to tags/attributes</li> <li data-bbox="682 430 803 1522">• <i>Include:</i> Murder;<sup>3</sup> voluntary manslaughter;<sup>4</sup> serious assault leading to death; death as a result of terrorist activities; honor killing;<sup>5</sup> felony murder or criminal homicide;<sup>6</sup> killing caused by excessive use of force by law enforcement or state officials and not determined to be justifiable homicide; extrajudicial killing</li> </ul> |

<sup>1</sup> *Serious bodily injury* includes but is not limited to: wounds by gunshot/bullet, stabbing/knife, or blunt force trauma; broken bones, severely damaged or severed limbs; dislodged teeth; internal injuries; being knocked unconscious; and other severe or critical injuries. Correspondingly, *serious physical force* is force sufficient to inflict such serious bodily injury, *serious assault* is assault that results in serious bodily injury, and so forth.

<sup>2</sup> *Reckless indifference to life* is evidenced through committing an act with the knowledge that it is probable that death or serious injury would occur.

<sup>3</sup> *Murder* includes such intentional deaths committed with premeditation and/or with malice aforethought.

<sup>4</sup> *Voluntary manslaughter* is unlawful death inflicted upon a person with the intent to cause death or serious injury but under circumstances of diminished legal responsibility; hence, it includes deaths that would constitute murder save that they occur as a result of a sudden heat of passion caused by some legally recognized provocation.

<sup>5</sup> *Honor crime/violence* is violence against a person by one or more of their relatives (or other closely associated persons), under the pretense of avenging a perceived dishonor or shame brought upon the family (or religious/cultural group) or of restoring such honor. Commonly—but not exclusively—the perceived transgression is sexual in nature (e.g., adultery or pregnancy outside marriage).

<sup>6</sup> *Felony murder*, or *criminal homicide* in some statutes, is the killing of another person during the commission or attempted commission of another serious crime, or during immediate flight from such crime or attempt; it includes the deaths of occupants, firefighters, or public safety officers resulting from arson or intentional explosion.

**Table D.1** (continued)

|       |   |
|-------|---|
|       | <ul style="list-style-type: none"> <li>• <i>Exclude</i>: Justifiable homicide, including deaths inflicted under self-defense regulations; death due to legal interventions<sup>7</sup></li> </ul>   |
| 1.2   | <p>Nonintentional homicide</p> <p>Unlawful death unintentionally inflicted on a person by another person, without malice aforethought</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope</i>: Includes culpable homicide, where that term is used in lieu of manslaughter</li> </ul>   |
| 1.2.1 | <p>Nonnegligent<sup>8</sup> manslaughter</p> <p>Unlawful death inflicted upon a person where there is generally intent to cause harm but no intent to cause death or serious injury</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope</i>: Also known as involuntary manslaughter</li> <li>• <i>Include</i>: Bodily injury leading to death where no serious harm was intended; allowing death, or failure to offer aid leading to death, where there exists a legal duty to provide aid</li> </ul> |
| 1.2.2 | <p>Negligent manslaughter</p> <p>Unintended death as a result of a negligent, reckless,<sup>9</sup> or involuntary act that is not directed against the victim</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope</i>: Sometimes referred to as criminally negligent or gross negligent manslaughter</li> </ul>  |

<sup>7</sup> *Death due to legal interventions* is death inflicted through the lawful use of force by law enforcement agents (including the police, correctional authorities, and military on duty) in the course of arresting or attempting to arrest lawbreakers, suppressing disturbances, maintaining order, and other legal action when the use of force is necessary to protect life.

<sup>8</sup> *Negligence* is, under a particular set of circumstances involving care toward others, either the failure to take the action that a reasonable or prudent person would do or the taking of an action that such a reasonable person would not do.

<sup>9</sup> A *reckless* act is one taken without thinking or caring about the consequences of the act.



**Table D.1** (continued)

|         |   |
|---------|---|
| 1.2.2.1 | <p>Vehicular manslaughter</p> <p>Unintended death as a result of a negligent, reckless, or involuntary act that is not directed against the victim while operating a vehicle<sup>10</sup></p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Includes vehicular homicide, in jurisdictions where that term does not require intent to cause death or serious injury</li> <li>• <i>Include:</i> Causing death by dangerous driving; causing death by driving under the influence of drugs or alcohol; failure to stop and render aid after vehicular accident causing death (i.e., hit-and-run)</li> </ul> |
| 1.2.2.2 | <p>Nonvehicular manslaughter</p> <p>Unintended death as a result of a negligent or involuntary act that neither involves the operation of a vehicle as the cause of death nor action directed against the victim</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Corporate manslaughter; professional negligence leading to death</li> </ul>   |
| 1.3     | <p>Assisting or instigating suicide</p> <p>Unlawful acts intentionally facilitating suicide of a person</p>   |
| 1.3.1   | <p>Unlawful<sup>11</sup> assisted suicide</p> <p>Unlawful facilitation of the intentional death of a person who wishes to die by providing the knowledge or means (or both) to accomplish the death or by assisting the death, but under circumstances in which the actual death is self-inflicted by the dying person</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Physician-assisted suicide; assisted suicide</li> </ul>   |
| 1.3.2   | <p>Other acts leading to death by suicide</p>   |

<sup>10</sup> A *vehicle* is any device or structure used to transport or convey persons or things; it can include a car, motorcycle, truck, bus, train, boat, aircraft, bicycle, tractor, construction equipment, etc.

<sup>11</sup> In most cases in this classification, we omit the term “unlawful” in the *name* of the offense, though we commonly use it in these detailed definitions in order to explicitly acknowledge that the underlying behavior may not be deemed criminal in all states and jurisdictions. However, we think it appropriate to include “unlawful” in the title of those offenses involving death but that vary by statute and legal authority.

**Table D.1** (continued)

|   |  |
|---|--|
| <p>Acts leading to suicide not described above</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Instigating suicide through persuasion or other means</li> </ul>  |  |
| <p>1.4 Unlawful euthanasia</p> <p>Unlawful death inflicted on a person by another person (with or without consent of the dying person) with the intent of painlessly putting to death, thereby either relieving intractable suffering or preempting death by natural causes (as in cases of terminal illness or irreversible coma)</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Euthanasia is generally construed as unlawful in the United States, even though not explicitly designated such in federal or state criminal/penal code. This is particularly true of <i>active euthanasia</i>, in which a physician or other person administers some agent or takes some other action to directly cause death, relative to <i>passive euthanasia</i> (the withholding of some agent or action that would sustain life). “Right to die”/dignified death legislation (which may also touch on physician-assisted suicide as well) is an active concern in several states, though typically affecting provisions in state health/welfare, business, or probate code rather than criminal/penal code.</li> <li>• <i>Include:</i> Mercy killing; involuntary or nonvoluntary euthanasia</li> </ul> |  |
| <p>1.5 Unlawful feticide</p> <p>Unlawful death of a fetus intentionally procured or conducted by a person</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Abortion offenses (conduct or procurement) as defined by federal or state law, such as the federal prohibition of partial-birth abortion (18 USC § 1531); concealment of birth by secretly disposing the body; intentional miscarriages and still births; forced abortion<sup>12</sup></li> </ul>  |  |

<sup>12</sup> *Forced abortion* is performing an abortion on a woman without her prior and informed consent; performing surgery which has the purpose or effect of terminating a woman’s capacity to naturally reproduce without her prior and informed consent or understanding of procedure

**Table D.1.1** (continued)

|          |   |
|----------|---|
| 1.6      | <p>Unlawful killing associated with armed conflict</p> <p>Unlawful killing in a situation of armed conflict not amounting to a war crime</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Killing by combatants that is considered as a criminal offense in national legislation (and is prosecuted as such) but does not amount to a war crime</li> </ul>  |
| 1.7      | <p>Other unlawful acts leading to death</p> <p>Acts leading to the death of a person by another person that are not described in the previous categories</p>  |
| <b>2</b> | <b>ACTS CAUSING HARM OR INTENDING TO CAUSE HARM TO THE PERSON</b>   |
| 2.1      | <p>Assault</p> <p>Intentional or reckless application of physical force inflicted upon the body of a person</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Covers domestic/intimate partner assault and other bias- or status-motivated assault through reference to attributes/tags</li> </ul>   |
| 2.1.1    | <p>Serious assault involving shooting or discharge of a firearm</p> <p>Intentional or reckless wounding of a person by gunshot, resulting in serious bodily injury</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Inflicting grievous bodily harm by gunshot; wounding by gunshot</li> </ul>  |
| 2.1.2    | <p>Serious assault by means other than discharge of a firearm</p> <p>Intentional or reckless application of serious physical force (but not the discharge of a firearm) inflicted upon the body of a person, resulting in serious bodily injury</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Inflicting grievous bodily harm by means other than discharge of a firearm; inflicting serious bodily harm by use of a firearm without its being fired (i.e., serious pistol-whipping); serious wounding or battery; acid attacks; female genital mutilation; poisoning; forced sterilization</li> </ul> |

**Table D.1** (continued)

|       |  |
|-------|--|
| 2.1.3 | <p>Minor assault<sup>13</sup></p> <p>Intentional or reckless application of minor physical force inflicted upon the body of a person resulting in no injury or minor bodily injury</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Inflicting minor bodily harm; inflicting minor bodily harm by use of a firearm without its being fired; simple assault; pushing, shoving, slapping, kicking, or hitting; drugging or spiking, not amounting to poisoning</li> </ul>          |
| 2.2   | <p>Threat</p> <p>Any type of intentional behavior against a person, not part of the attempt or completion of some other defined crime, that causes fear of injury or harm, if it is believed that the injury or harm could be enacted</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Covers threatening behavior up to but not including the infliction of physical injury. Covers bias- or status-motivated threats through reference to attributes/tags</li> </ul> |
| 2.2.1 | <p>Serious threat through shooting or discharge of a firearm</p> <p>Unlawful threat involving the discharge of a firearm, signaling the intent to cause death, serious physical harm, or severe emotional distress</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful firing in the general direction of a person, to frighten or intimidate; unlawful firing at a private residence or other building with the intent of causing fear in the inhabitants</li> </ul>      |

<sup>13</sup> *Minor bodily injury* includes, but is not limited to: bruises, scratches, swelling, and blackened eyes; cutting wounds that require only minor medical treatment; chipped teeth; and other such injuries. Accordingly, *minor physical force* is force sufficient to inflict such minor bodily injury (but not exceeding that level), *minor assault* is assault that results in (at most) minor bodily injury, and so forth.

**Table D.1** (continued)

|       |  |
|-------|--|
| 2.2.2 | <p>Serious threat through the display or pointing of a firearm</p> <p>Unlawful threat involving the deliberate pointing or aiming of a firearm at another person, signaling intent to cause death, serious physical harm, or severe emotional distress, but without the discharge of the firearm</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful brandishing of a firearm; menacing with a firearm<sup>14</sup></li> </ul> |
| 2.2.3 | <p>Serious threat by means other than firearm</p> <p>Unlawful threat signaling intent to cause death or serious harm not involving the use or display of a firearm</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Threatening death or serious injury, through general or unspecified means; threatening the death or serious injury of a family member, friend, or another person; menacing without a firearm</li> </ul>          |
| 2.2.4 | <p>Minor threat</p> <p>Threat with the intention to cause minor harm</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Threatening minor injury; threatening minor harm to a family member, friend or another person</li> </ul>   |
| 2.2.5 | <p>Other acts causing or threatening injury or harm</p> <p>Acts causing harm or threat to cause harm not described in earlier categories</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Aiming a laser pointer at an aircraft or a law enforcement officer</li> </ul>  |
| 2.3   | <p>Acts against liberty<sup>15</sup></p>   |

<sup>14</sup> *Menacing* is putting another person in fear of serious bodily injury through the display of a deadly weapon (or any instrument used or positioned such that the victim has reason to believe that it is a deadly weapon) or through overtly communicating that one is armed with a deadly weapon; see, e.g., Colorado Revised Statutes (2014) § 18-3-206.

<sup>15</sup> Individual or personal *liberty* is the freedom to do or move as one pleases, limited only by applicable laws and regulations. Liberty is more formally defined by the United Nations' Universal Declaration of Human Rights as freedom in the public sphere and freedom from captivity, oppression, or despotic rule.

**Table D.1** (continued)

| Deprivation or limitation of the movement or liberty of a person |   |
|--|---|
| 2.3.1  | Abduction of a minor <sup>16</sup><br>Act of taking away, concealing, or detaining a minor from his or her legal guardian or custodial parent, not amounting to kidnapping (i.e., not to demand a ransom or reward in return for liberation)<br><ul style="list-style-type: none"> <li>• <i>Terminology/Scope</i>: Covers interference with custody of children where that term is used to describe parental abduction</li> </ul> |
| 2.3.1.1  | Parental abduction<br>Abduction of a minor by a parent who does not have exclusive custody<br><ul style="list-style-type: none"> <li>• <i>Include</i>: International parental abduction; domestic parental abduction</li> </ul>   |
| 2.3.1.2  | Abduction by a family member<br>Abduction of a minor by another family member who does not have exclusive custody   |
| 2.3.1.3  | Abduction by a legal guardian<br>Abduction of a minor by a legal guardian who is not a family member and does not have exclusive custody  |
| 2.3.1.4  | Abduction by another person<br>Abduction of a minor by a person not described in previous categories<br><ul style="list-style-type: none"> <li>• <i>Include</i>: Abduction of a minor by a stranger, not amounting to kidnapping</li> </ul>   |
| 2.3.2  | Kidnapping for ransom<br>Unlawful detainment and taking away of a person or persons against their will (including through the use of force, threat, fraud, or enticement) for the purpose of demanding for their liberation an illicit gain, any other economic gain or other material benefit, or in order to oblige someone to do or not to do something  |

<sup>16</sup>We do not propose a fixed standard as to what age constitutes being a *minor* or juvenile relative to being an adult, and instead defer to the statute at work in individual jurisdictions.

**Table D.1** (continued)

|       |   |
|-------|---|
|       | <ul style="list-style-type: none"> <li>• <i>Include:</i> Kidnapping; express kidnapping</li> </ul>  |
| 2.3.3 | <p>Illegal restraint</p> <p>Unlawful detainment of a person or persons against their will (including through the use of force, threat, fraud, or enticement)</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful caging (or other constraint) of a child; hostage taking; false imprisonment; unlawful deprivation of liberty; unlawful detainment</li> </ul> |
| 2.3.4 | <p>Hijacking</p> <p>Unlawful seizure of a vehicle, together with its operator or occupants, through the use of force or threat of force</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Hijacking of aircraft, car, bus, ship, or other motor vehicle</li> </ul>   |
| 2.3.5 | <p>Illegal adoption</p> <p>Unlawful adoption of a child, or the unlawful arrangement, facilitation, or control of a child for the purposes of adoption</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Adoption fraud; illegal adoption</li> </ul>   |
| 2.3.6 | <p>Forced marriage</p> <p>Marriage without valid consent or with consent as a result of intimidation, force, fraud, coercion, threat, or deception, or through the use of drugs or alcohol, or the abuse of either power or a position of vulnerability</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Forced marriage; early marriage</li> </ul>                 |
| 2.3.7 | <p>Other deprivation of liberty or acts against liberty</p> <p>Other deprivation of liberty or acts against liberty not described in preceding categories</p>   |
| 2.4   | <p>Slavery and exploitation</p>   |

**Table D.1** (continued)

|         |  |
|---------|--|
|         | Deprivation or limitation of the movement of a person for the purposes of exploitation for financial or other gain   |
| 2.4.1   | <p>Slavery and involuntary servitude</p> <p>The assertion and exercise of any or all of the powers attaching to the right of ownership over another person, and the reduction of another person to such subservient status or condition</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> This refers to the actual placement of another person in a position where ownership is asserted; the enabling actions (transportation, recruitment, sale, etc.) of slavery and exploitation constitute trafficking in persons (2.5). Other offenses committed during the period of “ownership,” such as assault and sexual abuse, should be rendered separately.</li> <li>• <i>Include:</i> Slavery; involuntary servitude; debt bondage; peonage; bonded labor or servitude</li> </ul> |
| 2.4.2   | <p>Forced labor</p> <p>Unlawful work or service which is exacted from any person under the menace of any penalty and for which the person has not offered himself or herself voluntarily</p>   |
| 2.4.2.1 | <p>Forced labor for domestic services</p> <p>Forced labor to provide services for third-party private households</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Forced domestic labor; domestic labor exploitation</li> </ul>  |
| 2.4.2.2 | <p>Forced labor for industry services</p> <p>Forced labor to provide services for industry</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Forced labor in agriculture, constructing, manufacturing, or entertainment; forced labor in sweatshops, fisheries, farms, or the like</li> </ul>   |
| 2.4.2.3 | <p>Other forced labor</p> <p>Forced labor not described in preceding categories</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Forced begging; forced labor for government or armed forces, as in unlawful labor in labor camps</li> </ul>   |



**Table D.1** (continued)

|       |   |
|-------|---|
| 2.4.3 | Other acts of slavery and exploitation<br>Slavery and exploitation not described in preceding categories  |
| 2.5   | Trafficking in persons<br>Recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of slavery or exploitation<br><ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Synonymous with human trafficking</li> </ul> |
| 2.5.1 | Trafficking in persons for sexual exploitation<br>Trafficking in persons for the purposes of sexual exploitation<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Trafficking in persons for sexual exploitation, including commercial sexual exploitation; trafficking in persons for the exploitation of the prostitution of others</li> </ul>   |
| 2.5.2 | Trafficking in persons for forced labor or services<br>Trafficking in persons for the purposes of forced labor or services<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Trafficking in persons for forced labor; trafficking in persons for slavery, indentured servitude, peonage, or similar practices; trafficking in persons for domestic work</li> </ul>  |
| 2.5.3 | Trafficking in persons for organ removal<br>Trafficking in persons for the purposes of human organ removal  |
| 2.5.4 | Trafficking in persons for other purposes<br>Trafficking in persons for other purposes of exploitation not previously described<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Trafficking in persons for forced marriage; trafficking in persons for committing crimes</li> </ul>   |
| 2.6   | Coercion  |

**Table D.1** (continued)

|         |   |
|---------|---|
|         | Compulsion of or demand for a particular course of action <sup>17</sup> through the use of force, threat, intimidation, threat to reveal compromising information, or threat of defamation  |
| 2.6.1   | Extortion or blackmail<br>Compulsion of or demand for a particular course of action through a written or verbal threat to (including but not limited to): cause physical harm to a person; expose any compromising information that could subject a person or institution to hatred, contempt, or ridicule, or to any criminal or regulatory proceedings; or reveal proprietary information that would be damaging to business interests<br>• <i>Include:</i> Extortion of persons, businesses, or institutions |
| 2.6.2   | Other acts of coercion<br>Acts of coercion not previously described   |
| 2.7     | Negligent acts<br>Negligent, reckless, or careless behavior by a person that causes bodily harm or the potential for harm to another person   |
| 2.7.1   | Negligence in situations of persons under care<br>Bodily harm or potential for bodily harm from a legally obligated or responsible person's negligence towards his or her duty to care <sup>18</sup>  |
| 2.7.1.1 | Negligence in situations of children under care<br>Bodily harm or potential for bodily harm inflicted upon a child by a legally obligated or responsible person's negligence towards his or her duty to care  |

<sup>17</sup>In the context of coercion and extortion offenses, a *particular course of action* refers—at minimum—to forfeiting property, forfeiting money, or providing services or benefits.

<sup>18</sup>*Duty to care*, generally, is the requirement that a person act toward others and the public with the watchfulness, attention, caution and prudence that a reasonable person in the circumstances would.

**Table D.1** (continued)

|         |   |
|---------|---|
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Neglect of a child under care; child neglect; child abandonment; culpable negligence (in the specific sense of leaving or storing a loaded firearm within easy access of a minor, when that firearm is used by that minor to injure or kill himself/herself or another person)</li> </ul>  |
| 2.7.1.2 | <p>Negligence in situations of other dependent persons under care</p> <p>Bodily harm or potential for bodily harm inflicted upon a dependent person<sup>19</sup> by a legally obligated or responsible person's negligence towards his or her duty to care</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Neglect of elderly persons; neglect of an adult person under care; neglect of an elderly person under care; abandonment of an elderly person requiring care</li> </ul>  |
| 2.7.1.3 | <p>Other negligence in situations of persons under care</p> <p>Bodily harm or potential for bodily harm by a legally obligated or responsible person's negligence towards his or her duty to care not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Negligence related to family; violation of obligations towards family; failure to provide necessities for a servant/apprentice</li> </ul>   |
| 2.7.2   | <p>Professional negligence</p> <p>Bodily harm or potential for bodily harm caused by a person's failure to perform his or her professional duty that a reasonable person in the profession would perform</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Professional malpractice; medical negligence in prescriptions; gross negligent conduct of medical procedures; gross negligent acts in the performance of professional duty; criminal negligence of pilots, boat captains, and other professional operators of vehicles</li> </ul> |
| 2.7.3   | <p>Negligence related to driving a vehicle</p> <p>Bodily harm or potential for bodily harm from a negligent, reckless, or careless behavior while in control of a vehicle</p>   |

<sup>19</sup> A *dependent* person is any person reliant upon one or more other persons for care and support, and who would be in danger if the care and support were withdrawn.

**Table D.1** (continued)

|       |   |
|-------|---|
|       | <ul style="list-style-type: none"> <li>• <i>Include:</i> Negligent driving or operation of a vehicle; driving and texting; negligence in situations of persons under care while operating a motor vehicle; failure to stop and render aid after accident causing bodily injury (i.e., hit-and-run)</li> </ul>   |
| 2.7.4 | <p>Other acts of negligence</p> <p>Bodily harm or potential for bodily harm from a negligent, reckless, or careless behavior not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Culpable negligence; negligent pedestrian offenses</li> </ul>  |
| 2.8   | <p>Dangerous acts</p> <p>Acts causing, able to cause, or likely to cause bodily injury or harm, conducted or attempted with the knowledge that the acts have the potential to cause harm</p>  |
| 2.8.1 | <p>Acts that endanger health of another person</p> <p>Hazardous action that endangers health or creating the potential to endanger health of other persons</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Adulteration of food or medicine;<sup>20</sup> hazardous tampering with food, drugs, cosmetics, or other consumer devices or their labeling; pharmaceutical offenses;<sup>21</sup> sale of noxious food or drink; violations of workplace health and safety-at-work provisions; criminal transmission of sexually transmitted disease or other communicable/infectious disease, including the knowing donation/selling of blood or bodily fluids after positive test for the Human Immunodeficiency Virus (HIV); violations of emergency public health orders, including failure to observe a quarantine</li> </ul> |

<sup>20</sup> *Adulteration* (of food or medicine) is making a product impure—either through the addition of a foreign, inferior, or inert substance or through the exclusion or removal of a valuable or necessary ingredient—in order to give a false impression of value or to hide defects.

<sup>21</sup> *Pharmaceutical offenses* may include, at minimum, the failing to store, transport, and distribute medical products in accordance with regulatory requirements and in a manner that endangers health, as well as supplying/selling pharmaceutical products to people who have no right to possess the product.

**Table D.1** (continued)

|       |   |
|-------|---|
| 2.8.2 | <p>Operation of a vehicle under the influence of alcohol or other psychoactive substances</p> <p>Operation of a vehicle under the influence of alcohol, controlled drugs, or other psychoactive substances, causing bodily harm or the potential for bodily harm (short of death) to a person</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Driving under the influence (of alcohol or other intoxicant); causing an accident under the influence; operation of a common carrier (e.g., train, bus, aircraft) or mass transit conveyance under the influence of psychoactive substances; operation of private vehicles under the influence of psychoactive substances</li> </ul> |
| 2.8.3 | <p>Other dangerous acts leading to injury</p> <p>Bodily harm or potential for bodily harm from a dangerous behavior or act not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Reckless endangerment, not amounting to assault or threat; throwing rocks or other objects at vehicles in motion (e.g., at moving trains or from highway overpasses); vehicular eluding (i.e., “car chases,” or reckless driving while eluding pursuit by a peace officer); setting boobytraps</li> </ul>  |
| 2.9   | <p>Acts intended to induce fear or emotional distress</p> <p>Behavior or action meant to instill fear or emotional distress in another person</p>   |
| 2.9.1 | <p>Harassment</p> <p>Act of engaging in an unlawful course of conduct<sup>22</sup> of words or actions that, being directed at a specific person, annoys, alarms, or causes substantial emotional distress in that person</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Though the harassing behaviors are directed at a specific person (victim), their nature and content may be (and commonly are) based on bias against the victim’s characteristics/attributes<sup>23</sup> or group characteristics (e.g., position at the workplace)</li> </ul>   |

<sup>22</sup> A *course of conduct* is a pattern composed of a series of two or more acts over a period of time, however short, demonstrating a continuity of purpose.

<sup>23</sup> *Characteristics or attributes* refer, at minimum, to one’s sex/gender, sexual orientation, age, language, race/ethnicity, or disability.

**Table D.1** (continued)

|  |
|--|
| <ul style="list-style-type: none"> <li>• <i>Include:</i> Workplace harassment by a supervisor or coworker/colleague, including workplace sexual harassment;<sup>24</sup> bullying and cyberbullying;<sup>25</sup> cyberharassment; harassing communications, including persistent phone calls or hang-ups, not amounting to stalking; course-of-conduct behavior defined as “private nuisance” or the like in some statutes</li> </ul>   |
| <p><b>2.9.2</b> Stalking</p> <p>Act of engaging in a course of conduct directed at a specific person—including but not limited to acts in which the perpetrator follows, monitors, observes, surveils, or threatens the victim—in which the perpetrator knows or should know that the course of conduct would cause a reasonable person to fear for his or her safety or the safety of a third person (such as a family member), or to suffer other emotional distress</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Cyberstalking</li> </ul> |
| <p><b>2.9.3</b> Other acts intended to induce fear or emotional distress</p> <p>Other acts intended to induce fear or emotional distress not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful forms of “hate speech” directed at a group that may not fit either the course-of-conduct nature of harassment or stalking nor the individual-directed nature of defamation or insult, such as cross-burning or desecration of religious symbols</li> </ul>   |

<sup>24</sup>Sexual harassment, in the workplace or in the context of some other business or professional relationship, is typically not codified in states’ criminal or penal codes, but may be subject to civil sanctions and penalties.

<sup>25</sup>*Bullying* is a variant of harassment in which the offender exploits a real or perceived imbalance of power (either physical or social) with the objective of dominating and belittling victim(s); in other countries, bullying done by a group is known as *mobbing*. In the U.S. context, bullying is most commonly defined in education code, in the school setting and involving minors/students as victims and offenders, rather than criminal or penal code (as such, disciplinary action is left to school administrators). However, those states that have enacted *cyberbullying* laws (the use of social media and electronic communications to conduct bullying behaviors) typically do so as part of criminal code—in part, because some of these laws define the offense to include adults (posing as children, or maintaining anonymity) bullying minors.

**Table D.1** (continued)

|      |   |
|------|---|
| 2.10 | <p>Defamation</p> <p>Unlawful and intentional remark, action, or communication (spoken or otherwise) by a person that harms another person’s reputation, respect, or the confidence in which a person is held, or that induces hostile or disagreeable opinions or feelings</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Defamation is used as a general descriptor for the base offense, <i>not</i> (and not limited to) the specific specific act (still defined in several states’ criminal codes) of impugning the chastity of any woman (married or unmarried). Synonymous terms for this base crime of defamation depend, in part, on the mode of communication, <i>libel</i> referring to defamatory remarks in print/written media and <i>slander</i> to the spoken (and broadcast) word. Other generally synonymous terms include insult, calumny, and traducement.</li> <li>• <i>Include:</i> Defamation due to the victim’s ascribed characteristics or attributes, ascribed beliefs or values,<sup>26</sup> or personal or family honor/dignity; defamation where the basis for the insult is not recorded</li> </ul> |
| 2.11 | <p>Discrimination</p> <p>Distinction, exclusion, restriction, unlawful treatment, or preference based on a person’s or group’s race, color, age, sex, language, religion, opinion, descent, or national or ethnic origin which discourages or prevents equal recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Covers discrimination based on ascribed beliefs and values and based on ascribed attributes and characteristics. Covers both individuals and collectives/groups of individuals as victims.</li> <li>• <i>Include:</i> Employment or wage discrimination; housing discrimination</li> </ul>   |
| 2.12 | <p>Acts that trespass against the person</p>  |

<sup>26</sup> *Beliefs or values* refers, at minimum, to one’s religious beliefs, political views, or social/economic views.

**Table D.1** (continued)

|          |  |
|----------|--|
|          | Unlawful and unwarranted intrusion of the privacy or other rights of a person  |
| 2.12.1   | <p>Invasion of privacy</p> <p>Invasion or intrusion of privacy, not amounting to identity theft, harassment, or other defined crimes</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Violation of privacy; violation of secrecy of mail; phone tapping; invasion of solitude or private concerns; interfering with mail</li> </ul>  |
| 2.12.2   | <p>Other acts that trespass against the person</p> <p>Unlawful and unwarranted intrusion of the privacy or other rights of a person not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful use of a human corpse; abuse of human corpse, not amounting to necrophilia; trafficking in body parts not amounting to trafficking in persons for organ or tissue removal; destruction of a grave; grave digging</li> </ul> |
| 2.13     | <p>Other acts causing harm or intending to cause harm to the person</p> <p>Acts that cause harm or intend to cause harm to a person not previously described</p>   |
| <b>3</b> | <b>INJURIOUS ACTS OF A SEXUAL NATURE</b>   |
| 3.1      | <p>Rape</p> <p>Sexual penetration<sup>27</sup> without valid consent or with consent as a result of intimidation, force, fraud, coercion, threat, deception, use of drugs or alcohol, abuse of power or of a position of vulnerability, or the giving or receiving of benefits</p>   |
| 3.1.1    | <p>Rape with force</p> <p>Sexual penetration without valid consent inflicted upon a person by physical force or restraint or by the express threat of bodily injury against the victim or another person</p>   |

<sup>27</sup> *Sexual penetration* is the penetration (however slight) of the vulva, anus, or mouth with any body part or object.



**Table D.1** (continued)

|       |  |
|-------|--|
| 3.1.2 | <p>Rape without force</p> <p>Sexual penetration without valid consent inflicted upon a person without actual or threatened physical force</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Drug- or alcohol-facilitated rape, in which the victim is temporarily unable to express consent or nonconsent; rape of an unconscious or sleeping person; procuring sex through deception; procuring sex under coercion or through abuse of a position</li> </ul>         |
| 3.1.3 | <p>Rape involving inability to express consent or nonconsent</p> <p>Sexual penetration inflicted upon a person who, by reason of age or mental disorder/disability, is unable (physically or legally) to grant consent or nonconsent</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Rape of a child, or of a minor below the applicable age of legal consent;<sup>28</sup> sexual intercourse with a person physically or mentally incapable of consent</li> </ul> |
| 3.1.4 | <p>Threat of rape</p> <p>Material threat of rape, not amounting to either a completed act or an incomplete attempt</p>   |
| 3.2   | <p>Sexual assault</p> <p>Unwanted sexual act, attempt to obtain an unwanted sexual act, or direct contact or communication with unwanted sexual attention, not amounting to rape</p>   |
| 3.2.1 | <p>Physical sexual assault</p> <p>Sexual assault with physical contact of a person</p>   |

<sup>28</sup> In addition to varying strongly in the definition of *age of legal consent* (the age at which a person is deemed legally capable of granting consent to sexual activity), state criminal codes vary in their definition of *statutory rape* (or similar offenses under different names). Though traditionally a reference to acts by an adult against a child, the definition of statutory rape (and related offenses) is now commonly broadened to define age-difference windows between the offender and the victim within which the crime (and resulting punishment) is either diminished or enhanced; at least one state (California) extends the definition to explicitly cover sexual intercourse between two minors unless said minors are married.

**Table D.1** (continued)

|   |
|---|
| <ul style="list-style-type: none"> <li>• <i>Include:</i> Sexual assault of a child, or of a minor below the applicable age of legal consent;<sup>29</sup> child sexual abuse or molestation of a child; unwanted groping or fondling; drug- or alcohol-facilitated sexual assault; sexual assault against a helpless person; sexual assault by abuse of position</li> </ul>   |
| <p>3.2.2 Threat of a sexual nature<br/>Material threat of physical sexual assault, not amounting to either a completed act or an incomplete attempt</p>   |
| <p>3.3 Sexual violations of a nonphysical nature<br/>Other offenses of a sexual nature, not amounting to either rape or sexual assault and not involving direct physical contact or interaction, that may nonetheless instill emotional distress in victims and that are initiated for purposes of obtaining sexual gratification<br/>• <i>Include:</i> Voyeurism;<sup>30</sup> video voyeurism or other unwanted taking or distribution of sexual images under circumstances in which the victim has a reasonable expectation of privacy</p>   |
| <p>3.4 Sexual exploitation of adults<br/>Acts of attempting to profit financially, physically, socially, or politically from the prostitution or sexual acts of another, adult person, executed through abuse of a position of vulnerability, power, or trust or through the use of force (or threat of force)<br/>• <i>Include:</i> Recruiting, enticing, or procuring a person into prostitution; pimping; pandering; keeping, managing, or knowingly financing a brothel; knowingly letting or renting a building or other place for the purpose of the prostitution of others</p> |

<sup>29</sup>Such offenses may be known as statutory sexual assault, statutory sexual seduction, or the like in state criminal codes.

<sup>30</sup>*Voyeurism* refers to obtaining sexual gratification by observing unsuspecting individuals who are partly undressed, naked, or engaged in sexual acts.

**Table D.1** (continued)

|  |  |
|--|--|
| <p>3.5 Sexual exploitation of children<br/>Acts of attempting to profit financially, physically, socially, or politically from the prostitution or sexual acts of a child or minor, executed through abuse of a position of vulnerability, power, or trust or through the use of force (or threat of force)</p>  | <p>3.5.1 Child pornography<sup>31</sup><br/>Acts of procuring, arranging, facilitating or controlling a child for the purposes of creating child pornography and/or possessing, disseminating, broadcasting, transmitting, exhibiting, or selling child pornography<br/>• <i>Include:</i> Possession of child pornography; sharing child pornography; creating child pornography; downloading child pornography; procuring sexual images or other forms of child abuse materials from children</p> |
| <p>3.5.2 Child prostitution, production and provision<br/>Acts of recruiting, enticing, and/or procuring a child into prostitution<br/>• <i>Include:</i> Recruiting, enticing, or procuring a child into prostitution; pimping; keeping, managing, or knowingly financing a brothel for child prostitution; knowingly letting or renting a building or other place for the purpose of child prostitution</p> | <p>3.5.3 Child prostitution, procurement<br/>Procuring sexual services of a child prostitute<br/>• <i>Include:</i> Paying for sexual services of a child; establishment of contact with a child for sexual purposes, including luring or enticement contacts conducted via the Internet</p>  |

<sup>31</sup> *Pornography* is a visual representation or depiction of a person engaged in a sexually explicit conduct or realistic images of a nonexistent person involved in sexually explicit conduct. Used generically, *pornography* refers to such depictions in which the person is an adult (or appears to be an adult); *child pornography* refers to such depictions in which the person is a child or appears to be a child.

**Table D.1** (continued)

|          |   |
|----------|---|
| 3.5.4    | Other sexual exploitation of children<br>Sexual exploitation of children not previously described<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Sexual grooming of children, or the establishment of contact with a child to expose him or her gradually to sexually explicit material for eventual (but not immediate) sexual purposes; child sex tourism<sup>32</sup></li> </ul>  |
| 3.6      | Other injurious acts of a sexual nature<br>Injurious acts of a sexual nature not previously described   |
| <b>4</b> | <b>ACTS OF VIOLENCE OR THREATENED VIOLENCE AGAINST A PERSON THAT INVOLVE PROPERTY</b>   |
| 4.1      | Robbery<br>The unlawful taking or obtaining of property through the use of force or threat of force against a person, with the intent to permanently or temporarily deprive the property from a person or organization<br><ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Synonymous with theft with violence; includes the use of force or threat of force against a person during the course of a residential burglary or home invasion</li> </ul> |
| 4.1.1    | Robbery from the person<br>Robbery of personal property <sup>33</sup> with direct contact with the victim   |
| 4.1.2    | Carjacking/robbery of a car or vehicle<br>Robbery of a vehicle in the presence of its operator or occupants, taking only the vehicle and not the operator or occupants  |

<sup>32</sup> *Child sex tourism* is the commercial sexual exploitation of children by persons who travel from one place to another and there engage in sexual acts with children.

<sup>33</sup> *Personal property* refers generally to any asset of or held by a person, other than real estate.

**Table D.1.1** (continued)

|       |   |
|-------|---|
|       | <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Includes vehicular hijacking where that term is defined to include only the taking of the vehicle and not the operator or occupants</li> <li>• <i>Include:</i> Carjacking (including robbery of a taxi); vehicular hijacking (when defined to include only the taking of the vehicle)</li> </ul>   |
| 4.1.3 | <p>Robbery of valuables or goods in transit</p> <p>Robbery of property from a vehicle in transit in the presence of its operator or occupants, other than the vehicle itself</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Robbery of valuables in a vehicle in transit; robbery of a security van; robbery in or from a railway</li> </ul>  |
| 4.1.4 | <p>Robbery of an establishment or institution</p> <p>Robbery of any public or private establishment or institution</p>  |
| 4.1.5 | <p>Robbery of livestock</p> <p>Robbery of livestock from the animal caretaker</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Robbery of cattle, goats, sheep, chickens, or other livestock</li> </ul>   |
| 4.1.6 | <p>Other acts of robbery</p> <p>Acts of robbery not previously described</p>  |
| 4.2   | <p>Terroristic or disruptive threats to buildings or critical infrastructure</p> <p>The threat or communication of a threat against buildings or critical infrastructure, declaring an intent to cause serious harm or inconvenience to people</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Terroristic threat includes aborted, failed, or thwarted attempts to cause serious harm or inconvenience to people that do not result in actual harm; if such actions are completed, other crime types (homicide or assault) would apply</li> </ul> |

**Table D.1** (continued)

|       |   |
|-------|---|
|       | <ul style="list-style-type: none"> <li>• <i>Include:</i> Bomb threats, unlawful pulling of fire alarms, or other declared threats, involving mass evacuation of buildings or prompting (under false pretenses) law enforcement, firefighter, or other emergency response</li> </ul>   |
| 4.3   | <p>Other acts against property involving violence against a person</p> <p>Acts against property involving violence against a person not previously described</p>  |
| 5     | <b>ACTS AGAINST PROPERTY ONLY</b>   |
| 5.1   | <p>Burglary</p> <p>The gaining of unauthorized access to a part of a building/dwelling or other premises with or without the use of force against the building/dwelling, with the intent to commit theft or other property offense</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Synonymous with breaking and entering; consistent with unlawful entry with intent to commit an offense and access by deception, where those terms are used</li> </ul> |
| 5.1.1 | <p>Burglary of business premises</p> <p>Burglary of business premises<sup>34</sup></p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Breaking and entering business premises; unlawful entry into a business with intent to commit an offense; smash-and-grab from display cases and the like; use of heavy vehicle to breach windows or doors</li> </ul>  |

<sup>34</sup> *Business premises* refer to the structure or land on which a commercial or industrial enterprise is located and includes office buildings, shops, clubs, banks, factories, service stations, hotels, malls, retail stores, farm land, warehouses, and other land or buildings.

**Table D.1** (continued)

|       |   |
|-------|---|
| 5.1.2 | <p>Burglary of residential/private premises<br/>                     Burglary of residential/private premises<sup>35</sup></p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Breaking and entering residential premises; unlawful entry into residential premises with intent to commit an offense; breaking, entering, and stealing from residential premises; theft by burglary of a dwelling; burglary of a shed/garage; housebreaking; burglary of mobile homes or seasonal homes</li> </ul> |
| 5.1.3 | <p>Burglary of public premises<br/>                     Burglary of public premises<sup>36</sup></p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Breaking and entering public premises; unlawful entry into public property with intent to commit an offense</li> </ul>  |
| 5.1.4 | <p>Other acts of burglary<br/>                     Acts of burglary not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Burglary of premises that cannot be identified as public, private, or business</li> </ul>   |
| 5.2   | <p>Theft<br/>                     The unlawful taking or obtaining of property with the intent to permanently or temporarily deprive it from a person or organization without consent and without the use of force, threat of force or violence, coercion, or deception</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Covers taking or obtaining of property from premises where entry was lawfully obtained</li> </ul>  |

<sup>35</sup> *Residential/private premises* refers to structures or land owned, rented, or leased by a person.

<sup>36</sup> *Public premises* refers to structures or lands owned by the government or other public bodies; accordingly, *public property* is property owned by government or other public bodies other than real estate.

**Table D.1** (continued)

|         |  |
|---------|--|
| 5.2.1   | Theft of a motorized vehicle or parts thereof  |
|         | Theft of a motorized vehicle or parts of a motorized vehicle   |
| 5.2.1.1 | Theft of a motor vehicle   |
|         | Theft of a motor vehicle, not in the immediate presence of its owner or occupants  |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Larceny of a car, van, or truck; theft of a motorcycle</li> </ul>   |
| 5.2.1.2 | Illegal use of a motor vehicle   |
|         | The unlawful taking or obtaining a motor vehicle with the intent to temporarily deprive it from a person or organization without consent and without the use of force, threat of force or violence, coercion, or deception |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Joyriding</li> </ul>  |
| 5.2.1.3 | Theft of parts of a motor vehicle  |
|         | Theft of parts of a motor vehicle that runs on the road  |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Theft of car tires, motors, transmission, window, etc.</li> </ul>   |
| 5.2.1.4 | Other theft of a motorized vehicle or parts thereof  |
|         | Theft of a motorized vehicle or parts of a motorized vehicle not previously described  |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Theft of boat or aircraft; theft of boat or aircraft parts</li> </ul>   |
| 5.2.2   | Theft of personal property   |
|         | Theft of personal property   |
| 5.2.2.1 | Theft of personal property from a person   |
|         | Theft of personal property carried on a person   |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Pickpocketing; bag snatching not amounting to robbery</li> </ul>  |
| 5.2.2.2 | Theft of personal property from a vehicle  |
|         | Theft of personal property from a vehicle  |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Theft of a purse in a vehicle; theft of a geographic positioning system (GPS) device; siphoning gas or oil</li> </ul>   |



**Table D.1** (continued)

|         |  |
|---------|--|
| 5.2.2.3 | <p>Other theft of personal property</p> <p>Theft of personal property not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Theft without breaking and entering; theft of property outside of the dwelling (e.g., theft from curtilage); theft from garages, or sheds and lock-ups with no connecting door to a dwelling; theft of pet</li> </ul>  |
| 5.2.3   | <p>Theft from business or other nonpublic organization</p> <p>Theft of movable property that is not a vehicle from a business or other nonpublic organization</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Important and meaningful subsets of this kind of theft can be recovered through reference to characteristics of the offender and the victim/offender relationship as called for in the companion list of attributes</li> <li>• <i>Include:</i> Shoplifting, or the theft of merchandise from a shop or retail premises; pilferage from business, or the theft of merchandise or business/office supplies by employees; gas siphoning/theft from gas stations; dine-and-dash, or leaving a restaurant without payment</li> </ul> |
| 5.2.4   | <p>Theft of public property</p> <p>Theft of any movable public property that is not a vehicle, such as the theft of equipment from a public park</p>   |
| 5.2.5   | <p>Theft of livestock</p> <p>Theft of livestock</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Theft of cattle, goats, sheep, chickens, or other livestock</li> </ul>  |
| 5.2.6   | <p>Theft of services</p> <p>Theft of services</p>  |

**Table D.1** (continued)

|         |   |
|---------|---|
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Theft of electric power, water, or other utility services; theft of television/cable signals; fare evasion from taxis or public transit services; avoiding payment for services, including through tampering with utility meters; criminal tampering with utilities or health/safety services (with intent to cause impairment or interruption of services to others)</li> </ul> |
| 5.2.7   | <p>Other theft</p> <p>Theft of property not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Theft of medical records or medical information; theft of wiring/pipes (for metal content) from structures; theft of mail or parcels; theft by conversion</li> </ul>  |
| 5.3     | <p>Acts against computer systems</p> <p>Unauthorized access,<sup>37</sup> interception, interference, or misuse of computer data or computer systems</p>  |
| 5.3.1   | <p>Unlawful access to a computer system</p> <p>Unlawful acts involving entry into parts or the whole of a computer system without authorization or justification</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Hacking; access to a computer system without right</li> </ul>   |
| 5.3.2   | <p>Unlawful interference with a computer system or computer data</p> <p>Unlawful acts hindering the functioning of a computer system, as well as acts involving damage, deletion, deterioration, alteration, or suppression of computer data without authorization or justification</p>   |
| 5.3.2.1 | <p>Unlawful interference with a computer system</p> <p>Unlawful acts hindering the functioning of a computer system</p>   |

<sup>37</sup> *Access*, generally, means to make use of or to gain entry to some place or location; in the computer systems context, it means: to view, display, instruct, or communicate with; to store data in or retrieve data from; to copy, move, add, change, or remove data; or otherwise make use of, configure, or reconfigure any resources of computer systems or their accessories.

**Table D.1** (continued)

|   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• <i>Include:</i> Hindering the functioning of a computer system; denial of service attack; computer system damage; introduction of malware to a computer system</li> </ul>  |  |
| <p>5.3.2.2</p> <p>Unlawful interference with computer data</p> <p>Acts involving damage, deletion, deterioration, alteration, or suppression of computer data without authorization or justification</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Damage, deletion, alteration/corruption, or suppression of computer data; deleting computer system files without authorization</li> </ul>   |  |
| <p>5.3.3</p> <p>Unlawful interception or access of computer data</p> <p>Unlawful acts involving gaining access to computer data without authorization or justification, including obtaining data during a transmission process that is not intended to be public, as well as obtaining computer data (such as by copying data) without authorization</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Interception of computer data without right; recording transmissions without right within a wireless network; copying computer files without authorization</li> </ul> |  |
| <p>5.3.4</p> <p>Other acts against computer systems</p> <p>Acts against computer systems not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Production, sale, procurement, import, distribution, or possession of tools for computer misuse</li> </ul>   |  |
| <p>5.4</p> <p>Intellectual property offenses</p> <p>The unlawful copying, use, reproduction, or other infringement inflicted upon copyrights, patents, trademarks, or other intellectual property</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Copyright infringements; computer software piracy; industrial espionage not amounting to forgery or counterfeiting</li> </ul>  |  |

**Table D.1** (continued)

|         |   |
|---------|---|
| 5.5     | Property damage<br>Destruction, damage, or defacement of property   |
| 5.5.1   | Arson<br>The willful setting or starting of a fire or causing of an explosion, with the purpose of destroying or damaging the dwelling or occupied structure of another person or destroying or damaging any property (including that owned by the offender to collect insurance proceeds for such loss)<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Malicious burning</li> </ul>   |
| 5.5.1.1 | Arson of personal/residential property  |
| 5.5.1.2 | Arson of personal property, including of residential premises   |
| 5.5.1.2 | Arson of business or other nonpublic establishment property   |
| 5.5.1.3 | Arson of property or structures belonging to businesses or other nonpublic establishments   |
| 5.5.1.3 | Arson of public property  |
| 5.5.1.3 | Arson of public property or structures  |
| 5.5.2   | Reckless burning<br>The purposeful starting of a fire or causing of an explosion, thereby placing a building or occupied structure of another in danger of damage or destruction, but without malicious intent to cause death or harm to a person   |
| 5.5.3   | Other damage of property<br>Intentional destruction, damage, or defacement not previously described<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Malicious or criminal mischief (where defined as a property crime, alongside arson and reckless burning, in some states); intentional setting of a wildfire or forest fire; vandalism; graffiti; sabotage not amounting to dangerous or negligent act; illegal inundation; vehicular hit-and-run causing property damage; willful damage to a motor vehicle; desecration of venerated objects (e.g., public monuments, headstones, memorial markers)</li> </ul> |

**Table D.1** (continued)

|          |   |
|----------|---|
| 5.6      | <p>Other acts against property only</p> <p>Acts against property only not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful appropriation of property; squatting; unlawful acquisition of housing or land; criminal trespass; forcible entry and occupation</li> </ul>   |
| <b>6</b> | <b>ACTS INVOLVING CONTROLLED SUBSTANCES</b>   |
| 6.1      | <p>Unlawful possession or use of controlled drugs<sup>38</sup> for personal consumption</p> <p>Unlawful possession for personal consumption or unlawful use of controlled drugs</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Drug possession; drug use</li> </ul>   |
| 6.2      | <p>Unlawful cultivation or production of controlled drugs</p> <p>Unlawful cultivation, production, manufacture, extraction and preparation of controlled illicit drugs or precursors<sup>39</sup></p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Drug cultivation; drug production</li> </ul>   |
| 6.3      | <p>Unlawful trafficking or distribution of controlled drugs</p> <p>Illicit delivery, brokerage, dispatch, dispatch in transit, transport, importation, exportation of controlled drugs or precursors not for personal consumption</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Covers the offering for sale, distribution, or purchase of both controlled drugs or precursors, as well as the facilitation of a drug trafficking operation</li> </ul> |
| 6.3.1    | Street-level selling of quantities of controlled drugs suitable for personal consumption  |

<sup>38</sup> *Controlled drugs* are those narcotic drugs and psychotropic substances defined by and subject to regulation under law, particularly the schedules of controlled substances defined in federal law (21 U.S.C. § 812).

<sup>39</sup> *Precursors* are substances frequently used in the illicit manufacture of such narcotics and psychotropic substances, and may include chemicals and solvents.

**Table D.1** (continued)

|  |
|--|
| <p>The illicit selling, distributing, marketing, advertising, purchase or sale of minor quantities of controlled drugs or precursors</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Street-level drug dealing; drug possession with intent to sell; drug pushing; retail selling of drugs through use of the Internet</li> </ul>   |
| <p>6.3.2 Wholesale distribution/trading/possession of controlled drugs</p> <p>The illicit selling, distributing, marketing, advertising, purchase or sale of wholesale quantities of controlled drugs or precursors, including the possession of quantities of controlled drugs greater than those suitable for personal consumption</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Drug dealing in wholesale quantities; drug trafficking; organizing, supervising, or managing a drug distributing enterprise; drug mules</li> </ul>   |
| <p>6.4 Unlawful acts involving drug equipment or paraphernalia</p> <p>Illicit acts involving possession or use of drug equipment or paraphernalia</p>  |
| <p>6.5 Other unlawful acts involving controlled drugs, psychoactive substances or precursors</p> <p>Unlawful handling, possession or use of controlled drugs, psychoactive substances or precursors for personal consumption and for wholesale distribution not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Issuing, handling or dealing in forged or altered prescriptions; violations related to trafficking of material purported to be a controlled substance (e.g., counterfeit controlled drugs); unlawful advertising or promotion of controlled drugs, or violation of other controlled substance legislation</li> </ul> |

**Table D.1** (continued)

| <b>7 ACTS INVOLVING FRAUD, DECEPTION, OR CORRUPTION</b> |  |
|---|--|
| 7.1   | <p>Fraud</p> <p>Unlawful, knowing, and purposeful use of deceit,<sup>40</sup> persuasion, or other dishonest conduct to obtain some benefit or consequence or to evade a liability/disbenefit, wherein said benefit or consequence may be nonexistent, unnecessary, never intended to be provided, or deliberately distorted</p>   |
| 7.1.1   | <p>Consumer financial and products/services fraud</p> <p>Financial fraud against an individual, in which the expected benefit in question is investment returns, a consumer product or service, a prize of some value, or support of a charity or nonprofit organization</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Fraud involving the transfer or trading of securities, commodities/options, or real estate; fraud involving consumer products or services in which the products are worthless or nonexistent or the services are not rendered as described (including fake insurance or mortgage relief scams, fake credit cards or lines of credit, or phishing websites seeking payment in return for technical support); fraud involving fake prizes or grants (including lottery fraud and inheritance scams); fraud involving phantom debt collection (e.g., impersonating courts or the Internal Revenue Service in securing payment of false “back taxes”); fraud involving fake contributions to charities, nonprofit organizations, disaster relief, or the like</li> </ul> |
| 7.1.2   | <p>Identity theft</p> <p>Possession or use, through any means, of personal or financial identifying information<sup>41</sup> of another person without that person’s consent in order to further any unlawful purpose</p>  |

<sup>40</sup> *Deceit* refers to misrepresenting, concealing, or omitting facts about promised goods, services, or other benefits or consequences.

<sup>41</sup> *Personal identifying information* is any information that can be used alone or in combination to identify a specific person, such as Social Security number, date of birth, passport/driver’s license number and information, and person-specific passwords or pass codes. *Financial identifying information*, linked to a person, is information that can be used alone or in combination to obtain any thing of value; this includes credit card, bank account, or other financial account numbers or verification codes.

**Table D.1** (continued)

|       |   |
|-------|---|
|       | <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> May describe both individual offenses or a course of conduct of related offenses/acts</li> </ul>   |
| 7.1.3 | <p>Fraud against businesses or establishments, including nonprofit organizations<br/>                     Fraud against nongovernmental businesses or organizations</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Fraudulent acts perpetrated by employees, including misappropriation of assets or corruption not amounting to other crimes; fraud committed by external perpetrators against businesses or establishments, including insurance or bank fraud or fraudulent suppliers</li> </ul>  |
| 7.1.4 | <p>Fraud against government agencies<br/>                     Fraud against government agencies, programs, or regulations, not amounting to other defined crimes</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Covers general fraudulent acts not amounting to other related crimes, as in distinguishing between fraudulent tax preparation/filing and tax evasion (latter covered in 8.4.1) or in distinguishing between fraudulent use of postage and the counterfeiting/forgery of stamps (latter covered in 7.2.1); insider trading (technically fraud against government agencies) is separately handled inline with market manipulation in 8.4.6</li> <li>• <i>Include:</i> Welfare fraud; Medicare/Medicaid fraud</li> </ul> |
| 7.1.5 | <p>Other types of fraud<br/>                     Other types of fraud not previously defined</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Employment fraud against an individual, such as work-at-home scams or fake employment/business opportunities; relationship and trust fraud, in which the expected benefit/outcome is fostering a relationship</li> </ul>  |
| 7.2   | <p>Forgery/counterfeiting<br/>                     Acts of creating, manufacturing, selling, passing, or possessing a false imitation of a good, or an instrument to create a false imitation of a good</p>   |



**Table D.1** (continued)

|         |  |
|---------|--|
| 7.2.1   | Counterfeiting means of payment<br>Acts of creating, manufacturing, passing, using, or possessing counterfeit means of payment or an instrument to create a false imitation with or without the use of computer systems<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Counterfeiting coins or notes; counterfeiting stamps or tickets; possession of an article for the creation of counterfeit means of payment; counterfeit means of payment other than cash</li> </ul>  |
| 7.2.1.1 | Counterfeiting means of cash payment<br>Acts of creating, manufacturing, passing, using, or possessing counterfeit means of cash payment or an instrument to create a false imitation with or without the use of computer systems<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Fraudulent making or altering of notes and coins; fraudulent making, receiving, obtaining, or possession of instruments, articles, computer programs, and other means for counterfeiting or altering notes and coins; import, export, transport, receiving or obtaining of counterfeit notes and coins with the knowledge that the materials are counterfeit</li> </ul>                            |
| 7.2.1.2 | Counterfeiting means of noncash payment<br>Acts of creating, manufacturing, passing, using, or possessing counterfeit means of noncash payment <sup>42</sup> or an instrument to create a false imitation with or without the use of computer systems<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Fraudulent making or altering of noncash forms of payment; fraudulent making, receiving, obtaining, or possession of instruments, articles, computer programs, and other means for counterfeiting or altering noncash forms of payment; import, export, transport, receiving, or obtaining of counterfeit noncash payment with the knowledge that it is counterfeit</li> </ul> |
| 7.2.2   | Counterfeit product offenses<br>Acts of creating, manufacturing, selling, passing, or possessing counterfeit trademarked, patented, licensed, or otherwise protected products payment or an instrument to create a false imitation with or without the use of computer systems   |

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<sup>42</sup> *Noncash payment* refers to any method of payment that is not notes (currency) or coins, such as credit cards, checks, virtual currencies, and debit cards.

**Table D.1** (continued)

|       |   |
|-------|---|
|       | <ul style="list-style-type: none"> <li>• <i>Include:</i> Counterfeit product offenses (including bags, shoes, medicines, and prescription goods); possession of an article for creation of counterfeit goods or instruments; counterfeit medicines; counterfeiting pharmaceutical products</li> </ul>   |
| 7.2.3 | <p>Acts of forgery/counterfeiting documents</p> <p>Acts of creating, manufacturing, selling, passing, or possessing a counterfeit or forged document, or an instrument to create a false imitation with or without the use of computer systems</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Forging or counterfeiting documents; forging or counterfeiting passports; forging a visa or creating a counterfeit visa; forging signatures; fraudulent making, receiving, obtaining, or possession of instruments, articles, computer programs and other means for counterfeiting or altering documents; import, export, transport, receiving, or obtaining of counterfeit documents with the knowledge that they are counterfeit</li> </ul> |
| 7.2.4 | <p>Other acts of forgery/counterfeiting</p> <p>Acts of creating, manufacturing, passing, using, or possessing a false good or an instrument to create a false good not previously described</p>   |
| 7.3   | <p>Corruption</p> <p>Unlawful bribery or embezzlement, or other abuse of authority or office, to procure some benefit either personally or for someone else</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Reference to “authority” includes business/private sector actors (in addition to “office,” which covers public and government officials at all levels)</li> </ul>  |
| 7.3.1 | <p>Bribery</p> <p>The promising, offering, giving, soliciting, or accepting of an unlawful benefit, an undue advantage, or a thing of value, to or from a person, directly or indirectly, in order that the person act or refrain from acting in the exercise of his or her proper duties</p>   |

**Table D.1** (continued)

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| <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> The person who is the focus or target of bribery may be, among others: a public official, an officer or a worker in a private sector enterprise, or an official or participant in a sporting event. The offense of bribery applies to both principal actors in the exchange: The promising, offering, or giving of an undue advantage or thing of value constitutes active bribery, while the acceptance (or solicitation) of such a bribe constitutes passive bribery (or, colloquially, receiving a bribe).</li> <li>• <i>Include:</i> Receiving unlawful gratuities or gifts; commercial bribery; sports bribery or the rigging of contests</li> </ul> |
| <p>7.3.2 Embezzlement</p> <p>The fraudulent taking of money or property entrusted to one’s care, without permission, to one’s own use</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Includes any misappropriation or diversion of any money, property, or thing of value by a public official or a person who directs or works in a private sector entity, when such thing of value was entrusted to the public or private official by virtue of his or her position</li> <li>• <i>Include:</i> Embezzlement in the public sector; embezzlement in the private sector; misappropriation; dishonest conversion</li> </ul>  |
| <p>7.3.3 Abuse of functions</p> <p>Performance of or failure to perform an act, in violation of laws, by a public official in the discharge of his or her functions for the purpose of obtaining an undue advantage for himself or herself or for another person or entity</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Abuse of function; nepotism; abuse of authority; abuse of public office; abuse of official position</li> </ul>   |
| <p>7.3.4 Trading in influence</p>  |

**Table D.1** (continued)

|       |   |
|-------|---|
|       | <p>The promising, offering, or giving to, or soliciting or accepting by a public official, directly or indirectly, of an undue advantage in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining an undue advantage</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Trading in influence</li> </ul>   |
| 7.3.5 | <p>Other acts of corruption</p> <p>Act of corruption not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Conflict of interest; dishonest appropriation</li> </ul>   |
| 7.4   | <p>Acts involving proceeds of crime</p> <p>Acts of receiving, handling, or processing money or property derived from or obtained, directly or indirectly, through the commission of an offense</p>  |
| 7.4.1 | <p>Money laundering</p> <p>Conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of such property or of assisting any person who is involved in the commission of the predicate offense to evade the legal consequences of his or her actions, as well as the concealment or disguise of the true nature, source, location, disposition, movement, or ownership of or rights with respect to the property</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful conversion or transfer of property; illicit concealment or disguise of property-related information; illicit acquisition, possession, or use of laundered property; “self-laundering”; concealment or continued retention of the proceeds of crime</li> </ul> |
| 7.4.2 | <p>Illicit trafficking in cultural property</p> <p>Unlawful sale, distribution, delivery, brokerage, transport, importation, exportation, or possession of property specifically designated as being subject to export regulation due to its importance for archaeology, history/prehistory, literature, art, or science</p>  |

**Table D.1** (continued)

|          |  |
|----------|--|
|          | <ul style="list-style-type: none"> <li>• <i>Include:</i> Illicit trafficking in cultural property; cultural and artistic property offenses not amounting to theft or property damage</li> </ul>  |
| 7.4.3    | Fencing stolen goods<br>Receiving, handling, disposing, selling/ resale, or trafficking of stolen goods  |
| 7.4.4    | Other acts involving proceeds of crime<br>Acts of receiving, handling, or processing money or property derived from or obtained, directly or indirectly, through the commission of an offense not previously described<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Possession of stolen goods or money; using stolen parts for producing other goods (car rebirthing); concealment of stolen goods</li> </ul>  |
| <b>8</b> | <b>ACTS AGAINST PUBLIC ORDER AND AUTHORITY</b>   |
| 8.1      | Acts against public order behavioral standards<br>Acts contrary to behavioral standards intended to uphold public decency and civility   |
| 8.1.1    | Violent public disorder offenses<br>Unlawful violence that is organized or spontaneous and causes severe disruption, fear or injuries to members of the public<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Riot, and inciting riot; violent disorder; affray; public fight; hooliganism; violent behavior at sporting events</li> </ul>  |
| 8.1.2    | Acts related to social public order norms and standards<br>Unlawful acts contrary to social public order norms and standards<br><ul style="list-style-type: none"> <li>• <i>Include:</i> Public drunkenness or disorderly intoxication; disorderly conduct; causing public nuisance; offensive language or behavior, pursuant to applicable state law; unlawful vagrancy or begging; litter offenses; disturbing religious assemblies; loitering or prowling; violations of noise or curfew regulations</li> </ul> |

**Table D.1** (continued)

|       |   |
|-------|---|
| 8.1.3 | <p>Other acts against public order behavioral standards<br/>                     Unlawful acts contrary to public order behavioral standards not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Organizing a riot or unlawful assembly; joining a riot or unlawful assembly; hiring a person to join a riot or unlawful assembly; owning or occupying the property where an unlawful assembly is held</li> </ul> |
| 8.2   | <p>Acts against public order sexual standards<br/>                     Unlawful acts contrary to legal or regulatory standards concerning sexual behavior</p>   |
| 8.2.1 | <p>Prostitution offenses<br/>                     Unlawful provision or procurement of sexual activities or services in exchange for money or other forms of remuneration, not amounting to trafficking in persons for sexual exploitation</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful sex tourism not amounting to child sex tourism</li> </ul>  |
| 8.2.2 | <p>Pornography offenses<br/>                     Unlawful acts related to pornography</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Procuring, arranging, facilitating, or controlling a person for illicit pornography, not amounting to trafficking in persons for sexual exploitation; unlawful production, creation, distribution, dissemination, broadcast, transmission, sale, or possession of illicit pornography</li> </ul> |
| 8.2.3 | <p>Other acts against public order sexual standards<br/>                     Unlawful acts contrary to accepted public order sexual standards not previously described</p>  |

**Table D.1.1** (continued)

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| <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful simultaneous marriage or cohabitation (i.e., bigamy or polygamy); unlawful adultery; incest or familial sexual offenses not amounting to rape or sexual assault; unlawful forms of consensual sexual intercourse, not amounting to injurious acts of a sexual nature; bestiality; necrophilia; public indecency, indecent exposure, or other unlawful behaviors deemed “lewd and lascivious conduct”; unlawful exhibitionism; unlawful distribution, promotion, or production of material in violation of regulations against obscenity, not amounting to pornography</li> </ul> |
| <p>8.3 Acts related to freedom of expression or control of expression</p> <p>Acts aimed at restricting the freedom of expression or violating restrictions on expression</p>   |
| <p>8.3.1 Acts against freedom of expression</p> <p>Acts aimed at restricting or suppressing others’ exercise of the freedom of expression</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful censorship; unlawful restrictions on freedom of speech; unlawful restrictions on freedom of art</li> </ul>   |
| <p>8.3.2 Acts related to violations of controlled expressions</p> <p>Exercising one’s personal freedom of expression in an unlawful way</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Category is included for sake of completeness/consistency—covering, for instance, the canonical example of shouting “fire!” in a crowded theater, where the speech action does not amount to some other defined crime—though its occurrence in the U.S. system should be exceedingly rare</li> <li>• <i>Include:</i> Violations of legally defined “buffer zones” of controlled expression, as around funerals</li> </ul>           |
| <p>8.4 Acts contrary to public revenue or regulatory provisions</p> <p>Acts against public revenue provisions and acts involving behavior that is regulated or prohibited on moral or ethical grounds</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Covers offenses against public revenue or regulatory provisions by both natural/legal persons and by businesses, corporations, or other establishments</li> </ul>   |

**Table D.1** (continued)

|         |   |
|---------|---|
| 8.4.1   | <p>Tax evasion, and other acts against taxation provisions</p> <p>Acts against state, federal, or other taxation provisions</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Tax evasion</li> </ul>   |
| 8.4.2   | <p>Market manipulation, insider trading, and other acts against market or financial regulations</p> <p>Acts in contravention of the normal and orderly operation of financial markets and institutions</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful market manipulation or insider trading<sup>43</sup>; insider dealing; improper disclosure of market-relevant information; misuse of market-relevant information; manipulating market transactions; price fixing; antitrust violations</li> </ul>                               |
| 8.4.3   | <p>Acts against regulations on alcohol, tobacco, or gambling</p> <p>Acts against prevailing statutes on so-called “sin tax” areas, related to alcohol, tobacco, and gambling</p>  |
| 8.4.3.1 | <p>Acts against regulations on alcohol or tobacco</p> <p>Unlawful production, distribution, or handling of alcohol or tobacco products, contrary to commerce and revenue regulations</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Illegal brewing or distilling not for personal consumption; criminal violation of restrictions on the procurement or distribution of alcohol or tobacco products, not amounting to customs/international commerce violations; unlawful promotion or advertising of alcohol or tobacco products</li> </ul> |
| 8.4.3.2 | <p>Acts against regulations on gambling</p> <p>Acts against regulations, restrictions, or prohibitions on betting, gambling, or gaming</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Betting and gambling offenses; offenses related to unlawful conduct or facilitation of lotteries</li> </ul>   |

<sup>43</sup> *Insider trading* refers to possessing inside information and using that information by acquiring or disposing of, for its own account or for the account of a third party, directly or indirectly, financial instruments to which that information relates.



**Table D.1** (continued)

|       |  |
|-------|--|
| 8.4.4 | <p>Customs violations</p> <p>Violations of customs regulations, involving the unlawful movement of goods across a customs frontier</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Smuggling of goods;<sup>44</sup> illegal traffic in contraband; entry of goods under false statements or claims</li> </ul>   |
| 8.4.5 | <p>Other violations of public revenue and regulatory provisions</p> <p>Other violations of public revenue regulations or other public administration regulations</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Corporate or company offenses, including competition and insolvency/bankruptcy offenses, not amounting to other defined crimes; unlawful investment, or stock/shares offenses, not amounting to fraud; usury; misuse of confidential (nonpublic) information by a public servant, not amounting to insider trading, identity theft, invasion of privacy, espionage, or other offenses</li> </ul> |
| 8.5   | <p>Acts related to migration</p> <p>Unlawful acts related to migration</p>   |
| 8.5.1 | <p>Offenses related to smuggling of migrants</p> <p>Procurement in order to obtain, directly or indirectly, a financial or other material benefit of the illegal entry into the nation of person who is not a legal resident or immigrant</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Smuggling of migrants offenses; harboring smuggled migrants</li> </ul>  |
| 8.5.2 | <p>Unlawful entry/border crossing</p> <p>Unlawful crossing of the U.S. national border and violation of visa and visit provisions</p>  |
| 8.5.3 | <p>Unlawful employment or housing of an undocumented migrant</p> <p>Unlawful acts by employers related to employment or housing of undocumented migrants, not amounting to other defined crimes</p>  |

<sup>44</sup> *Smuggling* refers to such customs fraud/unlawful movement of goods across a customs frontier when it is done in any clandestine manner.

**Table D.1** (continued)

|       |   |
|-------|---|
| 8.5.4 | Other unlawful acts related to migration<br>Unlawful acts related to migration not previously described   |
| 8.6   | Acts against the justice system<br>Acts contrary to the operation of the law enforcement or justice system  |
| 8.6.1 | Obstruction of justice<br>Acts intended to obstruct, subvert, mislead, or impede justice procedures <ul style="list-style-type: none"> <li>• <i>Include:</i> Accessory to crime,<sup>45</sup> accessory after the fact, or other forms of aiding and abetting; failure to appear before court or comply with jury summons; perjury/giving false testimony; destroy, damage, fabricate, or tamper with evidence; prevent, threaten, deceive, tamper with, or retaliate against a witness or informant, threaten or intimidate a justice or law enforcement official; feigning commission of a crime; failure to report a crime; giving false information; attempt to influence a fair trial</li> </ul> |
| 8.6.2 | Breach of justice system authority<br>Acts intended to obstruct, subvert, or impede the effective execution of commands/orders stipulated by the justice system <ul style="list-style-type: none"> <li>• <i>Include:</i> Violations of correctional regulations, including escape (from custody, house arrest, etc.) and within-institution policies; breach of probation and post-incarceration supervision conditions; violation of court orders and court-imposed sanctions, including breach of bail conditions, child custody orders, restraining and protective orders, and sex offender registration rules; resisting arrest; contempt/insult of court</li> </ul>                              |

<sup>45</sup> *Accessory to crime*, itself a criminal act, is the rendering of assistance of any form to a person who has committed a criminal offense, with the intent of hindering or preventing either the discovery of the offense or the apprehension/prosecution of the person. This includes: harboring or concealing the offender or witnesses to the crime; providing money or means of escaping detection; or the concealment or destruction of evidence to obstruct investigation.

**Table D.1** (continued)

|       |   |
|-------|---|
| 8.6.3 | <p>Preparatory or enabling crimes</p> <p>Acts that are preparatory to or enabling of other criminal offenses (regardless of whether the underlying offense is actually completed), and so are themselves criminal</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Known, generally, as inchoate offenses</li> <li>• <i>Include:</i> Conspiracy;<sup>46</sup> criminal facilitation;<sup>47</sup> criminal solicitation or incitement;<sup>48</sup> criminal attempt (where defined as separate offense);<sup>49</sup> possession of instruments or tools with intent to use them criminally (e.g., burglars’ tools, tasers/electronic incapacitation devices, body armor)</li> </ul> |
| 8.6.4 | <p>Other acts against the justice system</p> <p>Acts contrary to the operation of the law enforcement or justice system not previously described</p>  |
| 8.7   | <p>Acts related to elections</p> <p>Acts related to democratic elections</p>  |
| 8.7.1 | <p>Acts intended to unduly influence voters at elections</p> <p>Acts intended to unduly influence voters during an election through monetary or other benefits or through threats</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Vote buying; vote coercion; intimidation of voters</li> </ul>  |
| 8.7.2 | <p>Other acts related to democratic elections</p>   |

<sup>46</sup> *Conspiracy* involves consorting or planning with other persons to commit another offense, and so covers conspiracy to commit most, but not all, other crime types. The exceptions would be offenses where collective-based planning and organization is integral to the offense itself—notably, organized criminal group activity (9.4) and terrorist group activity (9.5)—and so conspiracy to those kinds of acts would fall under those separate headings.

<sup>47</sup> *Criminal facilitation* is knowingly providing another person with the means or opportunity for the commission of a crime, acting with knowledge that the other person is committing or intends to commit the crime.

<sup>48</sup> *Criminal solicitation* is encouraging, requesting, or soliciting another person to commit a crime or establish complicity in committing a crime.

<sup>49</sup> Several states define *criminal attempt* as any act—done with intent to commit a specific crime—that “constitutes a substantial step” toward the commission of that crime; see, for instance, Colorado Revised Statutes (2014) § 18-2-101 or Pennsylvania Statutes Title 18, Section 901.

**Table D.1** (continued)

|         |  |
|---------|--|
|         | <p>Acts related to democratic elections not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Electoral fraud; violating campaign finance laws; unlawful manipulation of the democratic process during elections</li> </ul>  |
| 8.8     | <p>Acts contrary to labor law</p> <p>Criminal acts contrary to labor law</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> Covers employment/labor law offenses or industrial law offenses generally, not amounting to harassment, discrimination, or other criminal offenses; covers violations of minimum wage offenses and enforcement of child/underage labor restrictions</li> </ul> |
| 8.8.1   | <p>Collective labor law violations</p> <p>Criminal acts contrary to collective labor law</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Acts against collective bargaining; union offenses</li> </ul>  |
| 8.8.2   | <p>Individual labor law violations</p> <p>Criminal acts contrary to individual labor law</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Wage and contract offenses; wrongful transfer from work and wrongful dismissal</li> </ul>  |
| 8.9     | <p>Acts contrary to juvenile justice regulations or involving juveniles/minors</p> <p>Unlawful acts defined in specific laws and regulations relating to juveniles or minors</p>   |
| 8.9.1   | <p>Status offenses</p> <p>Unlawful acts that are considered offenses mainly or exclusively due to the age of the actors involved, committed by minors or by adults in relations to minors</p>  |
| 8.9.1.1 | <p>Status offenses committed by juveniles</p> <p>Status offenses committed by juveniles</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Youth curfew violations; drinking age violations (consumption); truancy</li> </ul>  |

**Table D.1** (continued)

|          |   |
|----------|---|
| 8.9.1.2  | <p>Status offenses committed upon juveniles</p> <p>Status offenses committed upon juveniles</p> <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> “Child abuse” is not separately defined in this categorization; instead, elements of what various state laws may separately label “child abuse” expected to be classified under the relevant, base crime types—assault against a child, unlawful restraint, and negligence against children under care. That said, this category for status offenses may include elements that may be deemed “child abuse” in some state laws (e.g., contributing to delinquency) but that do not square with other crime types in this taxonomy.</li> <li>• <i>Include:</i> Contributing to delinquency of minors; violating compulsory school attendance laws/fostering truancy; drinking age violations (providing to minors); tattooing or performing body piercing on a minor without the consent of a parent or legal guardian; underage marriage</li> </ul> |
| 8.10     | <p>Other acts against public order and authority</p> <p>Acts against public order and authority not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Criminal provisions relating to family law not covered elsewhere in this classification, including spousal abandonment (distinct from child abandonment or abandonment of a dependent under care); not declaring a birth, or not giving a child one has found, to the proper authorities; violations of offenses related to the postal service, including obstruction or destruction of mail, not amounting to other criminal offenses</li> </ul>   |
| <b>9</b> | <b>ACTS AGAINST PUBLIC SAFETY AND NATIONAL SECURITY</b>   |
| 9.1      | <p>Acts involving weapons, explosives, and other destructive materials</p> <p>Possession, use, manufacture, import/export, acquisition, sale, delivery, movement, or transfer of firearms, their parts and components, ammunition, other weapons, or explosives</p>   |
| 9.1.1    | <p>Unlawful possession or use of weapons and explosives</p>   |

**Table D.1** (continued)

|           |  |
|-----------|--|
|           | <p>Unlawful possession or use of regulated or prohibited firearms, their parts and components, ammunition, other weapons, or explosives</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Possessing prohibited firearms, their parts and components or ammunition, other weapons such as gas, explosives, or chemical, biological, or radioactive materials; unlawfully obtaining or using without a permit; illegal discharge</li> </ul>                                |
| 9.1.1.1   | <p>Unlawful possession or use of firearms</p> <p>Unlawful possession or use of regulated or prohibited firearms, their parts and components, or ammunition</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful carrying or possessing a handgun without a license; unlawful possession of prohibited firearms; unlawful violation of concealed carry (or open carry) laws; illegal discharge of a firearm, not amounting to some other criminal offense</li> </ul> |
| 9.1.1.1.2 | <p>Unlawful possession or use of other weapons or explosives</p> <p>Unlawful possession or use of regulated or prohibited weapons or explosives</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Possessing prohibited or unregistered weapons not amounting to a firearm; obtaining or using explosives without a permit</li> </ul>   |
| 9.1.1.1.3 | <p>Unlawful possession or use of chemical, biological, or radioactive materials</p> <p>Unlawful possession or use of prohibited or regulated chemical, biological, radioactive, or nuclear materials</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Obtaining or possessing prohibited or unregistered materials</li> </ul>  |
| 9.1.1.1.4 | <p>Other acts related to possession or use of weapons and explosives</p> <p>Acts related to possession or use of weapons and explosives not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Falsifying, obliterating, removing, or altering markings on a firearm or components; fireworks offenses</li> </ul>   |
| 9.1.2     | <p>Trafficking of weapons and explosives</p> <p>Trafficking of weapons and/or explosives</p>   |

**Table D.1** (continued)

|         |   |
|---------|---|
|         | <ul style="list-style-type: none"> <li>• <i>Terminology/Scope:</i> In this class, “trafficking” is meant to connote unlawful movements, sales, trades, and so forth</li> <li>• <i>Include:</i> Manufacturing and trafficking of firearms, parts, components and ammunition, regulated or prohibited weapons or explosives, chemical, biological, or radioactive materials; selling without a dealer’s license or to an unlicensed person, unlicensed importing/exporting</li> </ul> |
| 9.1.2.1 | Trafficking of firearms   |
|         | Trafficking of firearms, their parts and components, and ammunition   |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Manufacturing and trafficking of firearms, parts, components, and ammunition; trafficking in firearms</li> </ul>   |
| 9.1.2.2 | Trafficking of other weapons or explosives  |
|         | Trafficking of regulated or prohibited weapons or explosives  |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Manufacture, production or trafficking of prohibited weapons or explosives</li> </ul>  |
| 9.1.2.3 | Trafficking of chemical, biological, or radioactive materials   |
|         | Trafficking of regulated or prohibited chemical, biological, radioactive, or nuclear materials  |
|         | <ul style="list-style-type: none"> <li>• <i>Include:</i> Manufacture, production or trafficking of chemical, biological, or radioactive materials</li> </ul>  |
| 9.1.2.4 | Other acts related to trafficking of weapons and explosives   |
|         | Trafficking of weapons and explosives not previously described  |
| 9.1.3   | Other acts relating to weapons and explosives   |
|         | Acts relating to weapons and explosives not previously described  |
| 9.2     | Acts against national security  |
|         | Acts directed against the integrity of the nation   |

**Table D.1** (continued)

|       |   |
|-------|---|
|       | <ul style="list-style-type: none"> <li>• <i>Include:</i> Treason; insurrection; usurpation of government; sedition; spying; disclosure of official secrets; conspiracy against government; offenses against government security or operations; military service offenses not amounting to war crimes or to other defined criminal offenses; sabotage; unlawful acts against national or state officials not amounting to other offenses such as assault or threat</li> </ul>  |
| 9.3   | Acts related to organized criminal groups<br>Participation in the activities of an organized criminal group <sup>50</sup>   |
| 9.3.1 | Racketeering, and violations of the Racketeer Influenced and Corrupt Organizations (RICO) Act<br>Violations of the Racketeer Influenced and Corrupt Organizations (RICO) Act (18 U.S.C. §§ 1961–1968), not amounting to other defined crimes <ul style="list-style-type: none"> <li>• <i>Include:</i> Racketeering offenses, including the extortion of money or goods from businesses by intimidation or the threat of violence as well as demonstration of a course of conduct of offenses to perpetuate the work of a criminal syndicate or similar group</li> </ul> |
| 9.3.2 | Other acts related to an organized criminal group<br>Acts related to an organized criminal group not previously described   |
| 9.4   | Terrorism<br>Participation in the activities of a terrorist group or other acts related to terrorist offenses   |
| 9.4.1 | Participation in a terrorist group<br>Participation in the activities of a group for the purpose of committing one or more terrorist offenses <ul style="list-style-type: none"> <li>• <i>Include:</i> Participation or membership in a terrorist group</li> </ul>  |
| 9.4.2 | Financing of terrorism  |

<sup>50</sup> An *organized criminal group* commonly refers to a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offenses in order to obtain, directly or indirectly, a financial or other material benefit.



**Table D.1** (continued)

The provision or collection of funds, with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out terrorist offenses (whether by individual terrorists or by terrorist groups)

- *Include:* Financing terrorism; financing terrorist groups

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9.4.3 Other acts related to the activities of a terrorist group

Acts related to the activities of a terrorist group not previously described

- *Include:* Recruitment or training for terrorism; incitement to terrorism

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**10 ACTS AGAINST THE NATURAL ENVIRONMENT OR AGAINST ANIMALS**

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10.1 Acts that cause environmental pollution<sup>51</sup> or degradation

Acts that result in the polluting of the natural environment, whether air, water, or soil

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10.2 Acts involving the movement or dumping of waste

Acts involving the illegal movement or dumping of waste

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10.3 Trade or possession of protected or prohibited species of fauna and flora

Unlawful trade or possession of specimens of protected or prohibited wild fauna or flora species

- *Terminology/Scope:* Includes illicit trafficking in related flora and fauna products, such as ivory trafficking, that does not amount to controlled substance offenses

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10.4 Acts that result in the depletion or degradation of natural resources

Acts that result in the unlawful exploitation or depletion of natural resources, fauna or flora species, land, water or air

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10.4.1 Illegal logging or mining

Unlawful extraction, cutting, harvest, transportation, purchase, or sale of timber or minerals

<sup>51</sup> *Pollution* is the direct or indirect contamination of the indoor or outdoor environment by any chemical, physical, or biological agent.

**Table D.1** (continued)

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|-----------|--|
|           | <ul style="list-style-type: none"> <li>• <i>Include:</i> Illegal logging; illegal slash and burn; trafficking of precious minerals; illegal mining; mining in the absence of land rights or mining licenses; mining in violation of environmental or safety standards</li> </ul>   |
| 10.4.2    | <p>Illegal hunting, fishing, or gathering of wild fauna and flora</p> <p>Unlawful hunting, fishing, collecting, or otherwise taking of wild fauna or flora</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Illegal hunting; illegal fishing; poaching</li> </ul>  |
| 10.5      | <p>Animal cruelty and other acts against animals</p> <p>Intentionally, knowingly, or recklessly taking an action that mistreats or kills any animal without just cause, such as torturing, tormenting, mutilation, maiming, poisoning, or abandonment</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Gross neglect of an animal or pet (e.g., failure to provide food or care); intentional abuse of animals; unlawful organized animal abuse, such as cockfighting or dog fighting; animal sexual abuse (bestiality/zoophilia)</li> </ul> |
| 10.6      | <p>Other acts against the natural environment or against animals</p> <p>Unlawful acts with potential to cause harm to the natural environment or other unlawful acts against animals not previously described</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Smuggling or unlawful use of ozone depleting substances</li> </ul>  |
| <b>11</b> | <b>OTHER CRIMINAL ACTS NOT ELSEWHERE CLASSIFIED</b>  |
| 11.1      | <p>Violations of military law</p> <p>Criminal offenses contrary to the expected behavior of members of the U.S. armed forces, in contravention of the punitive articles of the Uniform Code of Military Justice (10 USC § 877–934), that are not covered by offenses elsewhere defined in this classification</p>  |

**Table D.1** (continued)

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| <ul style="list-style-type: none"> <li>• <i>Include:</i> Fraudulent enlistment or appointment in, or separation from, the armed forces; desertion; absence without leave; insubordination/willfully disobeying a superior commissioned officer; aiding the enemy, not amounting to sabotage or other offenses; malingering;<sup>52</sup> conduct unbecoming an officer and a gentleman, as a general criminal offense</li> </ul>   |
| <p>11.2 Violations of tribal law<br/>Criminal offenses contrary to the justice systems of recognized American Indian tribal governments that are not covered by offenses elsewhere defined in this classification</p>  |
| <p>11.3 Torture<br/>Act committed by a person acting under the color of law specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his/her custody or physical control, for such purposes as obtaining information or a confession or punishing/intimidating the person<sup>53</sup></p>  |
| <p>11.4 Piracy<br/>Any act of violence, detention, or depredation committed for private ends by the crew or the passengers of a private ship or a private aircraft directed on the high seas against another ship or aircraft, or against persons or property on board such ship or aircraft; or against a ship, aircraft, persons or property in a place outside the jurisdiction of any state, including acts of participation, incitement, and facilitation in such acts</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Any act of voluntary participation in the operation of a ship or of an aircraft with the knowledge of facts making it a pirate ship or aircraft; any act of inciting or of intentionally facilitating an act of piracy; privateering; unlawful commandeering</li> </ul> |

<sup>52</sup> *Malingering* is the feigning of injury or disability, or the self-infliction of injury, with the intent of avoiding lawful duty or service.  
<sup>53</sup> This definition melds the definition of torture in U.S. federal law (18 USC § 2340) with the draft ICCS definition; the federal definition extends “severe mental pain or suffering” by one person to include mental harm resulting from the threat of severe physical pain or suffering to another person.

**Table D.1** (continued)

|      |   |
|------|---|
| 11.5 | <p>Genocide</p> <p>Acts committed, whether in time of peace or war, with the intent to destroy in whole or in part a national, ethnic, racial, or religious group, including: killing members of the group; causing serious bodily harm to or permanent impairment of the mental faculties of members of the group; deliberately subjecting the group to conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; and forcibly transferring children of the group to another group<sup>54</sup></p>  |
| 11.6 | <p>War crimes</p> <p>Acts constituting serious violations of the laws and customs applicable in armed conflict as expressed in the Rome Statute of the International Criminal Court, the Geneva Conventions of August 12, 1949, and other international humanitarian law</p> <ul style="list-style-type: none"> <li>• <i>Include:</i> Unlawful killing, causing or intending to cause death, or serious injury associated with armed conflict; unlawful destruction or damage to property associated with armed conflict; sexual violence associated with armed conflict; acts against liberty or human dignity associated with armed conflict (including treatment of prisoners of war); conscripting or enlisting child soldiers; other war crimes</li> </ul> |
| 11.7 | <p>Other criminal acts not elsewhere classified</p> <p>Other acts in violation of federal or state criminal law that are not previously described</p>   |

<sup>54</sup>This definition of genocide is adapted from that codified in U.S. federal law at 18 USC § 1091 (pursuant to 1988's P.L. 100-606), which further defines attempted genocide and conspiracy to genocide as offenses equally punishable with genocide itself.



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## Biographical Sketches of Panel Members and Staff

**Janet L. Lauritsen** (*chair*) is Curators' professor of criminology and criminal justice at the University of Missouri–St. Louis. Her research focuses on the causes and consequences of victimization, the social and historical contexts of crime and victimization, and quantitative research methodologies. Her current research focuses on how the correlates of violent victimization such as gender, race and ethnicity, and poverty status have changed in the United States over the past four decades. Her most recent publications cover topics such as gender inequality and violence against women, repeat victimization, the relationship between changing economic conditions and violent victimization, and gender differences in risk factors for victimization. Her most recent research has been funded by the National Science Foundation, the Bureau of Justice Statistics, and the National Institute of Justice. She serves on the editorial boards of *Criminology* and the *Journal of Quantitative Criminology*. At the National Academies of Sciences, Engineering, and Medicine, she is currently a member of the Committee on Law and Justice and its Roundtable on Crime Trends. She previously served on the Panel to Review the Programs of the Bureau of Justice Statistics and the Committee to Review Research on Police Policies and Practices. She has a Ph.D. in sociology from the University of Illinois at Urbana-Champaign.

**Daniel B. Bibel** retired in February 2015 as program manager of the Crime Reporting Unit of the Massachusetts State Police since 1992. Previously, he served as program manager of the Uniform Crime Reporting program for

the Commonwealth of Massachusetts Criminal History Systems Board and as director of the Massachusetts Committee on Criminal Justice's Statistical Analysis Center. He has held adjunct faculty positions at the Northeastern University School of Criminal Justice and at the University of Massachusetts, Lowell. A two-time past president of the Association of State Uniform Crime Reporting Systems, he is currently a member of the Uniform Crime Reporting Subcommittee of the Federal Bureau of Investigation Advisory Policy Board, and served for nearly a decade on the Statewide Geographic Information Advisory Committee in Massachusetts. He holds a bachelor's degree in sociology from Fairleigh Dickinson University and an M.S. degree in criminal justice from Northeastern University.

**Jonathan P. Caulkins** is H. Guyford Stever professor of operations research and public policy at the H. John Heinz III College, Carnegie Mellon University. A member of the Carnegie Mellon faculty since 1990, he has taken leaves of absence to teach at the university's campus in Doha, Qatar, to direct RAND's Drug Policy Research Center, and to establish RAND's Pittsburgh office. His research focuses on mathematical models of social policy problems and on specific policies in the area of drugs, crime, and delinquency. He has consulted with a wide variety of agencies and organizations, including the Central Intelligence Agency, the United Nations Office on Drugs and Crime, the United Kingdom Drug Policy Commission, and Westat. He was elected to the National Academy of Engineering in 2015. He is a fellow of the Institute for Operations Research and the Management Sciences and won the David Kershaw Award from the Association of Public Policy Analysis and Management. At the National Academies, he has served on the Committee on Increased Costs to the U.S. Department of Justice of Border Enforcement by the U.S. Department of Homeland Security, the Committee on Reducing Tobacco Use, and the Committee on Immunotherapies for Treating Drug Addiction. He holds a bachelor's degree in systems science and engineering, computer science, and engineering and policy and an M.S. degree in systems science and engineering, both from Washington University, and an S.M. degree in electrical engineering and computer science and a Ph.D. degree in operations research from the Massachusetts Institute of Technology.

**Daniel L. Cork** (*study director*) is a senior program officer for the Committee on National Statistics (CNSTAT), currently serving as study director for this panel and for the Standing Committee on Reengineering Census Methods. He joined the CNSTAT staff in 2000 and has served as study director or program officer for several census-related panels, including the Panels on Residence Rules in the Decennial Census, Research on Future Census Methods (2010 Planning panel), Review of the 2000 Census, and Review of the 2010 Census. He also directed the Panel to Review the Programs of the Bureau of Justice

Statistics (in cooperation with the Committee on Law and Justice) and was senior program officer for the Panel on the Feasibility, Accuracy, and Technical Capability of a National Ballistics Database (joint with the Committee on Law and Justice and the National Materials Advisory Board). His research interests include quantitative criminology, geographical analysis, Bayesian statistics, and statistics in sports. He has a B.S. in statistics from George Washington University and an M.S. in statistics and a joint Ph.D. in statistics and public policy from Carnegie Mellon University.

**Kim English** is research director for the Division of Criminal Justice, within the Colorado Department of Public Safety, and director of the Colorado Statistical Analysis Center. In this capacity, she manages a staff of professional researchers engaged in a variety of criminal and juvenile justice research and policy analysis activities, providing research support, policy analysis, and program evaluation findings to the Colorado General Assembly, the governor's office, and the Colorado Criminal and Juvenile Justice Commission. She received the 1999 J. Paul Sylvestre Award from the Justice Research and Statistics Association and the Bureau of Justice Statistics for outstanding achievement in advancing criminal justice statistics in the states. She has consulted with the Council of State Governments, the National Governor's Association, the National Association of State Legislatures, the National Institute of Corrections, the Center for Sex Offender Management, the American Probation and Parole Association, and criminal justice agencies in states across the country. She has an M.A. degree in sociology and criminology from the University of Colorado at Boulder.

**Robert M. Goerge** is a senior research fellow at Chapin Hall at the University of Chicago, where he also serves as director of the Joint Program on Public Policy and Computing at the Harris School for Public Policy Studies. His research focuses on improving available data on children and families, in particular those affected by violence or who require special services related to disability or poverty. He developed Chapin Hall's Integrated Database on Child and Family Programs in Illinois, which combines data from educational, criminal/juvenile justice, employment, and healthcare programs with administrative data on receipt of social services. With NORC at the University of Chicago, he is also principal investigator of the National Survey of Early Care and Education. At the National Academies, he served on the Panel on Data and Methods for Measuring the Effects of Changes in Social Welfare Programs. He has a Ph.D. in social policy from the University of Chicago.

**Nola M. Joyce** retired in early 2016 after serving since February 2008 as deputy commissioner of the Philadelphia Police Department. In that capacity,



she headed the Office of Organizational Services, Strategy, and Innovations and led the departmental change management efforts for Commissioner Charles Ramsey. From 1998 to 2007, she performed similar duties with the Metropolitan Police Department, Washington, D.C.; previously, she spent six years as deputy director of the Chicago Police Department's Research and Development Division, where she was particularly involved in implementing the Chicago Alternative Policing Strategy model for community policing. For eleven years, she was manager of the research, planning, and budget divisions of the Illinois Department of Corrections. She received the Gary P. Hayes award in 2010 from the Police Executive Research Forum; she is a member of the International Association of Chiefs of Police Research Advisory Committee and the U.S. Department of Justice, Bureau of Justice Assistance, Law Enforcement Futurist Group. She has two master's degrees from Southern Illinois University—one in urban affairs and public policy and another in sociology with specialization in research methodology and statistics—and another master's degree in homeland defense and security from the U.S. Naval Postgraduate School; she is also completing work in Temple University's Ph.D. program in criminal justice.

**James P. Lynch** (*consultant to the panel*) is professor and chair of the Department of Criminology and Criminal Justice at the University of Maryland. From June 2010 through his appointment at the University of Maryland, he served as director of the Bureau of Justice Statistics. Previously, he was distinguished professor at John Jay College of Criminal Justice in New York. At the Bureau of Social Science Research in the 1980s, he served as manager of the National Crime Survey redesign effort for the bureau. He became a faculty member in the Department of Justice, Law, and Society at American University in 1986, where he remained as associate professor, full professor, and chair of the department until leaving for John Jay in 2005. He has published 3 books, 25 refereed articles, and over 40 book chapters and other publications. He was elected to the executive board of the American Society of Criminology in 2002 and has served on the editorial boards of *Criminology* and the *Journal of Quantitative Criminology* and as deputy editor of *Justice Quarterly*. He has also chaired the American Statistical Association's Committee on Law and Justice Statistics. He was a member of the Panel to Review the Programs of the Bureau of Justice Statistics, and currently serves on the Committee on Law and Justice and the Panel on Improving Federal Statistics for Policy and Social Science Research Using Multiple Data Sources and State-of-the-Art Estimation Methods. He has a Ph.D. in sociology from the University of Chicago.

**David McDowall** is distinguished teaching professor of criminal justice at the University at Albany, State University of New York, and co-director of

the Violence Research Group. Prior to joining the Albany faculty, he was a postdoctoral fellow at the University of Michigan and served on the faculties of the University at Buffalo and the University of Maryland. His research makes extensive use of quantitative methods and aggregate crime data. He has published on policy issues in juvenile justice and firearm violence, and on the nature and statistical properties of crime rate trends. From 2001–2008, he was editor-in-chief of the *Journal of Quantitative Criminology*. He currently serves on the editorial boards of the *Journal of Experimental Criminology*, the *Journal of Quantitative Criminology*, and the *Journal of Research on Crime and Delinquency*. A fellow of the American Society of Criminology, he received the Criminology Teaching Award for career-length achievement from the society in 2011. He has a Ph.D. in sociology from Northwestern University.

**Jennifer H. Madans** was named associate director for science of the National Center for Health Statistics (NCHS), U.S. Centers for Disease Control and Prevention, in May 1996, and is responsible for the overall plan and development of NCHS's data collection and analysis programs. Her research concentrations include data collection methodology, measurement of health and functioning, and health services research; she was founding member and chair of the steering committees for three United Nations-sponsored initiatives to develop internationally comparable measures of disability and health. She has directed two major national longitudinal studies (the National Health and Nutrition Examination Survey I Epidemiologic Followup Study and the National Nursing Home Followup Study), and participated in the redesign of the National Health Interview Survey questionnaire. She has also served as adjunct associate professor in the Demography and Community and Family Medicine Departments at Georgetown University. She is a fellow of the American Statistical Association, an elected member of the International Statistical Institute, and a past vice president of the International Association of Official Statistics. At the National Academies, she is currently a member of the Panel on Addressing Priority Technical Issues for the Next Decade of the American Community Survey; she previously served on the Committee to Develop Criteria for Evaluating the Outcomes of Approaches to Prevent and Treat Obesity and the steering committee for the Workshop on the Future of Federal Household Surveys. She has a B.A. degree from Bard College and M.A. and Ph.D. degrees in sociology from the University of Michigan.

**Michael D. Maltz** is professor emeritus of criminal justice and information and decision sciences at the University of Illinois at Chicago and senior research scientist and adjunct professor of sociology at the Criminal Justice Research Center at Ohio State University. A past editor of the *Journal of Quantitative Criminology*, he was a visiting fellow at the Bureau of Justice Statistics from 1995 to 2000. His primary research interests have been on the validity of

crime data, including routines for handling of missing data, and the capability for drawing useful inferences from those data through mathematical models and visualization techniques. His 1984 book *Recidivism* was awarded the Lanchester Prize of the Operations Research Society of America (later, the Institute for Operations Research and the Management Sciences). In 1996, he held a Fulbright Scholarship at El Colegio de Michoacán in Mexico. He holds a Ph.D. in electrical engineering from Stanford University.

**Michael C. Miller** has over 24 years of law enforcement experience at the city, county, tribal, and federal levels. Currently, he is serving as assistant chief of police for the Coral Gables Police Department, Florida. Prior to joining the Coral Gables Police Department in early 2013, he served in the Federal Bureau of Investigation (FBI) for six years as the special assistant to the executive assistant director of the Criminal, Cyber, Response and Services Branch and as the special assistant to the assistant director of the Directorate of Intelligence. He also served for two years as an FBI detailee to the U.S. Bureau of Indian Affairs as deputy associate director of law enforcement operations. Prior to joining the FBI, he spent 13 years as a management consulting executive, most notably as the global program executive for Accenture's Immigration, Justice and Public Safety practice. He also spent 11 years as regular and reserve deputy sheriff in Wise County, Texas, and five years as a reserve police officer in Addison, Texas. He holds a B.S. degree in biomedical science from Texas A&M University and an M.P.A. from Harvard University's John F. Kennedy School of Government, and has completed the executive program in Navigating Strategic Change at Northwestern University's Kellogg School of Management.

**James J. Nolan, III**, is professor of sociology and criminology at West Virginia University where he teaches courses about crime and social control. His research currently focuses on police procedures, crime measurement, and hate crime. From 1980 to 1993, he worked in the Wilmington, Delaware, police department, starting as patrol officer and eventually serving as project director for the community-oriented policing part of the Weed and Seed Program, for which Wilmington was one of the original 16 sites. He also served as senior policy advisor to the secretary of public safety in Delaware. He graduated from the FBI National Academy in 1992 and was chief of the Crime Analysis, Research, and Development Unit in the FBI's Criminal Justice Information Services Division (CJIS) from 1995 to 2000, at which time he joined the West Virginia University faculty. During his tenure at CJIS, he provided management oversight for the National Hate Crime Data Collection Program. In 2010, he was named West Virginia's Professor of the Year by the Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education. He is a past recipient of a grant to study statistical adjustments to police crime data from the American Statistical

Association and the Bureau of Justice Statistics. He holds B.S. and M.S. degrees from Wilmington College and a M.Ed. and a Ph.D. in psychoeducational processes from Temple University.

**John V. Pepper** is professor of economics at the University of Virginia, where he has served on the faculty since 1996. His work examines identification problems that arise when evaluating a wide range of public policy questions including such subjects as health and disability programs, welfare policies (e.g., SNAP), and drug and crime policies. From 2001 to 2002, he served as study director of the National Academies' Committee to Improve Research Information and Data on Firearms, culminating in the 2004 report *Firearms and Violence: A Critical Review*. He was a member of the Committee on Improving Evaluation of Anti-Crime Programs and served as consultant to other panels of the National Academies' Committee on Law and Justice, most recently serving as co-editor with Daniel S. Nagin of *Deterrence and the Death Penalty* (2012), the report of a study panel of the same name. He holds a B.A. degree in quantitative economics from Tufts University and M.S. and Ph.D. degrees in economics from the University of Wisconsin–Madison.

**Alex R. Piquero** is Ashbel Smith professor of criminology in the School of Economic, Political, and Policy Sciences at the University of Texas at Dallas. He is also a faculty associate and member of the research advisory board of the Center for Violence and Injury Prevention, George Warren Brown School of Social Work, Washington University in St. Louis. Previously, he was Gordon P. Waldo professor of criminology at Florida State University, professor of criminology and criminal justice at the University of Maryland, and presidential scholar and professor at the John Jay College of Criminal Justice. He began his academic career on the faculties of the University of Florida, Northeastern University, and Temple University. He has been a senior research fellow at the Police Foundation and was a member of the National Science Foundation-funded National Consortium on Violence Research. He is a fellow of both the American Society of Criminology and the Academy of Criminal Justice Sciences, and recently served as co-editor of the *Journal of Quantitative Criminology*. At the National Academies, he served on the Committee on Assessing the Research Program of the National Institute of Justice. He holds B.A., M.A., and Ph.D. degrees in criminology and criminal justice from the University of Maryland.

**Jeffrey L. Sedgwick** is executive director of the Justice Research and Statistics Association in Washington, DC. Previously, he was co-founder and managing partner of Keswick Advisors in Richmond, Virginia. He was confirmed by the Senate as director of the Bureau of Justice Statistics (BJS) in March 2006. In January 2008, he was named acting assistant attorney general for the Office

of Justice Programs (OJP) in addition to the BJS directorship; subsequently nominated as assistant attorney general for OJP, he was confirmed in October 2008 and served until the change in presidential administrations in January 2009. He previously served from January 1984 to January 1985 as deputy director for data analysis at BJS. He is professor emeritus of political science at the University of Massachusetts Amherst, where he joined the faculty in 1977. He has also served as visiting instructor of leadership studies at the University of Richmond. He is the author of *Law Enforcement Planning: The Limits of an Economic Approach* (1984) and *Deterring Criminals: Policymaking and the American Political Tradition* (1980), and has directed or participated in several international programs, teaching and lecturing in Ukraine, Kyrgyzstan, Germany, Trinidad and Tobago, and other countries. He has a bachelor's degree in political science from Kenyon College and a master's degree in public administration and public policy and Ph.D. in government and public affairs from the University of Virginia.

**Paul K. Wormeli** (*liaison member, Committee on Law and Justice*) is principal and innovation strategist at Wormeli Consulting, LLC, a technology consulting firm for public service agencies. He is executive director emeritus of the Integrated Justice Information Systems Institute, a nonprofit corporation in Ashburn, Virginia. He has had a long career in the field of law enforcement and justice technology. He has been active in the development of software products, managed system implementation for dozens of agencies throughout the world, and managed national programs in support of law enforcement and criminal justice agencies. He was the first national project director of Project SEARCH, and was subsequently appointed as deputy administrator of the Law Enforcement Assistance Administration in the U.S. Department of Justice (a predecessor of the current Office of Justice Programs). He helped design the first mobile computing equipment sold in this country to law enforcement agencies. He managed the staff work and wrote much of the report for the Information Systems section in the report of the National Commission on Standards and Goals for Criminal Justice. He has been an advisor to the White House on security and privacy, participated in the drafting of federal law, and was responsible for the development of numerous state plans to implement the federal and state laws on information system security and privacy. During his tenure in the Justice Department, he served on the President's Committee on Drug Enforcement. He was also the first chairman of the Integrated Justice Information Systems Industry Working Group (IWG). At the National Academies, he is a current member of the Committee on Law and Justice. He holds a B.S. degree in electronics engineering from the University of New Mexico and an M.S. degree in engineering administration from George Washington University.

### COMMITTEE ON NATIONAL STATISTICS

The Committee on National Statistics was established in 1972 at the National Academies of Sciences, Engineering, and Medicine to improve the statistical methods and information on which public policy decisions are based. The committee carries out studies, workshops, and other activities to foster better measures and fuller understanding of the economy, the environment, public health, crime, education, immigration, poverty, welfare, and other public policy issues. It also evaluates ongoing statistical programs and tracks the statistical policy and coordinating activities of the federal government, serving a unique role at the intersection of statistics and public policy. The committee's work is supported by a consortium of federal agencies through a National Science Foundation grant.

