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Criminal Justice Information Services (CJIS) Division Uniform Crime Reporting (UCR) Program



Summary Reporting System (SRS) User Manual

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CHAPTER V

PART II OFFENSES

The UCR Program divides offenses into two groups—Part I and Part II. The FBI UCR Program collects offense and arrest data on all Part I offenses that become known to law enforcement whether or not they involve arrests. However, the UCR Program only collects arrest data Part II offenses.

One of the fundamental goals of the UCR Program is to maintain uniformity in the offense and arrest data. In November 1932, the UCR Program adopted a Standard Classification of Offenses for the compilation of criminal statistics.

9. Other Assaults

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack (e.g., intimidation).

Some examples of local jurisdiction offense titles that are included in Other Assaults are:

Simple assault	Stalking
Minor assault	Intimidation
Assault and battery	Coercion
Injury by culpable negligence	Hazing
Resisting or obstructing an officer	Attempts to commit any of the above

10. Forgery and Counterfeiting

The altering, copying, or imitating of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine, or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud.

In the majority of states, forgery and counterfeiting are treated as allied offenses.

Agencies include in this classification:

Altering or forging public and other records

Making, altering, forging, or counterfeiting bills, notes, drafts, tickets, checks, credit cards, etc.

Forging wills, deeds, notes, bonds, seals, trademarks, etc.

Counterfeiting coins, plates, banknotes, checks, etc.

Possessing or uttering forged or counterfeited instruments

Erasures

Signing the name of another or fictitious person with intent to defraud

Using forged labels

Possession, manufacture, etc., of counterfeiting apparatuses

Selling goods with altered, forged, or counterfeited trademarks

Attempts to commit any of the above

11. Fraud

The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion and obtaining of money or property by false pretenses.

Fraud involves either the offender receiving a benefit or the victim incurring a detriment. The benefit or detriment could be either “tangible” or “intangible.” Intangibles are anything which cannot be perceived by the sense of touch. They can be benefits, e.g., a right or privilege, a promotion, enhanced reputation, or a detriment, e.g., loss of reputation, injured feelings.

Examples of common fraud cases are where something of value, such as a DVD player or an automobile, is rented for a period of time but is not returned. This offense, conversion of goods lawfully possessed by bailees, is classified as fraud and not larceny. In such cases, the offenders originally had lawful possession of the property (the property was either rented, loaned, or the person was in some way entrusted with its possession) and through deceit (they promised to return it) kept the property.

Agencies include in this classification:

Bad checks, except forgeries and counterfeiting

False pretenses/swindle/confidence games

Leaving a full-service gas station without paying attendant

Credit card/Automatic Teller Machine Fraud

Impersonation

Welfare Fraud

Wire Fraud

Attempts to commit any of the above

12. Embezzlement

The unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.

Generally, the victims of embezzlement offenses are businesses, financial institutions, etc.

Reporting agencies include attempts.

13. Stolen Property: Buying, Receiving, Possessing

Buying, receiving, possessing, selling, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by burglary, embezzlement, fraud, larceny, Robbery, etc.

Reporting agencies include attempts to commit any of the above.

14. Vandalism

To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

This offense covers a wide range of malicious behavior directed at property, such as cutting auto tires, drawing obscene pictures on public restroom walls, smashing windows, destroying school records, tipping over gravestones, and defacing library books.

Reporting agencies include attempts to commit any of the above.

15. Weapons: Carrying, Possessing, Etc.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

This classification encompasses weapon offenses that are regulatory in nature. Agencies include in this classification:

Manufacture, sale, or possession of deadly weapons

Carrying deadly weapons, concealed or openly

- Using, manufacturing, etc., of silencers
- Furnishing deadly weapons to minors
- Aliens possessing deadly weapons
- Attempts to commit any of the above

16. Prostitution and Commercialized Vice

The unlawful promotion of or participation in sexual activities in exchange for anything of value. To solicit customers or transport persons for prostitution purposes, to own, manage, or operate a dwelling or other establishment for the purpose of providing a place where prostitution is performed, or to otherwise assist or promote prostitution. The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 requires the FBI UCR Program to distinguish between incidents of prostitution, assisting or promoting prostitution, and purchasing prostitution. In accordance with the law, the Part II crime of Prostitution and Commercialized Vice is now distinguished by three subcategories:

- A. Prostitution
- B. Assisting or Promoting Prostitution
- C. Purchasing Prostitution

Agencies include in these classifications:

- Performing / purchasing prostitution
- Keeping a bawdy house, disorderly house, or house of ill fame
- Pandering, procuring, transporting, or detaining women for immoral purposes, etc.
- Attempts to commit any of the above

17. Sex Offenses (Except Rape and Prostitution and Commercialized Vice)

This classification includes offenses against chastity, common decency, morals, and the like.

The ability of the victim to give consent is a professional determination by the LEA. The age of the victim, of course, plays a critical role in this determination. Individuals do not mature mentally at the same rate. Certainly, no 4-year old is capable of consenting, where victims aged 10 or 12 may need to be assessed within the specific circumstances.

Sexual attacks on males are included in this classification. However, depending on the nature of the crime and the extent of the injury, the offense could be classified as an assault.

This classification includes all sex offenses except rape and prostitution and commercialized vice.

Agencies include in this classification:

Adultery and fornication	Seduction
Buggery	Fondling
Incest	Statutory rape (no force)
Indecent exposure	Attempts to commit any of the above
Indecent liberties	

18. Drug Abuse Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

The UCR Program collects information on arrests for drug abuse violations based on the narcotics involved. Agencies include all arrests for violations, including attempts, and subdivide the arrests by differentiating between Sale/Manufacturing and Possession:

Sale/Manufacturing

- a. Opium or cocaine and their derivatives (morphine, heroin, codeine)
- b. Marijuana
- c. Synthetic narcotics—manufactured narcotics which can cause true drug addiction (demerol, methadones)
- d. Dangerous nonnarcotic drugs (barbiturates, benzedrine)

Possession

- e. Opium or cocaine and their derivatives (morphine, heroin, codeine)
- f. Marijuana
- g. Synthetic narcotics—manufactured narcotics which can cause true drug addiction (demerol, methadones)
- h. Dangerous nonnarcotic drugs (barbiturates, benzedrine)

19. Gambling

To unlawfully bet or wager money or something else of value, assist, promote, or operate a game of chance for money or some other stake, possess or transmit wagering information, manufacture, sell, purchase, possess, or transport gambling equipment, devices, or goods, or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

To unlawfully stake money or something else of value on the happening of an uncertain event or on the ascertainment of a fact in dispute.

To unlawfully operate, promote, or assist in the operation of a game of chance, lottery, or other gambling activity.

To unlawfully manufacture, sell, buy, possess, or transport equipment, devices, and/or goods used for gambling purposes.

To unlawfully alter, meddle in, or otherwise interfere with a sporting contest or event for the purpose of gaining a gambling advantage.

Reporting agencies divide gambling arrests into three categories:

Bookmaking (horse and sport book)

Numbers and lottery

All other (illegal gambling machines, etc.)

20. Offenses Against the Family and Children

Unlawful nonviolent acts by a family member (or legal guardian) that threaten the physical, mental, or economic well-being or morals of another family member and that are not classifiable as other offenses, such as Assault or Sex Offenses.

Agencies include in this classification:

Nonviolent cruelty to other family members

Nonviolent abuse

Desertion, abandonment, or nonsupport of spouse or child

Neglect or abuse of spouse or child (if injury is serious, score as aggravated assault)

Nonpayment of alimony

Attempts to commit any of the above

NOTE: Agencies do not include victims of these charges who are merely taken into custody for their own protection.

21. Driving Under the Influence

Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

Agencies include in this classification:

Operating a motor vehicle while under the influence

Operating an engine, train, streetcar, boat, etc., while under the influence

22. Liquor Laws

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Agencies include in this classification:

Manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor

Maintaining unlawful drinking places

Bootlegging

Operating still

Furnishing liquor to a minor or intemperate person

Underage possession

Using a vehicle for illegal transportation of liquor

Drinking on train or public conveyance

Open containers

Attempts to commit any of the above

23. Drunkenness

To drink alcoholic beverages to the extent that one's mental faculties and physical coordination are substantially impaired. Exclude driving under the influence.

Agencies include in this classification:

Drunkenness Common or habitual drunkard

Drunk and disorderly Intoxication

24. Disorderly Conduct

Any behavior that tends to disturb the public peace or decorum, scandalize the community, or shock the public sense of morality.

Agencies include in this classification:

- Unlawful assembly
- Disturbing the peace
- Disturbing meetings
- Disorderly conduct in state institutions, at court, at fairs, on trains or public conveyances, etc.
- Blasphemy, profanity, and obscene language
- Refusing to assist an officer
- Attempts to commit any of the above

25. Vagrancy

The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets or other specified areas, prohibiting persons from remaining in an area or place in an idle or aimless manner, or prohibiting persons from going from place to place without visible means of support.

Agencies include in this classification:

- Suspicious person
- Begging
- Loitering (persons 18 and over)
- Vagabondage

26. All Other Offenses

All violations of state or local laws not specifically identified as Part I or Part II offenses, except traffic violations.

Agencies include in this classification:

- Admitting minors to improper places
- Bigamy and polygamy
- Blackmail and extortion

Bribery
Combination in restraint of trade, trusts, monopolies
Contempt of court
Criminal anarchism
Criminal syndicalism
Discrimination, unfair competition
Kidnapping
Marriage within prohibited degrees
Offenses contributing to juvenile delinquency, such as employment of children in immoral vocations or practices, and admitting minors to improper places.
Perjury and subornation of perjury
Possession, repair, manufacture, etc., of burglar's tools
Possession of drug paraphernalia
Possession or sale of obscene literature, pictures, etc.
Public nuisances
Riot and rout
Trespass
Unlawfully bringing weapons into prisons, hospitals, airports, businesses, schools, etc.
Unlawfully bringing drugs or liquor into state prisons, hospitals, etc., furnishing to convicts
Unlawful disinterment of the dead and violation of sepulture
Unlawful use, possession, etc., of explosives
Violations of state regulatory laws and municipal ordinances that are not already included in this list
Violation of quarantine
All offenses not otherwise classified
Attempts to commit any of the above

27. Suspicion

Arrested for no specific offense and released without formal charges being placed.

Although suspicion is not an offense, it is the grounds for many arrests in those jurisdictions where the law permits. After law enforcement officers examine the situation, they will either formally charge the prisoner or release him/her. Reporting agencies classify the offense for which those individuals were formally charged as one of the Part I or II offenses. The suspicion classification is limited to suspicion arrests where persons arrested are released by the police.

28. Curfew and Loitering Laws (Persons under age 18)

Violations by juveniles of local curfew or loitering ordinances.

29. Runaways (Persons under age 18)⁸

Limited to juveniles taken into protective custody under the provisions of local statutes.

Although running away does not constitute a criminal offense, agencies should report each handling of a runaway. Handling of runaways from one jurisdiction by another jurisdiction should be counted by the home jurisdiction.

30. Assisting and Promoting Prostitution

Soliciting customers or transporting persons for prostitution purposes, to own, manage, or operate a dwelling for the purpose of providing a place where prostitution is performed, or to otherwise assist or promote prostitution.

31. Purchasing Prostitution

Purchasing or trading anything of value for commercial sex acts.

⁸ Arrest data on Runaways is no longer required by the FBI UCR Program due to the differences between jurisdictional statutes. Specifically, not all jurisdictions consider runaway as a criminal offense. LEAs who have not updated their records management systems can still report runaways, however this data is no longer published by the FBI UCR Program.

GLOSSARY

A goal of the UCR Program, as developed by law enforcement, was to provide a “common denominator” language that transcends the varying local and state laws. State statutes and local ordinances must be very specific in defining crimes so that persons facing prosecution will know the exact charges being placed against them. On the other hand, the definitions used in UCR are generic in order not to exclude varying state and federal statutes relating to the same type of crime. These definitions are not meant to be used for charging persons with crimes; to the contrary, they are meant to be categorical definitions for reporting crimes committed throughout the United States. Accordingly, the offense definitions in the UCR Program are based on the common-law definitions found in the Black’s Law Dictionary, the Program’s 1932 Standard Classification of Offenses, and the National Crime Information Center’s Uniform Offense Classifications.

Adult—A person 18 years of age or older.

Aggravated Assault—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.

All Other Offenses—All violations of state or local laws not specifically identified as Part I or Part II offenses, except traffic violations.

Arson—Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Assault—An unlawful attack by one person upon another.

Autos—Sedans, station wagons, coupes, convertibles, sport utility vehicles, minivans, and other similar motor vehicles that serve the primary purpose of transporting people from one place to another.

Burglary—The unlawful entry of a structure to commit a felony or a theft.

Carnal Knowledge—The act of a man having sexual bodily connections with a woman; sexual intercourse. The slightest penetration of the sexual organ of the female (vagina) by the sexual organ of the male (penis).

Classifying—Determining the proper crime categories in which to report offenses in UCR. The offense’s classification is based on the facts of an agency’s investigation of crimes.

Cleared by Arrest—An offense is considered cleared when at least one person involved in the commission of the offense has been (1) arrested, (2) charged, and (3) turned over to the court for prosecution.

Cleared by Exceptional Means—A clearance in which some element beyond law enforcement control prevents filing of formal charges against the offender. Agencies can clear an offense exceptionally if they can answer all of the following in the affirmative. (1) Has the investigation definitely established the identity of the offender? (2) Is there enough information to support an arrest, charge, and turning over to the court for prosecution? (3) Is the exact location of the offender known so that the subject could be taken into custody now? (4) Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender (for example, suicide, deathbed confession, double murder, etc.)?

Constructive Possession—The condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Conversion—An unauthorized assumption and exercise of the right of ownership over goods or personal chattels belonging to another to the alteration of their condition or the exclusion of the owner's rights.

Crime Against Property—Offenses in this category include robbery, burglary, larceny-theft, motor vehicle theft, and arson. One offense is counted for each distinct operation, except in the case of motor vehicle theft for which one offense is counted for each stolen vehicle.

Crime Against Persons—Offenses in this category include criminal homicide, rape, aggravated assault, human trafficking—commercial sex acts, and human trafficking—involuntary servitude. One offense is scored for each victim.

Criminal Homicide—The willful killing of one human being by another.

Curfew and Loitering (Persons under age 18)—Violations by juveniles of local curfew or loitering ordinances.

Disorderly Conduct—Any behavior that tends to disturb the public peace or decorum, scandalize the community, or shock the public sense of morality.

Driving Under the Influence—Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

Drug Abuse Violations—The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession,

transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Drunkenness—To drink alcoholic beverages to the extent that one's mental faculties and physical coordination are substantially impaired. Exclude driving under the influence.

Embezzlement—The unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.

Forcible Rape—The carnal knowledge of a female forcibly and against her will.

Forgery and Counterfeiting—The altering, copying, or imitating of something without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud.

Fraud—The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion and obtaining of money or property by false pretenses.

Gambling—To unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess, or transport gambling equipment, devices or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

Hate Crime—A criminal offense committed against a person, property, or society which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as a bias crime.

Hierarchy Rule—When more than one Part I offense is classified, the law enforcement agency must locate the offense that is highest on the hierarchy list and score that offense and not the other offense in the multiple-offense situation. There is a significance to the order in which the Part I offenses are presented, with murder being the highest in the hierarchy and arson being the lowest. The offenses of justifiable homicide, motor vehicle theft, and arson are exceptions to the Hierarchy Rule.

Forcible Rape—The carnal knowledge of a female forcibly and against her will. This definition is now only used for historical trend purposes.

Hotel Rule—Burglaries of hotels, motels, lodging houses, and other places where lodging of transients is the main purpose are scored under provisions of the Hotel Rule. This principle of

scoring dictates that if a number of dwelling units under a single manager are burglarized and the offenses are most likely to be reported to the police by the manager rather than the individual tenants, the burglary must be scored as one offense.

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

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

Justifiable Homicide—The killing of a felon by a peace officer in the line of duty or the killing of a felon, during the commission of a felony, by a private citizen.

Juvenile—A person under 18 years of age.

Larceny-theft—The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Liquor Laws—The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Manslaughter by Negligence—The killing of another person through gross negligence.

Motor Vehicle—A self-propelled vehicle that runs on land surface and not on rails.

Motor Vehicle Theft—The theft or attempted theft of a motor vehicle.

Murder and Nonnegligent Manslaughter—The willful (Nonnegligent) killing of one human being by another.

Offenses Against the Family and Children—Unlawful nonviolent acts by a family member (or legal guardian) which threaten the physical, mental, or economic well-being or morals of another family member and which are not classifiable as other offenses, such as Assault or Sex Offenses.

Other Vehicles—All other vehicles that meet the UCR definition for motor vehicles such as snowmobiles, motorcycles, motor scooters, trail bikes, mopeds, golf carts, and all-terrain vehicles.

Part I Offenses—The first of two main groupings of UCR crime classifications consisting of eight offenses (criminal homicide, forcible rape, aggravated assault, robbery, burglary, larceny-theft, motor vehicle theft, and arson).

Part II Offenses—The second of two main UCR groupings of crime classifications not already designated in Part I. Agencies are limited to reporting arrest information only for Part I offenses with the exception of simple assault.

Prostitution and Commercialized Vice—The unlawful promotion of or participation in sexual activities for profit.

Rape—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.

Robbery—The taking or attempted taking of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Runaways (Persons under age 18)—Limited to juveniles taken into protective custody under the provisions of local statutes. Runaways is no longer required by the FBI UCR Program.

Scoring—Counting the number of offenses after they have been classified and entering the total count on the appropriate reporting form. The appropriate scoring of Part I crimes is directly related to the two types of crimes involved: crimes against the person and crimes against property.

Separation of Time and Place Rule—A standard UCR scoring practice that stipulates if there is a separation of time and place between the commission of several crimes, the reporting agency must handle each crime as a separate incident and must classify and score each offense individually.

Sex Offenses—Offenses against chastity, common decency, morals, and the like.

Simple Assault—All assaults and attempted assaults which are not of an aggravated nature and do not result in serious injury to the victim.

Stolen Property: Buying, Receiving, Possessing—Buying, receiving, possessing, selling, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by burglary, embezzlement, fraud, larceny, robbery, etc.

Structure—Includes, but is not limited to, apartments, barns, cabins, churches, condominiums, dwelling houses, factories, garages, house trailers or houseboats (used as a permanent dwelling), mills, offices, other buildings, outbuildings, public buildings, railroad cars, rooms, schools, stables, vessels (ships), and warehouses.

Suspicion—Arrested for no specific offense and released without formal charges being placed.

Trucks and Buses—Vehicles specifically designed (but not necessarily used) to commercially transport people and cargo.

Unfounded—False or baseless complaints.

Vagrancy—The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets or other specified areas; prohibiting persons from remaining in an area or place in an idle or aimless manner; or prohibiting persons from going from place to place without visible means of support.

Vandalism—To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Weapons: Carrying, Possessing, Etc.—The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.