

ARKANSAS CRIME
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NIBRS UPDATE



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Submissions Check-up

END OF YEAR

Yet another year has quickly passed. Please be sure that your agency has submitted all 2006 incidents so that they may be processed and presented in the yearly publications. We ask that all 2006 incident submissions be sent in by January 31, 2007. **In order for agencies to be published in *Crime In The United States* the FBI must receive 12 months of complete data.**

MONTHLY SUBMISSIONS

Agencies are encouraged to submit their UCR/Summary or NIBRS submissions on a monthly basis, if possible. We encourage you to make these submissions by the 10th of each month. By turning in the previous month's data by the 10th of the following month (i.e., January's data by February 10th) your agency assists us in compiling up to date and accurate statistics. It helps prevent a data backlog at the



end of the year. We know all of you have many responsibilities and we appreciate your cooperation and prompt attention. Your help allows all of us to meet publication deadlines at the state and national levels. Thank you!

PUBLISHED DATA

Please monitor your IBR monthly files to be sure that each file contains the approximate number of incidents that should be reported each month. **The FBI will not publish an agency's figures in the *Crime In The United States* if any month is not reported or any month looks as if it has been underreported.**

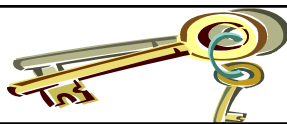
Arkansas to be Audited by FBI CJIS

The FBI's CJIS audit team will be in Arkansas the week of June 4-8 2007, to conduct an audit of the Arkansas Crime Information Center and selected local agencies. Every state is audited by CJIS at least once every three years.

Past audits have concentrated largely on the state's compliance with NCIC policy and record quality. However, the June audit will be comprehensive

audit. Not only will the CJIS auditors check for compliance with NCIC policy, but they will also look at Uniform Crime Reporting and Criminal History. The local agencies that the CJIS auditors will visit have not yet been selected. As soon as the selection is complete, ACIC personnel will contact the agencies and begin working closely with agency personnel to help ensure that the audit goes smoothly.

Keynotes



- ◆ All law enforcement agencies that are currently testing NIBRS still need to submit UCR/Summary data until the respective law enforcement agency's NIBRS data meets error rate guidelines set forth by ACIC. Once the agency's NIBRS data falls under the error rate guidelines, the appropriate agency contact will be notified and the agency can discontinue its data submission in the UCR/Summary format.
- ◆ The FBI's NIBRS error reports will be returned to each agency via e-mail. We ask that you correct the noted errors. The corrections should automatically attach to the next monthly NIBRS submission your agency submits. If any of the errors listed within the error reports are "Time-Window" errors, then the agency can disregard those specific errors.
- ◆ If your agency is submitting in NIBRS format or UCR/Summary format, please do not forget to submit your data on a monthly basis. Thank you!

Aggravated Assaults vs. Simple Assaults

Careful consideration needs to be taken when reporting incidents involving assault offenses. Of particular interest is appropriately separating aggravated assaults from simple assaults while taking NIBRS offense definitions into consideration. The definitions which were developed for NIBRS are not meant to be used for charging persons with crimes. To the contrary, they are meant to be "receptacles" or "pigeonholes" for reporting crimes that are committed throughout the United States. The purpose of UCR, as developed by law enforcement, is to provide a "common denominator" language which transcends 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 NIBRS are generic in order not to exclude varying state and Federal statutes relating to the same type of crime. State statute definitions may cross the NIBRS definitions and vice versa.

The following is the NIBRS definition of Aggravated Assault: *an unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or 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.*

For the purposes of aggravated assault reporting a "weapon" is a commonly known weapon or any other item which, although not usually thought of as a weapon, becomes one when used in a manner that could cause the types of severe bodily injury described in the above definition. Aggravated assaults, by NIBRS definition, also include assaults with disease (as in cases when the offender is aware that he/she is in-

fectured with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.). A severe laceration is one that should receive medical attention. A loss of consciousness must be the direct result of force inflicted on the victim by the offender. For NIBRS purposes, mace and pepper spray are considered to be weapons.

On the other hand, the following is the NIBRS definition of Simple Assault: *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.*

Careful consideration of the following factors should assist in classifying assaults:

1. *The type of weapon employed or the use of an object as a weapon.*
2. *The seriousness of the injury.*
3. *The intent and capability of the assailant to cause serious injury.*

Usually, the weapons used or the extent of the injury sustained will be the deciding factors distinguishing aggravated from simple assault. If the offense with a given incident is a "13B- Simple Assault", then the type of weapon or forced involved can only be one of the following: 40 = Personal Weapons, 90 = Other, , 95 = Unknown, and 99 = None. All other codes are not valid because they do not relate to simple assault. In addition, the only choices for type of injury within a simple assault are N = None or M = Apparent Minor Injury.

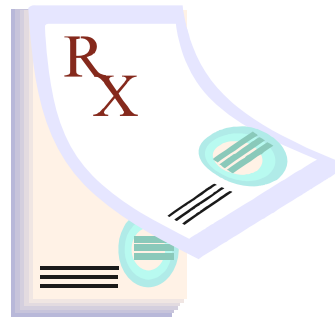
Frequently Asked Questions

Q1. A person alters a prescription that was actually filled out by their physician. They changed the number of pills from 4 to 40 by adding a zero or 40 to 90 by altering the four to a nine.

A1. The NIBRS defines Counterfeiting/Forgery (250) as “altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that

which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud” (p.14). **UCR Handbook, NIBRS Edition.** Police must consider changing the number of pills as altering the prescription without authority or right; therefore, police must classify the incident as Counterfeiting/Forgery (250). In addition, passing the prescription constitutes Fraud– False Pretenses/

Swindle/Confidence Game (26A). Finally, police may also record the instance as a Drug/ Narcotics Violation (35A).



Quotable Quotes

“A fault confessed is half redressed”.

- 16th Century Proverb



NIBRS REMINDERS



Special Property Description- If a given incident involves stolen, damaged, burned, counterfeited, or seized property it may be necessary to notate the type of property involved by choosing the most relevant property description from the categories provided through NIBRS. One property description choice is “99” (Blank). “99” (Blank) is a special property description category used by the NIBRS to compile statistics on certain designated types of property which are the object of theft fads. This property description is only available for reporting use when the FBI deems necessary. The FBI will notify those that participate in the NIBRS if this special category is to be used. Sometimes agencies use the “99”, (Blank) property description to categorize cell phones. Cell phones should be placed under the “77”, (Other) category instead. Within some records management software this “99”, (Blank) property description is referred to within the property choices as “special”.

Data Element Selection- Care often needs to be taken when choosing the appropriate data ele-

ments during the entry of a NIBRS incident. In many records management softwares an agency may select the attended and correct data element from the available choices, but unknowingly change the data element by using the scrolling feature on a mouse while still having the entry box highlighted. This may result in unexpected errors.

Credit Card/Automatic Teller Machine Fraud-

If the type of offense within a given incident is Credit Card/Automatic Teller Machine Fraud (26B) then, the type of property obtained must be noted. Therefore, a property description is required. Under this offense the type of property that was gained from the fraudulent use of the card, not the actual card, should be listed. Examples of the types of property obtained by the fraudulent use might range from Radios/TVs/VCRs, Jewelry/Precious Metals, Computer Hardware/Software, all the way to Consumable Goods and Alcohol. The actual theft of the card would most likely fall under one of the NIBRS larceny– theft definitions.



NIBRS REMINDERS (Cont...)



Burglary and Larceny Theft-

For NIBRS purposes, offenses locally known as Burglary (any degree); unlawful entry with the intent to commit a larceny or felony; breaking and entering with the intent to commit a larceny; housebreaking; and safecracking should be classified as Burglary. Burglary almost always includes some type of larceny offense. However burglary is defined in terms of theft, and only the burglary is to be reported, not the accompanying larceny. For NIBRS purposes, Larceny-theft is an element of Burglary and, therefore, should not be reported as a separate offense if associated with the unlawful entry of a structure.



NIBRS WORD SEARCH #4

R I A C M W E Q U F B I C A D

Y G Y R O G E T A C Z P R G L

D R E G S U H A Y O D O E G H

U M A R T R N R P E A N D R S

A T R L E H E T F O O V I A N

R V G A G G E I E I N I T V O

F M T A R R N F T R Z A W A I

L P T O W I U P T N F Z V T T

A T F R T E I B F D D E B E A

I X I I C R S I M P L E I D C

C A O D C E R E V E S Y T T I

E N M S U B M I S S I O N S L

P T E T S A Q D X G Y S B M B

S R P Z R Q J D A B X S U R U

P B L A N K R V J L Z D Y L P

Aggravated

Blank

Category

Credit

Forgery

Prescription

Severe

Special

Theft

Weapon

Audit

Burglary

Counterfeit

Definition

Fraud

Publications

Simple

Submissions

Threat

Year





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Working for the Criminal Justice Community.

**NIBRS UPDATE
Published for NIBRS Users by ACIC**

ACIC is the state agency responsible for providing information technology services to law enforcement and other criminal justice agencies in Arkansas. The principle role of ACIC is the administration of a comprehensive data system that is accessible by criminal justice agencies in over 350 locations in Arkansas. This state system is interfaced with the FBI National Crime Information Center, as well as similar systems in the other 49 states. ACIC also collects and publishes statistics on crime, manages the crime victim notification system, and the state sex offender registry. Organizationally, ACIC is divided into the following five divisions: Administrative Services, Operations, Criminal History, Information Services, and Special Services.



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NIBRS Questions?

Have any classification questions?

Wondering how a specific incident should be reported?

Have new personnel that need to know how to classify and report incidents through NIBRS?

Trying to get NIBRS implemented in your Agency?

Give us a call and we will be glad to help!