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Uniform Crime Reporting
State Program Bulletin

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SECTION 1—MESSAGE TO PROGRAM PARTICIPANTS

1.1 Electronic Availability of the *State Program Bulletin*

The Uniform Crime Reporting (UCR) Program's *State Program Bulletin* is now available electronically in Corel WordPerfect and Microsoft Word formats. State Program managers who wish to receive the UCR *State Program Bulletin* via E-mail instead of receiving hard copies through the U.S. Postal Service should provide the FBI's Communications Unit (CU) with their E-mail address at: **cjis_comm@leo.gov**. Please indicate State Program Bulletin in the subject line of your E-mail.

The UCR *State Program Bulletin* is also available via the Law Enforcement OnLine (LEO) Intranet at **www.leo.gov/special_topics/stats/stats_home.html** (under the Crime in the US: Uniform Crime Reports Section). Users with questions concerning access to LEO should contact the LEO Program Office at 202-324-8833 (telephone) or the CU at 304-625-4995 (telephone) or 304-625-5394 (facsimile).

1.2 2001 Data Submission Deadline

Please note that the deadline for submitting data to the Crime Statistics Management Unit for inclusion in *Crime in the United States, 2001*, is March 15, 2002. This date is also the deadline for submitting statistics on law enforcement officers killed and assaulted and hate crime occurrences to be included in *Law Enforcement Officers Killed and Assaulted, 2001*, and *Hate Crime Statistics, 2001*, respectively.

SECTION 2—POLICY CLARIFICATIONS AND PROCEDURES

2.1 Scoring Offenses in Which “Date Rape” Drugs are Used

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

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

The NIBRS definition of forcible rape is:

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

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

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

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

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

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

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

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

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

Drug/Narcotic Offenses

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

Gambling Offenses

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

Pornography/Obscene Material (370)

Prostitution Offenses

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

Weapon Law Violations (520)

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

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

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