



**Criminal Justice  
Information Support  
Department**

## Washington Association of Sheriffs and Police Chiefs

# News from the WASPC CJIS Department

August 2012

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## Details Released on 2013 Crime Reporting Changes

As reported in our February 2012 newsletter, there are four upcoming changes or additions to State and FBI crime reporting. The only required change agencies must make by January 2013 is the **optional** Washington State Gang Information field, Data Element 12, will become **mandatory**.

The remaining changes or additions are outlined in an article, "More Details on FBI Updates", on Page 2 of this newsletter. These include reporting Human Trafficking offenses, additional hate crime biases, and a change in the definition of Rape.

The mandatory Gang Information will require agencies to begin submitting the data by January 1, 2013. Please work with your records management system (RMS) vendor or information technology (IT) staff to make the necessary changes in your system (RMS).

Data Element 12 Type Criminal Activity/Gang Information will be modified to make submission of Gang Information mandatory (previously optional) for the following offenses:

09A = Murder and Non-negligent Manslaughter

09B = Negligent Manslaughter

100 = Kidnapping/Abduction

120 = Robbery

11A = Forcible Rape

11B = Forcible Sodomy

11C = Sexual Assault With An Object

11D = Forcible Fondling

13A = Aggravated Assault

13B = Simple Assault

13C = Intimidation

Up to two gang Information codes can be entered for each of the offenses listed above.

Allowed entries:

J = Juvenile Gang

G = Other Gang

N = None/Unknown

Gang activity is of major concern in Washington State. Very few agencies report the activity in their NIBRS data even though some of these agencies are in high gang areas.

If you have questions or need clarification, please contact us or direct your RMS vendor or IT staff to contact us at [CJIS@waspc.org](mailto:CJIS@waspc.org). Also, we can provide you with a report if you would like to know how many gang-related offenses your agency has reported for a specific year. ✨

**The 2011 Data  
Dashboards are on the  
website!!!!**



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## NIBRS Conversion Project Nearing the End

When the 2008 WASPC Executive Board set the January 2012 deadline for Washington State agencies to transition from Summary Uniform Crime Reporting (UCR) to the National Incident-Based Reporting (NIBRS) method of submitting crime statistics, the economy was sound and four years probably seemed a long time away. Plenty has happened in those four years!

In addition to the 17 agencies already NIBRS-certified in 2007, 146 agencies went through the certification process between January 2008 and January 2012. The 2011 Executive Board approved an extension process for agencies unable to meet to 2012 deadline due to records management system upgrades or other issues, such as severe personnel shortages.

From January 2012 through July 2012, 41 more agencies have become certified to submit crime statistics via NIBRS. The total number represents 86% of all agencies certified covering 58% of the state's population.

To date, less than 35 agencies are on extension and working toward certification. Congratulations to all! ✨



### State Reporting Deadlines:

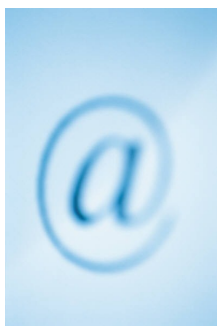
- **Preceding month's data is due by the 15th.**
- **End of year data is due by January 15th - no later than January 31st.**

" In preparation, the Washington State NIBRS program intends to be ready to accept the changes as soon as, but not before, the FBI is ready."

For a summary of the January 2013 NIBRS changes and additions, go to the WASPC CJIS website:

[www.waspc.org](http://www.waspc.org), click on the Crime Statistics tab, go to second page, and look under "Manuals" . . .

The link is called "NIBRS Specifications Updates - as of July 1, 2012."



## More Details on FBI Updates

Recently, the National crime statistics program has been mandated by the Office of Management and Budget (OMB) to implement changes to National Incident-Based Reporting System (NIBRS). The FBI's goal is to begin *accepting* these changes on January 1, 2013. An August 2012 communication from the FBI acknowledged that while they are still planning to accept the following information, the ability to process the data may not occur until April or as late as July of 2013.

In preparation, the Washington State NIBRS program intends to be ready to accept the changes as soon as, but not before, the FBI is ready. Agencies are advised to prepare but not implement until the FBI is ready to accept in January 2013. Per the FBI, these changes **do not become mandatory** until January 1, **2014**. Below are the changes:

◆ **Location Code:** The addition of location code 57 = Community Center.

◆ **Human Trafficking:**

The addition of offense codes 64A = Commercial Sex Acts, 64B = Involuntary Servitude, and 40C = Purchasing Prostitution.

The definitions for these new offenses:

64A = Human trafficking/commercial sex acts is defined as "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."

64B = Human trafficking/involuntary servitude is defined as "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)."

40C = Purchasing Prostitution is defined as "To purchase, or trade, anything of value for commercial sex". This new offense distinguishes between incidents of assisting or promoting prostitution, purchasing prostitution, and prostitution. The NIBRS currently collects prostitution offense data with two pre-existing prostitution offense codes, Prostitution (40A) and Assisting or Promoting Prostitution (40B).

◆ **Hate Crime:**

**Training change** - Modification of bias motivation code 43 = Anti-Homosexual (Gay & Lesbian) to 43 = Anti-Lesbian, Gay, Bisexual, or Transgender, Mixed Group (LGBT). *This is not a technical change but a training change.*

**Technical changes** - The addition of bias motivation codes:

16 = Anti-Native Hawaiian or Other Pacific Islander

71 = Anti-Transgender

72 = Anti-Gender Non-Conforming.

The modification of bias motivation codes to:

12 = Anti-Black or African American (added)

13 = Anti-American Indian or Alaska Native (added)

14 = Anti-Asian *removing Pacific Islander*

32 = Anti-Hispanic or Latino (added)

33 = Anti-Not Hispanic or Latino *changing the bias from Other Ethnicity/National Origin*

Also, now four bias motivations will be allowed per offense type.

## More Details on FBI Updates continued

### ◆ Race and Ethnicity:

The addition of race code:

P = Native Hawaiian or Other Pacific Islander

The modification of other race codes:

B = Black or African American (added)

I = American Indian or Alaska Native (added)

A = Asian removing Pacific Islander

The modification of ethnicity codes:

H = Hispanic or Latino (added)

N = Not Hispanic or Latino *changing the bias from Other Ethnicity/National Origin*

### ◆ Rape Definition Change

The Washington State NIBRS program does not include any technical changes for the new Rape Definition Change. All technical changes to this offense are directed to *Summary* Uniform Crime Reporting (UCR), not NIBRS. Since Washington State is converting to 100% NIBRS, we will not be incorporating the technical changes to Summary UCR reporting.

The Sex Offense definitions for NIBRS have changed slightly. They are as follows:

#### Forcible Rape

Previous definition: "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)."

Updated rape definition: **"The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity." Agencies should classify the crime as rape, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent. If the victim consented, the victim was not forced or threatened, and the victim was under the statutory age of consent, agencies should classify the crime as statutory rape.**

#### Forcible Sodomy

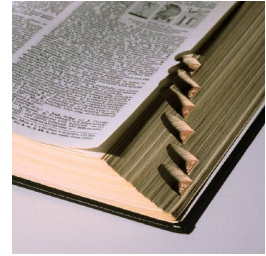
Previous definition: "Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity."

Updated sodomy definition: **"Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity."**

#### Sexual Assault With An Object

Previous definition: "To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another 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 youth or because of his/her temporary or permanent mental or physical incapacity."

Updated sexual assault with an object definition: **"To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity."**



**"The Washington State NIBRS program does not include any technical changes for the new Rape Definition Change."**



The FBI regularly provides WASPC CJIS with "State Bulletins" ~ giving updates and information related to Summary UCR and NIBRS. To access these bulletins, go to the WASPC website, "Crime Statistics Tab", and look under the "Reference Material" title on the second page.

[www.waspc.org](http://www.waspc.org)

Or go to the FBI website:  
<http://www.fbi.gov/about-us/cjis/ucr/nibrs/developments-in-nibrs>

#### The WASPC CJIS Staff:

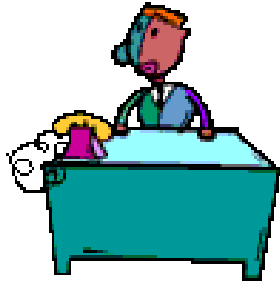
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Continued on Page 4



## More Details on FBI Updates continued

### ◆ Rape Definition Change (continued)

#### Forcible Fondling

Current definition: "The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity."

Updated fondling definition: **"The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity."**

"Any questions or concerns . . . should be directed to the state repository."

Any questions or concerns about the mandatory state Gang Information or the upcoming changes or additions to offenses and definitions for national reporting should be directed to the state repository - call CJIS at (360) 486-2380 or e-mail us at [cjis@waspc.org](mailto:cjis@waspc.org). A summary of all these changes can be found on the WASPC website under the Crime Statistics tab - go to the section called "Manuals" and click on the link called "NIBRS Specifications Updates - as of July 1, 2012." ✨

## Are you sending your archived cases to WASPC too soon?

Sending investigative reports pertaining to sex offenders or sexually violent offenses to WASPC for permanent retention and retrieval can help save your agency time and space. There are many agencies following the mandate in RCW 40.14.070(2)(b) by sending their reports to WASPC following the expiration of the retention period. Once WASPC receives the reports, they are imaged for permanent retention and the original files are destroyed.

When sending your agency's reports to be archived at WASPC, it is important to ensure all files meet the criteria for archiving. The type of offenses that are acceptable can be found on the WASPC website, under the "Crime Statistics" tab, by clicking on the link on the top of the page that reads: "Click here for information related to Sex Offense Case File Document Imaging & Records Retention".

Past and recent requests for copies of imaged cases have revealed there are some incident files that do not yet meet the appropriate criteria for permanent archive. Before sending an incident file, the agency must determine if there is possibility of any civil remedy, redress, or other litigation due to the victim's age. If there is still a possibility of a civil proceeding on this case, do not send it to WASPC - wait until the statute of limitations has expired.

Case files on offenses of Lewd Conduct, Failure to Register, and Indecent Exposure are a few examples of reports that do not meet the criteria for permanent archive. The statute defines the "investigative reports" as those pertaining to sex offenders contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020 that are not required in the current operation of the law enforcement agency or for pending judicial proceedings.

It is important to remember that once a report has been sent to WASPC, it is no longer public record and is exempt from public disclosure. If you send a report to WASPC for retention that should not have been, please contact us and we will release the report back to your agency. In the event it has already been imaged, it will be returned electronically.

If you have any questions please contact Tonya Todd at 360-486-2380 or [ttodd@waspc.org](mailto:ttodd@waspc.org). If you have questions or concerns about potential civil proceedings on a case due to the victim's age, please contact your agency's legal advisor. ✨



## New NIBRS Reports Available to Agencies

The State NIBRS Repository has two new reports available to assist agencies with accurate reporting. Both reports can be found in the "Standard Reports" section of the repository program.

The "Activity Log" report provides the user with a selected year's numbers of submitted incidents and Group B arrests by month and allows the user to see if data was received each month of the year. Agencies are encouraged to use this report to verify they successfully submitted data for each month and check for erroneous fluctuations in their data.

The "Outstanding Errors and Incidents/Arrests Not Checked" report displays errors, regardless of the method of submission, as well as any incidents and arrests that were not "NIBRS Checked" using the Individual Incident Entry (IIE) method.

Agencies are expected to have all outstanding errors corrected prior to January 15 of each year. This report is very important since it can be used to resolve these errors throughout the course of the year. Please review your errors and correct the data either in your RMS or in the IIE portion of the NIBRS Repository.

Note: if the Warning box on the right side is checked, this is not necessarily an error but a flag that identifies a possible mistake. Also, there may be some errors that you are aware of and would like to filter out. You can do this by using the "Choose Errors to Exclude" box.

As with any of the NIBRS reports, if you believe there are inconsistencies in the report, such as a false error, please let CJIS know so that we can correct it. ✨

## Got A Question?

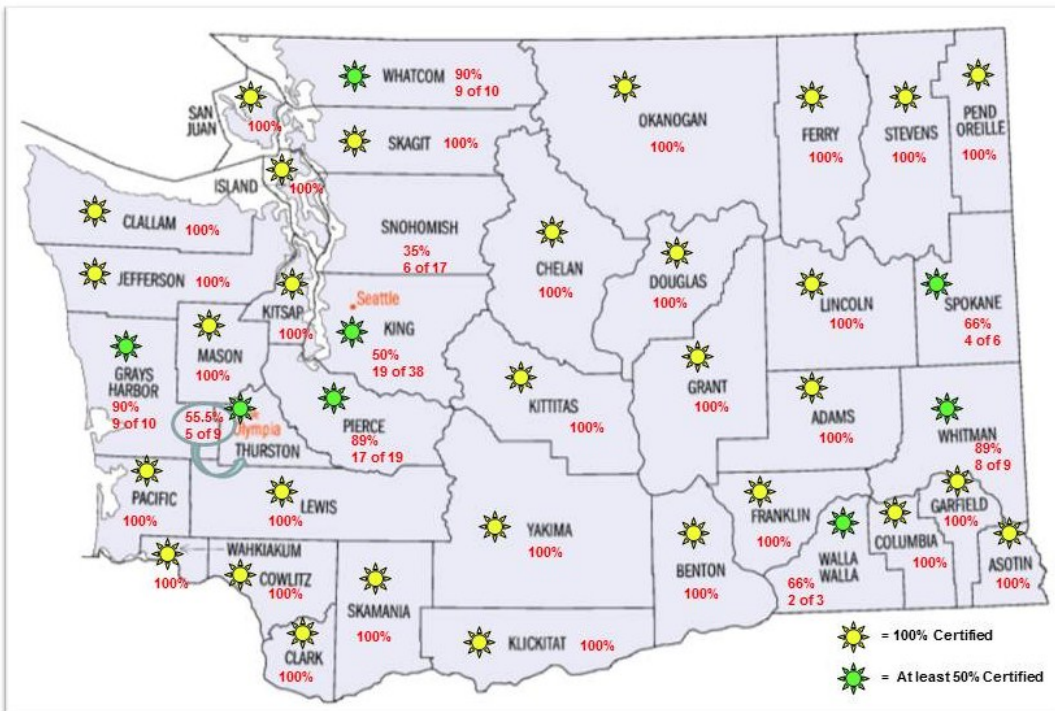


**When you have a question related to NIBRS, here's where to turn:**

**Problems/Issues with your records management system (RMS) – Contact your RMS local agency system administrator or your RMS Vendor Help Desk**

**Problems/Issues with WASPC's NIBRS program or FBI definitions – Phone or email WASPC CJIS (360) 486-2380 or [cjis@waspc.org](mailto:cjis@waspc.org)**

## As of August 4th, 205 Agencies are NIBRS Certified - Congratulations!



157	Police Departments or Marshal Offices
35	Sheriff's Offices
1	Drug Task Force
2	State Agencies
4	Tribal Police Departments
6	University or State College Police Departments



"Additional CJIS training will be available soon to provide "hands-on" experience with creating Standard or Ad Hoc reports . . ."

## Variety of Reports Available from NIBRS Program

The WASPC NIBRS Repository has a wide variety of reports that may be utilized. There are "Standard" reports and "Ad Hoc" reports with options available under each type.

In Standard reports, an agency may view their own crime data or other NIBRS reporting agencies' data using one of the existing options available. NIBRS data may be obtained for a specific agency, a county, or in a Statewide report.

In Standard reports, the "Summary of Offenses" report shows what has occurred during the date range selected. It will show all the NIBRS reportable offenses, if they were attempted or completed, if they were cleared by arrest or exceptional means, and provides the percentage cleared.

The "Summary of Offenses – Domestic Violence" report looks just like the Summary of Offenses report, but only shows those offenses that were marked as domestic vio-

lence-related. These are just two of the many reports available under "Standard Reports".

If data is needed but not readily available from a Standard report option, agencies also have the ability to create "Ad Hoc" reports. Ad Hoc reports give the user the ability to choose what data they wish to pull from their NIBRS submissions.

Tools are provided to "drill down" to very specific data that can be useful when applying for grants, making deployment or resource decisions, demonstrating staffing issues, etc. In Ad Hoc reports, an agency may only pull data from their own agency, not from other NIBRS agencies.

A PowerPoint presentation is available on the WASPC website, under the "Crime Statistics" tab, in the

"Training Aids" section - it's called "Creating NIBRS Ad Hoc Reports". This useful aid will show how to use Ad Hoc reports to export to Excel and create Pivot Tables and/or Pivot charts to display your NIBRS data for meetings or presentations.

Additional CJIS training will be available soon to provide "hands-on" experience with creating Standard or Ad Hoc reports, pivot tables, and charts and graphs for your administrative needs. We will keep you apprised on status of these latest developments! ✨



## WASPC CJIS Resources

- Regional NIBRS training
- WASPC website: two pages dedicated to Crime Reporting topics with annual crime reports from 1980, data visualizations for 2009 through 2011, manuals, reference material, and training aids
- Law enforcement mailing list subscription service, also known as "listserv" (see website to sign-up)

Coming soon . . .

- On-line officer training module
- Report training - a "how-to" approach on creating meaningful data reports from the NIBRS data base, including "standard" reports, "ad hoc" reports, pivot tables, crime mapping, and the data display dashboards ✨

Please contact us at [cjis@waspc.org](mailto:cjis@waspc.org) - this e-mail address reaches everyone in the WASPC CJIS Department!

