

# NIBRS Tip of the Month

## Exceptional Clearances



The data element “Cleared Exceptionally” indicates whether or not a law enforcement agency cleared the incident by exceptional means; in a multiple-offense incident, the exceptional clearance of one offense clears the **entire** incident. **Do not** use an exceptional clearance for an administrative closing of an investigation or if an incident is cleared by an arrest.

According to the FBI, clearing an offense by exceptional means requires all of the following four conditions must be met:

1. The investigation must have clearly and definitely established the identity of at least one offender;
2. Sufficient probable cause must have been developed to support the arrest, charging, and prosecution of the offender;
3. The exact location of the offender must be known so that an arrest could be made if possible; and
4. There must be a reason outside the control of law enforcement which prevents the arrest.

### Acceptable Exceptional Clearance codes:

- A** = Death of Offender
- B** = Prosecution Declined (by the prosecutor for other than lack of probable cause)
- C** = In Custody of Other Jurisdiction (includes extradition denied)
- D** = Victim Refused to Cooperate (in the prosecution)
- E** = Juvenile/No Custody (the handling of a juvenile without taking into custody, but rather by oral or written notice given to the parents or legal guardian in a case involving a minor offense)
- N** = Not Applicable (not cleared exceptionally)