TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata

**SUBJECT: IMPLEMENTATION OF THE
NATIONAL INCIDENT-BASED
REPORTING SYSTEM (NIBRS)**

DATE: October 6, 2022

APPROVED

DATE
10/7/2022

INFORMATION

BACKGROUND

Since at least 1960[1], the San José Police Department (Department) has reported crime statistics to the Federal Department of Justice through the Federal Bureau of Investigations' Uniform Crime Reporting (UCR) program. These statistics are reported in the Summary Reporting System (SRS), which collects information on certain offenses, clearances, and arrests. A list of the offenses collected by SRS is included as Attachment A and are commonly referred to as Part I Crimes or index crimes. Part I Crimes are broken down into two categories: violent crimes and property crimes. Violent Part I Crime categories include: homicide, rape, robbery, human trafficking, and aggravated assault. Property Part I Crime categories include: burglary, larceny, motor vehicle theft, and arson. All other crimes are considered Part II Offenses. The only data collected on these offenses are arrest data.

In the SRS, the hierarchy rule is applied when classifying an incident with multiple offenses. As such, the SRS only collects data on the most egregious offense, ignoring all others, regardless of the number of offenders and victims of these other ancillary offenses. For example, during the commission of a robbery, the suspect shoots and kills the victim. This would be classified as a homicide, ignoring the count of the robbery. There are two exceptions to the SRS hierarchy rule. Arson and motor vehicle thefts are always counted (arson by number of incidents and motor vehicle theft by number of vehicles), even if occurring with other crimes.

Once the crime is classified, scoring of the offense is conducted related to the two types of crimes involved: crimes against the person and crimes against property. For crime against the person, homicide, rape, robbery, human trafficking, and aggravated assault, one offense is counted for each victim. Robbery, burglary, larceny, motor vehicle theft, and arson are crimes against property. For these crimes, one offense is counted for each distinct committed crime or attempt (or by incident), with the exception of motor vehicle theft and arson. Following an

[1] The Department did not keep records of UCR reporting prior to 1960.

investigation, if a reported crime is deemed to be unfounded (occasionally due to a false or baseless complaint), this incident is excluded from the scoring of the actual offenses.

Additional crime statistics are collected at both the federal and the state level. The Department also submits data to the FBI UCR Hate Crime Statistics Data Collection and to the California Department of Justice Criminal Justice Statistics Center.

Effective January 2023, the Department will be moving from the SRS to the National Incident-Based Reporting System (NIBRS) of the FBI UCR Program. NIBRS is a more comprehensive system, collecting data on 46 Group-A offenses and 11 Group-B offenses. NIBRS offenses include many that SRS omits, such as animal cruelty, extortion, and identity theft. A list of the offenses collected by NIBRS is included as Attachment B.

NIBRS will collect data on characteristics of incidents, not just the incident or arrest occurrence. A list of the data elements is included as Attachment C. NIBRS identifies when and where crime takes place, what form it takes, and the characteristics of its victims and perpetrators. The Department's current records management system is already NIBRS compliant, however, activation of the full incident-based reporting component will need to occur.

ANALYSIS

Statistical Variation

The move to NIBRS will allow the Department to collect more accurate, detailed crime statistics while simultaneously providing meaningful data for addressing public safety and victimization issues. There are three significant differences between SRS and NIBRS that will affect crime statistics:

1. NIBRS will collect data on more offense types.

2. NIBRS will collect data on up to 10 offenses per incident, not just the most serious in the hierarchy.

3. NIBRS will collect data on event, victim, offender, and crime characteristics.

With no hierarchy rule, agencies may collect NIBRS data on as many as 10 criminal offenses per incident, yielding a more accurate accounting of the total number of reported crimes. The reported incidence of some crimes will likely increase under this new reporting method, as crimes that were previously not reported due to the hierarchy rule will now be captured. It's important to keep in mind that this differences in statistics pre- and post-implementation will reflect the new reporting system, not an increase in crime.

Historical Trends

The Department often provides statistics with contextual qualification, such as "compared to last year" or "compared to the same quarter last year." When NIBRS is implemented, the Department will no longer be comparing "apples-to-apples" when it compares statistics collected under SRS to statistics collected under NIBRS. For example, in the first quarter of 2022, there were 678 aggravated assaults reported to UCR. Likewise, in the first quarter of 2021, there were 702 aggravated assaults. Normally, this would be reported as, "*The first quarter of 2022 showed a 3.4% decrease in aggravated assaults when compared to the first quarter of 2021.*"

It is important to remember that for these incidents to qualify as an "aggravated assault," the aggravated assault crime type must have been the most serious crime in the incident, not homicide, rape, or robbery.

When we collect the data in the first quarter of 2023, these figures will include any aggravated assaults that occurred during any homicide, rape, or robbery. As a result, the comparison between the first quarter of 2023 with the first quarter of 2022 will no longer be equivalent. Additional information may be found at the FBI's NIBRS website (link) or the Bureau of Justice Statistics' National Crime Statistics Exchange website (link).

While comparing statistics from one year to the next will be challenging during the transition to NIBRS, this difficulty will resolve over time. As the Department reports NIBRS data over multiple quarters and years, it will be possible to make apples-to-apples comparisons again.

CONCLUSION

Effective January 2023, the San José Police Department will be transitioning to the National Incident-Based Reporting System. In doing so, the crime statistics reported by the Department may appear inflated or higher than normal. However, this is a reflection of the Department's efforts towards leading the way to improve crime measurement. In addition, the Department will be unable to compare historical crime trends until NIBRS data is compared to itself.

/s/
ANTHONY MATA
Chief of Police

AM:SD:JT:JP

Attachments:
Attachment A: SRS Offenses
Attachment B: NIBRS Offenses
Attachment C: NIBRS Data Elements

For questions, please contact Lieutenant Steve Donohue, San José Police Department, Research & Development Unit, at (408) 277-5200.

Attachment A: SRS Offenses

Part-I Crimes	Part-II Crimes
Arrest information, age, sex, and the race of the person arrested is provided.	Only arrest information is provided.

1. Criminal homicide
2. Forcible rape
3. Aggravated assault
4. Robbery
5. Burglary
6. Larceny – theft
7. Motor vehicle theft
8. Arson
9. Human trafficking – commercial sex acts
10. Human trafficking – involuntary servitude
	1. Other assaults
	2. Forgery and counterfeiting
	3. Fraud
	4. Embezzlement
	5. Stolen property: buying, receiving, possessing
	6. Vandalism
	7. Weapons: carrying, possessing, etc.
	8. Prostitution
	    a. Prostitution and commercialized vice
	    b. Assisting or promoting prostitution
	    c. Purchasing prostitution
	9. Sex offenses (except rape and prostitution)
	10. Drug abuse violations
	11. Gambling
	12. Offenses against the family and children
	13. Driving under the influence
	14. Liquor laws
	15. Drunkenness
	16. Disorderly conduct
	17. Vagrancy
	18. All other offenses
	19. Suspicion
	20. Curfew and loitering laws (persons under 18)
	21. Runaways (persons under 18)

Attachment B: NIBRS Offenses

Group-A Crimes	Group-B Crimes
Arrest information, age, sex, and the race of the person arrested is provided.	Only arrest information is provided.

Group-A Crimes

1. Arson

2. Aggravated Assault
3. Simple Assault
4. Intimidation

5. Bribery

6. Burglary / Breaking & Entering

7. Counterfeiting / Forgery

8. Destruction / Damage / Vandalism of Property

9. Drug / Narcotic Violations
10. Drug Equipment Violations

11. Embezzlement

12. Extortion / Blackmail

13. False Pretenses / Swindle / Confidence Game
14. Credit Card / ATM Fraud
15. Impersonation
16. Welfare Fraud
17. Wire Fraud

18. Betting / Wagering
19. Operating / Promoting / Assisting Gambling
20. Gambling Equipment Violations
21. Sports Tampering

22. Murder & Nonnegligent Manslaughter
23. Negligent Manslaughter
24. Justifiable Homicide (not a crime)

25. Kidnapping / Abduction

26. Pocket-picking
27. Purse-snatching
28. Shoplifting
29. Theft From Building
30. Theft From Coin-operated Machine or Device
31. Theft From Motor Vehicle
32. Theft of Motor Vehicle Parts or Accessories
33. All Other Larceny

34. Motor Vehicle Theft

35. Pornography / Obscene Material

36. Prostitution
37. Assisting or Promoting Prostitution

Group-B Crimes

1. Bad Checks

2. Curfew / Loitering / Vagrancy Violations

3. Disorderly Conduct

4. Driving Under the Influence

5. Drunkenness

6. Family Offenses, Nonviolent

7. Liquor Law Violations

8. Peeping Tom

9. Runaway

10. Trespass of Real Property

11. All Other Offenses

Group-A Crimes	Group-B Crimes
38. Robbery	
39. Forcible Rape	
40. Forcible Sodomy	
41. Sexual Assault with a Foreign Object	
42. Forcible Fondling	
43. Incest	
44. Statutory Rape	
45. Stolen Property Offenses	
46. Weapons Law Violations	

Attachment C: NIBRS Data Elements

- ORI Number
- Incident Number
- Incident Date/Hour
- Cleared Exceptionally
- Exceptional Clearance Date
- UCR Offense Code
- Offense Attempted/Completed
- Offender(s) Suspected of Using
- Bias Motivation
- Location Type
- Number of Premises Entered
- Method of Entry
- Type Criminal Activity / Gang Information
- Type of Weapon/Force Involved
- Type Property Loss, etc.
- Property Description
- Value of Property
- Date Recovered
- Number of Stolen Motor Vehicles
- Number of Recovered Motor Vehicles
- Suspected Drug Type
- Estimated Drug Quantity
- Type Drug Measurement
- Victim (Sequence) Number
- Victim Connected to UCR Offense Code(s)
- Type of Victim
- Type of Activity (Officer) / Circumstance
- Assignment Type (Officer)
- ORI-Other Jurisdiction (Officer)
- Age of Victim
- Sex of Victim
- Race of Victim
- Ethnicity of Victim
- Resident Status of Victim
- Aggravated Assault / Homicide Circumstances
- Additional Justifiable Homicide Circumstances
- Type Injury
- Offender Number(s) to be Related
- Relationship of Victim to Offender
- Offender (Sequence) Number
- Age of Offender
- Sex of Offender
- Race (Offender)
- Ethnicity of Offender

- Arrestee (Sequence) Number
- Arrest (Transaction) Number
- Arrest Date
- Type of Arrest
- Multiple Arrestee Segments Indicator
- UCR Arrest Offense Code
- Arrestee Was Armed With
- Age of Arrestee
- Sex of Arrestee
- Race of Arrestee
- Ethnicity of Arrestee
- Resident Status of Arrestee
- Disposition of Arrestee Under 18