



New York State Uniform Crime Reporting

A Supplement to the
FBI Uniform Crime Reporting Handbook

**STATE OF NEW YORK
Division of Criminal Justice Services
Office of Justice Research and Performance**

Content Updated: February, 2015

Copyright Notice

Copyright © 2015 by the New York State Division of Criminal Justice Services. This publication may be reproduced without the express written permission of the State of New York Division of Criminal Justice Services provided that this copyright notice appears on all copies or segments of the publication.

Any questions regarding UCR submissions, the New York State specific requirements, or other crime reporting topics can be addressed to:

New York State Division of Criminal Justice Services
Crime Reporting Unit
Alfred E. Smith Office Building, 6th Floor
80 South Swan Street
Albany, New York 12210
Telephone: 1-800-262-3257
Email: infonysucr@dcjs.ny.gov

Table of Contents

February 2015

Introduction.....	3
Incident-Based Reporting in New York.....	4
Crime Reporting and Records Management Systems	4
Differences between New York State and FBI Reporting Requirements.....	6
Classifying and Scoring Offenses.....	6
Criminal Homicide.....	6
Justifiable Homicide	6
Rape	7
Robbery.....	7
Aggravated Assault	8
Burglary	8
Larceny-Theft	10
Motor Vehicle Theft.....	10
Arson.....	11
Supplement to Return A.....	11
Domestic Violence Victim Data	14
Age, Sex, Race, and Ethnic Origin of Persons Arrested, Under the Age of 18	19
New York State Juvenile Arrest Definition	19
Reporting Police Dispositions of Juveniles Under the Age of 16.....	19
Reporting Monetary Values for Larceny Offenses	20
Reporting Monetary Values of Personal Property Stolen During a Motor Vehicle Theft	22
Reporting Juvenile Clearances	24
Race Versus Ethnic Origin.....	25
Common Reporting Errors	26
Motor Vehicle Theft Versus Unauthorized Use of a Motor Vehicle.....	26
Reporting Prior Offenses Which Recently Became Known to the Police.....	26
Classifying Menacing in the Second Degree as Aggravated Assault	26
Errors in Reporting Monetary Values	27
UCR Program Forms	27

Introduction

The national Uniform Crime Reporting Program consists of two reporting systems, the traditional summary crime reporting method referred to as UCR in New York State, and the more recent Incident-Based Reporting method (IBR). This guide is concerned with the summary crime reporting, or UCR, method.

By 1929, the International Association of Chiefs of Police had developed a nationwide system for collecting police statistics on the number of criminal offenses known to law enforcement. These statistics would provide the most appropriate measure of the nation's crime. The committee developing the statistical system realized, however, that the differences among criminal codes from state to state precluded a direct aggregation of state statistics to arrive at a national total. In addition, no standard national distinction between felony and misdemeanor crimes was possible because of the differences in punishment for the same offenses among various state codes. Nationwide uniformity in crime reporting was achieved through standard offense definitions by which law enforcement agencies were to submit data without regard for state statutes. Beginning in 1930, Congress assigned the responsibility for the program to the Attorney General, who delegated management responsibility to the Federal Bureau of Investigation (FBI). The FBI publishes the national statistics annually as Crime in the United States.

In 1969, the responsibility for collecting crime data and reporting it to the FBI was transferred from individual agencies throughout the country to one, centralized agency in each state. Once state UCR programs began collecting data from police agencies, greater consistency and comparability in the data was achieved on the national level.

Under the provisions of New York State Executive Law, the Division of Criminal Justice Services (DCJS) is authorized to operate the New York State UCR Program. Most police agencies in New York State send monthly crime reports to DCJS. The reports are reviewed by DCJS staff for completeness and accuracy before being added to the state database. The information contained in the database is then submitted to the FBI. Crime data are also analyzed by DCJS, and reports are produced for dissemination to contributing agencies and to the public.

This reference is intended only as a supplement to the *FBI UCR Handbook*. It defines the differences in reporting requirements between the FBI and DCJS, and provides accommodations for them. It also illustrates problems that commonly occur in reporting, and their solutions. This guide is accompanied by the *DCJS Law Section Reference Table*, and the *UCR Law Cross-Reference*. All four documents serve as a complete resource for preparing accurate and complete crime reports.

Any updates to this edition of the *NYS Supplement to the FBI UCR Handbook*, the *DCJS Law Section Reference Table*, or the *UCR Law Cross-Reference* will be made available on the DCJS website, at <http://www.criminaljustice.ny.gov>.

Incident-Based Reporting in New York

In the 1980s, the Federal government created the National Incident-Based Reporting System (NIBRS), which allows crime analysts to draw a more detailed picture of crimes and arrests within and across jurisdictions. It includes details about the crime incident, the victims, offenders, injuries, and costs, which are not available through UCR.

Rather than summarize key events, NIBRS records specific details about each offense, including information about offenders, victims, and property. Since many facets of information are collected about each incident, NIBRS data can be analyzed for trends such as time of day, offender-victim relationship, and victim age by crime type – all of which can be used to support local strategic planning.

NYSIBR is the New York State adaptation of NIBRS, which embraces New York particulars and complies fully with NIBRS standards. Agencies that report crime through NYSIBR submit a single, monthly computerized file instead of the paper-intensive method of summary crime reporting.

DCJS retains NYSIBR data in its own analytical database, and converts them into the UCR classifications for comparison on a county, state, and national level. Benefits of participation in NYSIBR include:

- reduced paperwork for police departments
- improved accuracy of reported information
- expanded information about the local crime picture

If you would like more information about participating in NYSIBR, please visit our website at: <http://www.criminaljustice.ny.gov> or email infonysibr@dcjs.ny.gov.

Crime Reporting and Records Management Systems

To ensure accurate crime reports, police agencies must:

- record reported crime and accurately classify the crime in terms of penal law;
- enter all crime reports into a records management system (RMS) or compile them manually;
- accurately convert the penal law charges into UCR coded offenses, either manually or through an RMS; and
- accurately tally offenses to provide summary UCR statistics.

Incomplete reporting or reporting errors can occur at any stage in the process. Victims may not report crimes, crimes may not be recorded, or the offenses may not be classified correctly. One way to help ensure accurate data collection is to follow established standards for crime records management.

The New York State Law Enforcement Accreditation Program has established a series of standards relating to law enforcement records management. The Accreditation Program grants law enforcement agencies formal recognition if they meet or exceed those and other standards that have been established to enhance excellence and professionalism in the field. The Accreditation Council sets policy and provides overall direction for the

Accreditation Program. The Office of Public Safety at DCJS serves as the staff arm of the council, providing technical support to participating agencies on all aspects of accreditation.

The standards established by the Accreditation Council include a set of requirements regarding the use and maintenance of police records. Those standards include, but are not limited to, the following:

Standard 8.1 - The agency must maintain a record for each call for service, including the control number, nature of the call, date and time of call, name(s) of person(s) involved, and action taken by the agency.

Standard 8.2 - The agency must maintain a full participation (a valid Use and Dissemination Agreement) in the state fingerprint/criminal history records system and Uniform Crime Reporting System or National Incident-Based Reporting System. Full participation includes prompt submission of monthly reports to DCJS.

Standard 8.6 - The agency has an administrative reporting program which preserves the daily records of agency activities. Statistical and data summaries based upon such records shall be periodically prepared.

Standard 8.7 - The agency has a records management system which ensures that incident reports are maintained and filed in an efficient and functional manner.

The primary challenge for law enforcement agencies is meeting these standards through an effective, efficient records management system. An example of a records management policy would be:

“Every event requiring police action or attention will be recorded and reported through channels. Resulting reports will include all pertinent information and will be completed promptly, accurately, comprehensively, and legibly. Reports are then reviewed by supervisors and checked for accuracy and completeness and, when necessary, referred for further action. Statistics are then compiled each month to reflect calls for service, criminal arrests, summons issued and any unusual events that occurred in the service area. The supervisor ensures that the data required to complete monthly UCR forms is maintained and that the completed reports are forwarded to DCJS in a timely fashion.”

Differences between New York State and FBI Reporting Requirements

The differences between New York State (NYS) reporting requirements and the Federal Bureau of Investigation (FBI) reporting requirements are important to recognize because errors in reporting can contaminate the data and the resulting crime picture. The differences fall into two categories: differences in classifying and differences in scoring. As a supplement to the *FBI UCR Handbook*, this manual only addresses the chapters and crime classifications in which there are differences between the two programs.

Classifying and Scoring Offenses

Classifying is determining the proper crime categories in which to report offenses.

Scoring is counting the number of offenses once they have been classified.

The New York State *Return A* form collects more detailed information on certain offenses than does the FBI form. New York subdivides several of the offense classifications, allowing for the collection of details like the type of force used, location of the offense, and the time of the offense. When scoring offenses on the *Return A*, it is important to utilize the correct subdivision when classifying the offense.

Criminal Homicide

Vehicular Homicide must not be reported as a Criminal Homicide through UCR.

In New York State, vehicular manslaughter is defined as causing the death of another person by operation of a motor vehicle while intoxicated or ability impaired by alcohol or drugs (PL 125.12), or by operation of a motor vehicle while impaired, with a suspended or revoked license (PL 125.13). While causing these deaths is a criminal offense in New York State, **the UCR program does not recognize vehicular manslaughter as a negligent manslaughter. Therefore, these offenses should NOT be reported on the *Return A* or the *Supplementary Homicide Report (SHR)*.**

Justifiable Homicide

The UCR program defines justifiable homicide as the killing of a felon by a law enforcement officer in the line of duty or the killing of a felon, during the commission of a felony, by a private citizen.

To report justifiable homicides on the *Return A*, agencies score one offense for each victim under Murder & Non-Negligent Manslaughter. Agencies must also score the same number of offenses as Unfounded. The UCR Program requires the reporting of justifiable homicides on both the *Return A* and the *Supplementary Homicide Report*.

Please note that a justifiable homicide, by definition, occurs in conjunction with other offenses and is exempt from the Hierarchy Rule. Therefore, the crime being

committed when the justifiable homicide took place is reported as a separate offense. Further, the crime being committed by the felon at the time of his or her death is cleared by exceptional means (Death of the Offender). Reporting agencies should ensure they do not classify a killing as justifiable or excusable solely on the claim of self-defense or on the action of a coroner, prosecutor, grand jury, or court.

Rape

In 2012 the federal crime reporting definition of rape was expanded and is now defined as follows:

“...penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.”

To account for this change and allow for objective historical trends, New York State continues to collect the narrowly defined category of rape (commonly referred as the historic definition of rape) separately from those offenses that now meet the expanded rape definition.

In 2013, The New York State Crime Reporting Program made the following two modifications to the Part I crime category of rape:

1. The literal associated with “Forcible Rape” was changed to “Rape (Pre 2013).” This crime category must still be used to report only those rapes that continue to meet the historical definition of rape (Female victims penetrated vaginally by a male sex organ). Note: Agencies are still required to provide the following weapon types for “Rape (Pre 2013).”

Weapon Type

- Handgun
- Other Firearm
- Other Weapon
- Fear (No Weapon)

2. Created a new Part I crime category entitled “Rape (2013 Expanded).” This new crime category must only be used to report those offenses that are now defined as rape due to 2013 expanded definition. Note: No weapon subclass is required for “Rape (2013 Expanded).”

For more information related to the change in Part I rape, see the *Expanded Rape Definition* Reporting Alert on the DCJS website.

http://www.criminaljustice.ny.gov/crimnet/ojsa/crimereporting/rape_memo.pdf

Robbery

The New York State Crime Reporting Program subdivides the offense of robbery into weapon types and location types:

Weapon Type

- Handgun
- Other Firearm
- Knife or Other Cutting Instrument
- Other Dangerous Weapon
- Strong Arm (Hands, Fists, Etc.)

Location Type

- Highway, Street, or Alley (areas outside of buildings and structures and not within the confines of private property, such as roads, sidewalks, etc.)
- Gas Station
- Convenience Store
- Bank
- Other Commercial Buildings (business establishments other than gas stations, convenience stores, or banks)
- Residence (locations used as residences, such as homes, apartment houses, motels, and other dwelling places)
- Miscellaneous (other areas not included above, such as parks, schools, or libraries)

Aggravated Assault

The New York State Crime Reporting Program subdivides the offense of aggravated assault into the following weapon types and location types:

Weapon Type

- Handgun
- Other Firearm
- Knife or Other Cutting Instrument
- Other Dangerous Weapon
- Strong Arm (Hands, Fists, Etc.)

Location Type

- Street
- Public Building
- Residence
- Other

Note: due to the presence of a weapon, Menacing in the Second Degree (PL 120.14.01) must be classified as an aggravated assault for UCR purposes.

Additionally, the FBI collects simple assaults in a separate category of the Part I offenses. NYS requires that simple assaults be reported under Part II offenses on the *Return A*. **Simple assaults should not be classified under the aggravated assault category.**

Burglary

The New York State Crime Reporting Program subdivides the offense of burglary by Residence/Non-Residence, Time of Day and Entry Type:

Residence/Non-Residence

- Residence
- Non-Residence

Time of Day

- Day
- Night
- Unknown Time

Entry Type

- Forcible Entry
- Unlawful Entry (No Force)
- Attempted Forcible Entry

Larceny-Theft

The FBI reports a single number of larceny-theft offenses on the *Return A* and requires a supplemental report to breakdown larceny-theft sub-classifications. The New York State *Return A* combines these sub-classifications under the larceny-theft offense category. The larceny-theft classification is divided into the following monetary and offense types:

Monetary Value:

- \$200 and Over
- \$50 to \$199
- Under \$50

Offense Type

- Pocket Picking
- Purse Snatching
- Shoplifting
- Theft from Motor Vehicle
- Theft of Motor Vehicle Parts or Accessories
- Bicycles
- Theft from Building
- Theft from Coin Machine
- All Other

Note: The value of a credit card is considered to be worth the replacement cost of the actual card. Therefore, theft of the card should be reported on the Under \$50 line.

The value of property taken is reported on the Supplement to *Return A*, in the sections marked, “Property Stolen by Classification” and “Property by Type and Value.” See pages 10 – 12 for details on reporting property values.

Motor Vehicle Theft

The New York State Crime Reporting Program subdivides the offense of motor vehicle theft by vehicle and location types:

Vehicle Type

- Automobiles
- Trucks and Buses
- Other Vehicle

Location Type

- Street
- Parking Lot
- Public Garage
- All Other

Arson

Arson reporting began in the late 1970s, as a result of US Senate hearings to examine the causes and financial impact of arson (79 CIS S 4018). The Senate determined arson was a major source of insurance fraud but was routinely undetected and underreported to the FBI. In order to learn more about the national incidence of arson, Congress directed the FBI to collect detailed information on arson offenses.

In 1982, the FBI permanently classified arson as a Part I offense. However, New York State collects arson as a Part II offense. Every arson offense is now reported along with the top charge. When an arson offense is reported, agencies must complete the Monthly Return of Arson Offenses Known to Law Enforcement report, which provides detailed information on every arson offense.

Supplement to Return A

The Supplement to the *Return A* collects information on the value of property stolen in two separate tables: *Property Stolen by Classification* and *Property Stolen by Type and Value*.

Property Stolen by Classification includes the value of property stolen during any Part I offense. Agencies must report property values stolen during any offense, including murder or rape. For example (See page 11), an agency reported stolen property during the offenses of murder, robbery, burglary, larceny, and motor vehicle theft with a total value of \$13,065. The motor vehicle and some of the jewelry were recovered. Motor vehicle values must be reported even if the vehicle is recovered a short time later.

Property Stolen by Type and Value (See page 12) identifies what types of property were stolen and recovered. All property stolen, regardless of offense classification, should be recorded under the appropriate property type.

The Return A – Property Stolen by Classification Table. Note the total value.

STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES RETURN A - MONTHLY REPORT OF OFFENSES KNOWN TO THE POLICE		
Agency Name _____	Agency ID# _____	
PROPERTY STOLEN BY CLASSIFICATION		
CLASSIFICATION	DE	MONETARY VALUE
1. MURDER AND NON-NEGLIGENT MANSLAUGHTER	01	1,000
2. FORCIBLE RAPE	02	
3. ROBBERY	04	
(A) HIGHWAY (STREETS, ALLEYS, ETC.)		
(B) GAS OR SERVICE STATION	06	250
(C) CONVENIENCE STORE	08	
(D) BANK	09	
(E) OTHER COMMERCIAL BUILDING	11	
(F) RESIDENCE (ANYWHERE ON PREMISES)	13	
(G) MISCELLANEOUS	15	
5. BURGLARY		
(A) RESIDENCE (1) NIGHT (6 P.M. - 6 A.M.)	18	50
(2) DAY (6 A.M. - 6 P.M.)	20	
(3) UNKNOWN	22	
(B) NON-RESIDENCE (1) NIGHT (6 P.M. - 6 A.M.)	24	500
(2) DAY (6 A.M. - 6 P.M.)	26	
(3) UNKNOWN	28	
6. LARCENY - THEFT (EXCEPT MOTOR VEHICLE THEFT)		
(A) \$200 AND OVER	03	575
(B) \$50 TO \$199	05	150
(C) UNDER \$50	07	40
BY TYPE:		
(A) POCKET-PICKING	10	
(B) PURSE-SNATCHING	12	
(C) SHOPLIFTING	14	40
(D) FROM MOTOR VEHICLES (EXCEPT PARTS AND ACCESS.)	16	150
(E) MOTOR VEHICLE PARTS AND ACCESSORIES	17	
(F) BICYCLES	19	
(G) FROM BUILDING	21	
(H) FROM ANY COIN-OPERATED MACHINES (PARKING METERS, ETC)	23	
(I) ALL OTHER	25	575
7. MOTOR VEHICLE THEFT	27	10,500
TOTAL	29	13,065

The Return A – Property by Type and Value table. The total value of Property Stolen in this table is equal to the total value of property stolen in the *Property Type by Classification* table.

PROPERTY BY TYPE AND VALUE					
TYPE OF PROPERTY			VALUE OF PROPERTY		
	DE		STOLEN		RECOVERED
1. CURRENCY, NOTES, ETC.	01	A	250	B	
2. JEWELRY AND PRECIOUS METALS	02	A	1,000	B	750
3. CLOTHING AND FURS	03	A	175	B	
4. LOCALLY STOLEN MOTOR VEHICLES	04	A	10,500	B	10,500
5. OFFICE EQUIPMENT	05	A		B	
6. TELEVISIONS, RADIOS, STEREOS, ETC	06	A	550	B	
7. FIREARMS	07	A		B	
8. HOUSEHOLD GOODS	08	A	550	B	
9. CONSUMABLE GOODS	09	A	40	B	
10. LIVESTOCK	10	A		B	
11. MISCELLANEOUS	11	A		B	
TOTAL	12	A	13,065	B	11,250

NUMBER OF VEHICLES RECOVERED			
1. STOLEN LOCALLY AND RECOVERED LOCALLY	21	B	2
2. STOLEN LOCALLY AND RECOVERED BY OTHERS	22	B	
3. STOLEN OUT OF TOWN AND RECOVERED LOCALLY	23	B	

ADDITIONAL REPORTS REQUIRED			
		REPORT SUBMITTED	NOTHING TO REPORT
ARREST OF PERSONS UNDER 18	31		41
ARREST OF PERSONS 18 AND OVER	32		42
SUPPLEMENTARY HOMICIDE	33		43
OFFICERS KILLED OR ASSAULTED	34		44
ARSON - FBI REPORT	35		45
HATE CRIMES (BIAS) ** New Field			
DOMESTIC VIOLENCE VICTIM DATA			

DOMESTIC VIOLENCE VICTIM DATA									
	DE	WIFE BY HUSBAND	HUSBAND BY WIFE	CHILD BY PARENT	PARENT BY CHILD	OTHER DOMESTIC RELATION	INTIMATE PARTNER		TOTAL
							FEMALE VICTIM	MALE VICTIM	
AGGRAVATED ASSAULT	51	A	B	C	D	E	F	G	H
SIMPLE ASSAULT	52	A	B	C	D	E	F	G	H
SEX OFFENSE	53	A	B	C	D	E	F	G	H
OTHER VIOLENT OFFENSE	54	A	B	C	D	E	F	G	H
VIOLATION OF PROTECTIVE ORDER	55	A	B	C	D	E	F	G	H
TOTAL	56	A	B	C	D	E	F	G	H

Prepared By _____

Date Prepared _____

Chief, Sheriff, Commissioner, or Superintendent _____

Domestic Violence Victim Data (Revised April 2008)

DCJS collects data concerning domestic violence in New York State as part of the Uniform Crime Reporting Program. Domestic violence is characterized by the current or former relationship of the people involved in certain types of crime. Domestic violence victim data are to be reported regardless of whether or not a complaint was filed or an arrest was made.

For purposes of UCR crime reporting, domestic violence data should be captured when the victim/offender relationship is one of the following:

1. Persons related by consanguinity (blood) or through marriage (affinity).
2. Persons legally married to each other, or formerly married to each other.
3. Persons who have a child in common, regardless of whether such persons have been married or lived together at any time.
4. Persons who are currently living together, or who have previously lived together, in a significant intimate relationship, including same-sex couples, to the extent that such relationship can be readily discerned.
5. Persons who are currently or who have previously been involved in a significant intimate relationship, including same-sex couples, to the extent that such relationship can be readily discerned.

The last page of the Return A includes a table for entering domestic violence victim data. The counts in this table should include the total number of victims of domestic violence-related offenses within a reported incident, regardless of the top UCR offense. For example, a simple assault by one spouse on the other is to be counted on the domestic violence victim data table even if a more serious non-domestic violence-related offense was reported in the same incident. However, **only one domestic violence-related offense can be counted per victim**. Therefore, victims of multiple offenses in the same incident should be counted only once on the Domestic Violence Victim Data table, in the top domestic violence-related offense for which they were reported as the victim.

Domestic Violence Reporting Hierarchy

When reporting victims of domestic violence, it is important to count only one offense per victim. When an incident involves multiple offenses against the same victim, the following hierarchy of domestic violence-related offenses should be used to determine which offense the victim should be reported under:

- Murder
- Rape
- Aggravated Assault
- Kidnapping
- Sex Offenses (other than rape)
- Simple Assault
- Violation of Protective Order
- Endangering the Welfare of a Child

All the above offenses classified as domestic violence are considered crimes against persons. Therefore, agencies should record one offense for each victim on the Domestic Violence Victim Data table.

The domestic violence table counts the above offenses in the following five offense groupings:

1. Aggravated Assault
2. Simple Assault
3. Sex Offense (includes sexual misconduct, rape, sodomy, sexual abuse, compelling prostitution, incest, and promoting the sexual performance of a child)
4. Other Violent Offenses (murder, kidnapping, coercion, and endangering the welfare of a child)
5. Violation of a Protective Order

Domestic violence offenses to be reported in the Domestic Violence Victim Data table include any of the above offenses (or attempts) perpetrated by people in domestic relationships against each other. Refer to the *UCR Cross-Reference Table* for more specific details on offenses included in each of these categories, and their Penal Law citations.

Victim categories on the UCR form are defined below. They are meant to be mutually exclusive.

1. Wife by Husband: include wife, ex-wife, husband, and ex-husband.
2. Husband by Wife: include husband, ex-husband, wife, and ex-wife.
3. Child by Parent: include a child of any age, minor or adult.
4. Parent by Child: include a child of any age, minor or adult.
5. Other Family Relation: aunts, uncles, grandparents, sisters-in-law, cousins, and other blood and in-law relations.
6. Intimate Partner (female victim): include all current and former intimate partner relationships where the couple was never legally married.
7. Intimate Partner (male victim): as above.

Examples

An argument breaks out between a husband and wife. The husband hits the wife. Police respond and charge the husband with simple assault.

DOMESTIC VIOLENCE VICTIM DATA											
	DE	WIFE BY HUSBAND	HUSBAND BY WIFE	CHILD BY PARENT	PARENT BY CHILD	OTHER FAMILY RELATION	INTIMATE PARTNER		TOTAL		
							FEMALE VICTIM	MALE VICTIM			
AGGRAVATED ASSAULT	51	A	B	C	D	E	F	G	H		
SIMPLE ASSAULT	52	A	1	B	C	D	E	F	G	H	1
SEX OFFENSE	53	A	B	C	D	E	F	G	H		
OTHER VIOLENT OFFENSE	54	A	B	C	D	E	F	G	H		
VIOLATION OF PROTECTIVE ORDER	55	A	B	C	D	E	F	G	H		
TOTAL	56	A	1	B	C	D	E	F	G	H	1

A young man, during an argument, swings at his ex-girlfriend with a butcher knife in front of their young son. Police respond and charge the man with aggravated assault and endangering the welfare of a child.

In this case, both offenses are noted, one per victim. The endangering the welfare of a child is captured under the "Other Violent Offense" category.

DOMESTIC VIOLENCE VICTIM DATA											
	DE	WIFE BY HUSBAND	HUSBAND BY WIFE	CHILD BY PARENT	PARENT BY CHILD	OTHER FAMILY RELATION	INTIMATE PARTNER		TOTAL		
							FEMALE VICTIM	MALE VICTIM			
AGGRAVATED ASSAULT	51	A	B	C	D	E	F	1	G	H	1
SIMPLE ASSAULT	52	A	B	C	D	E	F	G	H		
SEX OFFENSE	53	A	B	C	D	E	F	G	H		
OTHER VIOLENT OFFENSE	54	A	B	1	D	E	F	G	H	1	
VIOLATION OF PROTECTIVE ORDER	55	A	B	C	D	E	F	G	H		
TOTAL	56	A	B	1	D	E	F	1	G	H	2

A 37-year-old man engages in oral sexual conduct with his 13-year-old nephew. Police respond and charge the man with a criminal sexual act.

DOMESTIC VIOLENCE VICTIM DATA									
	DE	WIFE BY HUSBAND	HUSBAND BY WIFE	CHILD BY PARENT	PARENT BY CHILD	OTHER FAMILY RELATION	INTIMATE PARTNER		TOTAL
							FEMALE VICTIM	MALE VICTIM	
AGGRAVATED ASSAULT	51	A	B	C	D	E	F	G	H
SIMPLE ASSAULT	52	A	B	C	D	E	F	G	H
SEX OFFENSE	53	A	B	C	D	E 1	F	G	H 1
OTHER VIOLENT OFFENSE	54	A	B	C	D	E	F	G	H
VIOLATION OF PROTECTIVE ORDER	55	A	B	C	D	E	F	G	H
TOTAL	56	A	B	C	D	E 1	F	G	H 1

A woman violates an order of protection and confronts her ex-husband and his girlfriend. An argument ensues and the woman hits the husband with a baseball bat. The woman is arrested for violating the order of protection and also charged with aggravated assault.

In this case, the ex-husband is the victim of two separate offenses. Therefore, the aggravated assault is recorded because it is the top domestic violence offense in the incident.

DOMESTIC VIOLENCE VICTIM DATA									
	DE	WIFE BY HUSBAND	HUSBAND BY WIFE	CHILD BY PARENT	PARENT BY CHILD	OTHER FAMILY RELATION	INTIMATE PARTNER		TOTAL
							FEMALE VICTIM	MALE VICTIM	
AGGRAVATED ASSAULT	51	A	B 1	C	D	E	F	G	H 1
SIMPLE ASSAULT	52	A	B	C	D	E	F	G	H
SEX OFFENSE	53	A	B	C	D	E	F	G	H
OTHER VIOLENT OFFENSE	54	A	B	C	D	E	F	G	H
VIOLATION OF PROTECTIVE ORDER	55	A	B	C	D	E	F	G	H
TOTAL	56	A	B 1	C	D	E	F	G	H 1

An argument breaks out in a household among a mother, father and son. The son stabs both his mother and father with a knife.

DOMESTIC VIOLENCE VICTIM DATA											
	DE	WIFE BY HUSBAND	HUSBAND BY WIFE	CHILD BY PARENT	PARENT BY CHILD	OTHER FAMILY RELATION	INTIMATE PARTNER		TOTAL		
							FEMALE VICTIM	MALE VICTIM			
AGGRAVATED ASSAULT	51	A	B	C	D	2	E	F	G	H	2
SIMPLE ASSAULT	52	A	B	C	D		E	F	G	H	
SEX OFFENSE	53	A	B	C	D		E	F	G	H	
OTHER VIOLENT OFFENSE	54	A	B	C	D		E	F	G	H	
VIOLATION OF PROTECTIVE ORDER	55	A	B	C	D		E	F	G	H	
TOTAL	56	A	B	C	D	2	E	F	G	H	2

Age, Sex, Race, and Ethnic Origin of Persons Arrested, Under the Age of 18

The guidance provided below is not intended to alter the reporting requirements defined by the Federal UCR program, but rather to clarify and reinforce what information should be captured as a result of law enforcement contact with juveniles.

New York State Juvenile Arrest Definition

Although New York State law provides for persons under the age of 18 to be considered adult offenders, the FBI considers any individual under 18 years of age to be a juvenile. For UCR reporting purposes, a juvenile “arrest” must be counted when a police officer has probable cause to believe that a youth between 7 and 18 years of age has committed a UCR offense and is either

- taken into custody, or
- issued an appearance ticket.

The term “taken into custody” means that the juvenile is no longer free to leave, regardless of whether he or she is handcuffed, placed in a police vehicle, or brought to a police station. By extension, this would include cases in which a juvenile is a) taken directly to Family Court or secure detention, b) given an appearance ticket, or c) warned and released without further action.

The key factor for counting an arrest is police intervention when the officer has probable cause to believe that the juvenile has engaged in behavior that constitutes a UCR offense. All instances where a UCR offense was believed to be committed should not be counted as an “arrest.”

Reporting Police Dispositions of Juveniles Under the Age of 16

Since law enforcement has an increased level of discretion when dealing with juveniles, the police disposition information is used to identify how the juvenile was handled by the reporting agency immediately after the “arrest.” **This information is not meant to track court dispositions.**

To ensure comparable disposition statistics, The National Crime Reporting Program requires states to apply their age definition of juvenile when reporting the police disposition of UCR juvenile arrests. Therefore, in New York State reporting agencies must provide the police disposition of **only those juvenile arrests where the offender was less than 16 years of age.**

Depending on the seriousness of the offense and the offender’s prior criminal record, a juvenile may be:

- Warned by the police and released to parents, relatives, friends, or guardians;
- Referred to the probation department or some other branch of the juvenile court;
- Referred to welfare agencies;

- Referred to other police agency; or
- Referred to criminal or adult court.

This information must be captured on the “Police Disposition of Juveniles” table found at the end of the UCR “Arrest of Persons Under 18” form. The table is used to record the police disposition of **ONLY** those juveniles **under 16 years of age** that were reported as an “arrest” for committing a UCR offense. Agencies must not account for the police dispositions of those 16 and 17 years old that have been reported as “arrests.” **The total number of police dispositions for that reporting month must equal the total number of under 16 “arrests” for the reporting month.**

Reporting Monetary Values for Larceny Offenses

6. LARCENY - THEFT (EXCEPT MV THEFT)	DE	Pocket	Purse	Shop	From	MV Parts		From	From Coin	All
		Picking	Snatching	Lifting	MV	or Access.	Bicycles	Building	Machine	Other
A. \$200 And Over	52			1		1				
Unfounded	53									
B. \$50 To \$199	55			1	2					
Unfounded	56									
C. Under \$50	58			3	2					
Unfounded	59									

Monetary values associated with property stolen during a Larceny-Theft are recorded on the Return A Supplement “Property Stolen by Classification” by value classification and property type classification. In the example above, the total number of larcenies reported on the Return A was 10 including three value types and three property types

As illustrated on the next page, the dollar value of property stolen during a Larceny-Theft is classified by value on lines 3, 5, and 7 of the Larceny-Theft section of the Property Stolen by Classification table. Since there were 3 offenses in the \$50-\$99 range, the minimum value that can appear is \$150 with a maximum value of \$597.

The dollar value of property stolen during a Larceny-Theft is again reported in the “Monetary Value” column of the form (lines 10-25, next page). Since both sections refer to the same property, the totals must be equal.

**STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
RETURN A - MONTHLY REPORT OF OFFENSES KNOWN
TO THE POLICE**

Agency Name _____

Agency ID# _____

PROPERTY STOLEN BY CLASSIFICATION		
CLASSIFICATION	DE	MONETARY VALUE
1. MURDER AND NON-NEGLIGENT MANSLAUGHTER	01	1,000
2. FORCIBLE RAPE	02	
3. ROBBERY	04	
(A) HIGHWAY (STREETS, ALLEYS, ETC.)		
(B) GAS OR SERVICE STATION	06	250
(C) CONVENIENCE STORE	08	
(D) BANK	09	
(E) OTHER COMMERCIAL BUILDING	11	
(F) RESIDENCE (ANYWHERE ON PREMISES)	13	
(G) MISCELLANEOUS	15	
5. BURGLARY		
(A) RESIDENCE (1) NIGHT (6 P.M. - 6 A.M.)	18	50
(2) DAY (6 A.M. - 6 P.M.)	20	
(3) UNKNOWN	22	
(B) NON-RESIDENCE (1) NIGHT (6 P.M. - 6 A.M.)	24	500
(2) DAY (6 A.M. - 6 P.M.)	26	
(3) UNKNOWN	28	
6. LARCENY - THEFT (EXCEPT MOTOR VEHICLE THEFT)		
(A) \$200 AND OVER	03	575
(B) \$50 TO \$199	05	150
(C) UNDER \$50	07	40
BY TYPE:		
(A) POCKET-PICKING	10	
(B) PURSE-SNATCHING	12	
(C) SHOPLIFTING	14	240
(D) FROM MOTOR VEHICLES (EXCEPT PARTS AND ACCESS.)	16	150
(E) MOTOR VEHICLE PARTS AND ACCESSORIES	17	375
(F) BICYCLES	19	
(G) FROM BUILDING	21	
(H) FROM ANY COIN-OPERATED MACHINES (PARKING METERS, ETC)	23	
(I) ALL OTHER	25	
7. MOTOR VEHICLE THEFT	27	10,500
TOTAL	29	13,065

Reporting Monetary Values of Personal Property Stolen During a Motor Vehicle Theft

When a motor vehicle containing personal property is stolen, the value of the personal property stolen is added to the value of the motor vehicle and recorded on the Motor Vehicle Theft line of the Property by Classification table. Combine the value of personal property with the value of the motor vehicle and enter it on Line 7. Do not record the value of personal property anywhere else on the form.

STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES RETURN A - MONTHLY REPORT OF OFFENSES KNOWN TO THE POLICE		
Agency Name	Agency ID#	
PROPERTY STOLEN BY CLASSIFICATION		
CLASSIFICATION	DE	MONETARY VALUE
1. MURDER AND NON-NEGLIGENT MANSLAUGHTER	01	
2. FORCIBLE RAPE	02	
3. ROBBERY	04	
(A) HIGHWAY (STREETS, ALLEYS, ETC.)		
(B) GAS OR SERVICE STATION	06	
(C) CONVENIENCE STORE	08	
(D) BANK	09	
(E) OTHER COMMERCIAL BUILDING	11	
(F) RESIDENCE (ANYWHERE ON PREMISES)	13	
(G) MISCELLANEOUS	15	
5. BURGLARY		
(A) RESIDENCE		
(1) NIGHT (6 P.M. - 6 A.M.)	18	
(2) DAY (6 A.M. - 6 P.M.)	20	
(3) UNKNOWN	22	
(B) NON-RESIDENCE		
(1) NIGHT (6 P.M. - 6 A.M.)	24	
(2) DAY (6 A.M. - 6 P.M.)	26	
(3) UNKNOWN	28	
6. LARCENY - THEFT (EXCEPT MOTOR VEHICLE THEFT)		
(A) \$200 AND OVER	03	
(B) \$50 TO \$199	05	
(C) UNDER \$50	07	
BY TYPE:		
(A) POCKET-PICKING	10	
(B) PURSE-SNATCHING	12	
(C) SHOPLIFTING	14	
(D) FROM MOTOR VEHICLES (EXCEPT PARTS AND ACCESS.)	16	
(E) MOTOR VEHICLE PARTS AND ACCESSORIES	17	
(F) BICYCLES	19	
(G) FROM BUILDING	21	
(H) FROM ANY COIN-OPERATED MACHINES (PARKING METERS, ETC)	23	
(I) ALL OTHER	25	
7. MOTOR VEHICLE THEFT	27	6,200
TOTAL	29	

The value of the golf clubs is recorded separately from the value of the motor vehicle on the Property by Type and Value table. Since the golf clubs were not recovered with the motor vehicle, only the value of the motor vehicle is entered in the recovered column.

PROPERTY BY TYPE AND VALUE				
TYPE OF PROPERTY	VALUE OF PROPERTY			
	DE	STOLEN		RECOVERED
1. CURRENCY, NOTES, ETC.	01	A		B
2. JEWELRY AND PRECIOUS METALS	02	A		B
3. CLOTHING AND FURS	03	A		B
4. LOCALLY STOLEN MOTOR VEHICLES	04	A	5,000	B 5,000
5. OFFICE EQUIPMENT	05	A		B
6. TELEVISIONS, RADIOS, STEREOs, ETC	06	A		B
7. FIREARMS	07	A		B
8. HOUSEHOLD GOODS	08	A		B
9. CONSUMABLE GOODS	09	A		B
10. LIVESTOCK	10	A		B
11. MISCELLANEOUS	11	A	1,200	B
TOTAL	12	A	6,200	B 5,000

NUMBER OF VEHICLES RECOVERED			
1. STOLEN LOCALLY AND RECOVERED LOCALLY	21	B	1
2. STOLEN LOCALLY AND RECOVERED BY OTHERS	22	B	
3. STOLEN OUT OF TOWN AND RECOVERED LOCALLY	23	B	

ADDITIONAL REPORTS REQUIRED			
	REPORT SUBMITTED	NOTHING TO REPORT	
ARREST OF PERSONS UNDER 18	31		41
ARREST OF PERSONS 18 AND OVER	32		42
SUPPLEMENTARY HOMICIDE	33		43
OFFICERS KILLED OR ASSAULTED	34		44
ARSON - FBI REPORT	35		45
HATE CRIMES (BIAS) ** New Field			
DOMESTIC VIOLENCE VICTIM DATA			

DOMESTIC VIOLENCE VICTIM DATA									
	DE	WIFE BY HUSBAND	HUSBAND BY WIFE	CHILD BY PARENT	PARENT BY CHILD	OTHER FAMILY RELATION	INTIMATE PARTNER		TOTAL
							FEMALE VICTIM	MALE VICTIM	
AGGRAVATED ASSAULT	51	A	B	C	D	E	F	G	H
SIMPLE ASSAULT	52	A	B	C	D	E	F	G	H
SEX OFFENSE	53	A	B	C	D	E	F	G	H
OTHER VIOLENT OFFENSE	54	A	B	C	D	E	F	G	H
VIOLATION OF PROTECTIVE ORDER	55	A	B	C	D	E	F	G	H
TOTAL	56	A	B	C	D	E	F	G	H

Prepared By _____

Date Prepared _____

Chief, Sheriff, Commissioner, or Superintendent _____

Reporting Juvenile Clearances

If an offense is cleared and the arrestees include only juveniles (persons under the age of 18), reporting agencies should record the clearances in the “Total Clearances” column and in the “Clearances Under 18” column. If an offense includes both adult and juvenile arrestees, the reporting agency must score the clearance in the “Total Clearances” column only. The number of “Clearances Under 18” must not exceed the “Total Clearances” for the month. Agencies must score only the number of offenses cleared, not persons arrested.

An agency reports two larceny offenses in a given month. A male age 24 hides on the loading dock of an electronics store. As its closing, he absconds with computer equipment. He is later apprehended. In a separate offense, a male age 17 is caught stealing music CDs from a local record store. The manager calls the police and the 17 year old is arrested.

If these were the only two reported larcenies in a given month, then the agency would score 2 offenses of Larceny-Theft (Shoplifting). “Net” would be 2, “Total Clearances” would be 2 and “Clearances Under 18” would be 1.

6. LARCENY - THEFT (EXCEPT MV THEFT)	DE	Pocket Picking	Purse Snatching	Shop Lifting	From MV	MV Parts or Access.	Bicycles	From Building	From Coin Machine	All Other	REPORTED OFFENSES	UNFOUNDED	DE	NET (Reported minus Unfounded)	TOTAL CLEARANCES (Include Under 18)	CLEARANCES UNDER 18
A. \$200 And Over Unfounded				2							2	0		2	2	1
B. \$50 To \$199 Unfounded																Only 1 Juvenile
C. Under \$50 Unfounded																

In a given month, an agency reports three separate thefts of a bicycle. In each case, the police arrested a juvenile under the age of 18. Score 3 offenses of Larceny-Theft (Bicycles). “Net” would be 3, “Total Clearances” would be 3, and “Clearances Under 18” would be 3.

6. LARCENY - THEFT (EXCEPT MV THEFT)	DE	Pocket Picking	Purse Snatching	Shop Lifting	From MV	MV Parts or Access.	Bicycles	From Building	From Coin Machine	All Other	REPORTED OFFENSES	UNFOUNDED	DE	NET (Reported minus Unfounded)	TOTAL CLEARANCES (Include Under 18)	CLEARANCES UNDER 18
A. \$200 And Over Unfounded							3				3	0		3	3	3
B. \$50 To \$199 Unfounded																All 3 are Juveniles
C. Under \$50 Unfounded																

Race Versus Ethnic Origin

“Hispanic” is not defined as a race. Persons of Hispanic heritage are members of the ethnic groups based in the Spanish-speaking regions of Central America, South America, the Caribbean Ocean, and Europe. Hispanic people may consider themselves both Black and Hispanic, for example. Phrases like “Black Hispanic” or “White Hispanic” describe a person by both race and ethnicity. In the event an arrestee is not forthcoming regarding their ethnic origin, arresting authorities may rely on officer observation to determine the ethnicity of the offender.

On the ASR forms, the same arrestee is counted three times – once in the age and gender section, once in the race section, and last in the ethnic origin section. Under Ethnic Origin, Hispanic arrestees are counted in one column and all other arrestees are counted in the other. An example for completing the forms correctly appears below.

Thirteen (13) people of various ages were arrested for murder during the month. Their races are described as 10 White people, 1 Black person, and 2 Asian people. Two of the White arrestees considered themselves Hispanic.

- In the age and sex sections, score those arrested in the appropriate age and sex designations.
- In the race section, score 10 as White, 1 as Black, and 2 as Asian or Pacific Islander.
- In the ethnic origin section, score 2 in the Hispanics, 11 Non-Hispanic.

STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
AGE, RACE, SEX, AND ETHNIC ORIGIN OF PERSONS ARRESTED, 18 years of age and over
(Include those released without having been formally charged)

Agency Name _____ Agency ID _____ Month - Year _____

CLASSIFICATION OF OFFENSES	DE	Sex	AGE													TOTAL	RACE				ETHNIC ORIGIN							
			18	19	20	21	22	23	24	25-29	30-34	35-39	40-44	45-49	50-54		55-59	60-64	65 & Over	White	Black	American Indian or Native Alaskan	Asian or Pacific Islander	Hispanic	Not Hispanic			
1A. MURDER	01	M	1		5		1		2							3						12	10	1		2	2	11
		F														1							1					

13
 13
 13

As the example above illustrates, the total numbers for Age, Sex, Race, and Ethnic Origin columns must equal each other.

Common Reporting Errors

The following section includes examples of the most common difficulties encountered when completing UCR forms, and illustrates their solutions.

Motor Vehicle Theft versus Unauthorized Use of a Motor Vehicle

An incident is classified as motor vehicle theft when the driver does not have, and has not received in the past, authorization to drive the vehicle. If the driver had prior authorization to take the vehicle, then the incident is classified as “Unauthorized Use of a Vehicle” on Part II of the *Return A*. Examples of unauthorized use would include; a son or daughter taking a parent’s car, a driver taking an employer’s car (which has been used in the past), or a renter keeping a car from a rental agency for longer than the contract period.

Reporting prior offenses which recently became known to police

The UCR reporting rule is an offense is reported for the date it becomes known to law enforcement, regardless of when it actually occurred. For example, suppose the remains of a body are found buried in the woods in March of 2005. Investigation reveals the homicide occurred in 1980. The offense would be reported on the March 2005 UCR forms because the offense became known to police in the 2005 reporting period, even though it occurred in 1980.

Alternatively, suppose an aggravated assault occurred in August and resulted in the victim being hospitalized. The assault would be reported on the August *Return A*. If the victim dies from his injuries in September, the August report would need to be amended. The reporting agency must contact DCJS with notification of the death; the aggravated assault will be subtracted from the August report. The homicide would be reported by the agency on the September *Return A* and Supplemental Homicide Report. It is important DCJS be made aware of the situation, to avoid reporting the same incident as two separate offenses.

Classifying Menacing in the Second Degree as Aggravated Assault

For UCR purposes, the considerations for classifying an offense as an aggravated assault include: 1) the presence of a weapon, 2) the seriousness of the injuries, and 3) the intent of the assailant to cause serious injury. The use of any kind of weapon, as in *Menacing in the Second Degree (PL §120.14 sub 1)*, satisfies two of the three considerations, without any physical injury having to occur. In the case of menacing, if there is any kind of weapon displayed or used, the offense is classified on Part I as an aggravated assault. Even if no actual physical injury results, it is the presence of a weapon and the intent to cause serious physical injury which causes the offense to be classified as an aggravated assault.

In the late 1990s, DCJS notified agencies of the change in the classification of this subsection of *Menacing in the Second Degree* from a Part II simple assault to a Part I aggravated assault. DCJS asked law enforcement agencies to review simple assault counts to determine if any *Menacing in the Second Degree* offenses reported to them should be reclassified as Part I offenses.

Errors in Reporting Monetary Values

DCJS edits the UCR report submissions for completeness and accuracy. When forms are submitted with potential errors, DCJS contacts the reporting agency requesting clarification. One of the most common errors is a discrepancy between offenses reported and the value of property stolen during the offenses. Discrepancies typically arise in two areas:

- The total value of the Property Stolen by Classification table must equal the total value of the Property Stolen by Type table. If not, there is an error in calculation.
- If a value is reported for stolen property on the property tables, there must also be a corresponding offense reported on the *Return A*. For example, if a value is reported for motor vehicle thefts (line 27 of the Property Stolen by Classification table) at least one Motor Vehicle Theft offense must be scored on the *Return A*.

In instances where there are multiple offenses, monetary values are only recorded once - under the highest offense classification. For example, if an offender commits murder and removes cash and jewelry from the crime scene, the offense must be scored as a murder, and the value of the cash and jewelry only recorded on the Murder / Non-Negligent Manslaughter line of the Property Stolen by Classification Table.

UCR Program Forms

There are seven UCR forms.

1. The Return A (Part I, Part II, Property, Domestic Violence and Nothing to Report)
2. Age, Sex, Race and Ethnic Origin of Persons Arrested, 18 Years of Age and Over
3. Age, Sex, Race and Ethnic Origin of Persons Arrested, Under 18 Years of Age
4. Supplementary Homicide Report
5. Monthly Return of Arson Offenses Known to Law Enforcement
6. Hate Crime Incident Report
7. Law Enforcement Officers Killed or Assaulted
8. Agency Personnel Report

These forms and instructions are available electronically on our website at <http://www.criminaljustice.ny.gov>. The forms may be completed electronically and submitted as email attachments to DCJS at infonysucr@dcjs.ny.gov, or they may be printed, completed manually and mailed to:

New York State Division of Criminal Justice Services
Crime Reporting Unit
Alfred E. Smith Office Building, 6th Floor
80 South Swan Street
Albany, New York 12210