



STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
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TO: All Incident –Based Reporting (IBR) Agencies
FROM: Adam Dean, Crime Reporting Unit
DATE: February 4, 2013
SUBJECT: Change to Incident Clearance Status for Juvenile Arrests

REPORTING ALERT

INCIDENTS CLEARED BY JUVENILE ARRESTS NOW INCLUDE ARRESTEE UNDER 18 YEARS OF AGE

In December 2012, a coding revision was made to the processing of IBR incidents submitted to the Division of Criminal Justice Service (DCJS). To fully comply with federal IBR reporting requirements, incidents submitted with an Incident Case Status of Cleared by Arrest-Adult, now require at least one arrestee be 18 years of age or older at the time of arrest. Subsequently, incidents submitted with an Incident Case Status of Cleared by Arrest-Juvenile, require all arrestees be 17 years of age or younger at the time of arrest. This differs from the previous edit in which a case status of Cleared by Arrest-Adult required at least one of the arrestees be 16 years of age or older.

IMPORTANT NOTE: This change is unrelated to New York State Law which prosecutes arrestees 16 and older as adults. It is a technical reporting issue that only pertains to the Incident Case Status collected by the NYSIBR program and ultimately the Federal Crime Reporting Program.

Due to this coding revision, the following two error messages have been updated as follows:

- **790 INCIDENT CASE STATUS of Cleared by Arrest - Adult requires at least one arrestee aged equal to or greater than 18 years of age**

An offense is considered cleared by arrest when at least one person is arrested, charged with the commission of an offense, and turned over to the court for prosecution. In incidents which involve multiple arrests, Cleared by Arrest-Adult requires that at least one of those arrested is 18 years of age or older.

See Data Elements #7 INCIDENT CASE STATUS and #61 ARRESTEE AGE.

- **792 INCIDENT CASE STATUS of Cleared by Arrest - Juvenile requires that all Arrestees in incident must be less than 18 years of age**

An incident is counted as cleared by juvenile arrest when one or more juveniles is cited for a crime for which an adult could be arrested if engaged in the same activity, regardless of case outcome. This includes the entire range of cases in which law enforcement acts officially – from cases that are referred for prosecution in family court or even adult court, to cases handled by the department and not carried forward for prosecution or probation. If the activity is a crime, and police intervene, it is a juvenile arrest even when the official act is an appearance ticket or a conversation with, and release to, parents. In incidents which involve multiple arrests, Cleared by Arrest-Juvenile requires that all those arrested are less than 18 years of age. If multiple arrests in an incident include a mix of juveniles and adults, the INCIDENT CASE STATUS is Cleared by Arrest – Adult.

See Data Element #7 INCIDENT CASE STATUS and #61 ARRESTEE AGE.

A complete listing of all IBR errors can be found on the DCJS public website at:
http://www.criminaljustice.ny.gov/crimnet/ojsa/crimereporting/ibr_ref.htm

Please make sure staff responsible for programming your records management system, as well as those entering your IBR crime and arrest data, receive copies of this memorandum, and make adjustments to future reporting as needed.

Please call the Crime Reporting Unit at (518) 485-7942 or email CrimeReporting@dcjs.ny.gov if you have any questions or concerns related to this new IBR submission process. My office is available to assist you or answer any questions you may have.