

B. Collection of Information Employing Statistical Methods.

1. The potential respondent universe of the Return A and Supplement to Return A forms OMB No. 1110-0001, includes all United States (U.S.) law enforcement agencies. Out of all U.S. law enforcement agencies 18,233 U.S. law enforcement agencies voluntarily participate in the FBI Uniform Crime Reporting (UCR) Program. The law enforcement agencies consist of local, county, state, tribal, and federal agencies that correlate to all population group sizes and have many diverse attributes. These agencies include a mix of population density and degrees of urbanization; various compositions of population particularly youth concentration; population mobility with respect to residents' mobility, commuting patterns, and transient factors; different economic conditions including median income, poverty level, and job availability; areas with different modes of transportation and highway systems; different cultural factors and educational, recreational, and religious characteristics; family conditions with respect to divorce and family cohesiveness; climate; effective strength of law enforcement; policies of other components of the criminal justice system; citizens' attitudes toward crime; and crime reporting practices of the citizenry. See chart below of participating agencies.

	Population Group	Number of Agencies	Population Covered
Cities	Group I (250,000 inhabitants and more)	75	56,398,148
	Group II (100,000 to 249,999 inhabitants)	209	31,323,512
	Group III (50,000 to 99,999 inhabitants)	473	32,816,692
	Group IV (25,000 to 49,999 inhabitants)	888	30,762,527
	Group V (10,000 to 24,999 inhabitants)	1,929	30,586,844
	Group VI (Less than 10,000 inhabitants) <sup>1,2</sup>	9,499	26,669,678
Counties	Group VIII (Nonmetropolitan County) <sup>2</sup>	3,049	30,821,138
	Group IX (Metropolitan County) <sup>2</sup>	2,111	72,213,378
	Total	18,233	311,591,917

<sup>1</sup> Includes universities and colleges to which no population is attributed.

<sup>2</sup> Includes state police to which no population is attributed.

Out of the 18,233 agencies that voluntarily report data to the FBI UCR Program approximately 14,644 submit twelve month complete total, 1,490 submit between one and eleven months of data, and 2,099 agencies do not submit reports to the FBI UCR Program. See chart below.

<b>Number of months submitted</b>	<b>Number of Agencies</b>
1 month	123
2 months	78
3 months	93
4 months	75
5 months	71
6 months	96
7 months	87
8 months	102
9 months	117
10 months	219
11 months	429
12 months	14,644
Non reporting agencies	2,099
<b>Total</b>	<b>18,233</b>

Of the 18,233 participating agencies, 80 percent respond with twelve months of complete data and based on historical reporting trends, similar response rates are expected in future Return A and Supplement to Return A collections.

- Return A and Supplement to Return A data are collected/received from state UCR Program participants on a monthly basis. The FBI UCR Program has established various time frames and deadlines for acquiring the monthly data. Monthly reports/submissions should be received at the FBI by the seventh data after the close of each month. Annual deadlines are also designated in order to collect/assess receipt of monthly submissions. There are times when special circumstances may cause an agency to request an extension.

The FBI UCR Program has the authority to grant these extensions. Although the law enforcement community requested that the form be collected on a monthly basis since police records are run on a calendar month, the FBI UCR Program has agencies that submit data quarterly, twice a year, and even once a year. Upon approval, the FBI UCR Program agencies can submit their data at intervals that minimizes the burdens to the agency.

Law enforcement agencies submit Return A and Supplement to Return A data to the FBI UCR Program through either the Summary Reporting System (SRS) or the National Incident-Based Reporting System (NIBRS). The SRS is referred to as the “traditional” FBI UCR Program because it began in 1930, and has had few modifications through the years. The NIBRS is used by participating law enforcement agencies to report offenses and relevant details by incident, using up to 58 data elements to collect details about offenses, offenders, victims, property, and arrestees reported to police. Developed in the late 1980’s, the NIBRS was designed as an automated system to modernize UCR, and includes automated checks to ensure data quality.

As the Return A and Supplement to Return A data collection is intended to collect all reported Part I offense data (murder and nonnegligent manslaughter, rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft) and Supplement to Return A data, monetary value of property stolen and recovered, from law enforcement agencies in the U.S., sampling methodologies are not used. The FBI UCR Program does apply estimation procedures of the Return A Offenses Known to Police data and the Supplement to Return A data, monetary value of property stolen and recovered data. The law enforcement agencies that do not send in Return A data and Supplement to Return A data are estimated to compensate for the missing jurisdictions. Using well-established procedures, the FBI UCR Program estimates for missing data for agencies with partial reports and for nonreporting agencies and then aggregates these estimates to determine the number of offenses for the total U. S. Population. *Crime in the United States (CIUS)* present these approximations in Tables 1-7. The Program estimates offenses that occur within each of three areas: Metropolitan Statistical Areas (MSAs), cities outside MSAs, and nonmetropolitan counties. The national Program computes estimates by using the known crime figures of similar areas within a state and assigning the same proportion of crime volumes to nonreporting agencies or agencies with missing data. The estimation process considers the following: population size of agency; type of jurisdiction, e.g., police department versus sheriff’s office; and geographic location.

3. Response rates are maximized through liaison with state UCR programs. Communications encouraging data submissions occur frequently because of the relationship between the FBI UCR Program staff and law enforcement agencies. FBI

UCR staff have a strong understanding of contextual challenges agencies face in reporting valid and reliable data and regularly work to overcome nonresponse issues when such challenges occur. The mission of the FBI UCR Program is to acquire Return A and Supplement to Return A data, establish guidelines for the collection of such data, and publish Return A and Supplement to Return A data.

The FBI UCR Program actively liaisons with the state UCR Programs and the national law enforcement agencies to encourage participation in the Return A and Supplement to Return A data collections. To encourage the submission of data, a listing of missing reports are sent to state UCR Programs and individual law enforcement agencies twice a year and then follow up contact is also made to those agencies to further encourage the submission of missing data. FBI UCR Program staff make every effort to assist agencies in submitting 12 months complete data.

Currently, 80 percent of the FBI UCR Program agencies report 12 months of complete Return A and Supplement to Return A data to the FBI. The FBI is working to help the absent 20 percent of law enforcement agencies participate in the Return A and Supplement to Return A data collection with the FBI CJIS Division's UCR Redevelopment Project (UCRRP). The UCRRP will manage the acquisition, development, and integration of a new information systems solution which affects UCR participating local, state, tribal and federal law enforcement agencies. The UCRRP's goal is to improve UCR efficiency, usability, and maintainability while increasing the value to users of UCR products. The UCRRP will reduce, to the point of elimination, the exchange of printed materials between submitting agencies and the FBI and replace those with electronic submissions. The FBI UCR Program has begun the process of minimizing the exchange of paper for crime reporting purposes. Beginning July 2013, the FBI UCR Program will begin moving submitting agencies away from paper submissions. After a period of transition, the expectation is to have all data interfaces electronically managed, with minimal paper burden on the public. The UCRRP has developed five options for paperless submissions, they are: Extensible Markup Language, Flat File Formats, Online Data Entry, a data extraction from the Law Enforcement National Data Exchange Program, and a FBI provided Excel Workbook and Tally Book. Training also encourages participation in the FBI UCR Program. The FBI has trainers who provide on-site training for any law enforcement agency that participates in the FBI UCR Program. The trainers furnish introductory, intermediate, or advanced courses in data collection procedures and guidelines. In addition, the trainers are available by telephone or e-mail to provide law enforcement agencies with answers to specific questions about classification or scoring. Providing vital links between local law enforcement and the FBI in the conduct of the UCR Program are the Criminal Justice Information Systems Committees of the International Association of Chiefs of Police (IACP) and the National Sheriffs' Association (NSA). The IACP, as it has since the

Program began, represents the thousands of police departments nationwide. The NSA encourages sheriffs throughout the country to participate fully in the Program. Both committees serve in advisory capacities concerning the UCR Program's operation. The Association of State Uniform Crime Reporting Programs (ASUCRP) focuses on UCR issues within individual state law enforcement associations and also promotes interest in the FBI UCR Program. These organizations foster widespread and responsible use of uniform crime statistics and lend assistance to data contributors when needed.

Although the FBI makes every effort through its editing procedures, training practices, and correspondence to ensure the validity of the data it receives, the accuracy of the statistics depends primarily on the adherence of each contributor to the established standards of reporting. The FBI relies on the integrity of data contributors reporting data, however, Quality Assurance Reviews are conducted by the Criminal Justice Information Services (CJIS) Division's Audit Unit on a triennial basis. The results of the audits are not used to adjust crime data, but are used to educate reporting agencies on compliance with national UCR guidelines.

4. The FBI has conducted the monthly Return A and Supplement to Return A information collection since the 1930's with high rates of response and has specific plans to further improve participation; proposed initiatives are described in Part B #3. For this renewal changes are being requested to the Return A Form as a result of the revised definition of Forcible Rape.

Discussion of the SRS definition of the Forcible Rape topic started in 1999 with an initial letter to the FBI CJIS Division requesting that the rape definition be revised. In 2001, the Women's Law Project sent a letter to the FBI CJIS Division asking for a review of the definition. In 2002, the FBI UCR Program reviewed the definition of forcible rape through the CJIS Advisory Process Board (APB). The decision was made to make no change, but that the NIBRS would be the solution to address the issue. The review of the forcible rape definition arose again in 2010 when the Department of Justice's (DOJ), Office of Violence Against Women petitioned the FBI UCR Program to modernize its definition of forcible rape. The UCR Program office presented a topic paper to the fall 2011 working groups to seek input. Motions varied among the working groups, but overall there was agreement that the definition should be modernized to include the sex offenses not currently counted in the SRS. The working groups deferred to the UCR Subcommittee to create a definition. The UCR Subcommittee met and made three motions they felt encompassed the desires of the working groups and the DOJ. These motions were vetted through the working groups prior to bringing them before the APB.

Ms. Susan Carbon, Director, DOJ, Office of Violence Against Women and many other groups have been working on the forcible rape definition issue for a very long time. Ms. Carbon and Ms. Valerie Jarrett, Senior Council to the President had a meeting in the spring 2011 with the Attorney General stressing concern with the utilization of this definition which was followed in June with a meeting between various FBI UCR staff and the White House Advisor on Violence Against Women, to discuss the forcible rape definition issue. Later that month, the DOJ in conjunction with the White House, hosted a meeting of representatives of law enforcement agencies from around the country to talk about the forcible rape definition issue and elicit their views. The support received for a change in the definition was overwhelming. In July 2011, the Vice-President convened a meeting of heads of various agencies to discuss the issue which led to the request to the CJIS APB to begin the process of going through the various steps necessary to change the definition.

In September 2011 the Senate Judiciary Committee convened a hearing where Ms. Carbon, as well as members of various other organizations, researchers, advocates, and Commissioner Charles Ramsey, testified on the issue of rape in the United States. Ms. Carbon stated that the IACP, NSA, Major Cities Chiefs Association, and Major County Sheriffs' Association had been very supportive of the rape issue. The Police Executive Research Forum conducted a national study and surveyed 500 police chiefs around the country and 80 percent believed that it was time to make a change. At the conclusion of the Senate Hearing, the Senate Committee wrote to the FBI Director and the AG requesting that a change be made to the definition. All of these factors coalesced in the request for a change to the definition. Unfortunately the FBI UCR Program was not asked to be a witness at this hearing. As a result, the UCR Program felt that there was information (the NIBRS program expanded rape categories) that was not made available to the committee and the general public. The Office of Violence Against Women proposed a definition for forcible rape.

The UCR Subcommittee met in October 2011 to discuss the five motions set forth by the Working Groups endorsing and supporting the change and implementation of the forcible rape definition. Ms. Carbon and representatives from the IACP stated the need for modernizing the definition of rape, that this change was supported by the Office of the Vice President and that an unspecified amount of funding would be made available to assist law enforcement agencies and UCR State Programs in making the technological upgrades necessary to comply with these changes. The UCR Subcommittee made three motions to the APB to remove "forcible" from sexual offenses, to change the definition of rape, and to establish, in the UCR SRS, a rape category which incorporates the new definition and to establish a subset category that captures the historical definition of rape.

In December 2011 the APB made the recommendations of removing the term “Forcible” from sexual offenses in the UCR Program; to change the definition of rape in the UCR SRS to: “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; and to establish, in the UCR SRS, a rape category which incorporates the new definition and to establish a subset category that captures the historical definition of rape.

At the Spring 2012 Working Groups the FBI UCR Program Office presented two options on how to collect the new definition of rape and a subset category that captures the historical definition of rape. Both options allowed for two separate collections—one for law enforcement agencies and state UCR Programs who would be able to implement the newly established rape definition by January 2013 and the second for law enforcement agencies and state UCR Programs who would not be able to implement the newly established rape definition by January 2013. The later capability, continuing to only report on crimes meeting the historical reporting, had been proposed because the FBI is fully aware some agencies and state UCR Programs may not be able to make programming changes as quickly as others based on incomplete compliance in reporting recent collection mandates. The impact and risks of implementing the rape change were presented and discussed at great lengths. The FBI’s objective is to achieve the collection of rape data in accordance with the revised definition, consistently from data contributors, and in the most cost effective manner. The Working Groups Motioned to accept option 2 for the reporting of the new and historical rape categories.

In April 2012 the UCR Subcommittee was presented with the same to review and make a motion on the option to best collect the new definition of rape with a subcategory that captures the historical definition. The UCR Subcommittee made a motion to accept option 2 for the reporting of the new and historical rape categories.

In October 2012 the UCR Subcommittee was presented with the progress of implementing the rape changes in the UCR Program including the changes to the Return A form. Since the last UCR Subcommittee meeting four different versions of the Return A form was forwarded to nine state UCR Program managers to test and examine the rape changes and to choose the best form for their state UCR Program. The state program managers were tasked with testing the utility of the forms, the formatting, verbiage flow, terminology, and additional instructions. They were asked to provide cognitive input, suggestions, or any problems encountered with the rape changes. Suggestions were given and accepted and the valuable feedback provided to the FBI UCR Program benefitted in providing the best necessary tool to collect the new and historical rape definition. The one form chosen will be the form submitted for renewal in the current Information Collection Review.

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