

**SUPPORTING STATEMENT**  
**Federal Bureau of Investigation**  
**National Incident-Based Reporting System (NIBRS)**

The FBI Uniform Crime Reporting (UCR) Program requests approval of a new collection.

**A. Justification.**

1. Necessity of Information Collection

Under the authority of:

- Title 28, United States Code (U.S.C.), § 534(a) and (c), *Acquisition, Preservation, and Exchange of Identification Records; Appointment of Officials*, June 11, 1930;
- Anti-Arson Act of 1982
- Hate Crime Statistics Act of 1990, in the notes to 28 U.S.C. § 534, as amended;
- Public Law 109-177 (H.R. 3199), March 9, 2006, *USA Patriot Improvement and Reauthorization Act* of 2005;
- PL 110-457, Title II, Section 237(a), (b), December 23, 2008, the *William Wilberforce Trafficking Victims Reauthorization Act* of 2008;
- *Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act*, April 28, 2009, Section 4708 amends the Hate Crime Statistics Act (28 U.S.C. 534 note)

the FBI was designated by the Attorney General to acquire, collect, classify, and preserve national data on criminal offenses as part of the Uniform Crime Reports.

Throughout its first 60 years of operation, the FBI UCR Program remained virtually unchanged in terms of the data collected and disseminated. As time progressed, a broad utility evolved for UCR data, and law enforcement expanded its capabilities to supply crime information. In the late 1970s the law enforcement community called for a thorough evaluative study of UCR with the objective of recommending an expanded and enhanced FBI UCR Program to meet law enforcement needs into the 21<sup>st</sup> century.

The FBI fully concurred with the need for an updated Program to meet contemporary needs and provided its support, formulating a comprehensive redesign effort along with the Bureau of Justice Statistics (BJS). Following a multiyear study, a “Blueprint for the Future of the Uniform Crime Reporting Program” was developed. Using the “Blueprint” and in consultation with local and state law enforcement executives, new guidelines for Uniform Crime Reports were formulated and the NIBRS was the result of the study. The NIBRS offers law enforcement more comprehensive data than ever available for management, training, planning, etc.

Instead of tallying the occurrences of ten Part I crimes as in SRS, NIBRS is capable of producing more detailed, accurate, and meaningful data because data are collected about when and where crime takes place, what form it takes, and the characteristics of its victims and perpetrators. Although most of the general concepts for collecting, scoring, and reporting UCR data in the

SRS apply in the NIBRS, such as jurisdictional rules, there are some important differences in the two systems. The most notable differences that give the NIBRS an advantage over the SRS are:

- No hierarchy Rule, in a multiple-offense incident. NIBRS reports every offense occurring during the incident where SRS would report just the most serious offense and the lower-listed offense would not be reported.
- NIBRS provides revised, expanded, and new offense definitions.
- NIBRS provides more specificity in reporting offenses, using NIBRS offense and arrest data for 23 Group A offense categories can be reported while in the SRS ten Part I offenses can be reported.
- NIBRS can distinguish between attempted and completed Group A crimes.
- NIBRS also provides crimes against society while the SRS does not
- The victim-to-offender data, circumstance reporting, drug related offenses, offenders suspected use of drugs, and computer crime is expanded in NIBRS.
- NIBRS update reports are directly tied to the original incident submitted.

The NIBRS is a necessity in order for the FBI to maintain a database and serve as the national clearinghouse for the collection and dissemination of crime data and to ensure publication of the *Preliminary Semiannual Report, Preliminary Annual Report, Crime in the United States, Hate Crime Statistics, and Law Enforcement Officers Killed and Assaulted*.

## 2. Needs and Uses

UCR crime statistics are used in many ways and serve many purposes. They provide law enforcement with data for use in budget formulation, planning, resource allocation, assessment of police operations, etc., to help address the crime problem at various levels. Chambers of commerce and tourism agencies examine these data to see how they impact the particular geographic jurisdictions they represent. Criminal justice researchers study the nature, cause, and movement of crime over time. Legislators draft anti-crime measures using the research findings and recommendation of law enforcement administrators, planners, and public and private entities concerned with the problem of crime. The news media use the crime statistics provided by the FBI UCR Program to inform the public about the state of crime.

The NIBRS is needed to enhance the quantity, quality, and timeliness of crime statistical data collected by the law enforcement community and is needed to improve the methodology used for compiling, analyzing, auditing, and publishing the collected crime data. NIBRS data are used for research and statistical purposes. The national UCR Program is able to generate reliable information on incident data. These data serve as a valuable resource to city, county, state,

tribal, and federal law enforcement agencies, as well as academe, other government agencies, public, and media. Examples of other agencies uses are:

- a. The Department of Justice, Bureau of Justice Assistance (BJA), utilizes the UCR Program data in awarding local law enforcement formula grants.
- b. The FBI is meeting obligatory/mandated purpose to generate/maintain reliable information for use in law enforcement administration, operation, and management.
- c. Criminologists, sociologists, legislatures, municipal planners, media, and other students of criminal justice use the data for varied research and planning purposes.
- d. Data collection permits studies among neighboring jurisdictions and among those with similar populations and other common characteristics.
- e. Special interest groups, media, and academe request NIBRS information for research.

### 3. Use of Information Technology

Currently, 100 percent of the NIBRS data are submitted electronically to the FBI UCR Program. Electronic submissions are received via Law Enforcement Online (LEO) e-mail [ucrstat@leo.gov](mailto:ucrstat@leo.gov). NIBRS reporting is not in addition to SRS reporting. An agency will either submit data according to the NIBRS or by the SRS. For NIBRS, there are no paper forms to fill out and provide to the FBI UCR Program. NIBRS data are designed to be generated as a byproduct of existing incident-based automated record systems. Thus, an agency can build its own Incident-Based Reporting (IBR) system to suit its individual needs; i.e., it can have a different file structure than used by the national UCR Program and include additional data elements and data values. However, when it is time to report to the national UCR Program, the agency extracts from its IBR system only the data required by the NIBRS for submission to the FBI. Once the NIBRS data is received at the FBI it is ingested into the NIBRS database and then converted to the SRS and included in the *Crime in the United States* annual publication. The original NIBRS submissions are maintained in the NIBRS master files and used for the annual NIBRS publication.

Many states that participate in the FBI UCR Program have a centralized repository serving as a state UCR Program. Several state UCR Programs have established electronic communications with their law enforcement agencies throughout their state. Agencies submit data to their state UCR Program who in turn forward it to the FBI.

Forty-seven states in the nation have their own UCR Programs which streamline the collection of UCR data from local law enforcement agencies, ensure consistency and comparability of data, and provide a higher quality of service to the law enforcement community. The establishment of a state UCR Program is not limited to state governments. Territorial, tribal, and federal agencies may also institute UCR Programs. Provided they are willing to meet the following requirements:

- The state UCR Program must conform to the national Uniform Crime Reports' standards, definitions, and information required. These requirements, of course, do not prohibit the state from gathering other statistical data beyond the national collection.
- The state criminal justice agency must have a proven, effective, statewide UCR Program and have instituted acceptable quality control procedures.
- Coverage within the state by a state UCR Program must be, at least, equal to that attained by Uniform Crime Reports.
- The state UCR Program must have adequate field staff assigned to conduct audits and to assist contributing agencies in record practices and crime reporting procedures.
- The state UCR Program must furnish to the FBI all of the detailed data regularly collected by the FBI.
- The state UCR Program must have the proven capability (tested over a period of time) to supply all the statistical data required in time to meet national Uniform Crime Reports' publication deadlines.

These standards do not prohibit a state from gathering other statistical data beyond the national collection.

#### 4. Efforts to Identify Duplication

This information collection was authorized in direct response to the June 11, 1930 enactment of Title 28, U.S. Code, § 534. The FBI is the only federal agency collecting extensive incident-based crime data reported to law enforcement agencies in the United States. However the Department of Justice administers another statistical program that also measures the magnitude, nature, and impact of crime in the nation, the National Crime Victimization Survey (NCVS).

Unlike the UCR Program which provides a measure of the number of crimes reported to law enforcement agencies throughout the country, the NCVS provides a measure of the number of crimes experienced by individuals and households whether or not those crimes were reported to law enforcement. Even though the two programs have many similarities including measuring the same subset of serious crimes defined alike, there are significant differences between the two programs.

The two programs were created to serve different purposes. The UCR Program's primary objective is to provide a reliable set of criminal justice statistics for law enforcement administration, operation, and management. The NCVS was established to provide previously unavailable information about crime, victims, and offenders (including crime not reported to police). The two programs measure an overlapping but nonidentical set of crimes. NCVS includes crimes both reported and not reported to law enforcement. NCVS excludes, but the UCR includes, homicide, arson, commercial crimes, and crimes against children under age 12.

Because of methodology, the NCVS and UCR definitions of some crime differ. And lastly, the two programs calculate crime rates using different bases. UCR rates are per capita (number of crimes per 100,000 persons), whereas the NCVS rates are per household (number of crimes per 1,000 households).

The strengths and limitations of both programs make it possible to use the UCR and NCVS to achieve a greater understanding of crime trends and the nature of crime in the United States.

#### 5. Minimizing Burden on Small Entities

This information will have no significant impact on small businesses. The law enforcement community requested that data to be collected on a monthly basis since police records are run on a calendar month, however, the FBI minimizes burden on small law enforcement agencies by allowing them to submit quarterly, twice a year, or once a year. Although monthly is recommended, upon approval by the FBI UCR Program, agencies can submit data at intervals that minimizes the burdens to the agency.

#### 6. Consequences of Not Conducting or Less Frequent Collection

In order to serve as the national repository for crime reporting and to produce a reliable dataset, the FBI collects monthly statistics that are reported by participating FBI UCR Program contributors. There is an ever-increasing need for timely and accurate data dissemination by the FBI to assist our partners in law enforcement.

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The NIBRS law enforcement agencies and state UCR Programs submit NIBRS data monthly. NIBRS data are designed to be generated as a byproduct of existing incident-based automated record systems. When it is time to report to the national UCR Program, agencies extract from its IBR system only the data required by the NIBRS for submission to the FBI.

Conducting this collection less frequently will result in oversized data files and constraints put upon the downloading of the files from the agencies IBR systems. At this time it takes approximately two hours to extract a NIBRS monthly submission from an agencies' IBR system. In turn, after submission to the FBI the state UCR Programs expect a quick turn around on their submission errors. The states want their submissions processed and errors reviewed and promptly returned back to them. In order for the FBI to thoroughly review the data and provide error input the data must be sent in according to the standard guidelines and deadlines to allow ample time for quality review.

## 7. Special Circumstances

All data are collected/received from the FBI UCR Program participants on a monthly basis. The FBI's UCR Program has established various time frames and deadlines for acquiring the monthly data. 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's UCR Program has the authority to grant these extensions. Participation in the national UCR Program is voluntary.

## 8. Public Comments and Consultations

The Department published a notice for the NIBRS data collection in the Federal Register on Friday, December 6, 2013; Volume 78, Number 235, Pages 73565-73566, allowing for a 60-day comment period. One comment to date has been received.

The commenter requested an email address or fax number of Ms. Blasher and provided a comment not in support of spending any American tax dollars for this project, stating the FBI does not need to do a survey on national incidents that the fact is everything is already checked by the government and we don't need more.

A response was not sent to the commenter because Ms. Blasher's business address and fax number was provided in the 60-day notice and the comment did not address the collections burden, necessity, or utility.

## 9. Provision of Payments or Gifts to Respondents

The FBI UCR Program does not provide any payment or gift to respondents.

## 10. Assurance of Confidentiality

Even though this information collection does not contain personally identifiable information that may reveal the identity of an individual, it is obtained from public agencies and are, therefore, in the public domain. The FBI UCR Program does not assure confidentiality.

A victim's home address is not collected in NIBRS. The location of the incident is reported as a general location type such as park, community center, school, grocery store, or residence. The address of the reporting agency is the address collected within a NIBRS incident.

## 11. Justification for Sensitive Questions

This information collection does not collect information of a sensitive nature.

## 12. Estimate of Respondent's Burden

The estimate of the respondent's burden for this data collection is as follows:

Number of NIBRS respondents	6,038
Frequency of responses	12 times/year
Total annual responses	72,456
Minutes per response	2 hours
Annual hour burden	144,912 hours

The two hour response burden is the time it takes for an agency to extract the NIBRS data from their already existent incident-based records management system. In the absence of NIBRS the agencies would still operate its own incident-based records management system, entering data in to their system, and performing its own data quality which is not included in this burden estimate. NIBRS data are designed to be generated as a byproduct of agencies already existing incident-based record management systems. Thus, an agency can build its own IBR records management system to suit its individual needs; i.e., it can have a different file structure than used by the national UCR Program and include additional data elements and data values. However, when it is time to report to the national UCR Program, the agency extracts from its records management system only the data required by the NIBRS for submission to the FBI.

For several reasons, CJIS does not have a strong basis on which to provide quantitative estimates of annual changes to current NIBRS participation levels over the next three years. However, two states and some federal agencies have started preliminary talks about submitting NIBRS data, and the FBI UCR Program anticipates picking up the additional agencies that are not being targeted for the NCS-X study which will likely cause an increase in NIBRS participation.

## 13. Estimate of Cost Burden

There are no direct costs to law enforcement to participate in the FBI UCR Program other than their time to respond. Respondents are not expected to incur any capital, or start-up costs associated with this information collection, for it has been developed and in use since the late 80s. Costs to agency Records Management System are very difficult to obtain. Vendors do not divulge costs due to the fact that vendors charge differently from agency to agency. Many costs are built into the vendors Service Level Agreement contracts. Depending on the vendor contracts, changes mandated by law may be included within the original contract with no other additional costs. However, an estimate has been projected that agencies pay an \$18,000 maintenance fee every year for system maintenance costs. From the initial talks with NCS-X, for those agencies that do not have an incident based record management system it could cost from half a million to one million to build a system dependent on the size of the agency.

For those agencies that report NIBRS, they already have an existing incident-based records management system that they have to maintain for their own purposes. NIBRS is a data extract from that system. The agency would have IT costs to maintain their systems even if they didn't report NIBRS data to the FBI UCR Program.

14. Cost to Federal Government

According to the 2010 cost object provided by FBI Criminal Justice Information Services, Resource Management Section, Financial Management Unit the following are generalized projections based upon prior collection activity as well as activities anticipated over the next three years for both the NIBRS and the Summary Reporting System. The cost module does not separate the costs between the two methods of collecting UCR data.

Staff Costs for Data Collection and Processing

CSMU Correspondence/Documents	\$458,966
Data Requests	\$162,592
Data Collection/Analysis	\$1,771,397
<u>Publications/Reports</u>	<u>\$307,368</u>
Total Cost to Federal Government	\$2,700,323

15. Reason for Change in Burden

This collection has never been submitted to the Office of Management and Budget for approval; reason for change is not applicable.

16. Anticipated Publication Plan and Schedule

Published data are derived from data submissions furnished to the FBI from local, county, state, tribal, and federal law enforcement agencies throughout the country. NIBRS data is converted to Summary Reporting Data and published in *Crime in the United States*, however, the 2011 NIBRS publication was released August 2013 and the 2012 NIBRS publication is scheduled for release in December 2013.

Request for missing January-June data	August and September
Request for missing 12 month data	February and March, following year
Deadline to submit data	Mid-March
Data Processing/Analysis	July-June
Publication of data	September of following year/ <i>CIUS</i> December of following year/ <i>NIBRS</i>

17. Display of Expiration Date

All information collected under this clearance will display the OMB Clearance Number and Expiration Date on the NIBRS technical specifications.



18. Exception to the Certification Statement

The FBI's CJIS Division does not request an exception to the certification of this information collection.