SUPPORTING STATEMENT
Federal Bureau of Investigation
1110-0058
National Incident-Based Reporting System (NIBRS)

The Uniform Crime Reporting (UCR) Program requests a revision of the currently approved collection in addition to a 3-year extension.

The Director of the FBI approved the Criminal Justice Information Services (CJIS) Advisory Policy Board (APB) recommendations to add two fraud offenses (Identity Theft and Hacking/Computer Invasion) as well as Animal Cruelty and its 4 data values to NIBRS. The data values provide additional information regarding the type of abuse.

History

With the increase of computer-based crimes, the UCR Program worked with the CJIS APB during 2013 to implement two new fraud offenses of Identity Theft and Hacking/Computer Invasion in order to modernize the cybercrime collection within NIBRS. These offenses were not added until a definition for the cybercrime location code was agreed upon in the Fall of 2014.

Also in 2013, the National Sheriffs' Association (NSA) proposed the FBI UCR Program add animal cruelty to the NIBRS as a separate offense. The NSA believes animal cruelty is a serious crime because of its documented links to violent and organized crime such as gambling and drug trafficking, and to interpersonal violence including domestic violence and child abuse. Capturing these data at the national level will enable law enforcement to track, analyze, and allocate investigative resources and also conduct training for officers to enhance enforcement. Consequently, animal cruelty data would be available for the FBI to publish, trend, and disseminate to researchers, policymakers, and other stakeholders in order to promote a better understanding of animal cruelty and develop sound policies and responses.

Additionally, the Animal Welfare Institute (AWI) proposed adding animal cruelty to the NIBRS, as a separate offense. Since 2010, the AWI has been working with the FBI and the Association of State Uniform Crime Reporting Programs (ASUCRP) to seek the addition of animal cruelty, as a separate offense in the NIBRS. An AWI representative provided a presentation at the 2010 annual ASUCRP conference, which resulted in the AWI surveying the membership of the ASUCRP on what, or if any, animal cruelty crimes were collected by state UCR Programs. The AWI published their findings, *Animal Cruelty Crime Statistics: Findings from a Survey of State Uniform Crime Reporting Programs,* in the Spring 2012.

The Director of the FBI approved the APB recommendations to add Identity Theft and Hacking/Computer Invasion offenses to NIBRS on April 28, 2013 and the Animal Cruelty offense and four additional data values on September 9, 2014.

With the changes passed by the APB and the recommended changes resulting from the exploratory interviews, a revision of this currently approved collection, *National Incident-Based*

Reporting System, is being requested in addition to a 3-year extension. (See supplementary documents detailing cognitive testing results).

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 21st 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.

NIBRS is capable of producing more detailed, accurate, and meaningful data than the Summary Reporting System (SRS) because NIBRS collects data 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 not available in SRS.

- 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 (LEAs), as well as academia, 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 academia request NIBRS information for research.

3. <u>Use of Information Technology</u>

Currently, 100 percent of the NIBRS data are submitted electronically to the FBI UCR Program. Electronic submissions are received via e-mail at <ucrstat@ic.fbi.gov>. Agencies either submit data according to the NIBRS or the SRS Technical Specifications. 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.

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 LEAs 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 LEAs, 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 UCR Program's submission standards, definitions, specifications, and required deadlines.

- The state UCR Program must establish data integrity procedures and have personnel assigned to assist contributing agencies and quality assurance practices and crime reporting procedures.

- The state UCR Program's submissions must cover more than 50 percent of the LEAs within its established reporting domain and be willing to cover any and all UCR-

contributing agencies who wish to use the UCR Program from within its domain. (An agency wishing to become a UCR program is willing to report for all of the agencies within the state).

- The state UCR Program must furnish the FBI UCR Program with all of the UCR data collected by the LEAs within its domain.

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 LEAs 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 LEAs 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 be collected on a monthly basis since police records are run on a calendar month; however, the FBI minimizes burden on small LEAs 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 LEAs and state UCR Programs submit NIBRS data monthly. 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 60 and 30 day notices have been submitted and published in the Federal Register with no public comments received.

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 addressed 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	6,420
Frequency of responses	12 times/year
Total annual responses	77,040
Minutes per response	120 minutes
Annual hour burden	154,080 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 (RMS), 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 RMSs. Thus, an agency can build its own IBR RMS 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 RMS 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, the FBI is currently developing a plan to transition to NIBRS and retire SRS. This plan will be presented during the Fall 2015 APB Process. The National Crime Statistics Exchange (NCS-X) Team continues to work with individual LEAs and state program agencies which will likely cause an increase in NIBRS participation during the next three to five years.

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 1980s. Costs to agency RMS's 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 RMS, it could cost from half a million to one million dollars to build a system dependent on the size of the agency.

For those agencies that report NIBRS, they already have an existing incident-based RMS 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 cost object provided by FBI CJIS, Resource Management Section, Financial Management Unit the following are projections based upon prior collection activity as well as activities anticipated over the next three years for both the NIBRS and the SRS. The cost module does not separate the costs between the two methods of collecting UCR data.

Data Collection and Processing Costs	
Communication/Reporting	$ 29,583.84
CSMU Correspondence/Documents	$ 394,055.53
Data Requests	$ 168,878.28
Development	$ 187,158.04
Liaison/Correspond with Fed/State/Local Agencies	$ 515,310.70
Liaison with Law Enforcement and CJIS User Comm	$ 226,846.86
Marketing	$ 42,849.55
Operational Assist (Other than Data Coll/Analysis)	$ 30,896.72
Perform General Admin	$ 412,138.82
Perform Strategic Planning	$ 90,211.92
Perform Unit Budget Activities	$ 130,835.90
Policy	$ 207,329.86
Program Control	$ 64,178.69
Program Planning	$ 168,459.24
Provide Tech, Stat and Mathematical Assist/Training	$ 230,048.19
Risk Management	$ 18,336.99

Special Studies Using UCR Data	$ 275,413.29
UCR Automation/Development	$ 634,081.93
UCR Data Collection/Analysis	$ 1,401,215.46
UCR Publications/Reports	$ 465,089.64
Total Cost to Federal Government	**$ 5,692,919.45**

15. Reason for Change in Burden

There is no increase in burden on the individual respondents; however, the overall annual burden hours has increase. This is an adjustment, a increase from 72,456 to 77040 which is a increase of 4584. This increase in burden is due to the number of respondent agencies increase.

16. Anticipated Publication Plan and Schedule

Published data are derived from data submissions furnished to the FBI from local, county, state, tribal, and federal LEAs throughout the country. NIBRS data is converted to SRS data and published in *Crime in the United States,* however, the 2014 NIBRS publication is scheduled for release in December 2015.

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 (current year)-April (following year)
Publication of data	September of following year/*CIUS*
	December of following year/*NIBRS*

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.