

PART B. Statistical Methods

1. The *Cargo Theft Incident Report* (OMB No. 1110-0048) includes respondents from United States (U.S.) law enforcement agencies (LEAs) who voluntarily report crimes to the FBI's Uniform Crime reporting (UCR) Program. Approximately 18,400 LEAs participate in the FBI UCR Program. LEAs 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.

Response rates have increased over the last few years, however the UCR Program is still receiving very little cargo theft data. The 2013 figures revealed 83 LEAs from Delaware, Florida, Indiana, Maine, Michigan, Tennessee, and Virginia reported 189 cargo theft incidents. A total of 2,939 LEAs from 11 states reported zero incidents of cargo theft, leaving 15,289 LEAs as non-reporters. Preliminary figures for 2014 show 29 percent of all UCR LEA's provided either incident or zero cargo theft data to the UCR Program. Nineteen states, tribal agencies, and 2 U.S. territories began contributing cargo theft data in 2014. This is an increase of 13 percent from the 2013 figures. The FBI UCR Program actively liaisons with national and federal LEAs to encourage participation in UCR data collections, however the majority of our non-contributing states have indicated that lack of funding is the primary reason for not submitting cargo theft data.

2. All data are collected/received from state UCR Program participants on a monthly basis. The FBI's 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 day 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's UCR Program has the authority to grant these extensions. Although monthly reports are preferred by agencies, the FBI's UCR Program has agencies that submit data quarterly, twice a year, and even once a year. Upon approval, the state UCR Program agencies can submit their data at intervals that minimize the burdens to the agency.

LEAs submit cargo theft data to the FBI UCR Program through two reporting mechanisms: the Summary Reporting System (SRS) or the National Incident-Based Reporting System (NIBRS). The SRS is referred to as the “traditional” FBI UCR Program; it began in 1930, and has had few modifications through the years. Participating agencies submit their data via electronic files or by using the Microsoft Excel Workbook Tool which contains an electronic version of the *Cargo Theft Incident Report*. The NIBRS is used by participating LEAs to report offenses and relevant details by incident, using up to 59 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 UCR cargo theft data collection is intended to collect all reported cargo thefts from law enforcement agencies in the U.S., sampling methodologies are not used. Being a new data collection and having a low response rate, presenting samples too small for applying valid and reliable statistical inferences to larger populations, the FBI UCR Program does not apply estimation procedures in the cargo theft collection. The LEAs that do not send in cargo theft data are not estimated to compensate for the missing jurisdictions. The FBI relies on the integrity of data contributors reporting data, however, Quality Assurance Reviews are conducted by the Criminal Justice Information Services (CJIS) 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, thus increasing quality submissions.

3. Response rates are maximized through liaison with state UCR Programs. Communications encouraging data submissions occur frequently because of the relationship between FBI UCR staff and LEAs. 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 cargo theft collection in UCR is to acquire cargo theft data, establish guidelines for the collection of such data, and publish cargo theft data. 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 is working to help law enforcement agencies participate in the cargo theft data collection with the FBI CJIS Division’s creation of the 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 LEAs. The UCRRP’s goal is to improve UCR efficiency, usability, and maintainability while increasing the value to users of UCR products. The UCRRP reduced the exchange of printed materials between submitting agencies. The FBI began

accepting data only by electronic means on July 1, 2014. The UCRRP developed options for accepting electronic submissions, they are: Extensible Markup Language, Flat File Formats, and an FBI provided Microsoft Excel Workbook and Tally Book Tool.

The FBI has trainers who provide on-site training for any LEA 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 LEAs with answers to specific questions about classification or scoring or other questions about the FBI UCR Program. The FBI's UCR Program proactively incorporated cargo theft training into the standard instructional curriculum in 2010.

Providing vital links between local law enforcement and the FBI in the conduct of the FBI 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 FBI UCR Program began, represents the thousands of police departments nationwide. The NSA encourages sheriffs throughout the country to participate fully in the FBI UCR Program. Both committees serve in advisory capacities concerning the FBI 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.

At the forefront of including cargo theft within the FBI UCR system are the National Trade Association and the National Trade Organization which supplies insurance coverage to the maritime industry, its vessels and the cargo they carry. For a decade, plus long effort, these insurers and reinsurers had been working with both law enforcement officials and members of Congress, including testifying before Congress, to have cargo theft data collection come to fruition under the *USA PATRIOT Improvement and Reauthorization Act of 2005*, section 307 (e), March 9, 2006. The Patriot Act states "The Attorney General shall take the steps necessary to ensure that reports of cargo theft collected by federal, state, and local officials are reflected as a separate category in the Uniform Crime Reporting System, or any successor system, by no later than December 31, 2006." This is a mandate for the FBI's UCR Program to collect cargo theft data, not a mandate on UCR participating LEAs. Participation in UCR is voluntary. When the FBI has been tasked to develop new unfunded information collections, the cost associated with the implementation of those changes is the responsibility of law enforcement. Historically, this resource issue has hampered the FBI's ability to collect new data from its contributors. To deal with non-responsive agencies the FBI UCR Program provides training, liaison, and reference material to LEAs in order to submit data.

The UCR Program plans to reach out to the private cargo industries (American Institute of Marine Underwriters [AIMU], Inland Marine Underwriters Association [IMUA], Pharma Cargo Security Coalition, American Trucking Association [ATA], CargoNet, Freight Watch International Group, and Transported Asset Protection Association) to seek their advice on efforts to collect useful cargo theft data. This outreach is especially important with AIMU and IMUA because they are pursuing legislators to review the original legislation in the Patriot Act of 2006 and moving to have cargo theft as a stand-alone incident-based report in the UCR Program.

It is very important for the data to be accurate and reliable. LEAs use UCR data to track crime, task force placement, staffing levels, and officer placement. The UCR data is also used for administration, operational, and management within LEAs. Agencies will justify task forces, staffing levels, and officer counts compared to other LEAs in order to get more staffing levels or equipment. The agencies use other agencies' crime statistics and staffing levels to justify their own crime statistics and staffing levels in order to obtain funding. Cargo theft data is used by law enforcement to identify areas of vulnerability in the transportation of cargo goods, to identify patterns of cargo theft, and forecast high risk areas for cargo transporters. The data is also used to study the impact cargo theft has on commerce and the economy.

4. During implementation of the cargo theft information collection, extensive research regarding the offense of cargo theft was conducted. Members of the CJIS Division's Law Enforcement Support Section, FBI UCR Program; CJIS Division's Information Technology Management Section; and the Criminal Investigative Division (CID), Americas Criminal Enterprise Section, Major Theft Unit (MTU) discussed the steps necessary to begin the collection of cargo theft information within the scope of the FBI's UCR Program as mandated. The MTU took the lead to develop cargo theft into an information collection. The MTU coordinated with federal, state, and local law enforcement officials and industry experts for input and feedback. Agencies involved were the Los Angeles Police Department, Burglary Auto Theft Division; International Cargo Security Council; National Retail Federation; Miami-Dade Police Department; FBI Division, Cargo Theft Task Force; Miami Division, Cargo Theft Task Force; American Trucking Association; Memphis Division, Cargo Theft Task Force; Assistant United States Attorney, Miami, Florida; and the United States Department of Justice.

The primary emphasis in developing an approach for collecting national cargo theft statistics was to meet the requirements of the Patriot Act, and to avoid placing major new reporting burdens on LEAs contributing data to the FBI UCR Program. To accomplish this goal, a data collection was developed based on the programs' existing reporting systems, the NIBRS and the SRS. Furthermore, the method by which cargo theft is

collected by the FBI UCR Program was fully vetted and approved by the FBI's CJIS Advisory Policy Board (APB) process. The APB is chartered under the provisions of the Federal Advisory Committee Act of 1972 and is responsible for reviewing appropriate policy, technical, and operational issues related to CJIS Division programs and for providing appropriate guidance and recommendations to the Director of the FBI. The Advisory Process is conducted twice each calendar year equating the two "rounds." Each round is comprised of Working Group meetings, Subcommittee meetings, and the Board.

The Working Groups review topic papers on operational, policy, and technical issues related to CJIS Division programs and policies and make recommendations to the APB or one of its Subcommittees. All fifty states, as well as U.S. territories, federal agencies, tribal representatives, and the Royal Canadian Mounted Police are organized into five Working Groups. Working Group meetings take place once each round and are conducted at closed meetings.

The UCR Subcommittee is comprised of APB members and other UCR subject-matter specialists. The UCR Subcommittee was established to thoroughly review controversial recommendations for the consideration of the entire APB. The Chair of the APB, in consultation with the Designated Federal Officer (DFO), may invite any governmental or quasi-governmental entity who is involved in CJIS activities to attend any meeting of the CJIS Subcommittees for the purpose of consultation or providing information. Subcommittee meetings take place at least once each round.

The APB meets at the end of each round or twice during each calendar year. A notice of these meetings is published in the *Federal Register*, and the meetings are conducted in open session unless determined otherwise by the DFO. The APB is composed of 34 executive representatives from criminal justice agencies and national security agencies throughout the U.S. The FBI established the CJIS Advisory Process to obtain the user community's advice and guidance on the development and operation of all CJIS Programs. The philosophy underlying the advisory process is one of shared management; that is, the FBI along with local, state, tribal, and federal data providers and system users share responsibility for the operation and management of all systems administered by the FBI for the benefit of the criminal justice community. It ensures law enforcement has the opportunity to discuss and vote on any policy or procedural changes to CJIS systems affecting law enforcement's ability to share information to the nation.

At the 2009 ASUCRP conference, sessions were conducted to field test the Cargo Theft Incident Report and the Cargo Theft Instructions. State UCR Program Managers were given cargo theft test scenarios and were tasked with reading the instructions and filling out the Cargo Theft Incident Report. From this, the FBI's UCR Program staff reviewed all the comments, suggestions, and ideas and reviewed the cargo theft form to incorporate

the suggested changes. During implementation, the FBI received feedback to include on the form offense and location codes, which would assist contributors when reporting cargo theft and also reduce data processing errors. In addition, grammatical errors were identified and verbiage on the original form was not consistent with other FBI UCR information collections. Instructions were rewritten to be more easily understood. The cargo theft data collection has been refined by the FBI's UCR staff along with law enforcement involvement, and other entities associated with cargo theft to cause the least impact burden on the LEAs.

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