

Supporting Statement for Paperwork Reduction Act Submissions
Extension of existing collection in use with an OMB control number for the
Violent Criminal Apprehension Program Case Submission Form (FD-676)
OMB# 1110-0011
12/2/2015

Part A. Justification

1. Necessity of Information:

Title 28, United States Code, Section 534, allows the FBI to acquire, collect, classify, and preserve identification/information, criminal identification, crime, and other records. The FBI permits such exchange of records and information with, and for the official use of, authorized officials of the Federal Government, including the United States Sentencing Commission; the States and cities; and penal and other institutions. It is essential that a standard reporting be utilized in order for the Violent Criminal Apprehension Program (ViCAP) Unit, Critical Incident Response Group (CIRG), Federal Bureau of Investigation (FBI) provide maximum service to all law enforcement and governmental agencies. The FBI ViCAP provides a centralized repository to collect, classify, analyze, and preserve records on violent crimes, victims, and their offenders.

A revision of this currently approved collection is requested in addition to a 3-year extension.

The revisions on the existing form are:

1. References regarding the FBI's Behavioral Analysis Units were added. A section reorganization resulted in changes to unit names.
2. The submission criteria was reworded. We removed the words "especially those" from the Homicides and Sexual Assaults criteria to make our intent less confusing.
3. The questions were renumbered based on the addition, deletion, and consolidation of data.
4. Question order was reorganized, and the form reformatted, to facilitate a more logical flow of information.
5. The Table of Contents was updated to capture the re-organization of questions/sections.
6. 'Dates & Locations' (old Q#64, new Q#10) combined event sites 'Outdoor Locations' and 'Water Locations' and responses for the combined sites were renumbered. We did this because there was overlap between the two types of locations and it cut down on redundancy.
7. 'Crime Scenes Altered' (old Q#69) was changed to 'Investigative/Forensic Countermeasures' (new Q#72) and the question was reworded. We changed 'Were any of the crime scenes altered by the offender in any way or did the offender take other precautions to avoid identification or apprehension?' to Did the offender employ any investigative/forensic countermeasures to avoid identification or apprehension?' because the new verbiage more precisely describes the intent of our question and investigators/analysts quickly understand those terms.

8. 'Victim Recovery' (old Q#73) was changed to 'Victim Release and Recovery' (new Q#82) and responses from 'Victim Disposal' (old Q#71) were added as responses to new Q#82 with the exception of 'Lack of Concern', which was deleted. We changed Victim Recovery to Victim Release and Recovery because it is more accurate...victim recovery implied death and victim release now implies the inclusion of surviving victims. We combined these two questions into one to streamline and simplify the response because they both were essentially asking the same thing.

9. 'Victim Redressed' (old Q#80, new Q#84) was reworded. Old Q#80 'Was the victim redressed after the assault?' was reworded to 'Is there evidence to suggest the victim was redressed by the offender?' to more clearly impart the intent of the question...to know if the offender was the person to redress the victim.

10. Weapon (old Q#98, new Q#60) was re-written so that 'Hands/Feet' is no longer a selectable weapon type but instead a Yes/No response to the question "Was a weapon used, displayed, or threatened during the commission of this crime?" Because there are different schools of thought about hands/feet being defined as a "weapon (versus instruments, e.g., hammer), the question was reworded to clearly separate hands/feet from other types of "weapons." Now users can respond that a) Yes, an instrument was used (and further describe it); b) Yes, hands/feet were used; c) No weapon was used; d) It is Unknown if a weapon was used.

11. Forensic/Physical Evidence (old Q#8, new Q#87) was updated to change the 'Prints' term "IAFIS" to "NGI"; 'Analyzed' was deleted as an optional response for 'DNA' and 'Projectiles/Casing'; and the optional responses 'None' and 'Status Unknown' were added to 'DNA', 'Prints' and 'Projectiles/Casings'. 'Analyzed' was removed as an optional response because it was determined to not be helpful information in relation to the other optional responses. The options 'None' and 'Unknown' were added so that all potential responses were included.

12. Vehicle (old Q#100, new Q#86) was reworked and the question subsets were re-ordered; vehicle colors were added as selectable choices; a new question (#86E) was added to collect vehicle involvement; fields for owner names were added; 'Rented/Loaned' was separated into individual responses and renamed 'Rented from' and 'Borrowed from'; 'Stolen-Recovery Status Unknown' was added; 'District/Division/Beat' and 'Latitude/Longitude' were deleted from stolen locations. The vehicle questions were re-ordered so that all of the vehicle description questions were together and owner/involvement questions were together. Vehicle colors were changed from a text response to a selectable response for ease of searching and data reliability. 'District/Division/Beat' and 'Latitude/Longitude' were deleted from stolen locations because this information was rarely completed at it was determined not to be of significant value.

13. The following data elements were deleted: Crime Types/Motives; 'Frequent Internet User' and 'Gang Member' from Lifestyle Characteristics; 'Gang Member-Fellow' and 'Gang Member-Rival' from Offender-Victim Relationships; 'Rubber Dolls/Vagina' from Sex-related Paraphernalia/Devices; 'Bisexuality', 'Child Molester/Pedophile', 'Heterosexuality',

'Homosexuality', 'Promiscuity', 'Transexualism', and 'Transvestitism' from Sexual Practices & Preferences; 'Driving/Riding in vehicle', 'Going to/from bar/club/restaurant', 'Going to/from residence', 'Going to/from school', 'Going to/from store', 'Going to/from work', 'Involved in a drug transaction', and 'Using Alcohol/Drugs' from Victim's Activity; 'Gave False Name' from Crime Scenes Altered; 'In a Building', 'None of the Above' and 'Other' from Victim Recovery; Partially Dressed subset responses (e.g., Nude from Waist Up or Breasts/Chest Exposed) from Victim Clothing; 'Drugs' from Items Taken; 'Ankle', 'Ear(s)', 'Eye(s)', 'Finger(s)', 'Lip(s)', 'Nose', 'Shoulder(s)', 'Thigh(s)', 'Tongue', and 'Other' from Major Trauma Locations; 'Ankle', 'Eye(s)', 'Finger(s)', 'Shoulder(s)', 'Thigh(s)', and 'Other' from Human Bite Marks; 'Victim Defecated/Urinated Upon' from Unusual Assault/Trauma/Torture; 'Ejaculated' from Sexual Activity; Sequence of Sexual Acts; 'None' and 'Unknown' from Victim Resistance; Sexual Dysfunction. All of these changes were made based on various factors to include usage frequency (e.g., Tongue was removed as an option for Major Trauma Locations), discernible value (e.g., Partially Dressed subset responses were removed), removal of verbiage reflective of non-criteria (e.g., Gang member), and duplication of questions (e.g., Sexual Practices & Preferences was one question and Lifestyle was another question with duplicate response options).

14. The following data elements were added: Q#3a) 'District/Region'; Q#3b) Additional Investigating Agency; Q#10) 'Underpass'; Q#12) 'NamUs Number'; Q#25) 'Transgender' and 'Crossdresser'; Q#41) 'Transgender' and 'Crossdresser'; Q#45) 'Sexual Toys'; Q#50) 'Buying/Selling/Using Alcohol/Drugs' and 'In Transit Between Two Destinations'; Q#59) 'Offender Defecated/Urinated-At Scene' and 'Offender Defecated/Urinated-On Victim'; Q#72) 'Provided False Information'; Q#82) 'Shower', 'In a Remote Area', 'Indoors', and 'Outdoors'; Q#79) 'Drugs-Legal/Illegal'; Q#88) Selectable Offense/Case Types (e.g., Sexual Assault) and selectable Linkage Criteria (e.g., Physical Evidence); Addendum) 'Medical Examiner', 'Business/Agency Name', and fields for multiple Social Security Numbers and Dates of Birth. All of these changes were made based on various factors to include usage frequency (e.g., Shower was added to Bath [Bath/Shower] as a Release/Recovery location), discernible value (e.g., Indoors and Outdoors were added as Release/Recovery locations), use of current/appropriate terminology (e.g., transgender and crossdresser), and new data availability (NamUs Number).

2. Needs and Uses:

The FBI ViCAP Web National Crime Database serves the nation as a repository for the collection of information related to both solved and unsolved homicides, sexual assaults, missing persons and unidentified human remains. Federal, state, local, and tribal government law enforcement agencies charged with the responsibility of investigating violent crimes are authorized to voluntarily enter, search for, and analyze ViCAP-criteria case information in ViCAP Web. ViCAP Web is the only national database that allows participating law enforcement agencies to make cross jurisdictional matches of significant violent crimes using behavioral and investigative data, and ViCAP personnel can assist those agencies in the identification and linkage of similar cases based upon factors detailed in the ViCAP Web submissions. ViCAP can also provide analytical support, which includes, but is not limited to: the creation of maps, matrices and timelines, and the use and/or coordination of other resources

and databases.

3. Use of Technology:

ViCAP Web provides authorized users (from Federal, state, local, and tribal government law enforcement agencies) activated in ViCAP Web with direct, real-time access to the ViCAP Web National Crime Database through secure internet connectivity of the Law Enforcement Enterprise Portal (LEEP) which is administered by the FBI's Criminal Justice Information Services (CJIS) Division. Users have the ability to electronically enter their own case information and retrieve information about other similar cases. The hardcopy ViCAP Case Submission Form (FD-676) is available for users not activated in ViCAP Web or those electing to submit case information in a non-electronic format.

4. Efforts to Identify Duplication:

The FBI is the only federal repository for the data from this information collection. Although the FBI and other law enforcement/criminal justice agencies manage other data collections (like NIBRS and UCR), ViCAP is unique and the data collection is not duplicated elsewhere. ViCAP is designed to collect behavioral and investigative data for specific crime classifications with the intent of comparing the data elements between and among each other to identify similar cases; NIBRS and UCR are designed to collect and analyze reported crime statistics regarding many different criminal offenses.

5. Methods to Minimize Burden on Small Businesses:

This information will have no significant impact on small entities and submission of this collection is voluntary.

6. Consequences of Less Frequent Collection:

Data is collected as the crimes occur. Cases not submitted to the database on a timely basis are cases missed when analysis is performed and comparisons are drawn to other cases resulting in incomplete information available for use by all contributing agencies. The law enforcement community has an ever-increasing need for timely and accurate data. Obtaining this violent crime data is vital to ensuring the most efficient timely services to all authorized entities.

7. Special Circumstances Influencing Collection:

All ViCAP data are collected and processed from participating agencies, as necessary. Participation is voluntary. All stored violent crime data is inclusive of only that information which has been provided.

8. Public Comments and Consultations:

FBI ViCAP has a mechanism in place to elicit and capture feedback from authorized users

within the ViCAP Web database, available at all times. Additionally, FBI ViCAP meets regularly with the ViCAP National Advisory Board which provides for an open forum to discuss matters of mutual concern, including reporting procedures. The 30 and 60 day notices were published and the FBI received no comments.

9. Payment of Gift to Claimants:

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

10. Assurance of Confidentiality:

The Attorney General of the United States has exempted the NCAVC system of records from subsections (3), (d), (e) (1), (e) (4), (G) and (H), (F) and (g) of the Privacy Act pursuant to 5 U.S.C.552a (j) (2) and (k) (2).

11. Justification for Sensitive Questions:

The ViCAP Case Submission Form is a victim-driven system. It captures behavioral information concerning the offenses for murder, sexual assault, missing persons, and unidentified human remains. Identifying information is masked for victims of attempted homicide and sexual assault to agencies other than the submitting agency, its hub agency (if applicable) and FBI ViCAP. See above, for assurances of confidentiality concerning a case. Consent of deceased victims is not sought for collection of information concerning their homicide.

12. Estimate of Hour Burden:

It is estimated that approximately 5,000 respondents will submit one response annually. Approximately 85% of the responses are submitted electronically through a secure law enforcement internet portal. The remaining 15% are submitted via a hardcopy case submission form. Each response will require less than one hour. This response time estimate is based upon consultations with the ViCAP National Advisory Board and experience with the existing reporting form, the ViCAP Case Submission Form. The total burden times, based on voluntary submissions, is approximately 5,000 hours annually.

13. Estimate of Cost Burden:

Respondents will not incur any costs other than their time to respond. Respondents will not incur any capital, start up, or system maintenance costs associated with this information collection.

14. Estimated Annualized Costs to Federal Government:

ViCAP is an evolving program. It is estimated that the current annual cost to the federal government for the development and maintenance of ViCAP Web is \$682,119 base cost. The reporting form will be available electronically to state and local law enforcement through LEEP, making printing and distribution costs negligible.

15. Reasons for Change in Burden:

N/A

16. Plans for Publication:

There are no plans to publish the information collected.

17. Display of Expiration Date:

ViCAP is seeking an expiration date of three years, or the current maximum allowable length of extension, whichever is greater.

18. Exceptions to the Certification Statement:

ViCAP does not request an exception to the certification of this information collection.

Part B. Statistical Methods

Not applicable.