

Exploratory Interview Results

Animal Cruelty, Identity Theft, Hacking/Computer Invasion

Background

The method for the exploratory interviews involved asking each participant to review the materials received in an e-mail prior to a telephone interview; then during the interviews, the FBI personnel asked specific, probing questions to determine how respondents came up with their answers. The objective was to identify problems of ambiguity or misunderstanding, identify potential instruction improvements, or highlight other difficulties respondents had in answering the questions. Participants were provided with four incident examples for animal cruelty and two examples each for identity theft and hacking/computer invasion one of which coincided with the new cyberspace location code. These incident scenarios were used to determine if the participants understood the criteria for determining the offenses and to ensure they provide consistent, reliable results for future research and analysis when these components are fully implemented.

Animal Cruelty is defined as:

“Intentionally, knowingly, or recklessly taking an action that mistreats or kills any animal without just cause, such as torturing, tormenting, mutilation, maiming, poisoning, or abandonment. Included are instances of duty to provide care, e.g., shelter, food, water, care if sick or injured; transporting or confining an animal in a manner likely to cause injury or death; causing an animal to fight with another; inflicting excessive or repeated unnecessary pain or suffering, e.g., uses objects to beat or injure an animal. This definition does not include proper maintenance of animals for show or sport; use of animals for food, lawful hunting, fishing, or trapping.”

The approved data values are:

A = Simple/Gross Neglect (unintentionally, intentionally, or knowingly failing to provide food, water, shelter, veterinary care, hoarding, etc.)

F = Organized Abuse (Dog Fighting and Cock Fighting)

I = Intentional Abuse or Torture (tormenting, mutilating, maiming, poisoning, or abandonment)

S = Animal Sexual Abuse (Beastiality)

Identity Theft is defined as:

“Wrongfully obtaining and using another person’s personal data (e.g., name, date of birth, Social Security number, driver’s license number, credit card number).”

Hacking/Computer Invasion is defined as:

“Wrongfully gaining access to another person’s or institution’s computer software, hardware, or networks without authorized permissions or security clearances.”

Utilizing the Advisory Policy Board (APB) approved definition along with the corresponding data values members of the Crime Statistic Management Unit’s (CSMU) Program Development Group (PDG) contacted twenty different local and state NIBRS participants to participate in exploratory interviews.

Animal Cruelty

Results

PDG personnel interviewed twenty different local and state NIBRS participating agencies and based on the totality of their interview results, it was determined that the NIBRS User Manual provides sufficient detail for both the definition and data values associated with the new animal cruelty offense. There is however some ambiguity in the scenarios that were provided for review. Most participants felt that there was sufficient information to reach the correct conclusion; however, most recommended that PDG add additional details to the scenarios to focus them more towards the specific answer that was desired. It was also apparent that individual bias or individual feelings were a major factor in the conclusion that was drawn for the individual scenarios. The scenarios were adapted to alleviate the chance for personal bias to hinder the process for properly identifying an animal cruelty incident.

Cyberspace Location Code

Results

Cyberspace as a location code, while new, is in itself not a new data collection. The new code is being utilized to aid the FBI in collecting information and categorizing as a cyber-based event. Cyber space is being defined as:

“A virtual or internet-based network of two or more computers in separate locations which communicate either through wireless or wire connections.”

Based on the results from the interviews those record managers that had a stronger technical background were able to properly identify cyberspace as a location code; however, many of the participants were not technically inclined and thus struggled with when to use the Cyberspace location code. In order to assist the state and local agencies in better understanding when and when not to utilize the Cyberspace location code the PDG will be inserting the follow note into the NIBRS User Manual to assist the end-user:

“If utilizing the internet was the only way for the commission of the incident or offense to be committed then the 58 = Cyberspace location code should be utilized.”

Identity Theft

Results

Most participants felt the definition for identity theft that was provided adequately describes this new fraud offense. There were several questions that arose from the scenarios where PDG personnel referenced the 26F = identity theft offense. Most centered on utilizing other fraud offenses, impersonation, credit card fraud, etc., based on the end-user inferring information from the scenario that was provided. PDG has determined, based on the participant responses, that by further narrowing the scope of the scenarios, it will be significantly easier for the end-user to only select the 26F = identity theft fraud code in the presented situations.

Hacking\Computer Invasion

Results

Most participants felt the definition for hacking/computer invasion that was provided adequately describes the new fraud offense. There were very few questions that arose from the scenarios where the PDG referenced the 26G = Hacking/Computer Invasion offense. Most centered around utilizing other fraud offenses based on the end user inferring information from the scenario that was provided. PDG has determined, based on the participant responses, that by further narrowing the scope of the scenarios it will be significantly easier for the end-user to only select the 26G = Hacking/Computer Invasion fraud code in the presented situations. These changes have been made to the scenarios.