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SUPPORTING STATEMENT
1110-0058
National Incident-Based Reporting System

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The Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program requests a three-year extension of this currently approved collection.

A.   Justification

1.   Necessity of Information Collection

Under the authority of Title 28, United States Code (U.S.C.), section (§) 534, subsections (a) and (c); the Uniform Federal Crime Reporting Act (UFCRA) of 1988, 34 U.S.C. § 41303; the Hate Crime Statistics Act, 34 U.S.C. § 41305, modified by the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act (2009), Public Law (Pub. L.) § 4708; the Anti-Arson Act of 1982, 18 U.S.C. § 841 note; the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, 34 U.S.C. § 41309; the USA Patriot Improvement and Reauthorization Act of 2005, Pub. L. 109-177 § 307, subsection (e) Reporting of Cargo Theft, 120 Statutes at Large (Stat.) 193, 240 (2006); and 34 U.S.C. § 12532, the FBI was designated by the Attorney General to acquire, collect, classify, and preserve national data on criminal offenses as part of the FBI UCR Program.

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 the FBI UCR Program data, and in response to that need, law enforcement expanded its capabilities to supply crime information. In the late 1970s, the law enforcement community called for a thorough evaluative study of the FBI UCR Program with the objective of recommending an expanded and enhanced data collection system to meet law enforcement needs in the 21st century.

The FBI fully concurred with the necessity for an updated program and provided its support by formulating a comprehensive redesign effort in collaboration with the Bureau of Justice Statistics (BJS). Following a multiyear study, the "Blueprint for the Future of the Uniform Crime Reporting Program" was developed. Following the "Blueprint" in consultations with state and local law enforcement executives, new guidelines for the FBI UCR Program were formulated, and the National Incident-Based Reporting System (NIBRS) was the result.

NIBRS was designed to generate data as a byproduct of federal, state, and local automated records management systems (RMS) and allows law enforcement agencies (LEAs) to collect information on each crime occurrence. NIBRS collects data on each incident and arrest within 28 crime categories comprised of 71 specific crimes called Group A offenses. For each of the offenses coming to the attention of law enforcement, various details about the crime are collected. In addition to the Group A offenses, arrest data only are reported for 13 Group B offense categories. When reporting data via the former Summary Reporting System (SRS), LEAs tallied the occurrences of ten Part I crimes. It should be noted the FBI transitioned to a NIBRS-only data collection on

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January 1, 2021, and SRS was discontinued. However, LEAs are permitted to submit updates to incidents which were reported via SRS prior to January 1, 2021.

The most significant difference between NIBRS and the traditional SRS is the degree of detail in reporting. NIBRS is capable of producing more detailed, accurate, and meaningful information because data are collected about when and where crime occurs, 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 NIBRS (e.g., jurisdictional rules), there are some important differences between the two data collection systems. SRS employed the Hierarchy Rule, i.e., in a multiple-offense incident, only the most serious offense was counted, and only ten Part I offenses could be reported.

The many advantages NIBRS has over the SRS include, but are not limited to, reports up to ten offenses occurring during the incident; revised, expanded, and new offense definitions; more specificity in reporting and using offense and arrest data for 28 Group A offense categories encompassing 71 crimes; distinguishes between attempted and completed Group A crimes; provides crimes against society; includes victim-to-offender data, circumstance, drug-related offenses, offenders suspected use of drugs, and expanded computer crime; and provides updated reports tied directly to the original incident. The Group A offense categories include animal cruelty; arson; assault offenses; bribery; burglary/breaking and entering; commerce violations*; counterfeiting/forgery; destruction/damage/vandalism of property; drug/narcotic offenses; embezzlement; espionage;* extortion/blackmail; fraud offenses; fugitive offenses;* gambling offenses; homicide offenses; human trafficking; immigration violations;* kidnapping/abduction; larceny/theft offenses; motor vehicle theft; pornography/obscene material; prostitution offenses; robbery; sex offenses; stolen property offenses; treason;* and weapon law violations. The 13 Group B offense categories, for which only arrest data are collected, include bad checks; bond default;* curfew/loitering/vagrancy violations; disorderly conduct; driving under the influence; drunkenness; family offenses, nonviolent; federal resource violation;* liquor law violations; peeping tom; perjury;* trespass of real property; and all other offenses. (Offense categories followed by an asterisk * denote those reported by federal and tribal LEAs only.) In 2019, NIBRS began collecting additional data values to capture information on domestic violence, cargo theft, and negligent manslaughter.

The FBI UCR Program serves as the national clearinghouse for the collection and dissemination of incident data and releases these statistics in the following publications: *Crime in the United States (CIUS), Hate Crime Statistics, Law Enforcement Officers Killed and Assaulted,* and *National Incident-Based Reporting System.*

2. <u>Needs and Uses</u>

The data collected and disseminated by the FBI UCR Program provide a valuable resource to federal, state, local, and tribal LEAs. The statistics can be used for tracking crime; administration, operation, and management purposes (e.g. budget formulation and resource allocation); assessment of police operations; effectively positioning task forces and officers; and determining the effectiveness of various law enforcement programs to address the crime problem at various levels. Agencies can use the data to justify staffing levels and officer counts. Although cautioned, some agencies may compare their crime statistics with those of other LEAs to justify an increase in funding for additional staff or equipment. Chambers of commerce and tourism agencies examine the data to determine the impact of the crimes within a particular geographic jurisdiction. Criminal justice researchers and statistical analysts study the nature, cause, and movement of crime over time. Legislators draft anticrime measures using research findings along with recommendations from law enforcement administrators, planners, and others concerned with the problem of crime. The news media use crime statistics provided by the FBI UCR Program to inform the public about the state of crime.

Specific examples of how various entities use the FBI UCR Program data are shown below.

a. The FBI serves as the national clearinghouse for the storage of all NIBRS statistics, and the data are available to any requester. In 2020, the FBI UCR Program received 226 requests for NIBRS data, all of which were fulfilled.

b. The Department of Justice, Bureau of Justice Assistance, utilizes FBI UCR Program data to determine local law enforcement formula grant recipients.

c. Studies among neighboring jurisdictions and those with similar characteristics and population demographics have been conducted.

d. Annual FBI UCR Program data are provided to the Inter-University Consortium for Political and Social Research (ICPSR). This central repository serves as a single facility from which colleges and universities can obtain social science data. The ICPSR website stores 26 years of NIBRS data.

NIBRS enhances the quantity, quality, and timeliness of crime data collected by the law enforcement community. The wealth of information available from NIBRS allows stakeholders (i.e., law enforcement executives, government and community leaders, academia, the media, data analysts, and the public at large) to measure the effectiveness of law enforcement programs and initiatives and develop effective, proactive strategies for reducing any existing crime problems. Finally, having a more accurate and robust picture of the crime situation in an area will allow for more efficient resource allocation and maximize public safety.

3. Use of Information Technology

Participation in the FBI UCR Program is voluntary. Crime data collection begins at the local agency level when law enforcement officers submit administrative and operational data to their record management personnel from hard copy or electronic incident reports. Local agencies' record managers then compile the crime data and submit the information to their state UCR programs (if applicable).

Forty-nine states have their own UCR programs which streamline the collection of data from local LEAs, ensure consistency and comparability of data, and provide a higher quality of service to the law enforcement community. Many state UCR programs have a centralized repository and have established electronic communications with LEAs throughout their state, as well as the FBI UCR Program. This allows for information technology interaction within the required electronic data submission formats.

Federal, tribal, and territorial agencies may also institute UCR programs following the guidelines shown below.

- The state UCR program must conform to the FBI UCR Program's submission standards, definitions, specifications, and required deadlines.

- The state UCR program must assign personnel to assist contributing agencies and establish crime reporting, data integrity, and quality assurance procedures.

- The state UCR program's submissions must cover more than 50 percent of the LEAs within its established reporting domain. In addition, the entity must be willing to cover any and all agencies within the domain that want to contribute data to the FBI UCR Program (i.e., be willing to report for all of the agencies within the state).

- The state UCR program must submit all of the UCR data collected by the LEAs within its domain to the FBI UCR Program.

The NIBRS data are designed to be generated as a byproduct of existing incident-based automated record systems. 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 the FBI UCR Program and include additional data elements and data values). In preparation for submitting data to the FBI UCR Program, LEAs participating in NIBRS extract only the data required from the IBR system for submission to the FBI.

All FBI UCR Program participants submit their NIBRS crime data electronically. The FBI provides two electronic options for submitting NIBRS data: extensible markup language (XML) and the NIBRS Flat File Data Specification. The XML interface specification complies with the National Information Exchange Model and Logical Entity Exchange Specifications which are both data standards for information exchange. The NIBRS Flat File Data Specification is a position-based format. These electronic

submissions are received from state UCR systems and local LEAs via e-mail at ucrstat@leo.gov.

In 2020, the FBI UCR Program began developing a new method for small agencies to submit NIBRS incidents. The NIBRS Collection Application (NCA) allows these agencies to submit NIBRS incident data directly to the FBI UCR Program without building their own systems. In 2021, the development of new UCR collections led to an expansion of the use cases for the NCA. Therefore, the NCA was renamed the Collection of Law Enforcement and Crime Tool (COLECT). COLECT will serve as a new access point for participating agencies to submit data for a number of UCR data collections. Just as the NCA functioned, COLECT will still allow the submission of NIBRS incident data and will greatly benefit self-reporting and small agencies with their participation in NIBRS.

Once NIBRS data are received by the FBI, the information is ingested to the FBI UCR Program system. The original NIBRS submissions are maintained in the system and published in *CIUS, Hate Crime Statistics, Law Enforcement Officers Killed and Assaulted,* and the *National Incident-Based Reporting System*.

4. <u>Efforts to Identify Duplication</u>

Under the authority of 28 U.S.C. § 534, subsections (a) and (c); the UFCRA of 1988, 34 U.S.C. § 41303; the Hate Crime Statistics Act, 34 U.S.C. § 41305, modified by the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act (2009), Pub. L. § 4708; the Anti-Arson Act of 1982, 18 U.S.C. § 841 note; the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, 34 U.S.C. § 41309; the USA Patriot Improvement and Reauthorization Act of 2005, Pub. L. 109-177 § 307, subsection (e) Reporting of Cargo Theft, 120, Stat. 193, 240 (2006); and 34 U.S.C. § 12532, the FBI was designated by the Attorney General to acquire, collect, classify, and preserve national data on criminal offenses as part of the FBI UCR Program. The FBI is the only federal agency collecting extensive incident-based crime data reported by LEAs in the nation.

BJS administers its own statistical collection, the National Crime Victimization Survey (NCVS), which also measures the magnitude, nature, and impact of crime in the nation. Although there are similarities between the two crime measures, the objective, collection methodology, and presentation of NCVS data differ from those of the FBI UCR Program. The FBI UCR Program's primary objective is to provide a reliable set of criminal justice statistics for law enforcement administration, operation, and management. NCVS was established to provide previously unavailable information about crimes (including those not reported to law enforcement), victims, and offenders.

The two collections measure a similar subset of serious crimes; however, the FBI UCR Program and the NCVS definitions of some crimes differ based on the methodologies employed by each agency. The FBI UCR Program reports the number of crimes reported by LEAs throughout the country, while the NCVS provides the number of crimes experienced by individuals and households, including both those reported and not reported to law enforcement. In addition, the NCVS excludes homicide, arson,

commercial crimes, and crimes against children under age 12, all of which are captured in the FBI UCR Program data.

Different bases are used when rates are calculated within each collection. The FBI UCR Program uses the population as a base and presents rates as the number of crimes per 100,000 inhabitants. The NCVS uses households as the base and reports rates as the number of crimes per 1,000 households.

The National Highway Traffic Safety Administration (NHTSA) collects information on alcohol-impaired driving fatalities and has data available from studies about incidents involving distracted drivers. NHTSA collects accident data from 34 states via the State Data Programs. The NHTSA also gathers these and other types of vehicular data from the Fatality Analysis Reporting System and the National Center for Statistics and Analysis. Although NHTSA can supply data regarding the number of alcohol-related and distracted driving fatalities, it cannot provide the incident-based relational data provided by NIBRS. The data collected by both the FBI UCR Program and the NCVS allow for a better understanding of crime trends and the nature of crime in the nation.

5. Minimizing Burden on Small LEAs

This information will have no significant impact on small LEAs. The law enforcement community requests a monthly collection of forms since police records are run by calendar month. However, the FBI minimizes the burden on small LEAs by allowing them to submit data quarterly, semiannually, or annually. Although monthly data submissions are recommended, agencies can submit data at intervals that minimize their burden upon approval by the FBI UCR Program.

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

In order to serve as the national repository for crime data and to produce a reliable dataset, NIBRS LEAs and state UCR programs submit data monthly. In preparation for submitting data to the FBI UCR Program, LEAs participating in NIBRS extract only the data required from their own NIBRS system for submission to the FBI.

Conducting this collection less frequently could result in oversized data files and potentially overtax agencies' NIBRS systems when files are downloaded. At this time, it takes approximately two hours to extract a NIBRS monthly submission from an agency's NIBRS system. After submitting data to the FBI, the state UCR programs expect a timely response regarding any errors. In order for the FBI to conduct a thorough quality review and provide a prompt response, the data should be submitted according to FBI UCR Program standards and deadlines.

The FBI UCR Program is developing the capability of operating a machine-to-machine data transfer system which uses the XML submission platform. This will allow individual agencies participating in the FBI UCR Program to submit data directly to, and receive information directly from, the FBI Criminal Justice Information Services (CJIS) Division's data collection servers. Over time, these direct submissions will decrease the

time it takes to accurately process and store the data, thereby increasing the efficiency of the data collection procedure.

With the increasing demand for more timely data, the FBI UCR Program established a task force comprised of representatives from the Association of State UCR Programs and the FBI CJIS Division's Crime and Law Enforcement Statistics Unit. The task force convened to discuss risks, issues, and options currently available for reporting timely data and will continue to provide recommendations, as needed.

7. Special Circumstances

While some agencies have permission to submit data quarterly, semiannually, or annually, most data are received from FBI UCR Program participants on a monthly basis. Monthly submissions should be received by the FBI no later than the seventh day of each month. Annual deadlines are designated in order to assess receipt of monthly submissions. Special circumstances may cause an agency to request an extension which the FBI UCR Program has the authority to grant.

8. Public Comments and Consultations

No public comments were received after the 60- and 30-day notices were submitted to, and published in, the *Federal Register*.

9. Provision of Payments or Gifts to Respondents

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

10. Assurance of Confidentiality

The FBI UCR Program does not assure confidentiality. However, NIBRS data do not contain directly identifiable information which would reveal the identity of an individual. In addition, NIBRS data are obtained from public agencies and submitted to the FBI with the expectation that it will be publicly available.

The location of an incident is collected in NIBRS; however, it's not the home address of each victim. The location is reported as a general site (e.g., park, community center, school, grocery store, or residence). The address of the reporting agency is collected within the NIBRS master file.

11. Justification for Sensitive Questions

Information collected via NIBRS is not sensitive in nature.

12. Estimate of Respondents' Burden

National Incident-Based Reporting System				
Data Submitted	**Number of Agencies**	**Number of Responses**	**Burden (Minutes)**	**Burden (Hours)**
(A)	(B)	(C)	(D)	(E)
1 month	232	232	27,840	464
2 months	179	358	42,960	716
3 months	150	450	54,000	900
4 months	171	684	82,080	1,368
5 months	157	785	94,200	1,570
6 months	250	1,500	180,000	3,000
7 months	173	1,211	145,320	2,422
8 months	185	1,480	177,600	2,960
9 months	188	1,692	203,040	3,384
10 months	227	2,270	272,400	4,540
11 months	495	5,445	653,400	10,890
12 months	7,468	89,616	10,753,920	179,232
Total	9,875	105,723	12,686,760	211,446

Total Number of Responding Agencies: 9,875 agencies
Total Number of NIBRS Agencies: agencies (Non-Responding Agencies + Responding Agencies)
Total Number of Annual Responses: 105,723 responses (Column C = Column A x Column B)
Total Form Completion Burden (Minutes): 12,686,760 minutes (Column D = Column C x 120 minutes per response)
Total Form Completion Burden (Hours): 211,446 hours (Column E = Column D/60 minutes per hour)

Using 2020 data for participating agencies, the estimated burden on the respondents for this data collection are shown below.

Number of respondents:	9,875 agencies
Total annual responses:	105,723 responses
Time per response:	120 minutes
Annual burden:	211,446 hours

An additional 300 burden hours was added for state UCR program and local LEA outreach.

Number of respondents:	100 respondents
Frequency of responses:	Varies
Time per response:	180 minutes
Annual burden:	300 hours

Total Annual Burden: 211,746 hours (211,446 hours + 300 hours)

On January 1, 2021, the FBI UCR Program completed the transition to a NIBRS-only data collection and no longer accepts new submissions from SRS agencies. Burden hours will continue to rise as more agencies make the transition to providing NIBRS-only data.

NIBRS data are designed to be generated as a byproduct of existing incident-based automated record systems. An agency can build its own IBR system to suit its individual needs (i.e., it can have a different file structure than the FBI UCR Program and include additional data elements and data values). In preparation for submitting data to the FBI UCR Program, LEAs participating in NIBRS extract only the data required from their IBR system for submission to the FBI.

The two-hour response burden is the time it takes for an agency to extract NIBRS data from its existing incident-based RMS. Along with LEAs transitioning to NIBRS, the addition of new offenses to NIBRS may increase the response burden. However, the FBI UCR Program predicts any increase under these circumstances will be minimal because many agencies may already collect these data within their NIBRS systems. Agencies will continue to operate their own incident-based RMS, entering data into their system, and performing their own data quality, all of which are not included in the burden estimate.

The FBI UCR Program frequently has operational and administrative questions for state UCR program managers and local LEAs. In order for the FBI to conduct this outreach with a larger universe of contributors, an additional 300 hours were added to the annual burden.

13. Estimate of Cost Burden

 LEAs incur no direct costs by participating in the FBI UCR Program. With the renewal of this collection, respondents are not expected to incur any capital, start-up, or system maintenance costs. Costs to agencies' RMS are very difficult to obtain. Vendors do not divulge costs because charges differ from agency to agency and many costs are built into vendors' contracts. Depending on the contract, charges mandated by law may be included with no other additional costs. However, an estimate has been projected that agencies pay a $107,000 maintenance fee every year for system maintenance costs.

LEAs submitting data via NIBRS have an existing incident-based RMS from which they extract data to send to the FBI UCR Program. Cost projections for agencies planning to build an incident-based RMS range from half a million to one million dollars depending on the size of the agency. Agencies participating in the FBI UCR Program have system maintenance costs even if they don't report data via NIBRS.

14. Cost to Federal Government

The information presented in the table below is a fiscal year (FY) 2020 cost model provided by the FBI CJIS Division, Resources Management Section, Fee Programs Unit, for the entire FBI UCR Program. The FY2020 annualized cost and full-time equivalent (FTE) are included. These are projections based on prior collection activity, as well as activities anticipated over the next three years for NIBRS. This cost model does not separate the costs for the two systems used to collect FBI UCR Program data.

Data Collection and Processing Costs

Activity	FY2020 Annualized Cost	FY2020 Annualized FTE
Conduct Assessment / Perform Analysis	$ 91,640.91	0.45
Conduct Liaison, Education, and Promotion	$ 460,753.01	3.56
Conduct UCR Audits	$ 473,855.85	3.74
Define and oversee Compliance within IT infrastructure	$ 40,363.87	0.30
Deliver Curriculum - External Customer	$ 167,469.21	1.17
Deliver Curriculum - External Customers	$ 226,131.47	0.91
Develop and Manage Policy	$ 357,738.77	2.86
Develop Curriculum - External Customer	$ 167,469.21	1.17
Develop Curriculum - External Customers	$ 233,860.67	1.13
Manage Projects	$ 136,428.30	0.76
Perform Administrative and Human Resource tasks	$ 812,853.40	6.57
Perform Advisory Policy Board (APB) tasks.	$ 206,528.50	1.53
Perform and oversee IT Service Management activities	$ 94,125.20	0.66
Perform Budget, Strategic Planning, and Program Control	$ 273,102.44	1.77
Perform Duties as the Agile Product Owner	$ 424,564.99	3.31
Perform IT Finance functions	$ 35,267.21	0.17
Perform organization IT Management and Strategic Planning	$ 30,617.56	0.18
Perform Other Agile Duties	$ 258,005.53	1.72
Perform Research and Analysis	$ 248,981.39	1.44
Perform the Client Management function	$ 103,171.04	0.65
Produce Publications	$ 101,532.52	0.70
Provide and administer Databases and Database services	$ 163,856.22	1.01
Provide and administer Middleware services	$ 120,329.50	0.94
Provide and maintain Servers	$ 54,086.46	0.41
Provide and maintain UNIX operating systems	$ 27,370.28	0.23
Provide Application Development services	$ 687,257.21	4.79
Provide Application Support and Operations services	$ 111,365.30	0.84
Provide Editing Services/Support	$ 201,792.18	1.20
Provide Supervisory Review/Oversight	$ 35,091.60	0.18
Provide Writing Services/Support	$ 179,656.15	1.07
Data Collection and Processing Costs - continued	**FY2020**	**FY2020**

Activity	Annualized Cost	Annualized FTE
Support and Manage IT Programs, Product Initiatives	$ 344,140.46	2.45
Support CJIS Advisory Policy Board	$ 26,661.76	0.20
Support the Crime in the United States publication	$ 1,051,706.87	9.04
Support the FBI's Crime Data Explorer (CDE)	$ 92,448.35	0.61
Support the Hate Crimes Statistics publication	$ 440,587.35	3.58
Support the LEOKA publication	$ 422,069.73	3.49
Support the National Use-of-Force (UOF) Data Collection	$ 176,977.21	1.42
Total	**$ 9,115,124.89**	**66.38**

15. <u>Reason for Change in Burden</u>

For this extension, the respondents' annual burden was calculated using the actual number of months (1-12) for which the respondents submitted data. (See the table under 12. <u>Estimate of Respondents' Burden</u> for specific calculations.)

Total annual responses:	9,875 respondents x 1-12 months of data submitted = 105,723
Time per response:	120 minutes
Annual burden:	211,446 hours

Three hundred hours were added to the burden to cover state UCR Program and local LEA outreach. Burden hours are expected to increase as the FBI UCR Program transitions to a NIBRS-only data collection in January 2021 and additional agencies begin submitting data via NIBRS.

Total Annual Burden (2020): 211,746 hours

Since the goal of the FBI UCR Program is to achieve full 12-month reporting for all participating agencies, the requested burden is adjusted to reflect full participation by all currently participating agencies.

Total requested annual responses:	9,875 respondents x 12 months of data submitted = 118,500
Time per response:	120 minutes
Annual burden:	237,000 hours

Total Requested Annual Burden: 237,000 hours

16. Anticipated Publication Plan and Schedule

   Published data are derived from data submitted to the FBI UCR Program by federal, state, local, and tribal LEAs throughout the country. Historically, data have been published annually. However, the transition to NIBRS and quarterly publication of statistics have begun and may require modifications to the schedule shown below.

   Publication Plan and Schedule

Activity	Time Period
Request for missing January-June data	August and September, current year
Request for missing 12-month data	February-March, following year
Deadline to submit data	End of March
Data processing and analysis	July (current year)-April (following year)
Publication data	September, following year - *CIUS*
	December, following year - *NIBRS*

17. Display of Expiration Date

   All information collected under this clearance will display the Office of Management and Budget Clearance Number and Expiration Date on the NIBRS Technical Specification document.

18. Exception to the Certification Statement

   The FBI CJIS Division is not requesting an exception to the certification of this information collection.