

Welcome

NIBRS Coding Scenarios



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April 3, 2008

“ Scenario #1: Complainant calls and said someone has been in their house but nothing has been taken.

“ We have no idea what the intent was of the person that entered the house. Sometimes there was forced entry and sometimes no force entry.

“ Sometimes they have had cases where the officer wonders whether or not someone was actually in the house or if a family member forgot to securely close the door. How do we code this?

🐾 *Answer Scenario #1: This would most likely be a Trespass and only reported if an arrest was made. Clearly, the investigation has to determine what is going on in these incidents.*

🐾 *For example, with the cold weather South Dakota gets someone breaks in to a home to simply keep warm (homeless person), this would not be a Burglary but a Trespass offense. If the investigation does determine someone broke into the house to commit a felony or a theft then a Burglary you have.*

🐾 *Kids being mischievous and break into the house but have no intentions to steal anything but maybe just commit damage. Again Trespass.*

“ Scenario #2: Someone threw some tobacco, cheese, and candy over the fence to an inmate.

“ The law enforcement officer coded it under the drug offenses because of the tobacco being a controlled substance. Is this correct?

🐾 *Answer Scenario #2: This should not be a drug offense but a 90Z if they made an arrest.*

🐾 *Tobacco does not fall under drugs.*

“ Scenario #3: A person commits an aggravated assault but later the person dies and the States Attorney upgrades it to 2nd Degree Murder.

“ Do we change the charge in our system to match? The way our private vendor software is setup this is difficult, it does show the murder in the booking of course but not for the case or arrest since it started as an aggravated assault.

🐾 *Answer Scenario #3: If an aggravated assault happens, then you report that offense the month it occurred.*

🐾 *When later on the person dies as a direct result of injuries related to the assault, then the agency should send us a Delete Record for the Aggravated Assault and resubmit a Homicide incident to the FBI.*

🐾 *Bottom line is that the incident needs to be updated.*

🗨️ Scenario #4: A juvenile is charged with statutory rape. The juvenile is not taken into custody, but is advised of pending charges. A juvenile petition request is then forwarded to the State's Attorney Office who will follow-up with a Summons & Petition summoning the juvenile into juvenile court. For our purposes, we consider the juvenile to be arrested, although he/she was not taken into custody. (I've had this same scenario on a recent DWI arrest of a juvenile where the juvenile was released to his parents rather than taken to jail.)

🗨️ Should I count him/her as arrested on the offender/arrestee segment? Do I check the "Juvenile Handled Internally" box? Or should he/she be counted as only an offender?

🗨️ On the other hand, had this been an adult offender, we would have submitted a warrant request to the State's Attorney and I would have listed him/her as an offender, rather than arrestee, on the offender/arrestee segment and will update as an arrestee when the warrant is served.

🐾 *Answer Scenario #4: Juveniles are handled much different than adults. Simply releasing the kid to parents or referring to juvenile to court or writing a summons or referring to State's Attorney Office is an arrest for UCR/NIBRS purposes. Again, this is unique to juveniles and is different for adults.*

🐾 *In the first situation where the juvenile is referred to State's Attorney Office use R=Referred to Other Authorities and in the second situation for the DUI use H=Handled Within Department i.e. released to his parents. This all is an administered police process for juveniles in which it I'm sure is well documented in the police department (Standard Operating Procedure).*

☞ Scenario #5: I have an incident where an individual went into a bank and filled out a withdrawal slip, using a friend's account number. The bank gave him \$170.00 cash from the account.

☞ Is it entered as a Forgery (per friend's account) and Theft (\$170.00 received from the bank). Or do I only enter the forgery?

🐾 *Answer Scenario #5: This would be a Forgery (forged friend's name on bank slip). When the bank slip is passed you then have a Fraud and I would use Impersonation (26C). So, both the Forgery (250) and the Fraud (26C) should be reported.*

“ Scenario #6: If someone is arrested and has guns in their vehicle, does that get reported as the offender having weapons or does that only get reported if they have the weapons actually on their person?

🐾 *Answer Scenario #6: ONLY be reporting the arrestee armed with gun in this case if the gun was in **constructive possession**.*

🐾 *Now, you may ask what is constructive possession? If the gun was within reach or on the person arrested then YES, report arrestee armed with gun.*

🐾 *If the gun was in the trunk of the car or in the back seat where the arrestee could not easily get to it, then NO.*

“ Scenario #7: What victim type do I use for a school?

🐾 *Answer Scenario #7: It does depend on the circumstance. Public School would be G=Government (if it is state/government operated). Keep in mind that “Government” includes local, city, state, county, and federal government.*

🐾 *If it is a private school, then I see R=Religious Organization as a possible choice.*

☞ Scenario #8: One subject strikes another subject in a bar fight. Neither subject had a weapon. However, the aggressor hits the victim in a manner causing the victim to fall against a machine (blunt object) which resulted in lacerations to victim's head (he had to get stitches).

☞ Our officer charged this as a simple assault because the aggressor was unarmed and the injury was not directly caused by the aggressor. For these reasons, I'm thinking it should be classified as a simple assault as the aggressor was unarmed & did not intend the severe injury. What do you think?

🐾 *Answer Scenario #8: This is an Aggravated Assault (13A). The injuries were a result of a fight which caused the victim to fall against a machine and the key is he received stitches.*

☞ Scenario #9: We investigated an incident that occurred at a party in which three adult boys had sex multiple times with two juvenile girls.

☞ Do I have one incident total with multiple offenders & multiple victims.... one incident for each victim or... one incident for each victim/each offender?

☞ Each incident is either statutory rape or sexual contact/rape where the victim is incapable of giving consent due to intoxication.


🐾 *Answer Scenario #9: Assuming this all happened at the same location on the same day/night (keeping in mind same time and place rule). It all happened at a party, so it seems that it did happen all at the same location.*

🐾 *Code one incident number with two victims of forcible rape or statutory rape (11A or 36B). Depending on the law enforcement investigation, it would be forcible rape or statutory rape (keeping in mind if force was involved or if there were willing participants).*

🐾 *Multiple times raping the victims does not factor into crime reporting but would more importantly come in to play as to charging the offenders for multiple times raping the victims. Remember, on crimes against persons we count the victims (we have two teenage girls)...NOT the offenders. You would report one incident number with two victim segments for the teenage girls.*

☞ Scenario #10: If a robbery is attempted, not completed -- do we need to complete a property segment?

 *Answer Scenario #10: Yes the property segment is required for attempt.*

 *In all Property Crimes which are attempted, your allowed choice for Data Element 14 (Type Property Loss) is 1=None or 8=Unknown. Therefore, no other information in the property segment is needed once you indicate that.*

☞ Scenario #11: If I have been given a warrant for NSF (Non-Sufficient Funds) check, would I do NIBRS on that? Since there was never an arrest made? Or is only served warrants that go on NIBRS?

🐾 *Answer Scenario #1 1: These are usually our Bad Check violations (90A). As long as they are knowingly writing checks when they don't have the money to cover them. If a citation or summons is issued or an actual arrest for these NSF, then report those as 90A.*

🐾 *Simply issuing a warrant does not allow you to clear it. You have to wait until that warrant has been served.*

☞ Scenario #12: What property classification should the following fall into:

☞ (a) Radar Detectors?

☞ (b) Cell Phones?

☞ (c) Copper?

☞ (d) Boom Box sitting inside a vehicle on the seat.
Not a car stereo?

☞ (e) Ipod?

☞ (f) External Speakers wired into a vehicle?

☞ (g) Gasoline?

🐾 *Answer Scenario #12:*

🐾 *(a) 38 – Vehicle Parts and Accessories
(Radar Detectors)*

🐾 *(b) 77 – Other (Cell Phones)*

🐾 *(c) 77 – Other (Copper)*

🐾 *(d) 26 – Radios/TVs/VCRs (Boom Box)*

🐾 *(e) 27 – Recordings-Audio/Visual (Ipod)*

🐾 *(f) 38 – Vehicle Parts and Accessories
(External Speakers)*

🐾 *(g) 08 – Consumable Goods (Gasoline)*

☞ Scenario #13: Can you have the same sex for the victim and offender in cases of Forcible Rape and Statutory Rape?

- 🐾 *Answer Scenario #13: In NIBRS, you can have the same sex for Forcible Rape and Statutory Rape **but** at least one of the offenders must be of the opposite sex.*
- 🐾 *For example, a male and female break into a lady's home. The female offender holds down the female victim while the male rapes the female victim. You have a male offender and a female offender in a rape in NIBRS.*
- 🐾 *Now, if it was a female on female situation, then you would probably have a different forcible sex offense i.e. forcible fondling or sexual assault with an object for example (you cannot only show a female victim and female offender in forcible rape and statutory rape).*
- 🐾 *If it is a male on male, then you have Sodomy for one example.*

“ Scenario #14: Is it considered a counterfeiting offense every time a counterfeit bill is received at a bank or a business?

“ Obviously, in these cases, the offender is unknown and frequently it cannot be proved that the unknown subject who passed the counterfeit bill knew it was counterfeit.

🐾 *Answer Scenario #14: Most of these are going to be victim type of B=Business or F=Financial Institution with 00=Unknown Offender.*

🐾 *Most likely investigation would determine it is coming from one source. Therefore, it would probably be reported only once.*

👉 Scenario #15: Would a temporary vendor's tent qualify as a structure for purposes of burglary?

🐾 *Answer Scenario #15: Yes, report this as a Burglary.*

🐾 *You would only report a Larceny-Theft All Other when that tent was used for Recreation purposes. That is not the case here, the tent is being used as a business to sell goods.*

“ Scenario #16: An agency arrested an individual and requested a urine test.

“ The urine test comes back positive for drugs; however no drugs were found on the individual during the initial arrest.

“ The agency then adds the charge of drugs to their arrest. How is this coded?

🐾 *Answer Scenario #16: Report a 35A and the Type Property Loss (Data Element 14) should be reported as a 1=None.*

🐾 *They are actually NOT recovering any drugs other than what is discovered by urine test. Additionally, Data Element 12 (Type Criminal Activity/Gang Information) you would report U=Using/Consuming.*

☞ Scenario #17: We had a theft that occurred at a local bar.

☞ Male subjects removed a female's wallet from her purse while she was on the dance floor and removed the cash. The wallet was still in one of the male's hands when she returned from the dance floor and spotted him with it.

☞ Would this be A) Theft from Building, B) Theft all Others, C) Purse Snatching, or D) Pocket Picking?

🐾 *Answer Scenario #17: This would be Theft from a Building (23D).*

🐾 *If the purse was in per physical possession and someone removed the wallet out of her purse then this would be Pocket Picking (23A).*

🐾 *Since I assume she left it back at her chair while she went dancing and someone took the wallet then, Theft from a Building (23D) would be correct.*

🐾 *If she took her purse to the dance floor and had it in her physical possession (on her shoulder/in her hands) and someone at that time removed her wallet then Pocket-picking (23A) would be correct.*

“ Scenario #18: Is the actual charge of Resisting Arrest coded as a Simple Assault (13B) or coded as All Other Offenses (90Z)?

- ☹ *Answer Scenario #18: Minor resisting is part of the what happens often when officers are effecting an arrest.*
- ☹ *An example of when I would not report an assault in what I call "minor resisting." Officer is trying to place the handcuffs on an individual and that person is pulling away from the officer or breaks loose of the officer etc.*
- ☹ *Anytime you have a hands on situation i.e. individual pushes, shoves, kicks, spits, punches (I think you are getting the story) these should be reported as assaults and depending on injuries and weapons as to what type of assault you may have (13A Aggravated Assault or 13B Simple Assault).*
- ☹ *Many departments forget that we treat spitting on an officer as an assault most likely a Simple Assault (13B) but if that person has some type of disease i.e. AIDS, Hepatitis etc. then these should be Aggravated Assault (13A).*
- ☹ *I would agree that in MOST cases resisting arrest would be an assault but "minor resisting" in examples I gave would be simply part of the job and not reported as an assault.*

☞ Scenario #19: Offender(s), non-forcibly, enter locked game room at local motel & stole coins from game machines, damaging the game machines.

☞ At the same time, they also attempted to break open the coin changer that was in unlocked room adjacent to game room.

☞ Would this be (1) burglary or (2) theft from building or (3) theft from coin-operated machine?

🐾 *Answer Scenario #19: You have to at least call it what we know and that is Larceny/Theft.*

🐾 *If the facts later determined that there was the element of trespass, then they should reclassify to Burglary (220).*

🐾 *The investigation has determined that at least the theft took place but they cannot determine if it happened when it was closed or open to the public. The perpetrator could have used a key which would be a Burglary (forced) but the investigation could not determine that. Therefore, at least we can establish a Larceny/Theft and the most specific Larceny/Theft category would be Theft from a Coin-Operated Machine or Device (23E).*

“ Scenario #20: A gentleman is arrested for DUI and Vehicular Battery.

“ The coding is clear for the DUI; however, how do we handle the Vehicular Battery?

- 🐾 *Answer Scenario #20: Vehicular battery with no intent is coded to All Other Offenses (90Z).*
- 🐾 *If the driver was Driving Under the Influence, the NIBRS arrest would be coded to DUI (90D) rather than the All Other Offenses (90Z).*
- 🐾 *If it is intentional, report it as an Aggravated Assault (13A).*

“ Scenario #21: Is an employee of a prison caught having sex with an inmate a reportable NIBRS offense?

🐾 *Answer Scenario #21: This would most likely be reported as a All Other Offenses (90Z) barring that this was consensual sex between two adults.*

🐾 *Laws in most states do not allow for prison employees to engage in sexual contact with inmates. If these two were adults and there was no force involved and they charged this employee of the prison with a state crime then it would be a All Other Offenses (90Z).*

☞ Scenario #22: An agency wants to know if serving a warrant would be coded in NIBRS to 90Z?

🐾 *Answer Scenario #22: The serving of a warrant would usually go back to an original offense and whomever had jurisdiction should have reported that offense and they are the only ones that can clear by arrest or exceptional means.*

🐾 *For example, if Agency A reports an offense and then Agency B serves the warrant on someone who committed that offense, then Agency A would report an arrest and clear that offense.*

🐾 *The only thing that Agency B will have is internal to their agency and that may be something like assisted another law enforcement agency in apprehending a suspect wanted by their jurisdiction. They would only capture that information in their local RMS (Records Management System) but would not report anything to the FBI.*

☹ Scenario #23: We have a subject who has been charged with Misappropriation of Property Held In Trust - Theft and Transfer of Property to Benefit Self - Theft. This deals with the sale of cattle that the subject was caring for but did not own.

☹ Is this a All Other Larceny (23H)?

🐾 *Answer Scenario #23: This should be a Fraud Offense – False Pretenses/Swindle/Confidence Games (26A).*

🗨️ Scenario #24: Subject gives police officer a made-up name. How would you code this?

🐾 *Answer Scenario #24: This would be a Fraud Offense – Impersonation (26C).*

“ Scenario #25: Is Open Container in Motor Vehicle a NIBRS reportable offense (Group B)?

“ I am not quite sure whether it is classified as a liquor offense or a traffic offense in NIBRS.

🐾 *Answer Scenario #25: This would be coded as Liquor Law Violations (90G).*

☞ Scenario #26: How do we code a 15 year old female who had a baby with meth in her system?

☞ Should this incident be coded to offense codes Drug/Narcotic Violations (35A), Drunkenness (90E) and Family Offenses, Non-Violent (90F)?

☞ They think they should code two victims; Society and the Baby.

☞ They are also having difficulty in figuring out the type of property code if it should be None for the Drug/Narcotic Violation (35A).

☹ *Answer Scenario #26: Report an offense of Drug/Narcotic Violations (35A).*

☹ *Type Property Loss (Data Element 14) would be 1=None (as you indicated no drugs were seized).*

☹ *Suspected Drug Type (Data Element 20) would be L= Amphetamines/ Methamphetamines. Estimated Drug Quantity (Data Element 21) and Type Drug Measurement (Data Element 22) would be left blank. Victim Sequence Number (Data Element 23) should have sequence number of 01. Type of Victim (Data Element 25) would be S=Society/Public.*

☹ *The UCR offense code arrested for would be the Family Offenses, Non-Violent (90F). You have to or the agency has to decide which Group B offense (90E or 90F) you will send to us.*

☹ *As you know, we only collect arrestee information on Group B offenses. You cannot in NIBRS, on this particular scenario, see the victim was a baby.*

“ Scenario #27: How would I classify the following for Location Type:

“ (a) Casino?

“ (b) Nursing Home?

“ (c) Local Park?

“ (d) Grain Elevator?

🐾 *Answer Scenario #27:*

🐾 *(a) 25 = Other/Unknown (Casino)*

🐾 *(b) 09 = Residence (Nursing Home)*

🐾 *(c) 10 = Field/Woods (Local Park)*

🐾 *(d) 25 = Other/Unknown (Grain Elevator)*

☞ Scenario #28: When we have people come in with papers that turn out to be fraud/scams (could be through the mail, email, or phone), do you actually want us to report it to you as a fraud or is it just a citizen assist?

☞ They did not partake in the scam so they are not out anything, they just are bringing the paperwork to us to show us the info and make us aware of it. Please clarify this for us!

🐾 *Answer Scenario #28: This does not cross over to a fraud offense until you have an actual victim that has fallen into the scam.*

🐾 *Citizens bringing you an e-mail from someone that sent this to them is notifying you that this is going on in the area and I would look at this as simply a citizen complaint probably filed into a miscellaneous report for your agency.*

🐾 *If the citizen was drawn into this scam, then that is another story. They would be at that time a victim of the fraud and most likely a Fraud Offense – False Pretenses/Swindle/Confidence Games (26A).*

“ Scenario #29: A juvenile forged her mother's name to 12 checks at various locations over a period of 1-1/2 months. Is this reported as 12 incidents or one incident?

“ ALSO, is the victim considered to be her mother, (whose name was forged) or the bank/stores that suffered the financial loss?

🐾 *Answer Scenario #29: Keep in mind did the Forgery all take place at one time? Did the daughter just forge them all at once and then took them to the different stores?*

🐾 *If the daughter went to each store/business and forged them right there, then you have a separate incident of Counterfeiting/Forgery (250) for each time – 12 separate incidents. Also, keep in mind that the passing of the check then becomes a Fraud Offense – False Pretenses/Swindle/Confidence Games (26A).*

🐾 *You are going to have both a Forgery Offense (250) and a Fraud Offense (26A) for each incident regardless if this ends up to be one incident or 12 separate incidents.*

🐾 *The Victim would be the Mother (I=Individual) and also the businesses that the checks were passed (B=Business).*

“ Scenario #30: Is it always embezzlement if an employee takes items/money from their employer or can it be theft from a building?

“ Example 1: Employee takes \$50 out of the cash drawer and puts it in his pocket and later admits to it.

“ Example 2: Employee makes it look like she is returning merchandise and then putting the refund on her own personal cash card and then using that money to buy groceries.

🐾 *Answer Scenario #30: Most often when you have an employee/employer relationship then you are going to have embezzlement when something is taken i.e. cash, merchandise etc.*

🐾 *Example #1: If the employee has care custody and control of the merchandise and that would include the money if I am a cashier then Embezzlement (270).*

🐾 *Example #2: Since this person is an employee of the business and is doing this then you have an Embezzlement (270). If you have someone that comes in and is doing this same thing and they are not an employee, then you would have Fraud (26A).*


“ Scenario #31: If DCI initiates a call in our county do we report our case report to NIBRS? We were an assisting agency.


“ Another time, we had a case it was turned over to DCI. Do we report our case to NIBRS? We started the investigation?

🐾 *Answer Scenario #31: Generally, where the crime occurs (the local agency) is who should report the incident unless there is written understanding that the other (DCI) will take it.*

🐾 *We want to make sure it does not get through the cracks. Again, it really should be where the crime occurred as to who reports it.*

“ Scenario #32: We have had a lot of mailbox vandalisms - I've been putting the property description as Structures – Other (35) -- not really sure because it's federal. Is this correct?

 *Answer Scenario #32: A mailbox description would be best coded as Household Goods (16).*

 *Keep in mind that this does not include only items inside the house but general household goods which a mailbox would be.*

“ Scenario #33: A person breaks into a garage and steals a car. Do we code this to both burglary and motor vehicle theft?

🐾 *Answer Scenario #33: Only report burglary because the proceeds of the crime are the automobile.*

🐾 *Also, if you have a car-jacking incident, you are only going report the Robbery offense. No need to report the automobile since that is simply the proceeds of the crime.*

🐾 *Keep in mind, that NIBRS in a nutshell you want to report all offenses that take place in an incident keeping in mind that you will have lesser included crimes.*

☞ Scenario #34: Someone from another state sent a note stating different people he had killed or attempted to kill. He ended it with a statement that he would like to kill the President.

☞ How would you code this? I am leaning toward Intimidation (13C) but I don't know if anyone is in reasonable fear of bodily harm. But then again...you never know about some people and being a written threat was made that could be reason enough.

🐾 *Answer Scenario #34: You would report this as an Intimidation (13C). The Secret Service takes it very serious when someone makes a threat against the President.*

🐾 *The facts of the investigation are obviously going to play big in how this is going to be reported.*

🐾 *For example, was this just someone that has a past of mental illness making comments? How did the police get involved? Did the receiver of the letter notify police as I suspect they did once receiving it. If so, then they obviously took in serious enough to contact police and that meets the threshold of Intimidation (13C).*

☞ Scenario #35: I have a violation of delivery of articles unlawful for an inmate to possess. Would I code the case to All Other Offenses (90Z)?

🐾 *Answer Scenario #35: Depending on what the contraband was:*

🐾 *If it was cigarettes, then All Other Offenses (90Z) would be correct.*

🐾 *Drugs would be Drug/Narcotic Violations (35A) and also don't forget about Drug/Narcotic Equipment Violations (35B).*

🐾 *If it is unlawful to have pornography within the jail and they find it then you have a Pornography/ Obscene Material (370).*

🐾 *If it was alcohol, then you would have Liquor Law Violations (90G) so keep these in mind also.*

“ Scenario #36: An individual has an non-sufficient funds check (NSF) and the local agency issues a warrant.

🐾 *Answer Scenario #36: Yes, it would be reported as Bad Checks (90A) as long as the warrant has been served.*

🐾 *Type of Arrest would be T = Taken Into Custody.*

“ Scenario #37: We arrested an individual for Driving with Revoked License, Possession of Revoked License, and Driving with No Insurance.

“ Do we report these to NIBRS?

🐾 *Answer Scenario #37: No. These are traffic violations so thus not reported in NIBRS.*

🐾 *I would venture to say that each one listed in the subject line would be found in the traffic section in your state statutes.*

“ Scenario #38: If there is a self-serve gas station and a person drives off without paying is that coded as Larceny-All Other (23H)?

“ If there is a full service gas station and the person drives off without paying, is that coded as Fraud-False Pretenses/Swindle/Confidence Games (26A)?

🐾 *Answer Scenario #38: That is correct. Self-serve drive offs are All Other Larceny (23H).*

🐾 *Full service drive offs would be a Fraud-False Pretenses/Swindle/Confidence Games (26A).*

“ Scenario #39: We have a sex offender resident in custody for failure to provide written notice of new address. How should this be coded?

🐾 *Answer Scenario #39: All Other Offenses (90Z).*

“ Scenario #40: An agency has an individual who was born Male and now considers them self a Female. This individual dresses as a Female but they do not think that this person has had the sex change operation yet.

🐾 *Answer Scenario #40: What God made them is what should be reported i.e. Male in this case.*

🐾 *We cannot get into this interpretation as to what people are but simply look at what sex they were born.*

🐾 *Even if he had the sex change operation, he would be reported as Male.*

“ Scenario #41: How do you report an incident where someone altered the number of pills on a prescription and takes it to the pharmacy to get it filled?

🐾 *Answer Scenario #41: You could have three offenses -- 250, 26A, and 35A.*

🐾 *Forging the prescription (changing the numbers) is Counterfeiting/Forgery (250).*

🐾 *The passing of the forged prescription and getting the pills is the Fraud (26A).*

🐾 *If they do not have a right to the drugs they are receiving, you would also include a Drug/Narcotic Violation (35A).*

“ Scenario #42: How would you code tobacco violations (juvenile)?

🐾 *Answer Scenario #42: All Other Offenses (90Z).*

“ Scenario #43: What code would you put noise violations in a residential area under?

🐾 *Answer Scenario #43: Depending upon investigation, it could be coded to All Other Offenses (90Z).*

🐾 *Keep in mind that noise complaints could also fit under Disorderly Conduct (90C) for something like Disturbance of the Peace.*

“ Scenario #44: Do city ordinances that are not state laws get reported?

“ The examples given are: urinating in public, dog running at large, noise violations, etc.

🐾 Answer Scenario #44: Yes, as long as it is criminal activity and not a traffic offense.

🐾 The FBI does want to see those city ordinances for sure. Many may simply be All Other Offenses (90Z) but if an agency writes a citation, we treat that as an arrest.

“ Scenario #45: I have a report of an arrest that was made for criminal entry of a motor vehicle. Should I put this under All Other Offenses (90Z)?

“ The subject did take items, but all were immediately returned, so they did not charge him with theft from a motor vehicle, but criminal entry of a motor vehicle.

🐾 *Answer Scenario #45: This would be reported as Larceny – Theft From Motor Vehicle (23F).*

🐾 *Did a crime take place... Yes! For whatever reason the person gave the things stolen back immediately (probably was caught red handed) so they decided to be nice and charge him with something else. That really does not matter for us.*

🐾 *It meets the crime of Larceny – Theft From Motor Vehicle (23F) and you would have it all recovered in the same incident.*

Scenario #46: How do we code a case where someone was operating a personal boat under the influence.

🐾 *Answer Scenario #46: Driving Under The Influence (90D).*

🐾 *Yes, we do include DUI Boat.*

“ Scenario #47: The Sheriff’s Office (SO) takes an initial report of a Simple Assault Domestic Violence (SADV)...thus their case report is submitted with the IBR offense of SADV.

“ The suspect is later arrested by the Police Department (PD). Does the PD submit the SADV charge which the ladies input with the arrest on the PD side of the fence?

🐾 *Answer Scenario #47: The Sheriff's Office who reported the original Simple Assault is the only agency that should show the arrest no matter who arrests that person.*

🐾 *The Police Department, if they arrest the person, should show something in their system like agency assist.*

“ Scenario #48: A person goes into a pharmacy and asks what is the largest amount of Sudafed that he could buy. The guy ended up taking off. Would you report this in NIBRS?

🐾 *Answer Scenario #48: There is nothing to report because legally you can purchase Sudafed to a certain limit.*

🐾 *The person was probably up to no good, but that cannot be proven at this point so no crime was committed.*

“ Scenario #49: A lady went into the pharmacy and left a script to be filled for a diet drug.

“ She later came back and was notified that the script was fraudulent and she took off. How would you code this one?

🐾 *Answer Scenario #49: You would have a completed Counterfeiting/Forgery (250) and a Attempted Fraud (26A).*

“ Scenario #50: If there is a rape reported and law enforcement does the investigation and is quite unsure whether or not it happened as the lady keeps changing her story....do they report NIBRS on it?

“ What if they do report it and find out it was totally fabricated, do they delete the incident or how do they "unfound" it?

🐾 *Answer Scenario #50: Rely on the facts of the law enforcement investigation. If law enforcement believes through investigation that a crime occurred or they suspect one may have, then it is encumbered upon them to report that offense. They can later on delete that incident if further information becomes available that the person lied.*

🐾 *The agency sends us a delete record and we will delete out that record as if it never happened.*

🐾 *Again, report the offense if there is a possibility the crime happened by facts of the investigation. If investigation does not determine crime occurred, then do not report. Part of any investigation is interviewing the alleged victim and alleged offender and then determining if a crime occurred or did not.*

“ Scenario #51: Do you report a voter registration fraud?

“ Someone filled out the forms and put down a bogus driver's license number. Do not know if it is someone else's DL number or if they just made one up.

🐾 *Answer Scenario #51: This would be coded as All Other Offenses (90Z).*

☞ Scenario #52: If a vehicle is outside a structure that is burglarized, but the offender gets the keys from inside the structure and takes the car, is that one or two offenses?

☞ If the offender leaves the structure (residence/home) and hot wires the car that is parked at the curb of the street, is that one or two offenses?

🐾 *Answer Scenario #52: An investigation that concludes that the vehicle was stolen using keys taken from the burglary (without separation of time and place) would be reported as one offense of Burglary, and one of the stolen property descriptions would be 03=Automobiles (the auto "theft" being part of the proceeds of the act of burglary). Motor Vehicle Theft would not be reported.*

🐾 *If the investigation concludes that the car was hot wired, then a second offense, Motor Vehicle Theft, has occurred in addition to the burglary.*

“ Scenario #53: A subject gets arrested and gives officer(s) a false name.

“ When I code this to Fraud - Impersonation (26C) who is the victim in this instance - the officer that was lied to or the person whose name was falsely used?

🐾 *Answer Scenario #53: Keep in mind giving a false statement can be either a All Other Offenses (90Z) or a Fraud (26C).*

🐾 *If it is a 90Z, then we don't need a victim type.*

🐾 *If it is a Fraud, then we do need a victim type and I would use G=Government for which the police officer works for i.e. county, city, state government (whom he/she is employed by). I agree that the officer is the victim but you cannot use L=Law Enforcement Officer for victim type for a Fraud so I would use G=Government to whom the officer works for.*

- ☛ Scenario #54: How about all of these attempted Nigerian scams that are always different but enough alike to recognize as such?
- ☛ Sometimes they involve counterfeit checks or involve a re-packaging scam or may just be a request to send money.
- ☛ Occasionally, the recipient of the fax or letter or email will be naive enough to unfortunately fall victim (which in that case, I do report as an actual incident). Does the FBI want every Nigerian scam (or similar) attempt reported as a fraud offense?

🐾 *Answer Scenario #54: Yes, report each distinct scam keeping in mind the separation of time and place rule also.*

“ Scenario #55: A 12 year old boy raped his four year old sister. She was unable to give consent, obviously, due to her age. Would I classify this as a Forcible Rape or a Statutory Rape?

🐾 *Answer Scenario #55: Definitely is a forcible rape.*

🐾 *You have to go back to the definition of forcible rape and it's that last part of it where it applies to forcible rape. "... where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth.)" NIBRS Handbook, page 21.*

🐾 *It cannot be said that a 4 year old has the mental development to be able to know right from wrong and consent to something like sex. Therefore, when you have that scenario of ages of victims that are generally under 10 years old you have to look at rape.*

🐾 *Now, the type weapon/force involved will be 99=None. This is obviously going to be very rare but this is a good example when none applies.*

“ Scenario #56: Can you advise me how I should code Bestiality?”

🐾 *Answer Scenario #56: All Other Offenses (90Z).*

“ Scenario #57: We have some 8th grade juveniles that were caught huffing that spray air...you know the canned air you can buy to blow out things in your computer keyboard, etc. How would something like that be coded?

🐾 *Answer Scenario #57: For NIBRS purpose we would count huffing incidents as Drug Narcotic Violations, P=Other Drugs (you will see Hydrocarbons mentioned) that is what these types are i.e. spray paint, keyboard cleaner (air), etc.*

“ Scenario #58: If a hunter is trespassing, would you code it to 90J?

“ I would say yes, as they are unlawfully entering land. However, they are intending to take wild game but the wild game does not belong to the landowner. Wildlife belongs to society.

🐾 *Answer Scenario #58: I would agree with a Trespassing (90J) for the hunter entering private/no trespass land.*

🐾 *Keep in mind this is only reported if an arrest is made which would include a citation written for this infraction.*

“ Scenario #59: When an agency gets a warrant for a bad check do they report all of them as a 90A?

🐾 *Answer Scenario #59: If you arrest someone for writing Bad Checks (90A) you generally are only reporting it one time because in fact you have arrested him/her once.*

🐾 *Keeping in mind that 90A is a Group B offense and only reported if an arrest was made. Let us say you arrested him/her for this offense and you determine there are multiple times this person wrote bad checks you are only reporting it once as an arrest.*

🐾 *Now, if you release him/her and then you determine more cases and you go back and arrest again then again report the offense once. Generally, you are going to arrest someone doing this and investigation will determine that multiple times this was done so only one arrest was made and reported as **ONE** 90A.*

🐾 *We only collect arrest data for 90 offenses and do not count how many times this person may have written bad checks in your example.*

“ Scenario #60: We had an incident occur on the football field owned by the school district but not attached to the school. Is location type 22 = School/College or 25 = Other/Unknown?

🐾 *Answer Scenario #60: Location type would be 22=School/College.*