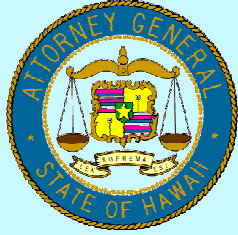


Hawai`i Uniform Crime Reporting Program Update



May 2002

Research & Statistics Branch
Crime Prevention & Justice Assistance Division
Department of the Attorney General
235 South Beretania Street, Suite 401
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Aloha



Aloha, Hawai`i Uniform Crime Reporting (UCR) folks. We are pleased to present the first issue of our new UCR newsletter. Through this publication we hope to keep you up-to-date on UCR information and developments, address issues and/or questions that have been raised, and keep the lines of communication open between those responsible for reporting UCR statistics so that Hawai`i's crime statistics can truly be *uniform*.

Thanks and Welcome!



We wish to thank **Dave Bossard** and **Al Cramer** of the FBI for their recent visit to conduct statewide UCR training with us. For some, this was their first time receiving official training in classifying and scoring UCR data. For others, it provided a helpful refresher. We hope to be able to provide this service on a regular basis to ensure that we are meeting UCR guidelines to the best of our abilities.

If you need any of the reports or documents mentioned by Dave and Al, or have questions for the FBI, please contact us and we'll be glad to help.



Al Cramer (left) and Dave Bossard (right) at KPD

Thanks also to those of you who attended the training sessions. Your participation was greatly appreciated and we hope that everyone learned something and has a renewed enthusiasm for UCR. If you work with someone who was unable to attend the trainings, please pass along what you learned to them or refer them to us for questions or problems.

Also present at the trainings was our new Research Statistician, **Spike Bradford**. Spike began the position on March 1, 2002 and is working hard to gain familiarity with the program. As many of you know, **James Richmond** retired as Hawai`i's "UCR Czar" last year after twenty-six years with our Department. We wish him luck in all his future endeavors. Spike will now serve as the primary state contact person for report submissions and questions. He can be reached at 586-1445 or by email sent to <Spike_C_Bradford@exec.state.hi.us>.

UCR Classification Issues

Several classification issues were brought to light during the training sessions. The FBI has created specific UCR classification guidelines which all participating jurisdictions need to follow as closely as possible. A few items were discussed that may need clarification in order to best comply with those guidelines. The trainers also emphasized the need for uniformity in reporting within each state for situations in which a state's definition of certain offenses may not directly reflect that of the national UCR program.

Domestic Violence



There has been an attempt by many jurisdictions throughout the country to score assaults between domestic partners in the Part II category, "Offenses Against Family & Children," as a surrogate for measuring occurrences of domestic violence. However, any assault, regardless of the relationship between victim and offender, should be classified as just that - an assault. As the FBI does not take the relationship between the offender and victim into consideration for classifying assaults, all assaults should be entered into one of the five Part I "Aggravated Assault" categories or as a "Simple Assault" in Part II.

The "Offenses Against Family & Children" category is reserved for crimes such as child neglect or failure to pay child support, and not for actual assaults. This may be a bit confusing, especially if the offender is charged with the similarly-named "Abuse of a Household Member," a Hawai`i Statute.

Crystal Methamphetamine



One important issue that has been raised previously and is still in need of clarification is the classification of the drug, Crystal Methamphetamine, or "ice." While "ice" undergoes a certain amount of processing before it reaches the form commonly sold on the streets, it is **not** a "Synthetic Narcotic." Due to its structure and chemical makeup, sale or possession of crystal methamphetamine should be classified as "Other Dangerous Drugs" or "Other Dangerous Non-Narcotic Drugs," depending on which UCR form you use. The correct classification of this drug is especially crucial since its prevalence in the state is recognized as a very serious issue.

Moped Theft



It was discovered that, due to how cases are processed within the police department, one county has been counting moped theft as bicycle theft. According to the official UCR definition, a motor vehicle is any "self-propelled vehicle that runs on land surfaces and not on rails." Following that, theft of a moped should be classified as a Motor Vehicle Theft, not a Larceny-Theft. The FBI trainers took extra time to review the motor vehicle definition and its broad range. According to them, even self-propelled, battery-operated "Barbie" cars qualify as motor vehicles for UCR reporting. When scoring Motor Vehicle Thefts, mopeds should be counted in the "Other Vehicles" category. If any other counties have been scoring these incorrectly, they should contact our office so that we may discuss how to best change their reporting protocol to match the UCR standards.

Burglary: Carports vs. Garages



The definition of burglaries for UCR purposes sparked lengthy discussions in every county during the training workshops. The FBI defines Burglary as “the unlawful entry of a structure to commit a felony or a theft.” Hawai`i is somewhat unique in that we have a large number of “carports,” where other states more often have fully enclosed “garages.” When an offender enters a garage, which is generally an enclosed area, it is clearly a Burglary. However, carports are not always enclosed spaces, many lacking walls or any other barriers. Theft from these areas are less clear. Rather than requiring the data entry clerk to attempt to discern the nature of a structure from the police narrative, it was agreed upon that the offense should be classified as whichever type of crime the officer specified in his/her report.



A standalone structure is more likely to be called a carport.



Theft from a carport that is attached to a house may be reported as a burglary.

For example, if a report comes in for a burglary (state statute) from a “carport,” it should be assumed that the structure was, in the eyes of the officer, sufficient to charge for burglary. Likewise, reports of theft from “garages” should be classified as Larceny-Thefts. In other words, never downgrade an offense from a Burglary to a Larceny-Theft simply because the narrative implies a questionable structure. By the same token, do not upgrade an offense from a Larceny-Theft to a Burglary based solely on the officer’s narrative. If you have any questions regarding a carport- or garage-related theft, please call our office and we’ll be glad to help.

Arson



The UCR Handbook clearly states that “only fires determined through investigation to have been willfully or maliciously set are to be classified as Arsons.” Therefore, cases where a fire is suspected to have been a result of arson or the origin is unknown should **not** be classified as Arsons. One county informed us that they have been scoring suspicious fires as arsons in certain situations. Again, we cannot stress strongly enough that uniformity of reporting is of the utmost importance in the UCR program. If you have been reporting offenses that do not fit neatly into the FBI’s guidelines and want to double-check your work, please contact us and we’ll work it out together.

Rental Cars and Fraud



We were happy to learn that all counties have been reporting failure to return rental vehicles properly, as Fraud. Intuitively, it may seem as though this offense would constitute Motor Vehicle Theft and, in some cases, the offender may actually be charged with theft. However, for UCR purposes, the crime is breach of contract, whereby the renter failed to return the vehicle at a predetermined time (thus committing Fraud).

An excellent example of this situation was given by the FBI trainers. Driving away from a self-service gas station without paying would be classified as a Larceny-Theft, since the offender pumped the fuel themselves, while failing to pay at a full-service station would classify as a Fraud, since a station employee pumped the fuel and there was an understanding that the customer would pay for the gas.

Separation of Time and Place



One unique characteristic of the UCR program is the "Hierarchy Rule," whereby only the most serious offense in a multiple-offense incident is counted. A corollary to this rule, the "Separation of Time and Place" rule states that offenses should be counted separately if they are separated by time and/or place. An example of this situation is a man who physically assaulted his wife in the morning, went to work for the day, then came home and assaulted her again, prompting a call to authorities. Most likely the officer, after taking the woman's statement, would report two assaults. In this case, it was generally agreed that both assaults would be reported to UCR. On the other hand, if the man committed the first assault, watched TV for an hour, then committed a second assault, it is more likely that only one assault would be counted.

Essentially, the use of "Separation of Time and Place" comes down to two criteria. First, it is important to follow the lead of the reporting officer. For instance, if the officer reports two assaults - one in the morning and one in the afternoon - then UCR should also show two assaults. If, however, the officer files only one assault report, then UCR would only show one offense. Second, it is, to some degree, up to your agency to develop a standard by which you will define a separation of time and place. If your agency decides that three or four hours constitutes enough time to consider the offender's actions as "separated," then use that standard.



Actual artwork from "Uniform Crime Reporting Handbook" (1974)

- Answers to UCR Quiz
1. Burglary and Arson
 2. If the feds arrested the woman, you could score it as "cleared." However, the woman was let go without arrest (possibly to build a better case or follow her to the "kingpin") then it would be scored as "cleared."
 3. The homicide would be scored for the month in which the body was discovered.
 4. Criminal Justice Information Services - Clarksburg, WV
 5. None. Participation is strictly voluntary.
 6. NIBRS - the National Incident-Based Reporting System
 7. Fraud

UCR Quiz

(answers on bottom of Page 4)



1. A man breaks into a vacationing neighbor's home, steals \$1,000 worth of property, then sets fire to the home, completely destroying the structure and its contents. How should this be scored for UCR?
2. A woman is apprehended with a pound of marijuana in the trunk of her car. Upon investigation, local police learn that the DEA has been putting together a case against the woman for drug trafficking. The local police department does not arrest the woman, but instead transfers her case to the DEA. Would you score this offense as "cleared"?
3. The skeletal remains of a man are found in a secluded area. Examination shows conclusively that the man was shot to death. The victim is determined to be a man who has been missing since March of 1995. For when do you score the homicide?
4. What does CJIS stand for? Where is CJIS located?
5. Which federal law requires that states participate in the UCR program?
6. UCR is a summary-based statistics program. What is the name of the automated statistics program that is intended to replace UCR?
7. A store security officer observes a customer remove the price tag on an item and replace it with a price tag showing a lower price; the police are called and the customer is arrested. How should this be scored for UCR?

A Final Word

We sincerely hope that the recent training sessions and this newsletter will prove helpful to you as you go about your daily work of classifying and scoring UCR data. We wish to again emphasize our desire to foster open communication among Hawai`i's UCR professionals. To that end, we have included the contact information for each of the County UCR folks as well as our office numbers. Please feel free to call us anytime regarding questions or problems and we'll do our best to help.

★ ★			
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