

# APPENDICES

## UNIFORM CRIME REPORTING OFFENSES

Offenses in Uniform Crime Reporting are divided into two groups designated as Part I and Part II offenses. Offense and arrest information is reported for the Part I offenses, while only arrest information is reported for Part II offenses.

### PART I OFFENSES

**Criminal Homicide** – (a) Murder and nonnegligent manslaughter: All willful felonious homicides as distinguished from deaths caused by negligence. Excluded are attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides. Justifiable homicides are limited to: The killing of a person by a law enforcement officer in the line of duty; and the killing of a person in the act of committing a felony by a private citizen. (b) Manslaughter by negligence: Any death which the police investigation established was primarily attributable to gross negligence of some individual other than the victim.

**Murder and Nonnegligent Manslaughter** – The willful (nonnegligent) killing of one human being by another. This includes any death due to injuries received in a fight, argument, quarrel, assault, or commission of a crime. Suicides, accidental deaths, assaults to murder, traffic fatalities, and attempted murders are not included.

**Justifiable Homicide** – The killing of a person by a law enforcement officer in the line of duty; or the killing (during the commission of a felony) of a felon by a private citizen.

**Manslaughter by Negligence** – The killing of another person through gross negligence.

**Forcible Rape** – The carnal knowledge of a female forcibly and against her will.

**Robbery** – The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** – The unlawful entry of a structure to commit a felony or theft. This includes breaking and entering with intent to commit a larceny; housebreaking; safe cracking; and all attempts at these offenses.

**Larceny-Theft** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. This includes pocket-picking, purse-snatching, shoplifting, theft from motor vehicles, theft of motor vehicle parts and accessories, theft of bicycles, theft from buildings, theft from coin-operated machines, and all thefts that don't fit into the above mentioned categories.

**Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle, which is defined as a self-propelled vehicle that runs on land surface and not on rails.

**Arson** – Willful or malicious burning or attempt to burn, with or without intent to defraud.

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## PART II OFFENSES

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**Other Assaults (Simple)** – Assaults or attempted assaults where no weapon was used or which did not result in serious or aggravated injury to the victim.

**Forgery and Counterfeiting** – Making, altering, uttering, or possessing, with intent to defraud, anything false which is made to appear true. Includes attempts.

**Fraud** – Fraudulent conversion and obtaining money or property by false pretenses.

**Embezzlement** – Misappropriation or misapplication of money or property entrusted to one's care, custody or control. Includes attempts.

**Stolen Property; Buying, Receiving, Possessing** – Buying, receiving, and possessing stolen property, including attempts.

**Vandalism** – Willful or malicious destruction, injury, disfigurement, or defacement of any public or private property without consent of the owner or person having custody or control.

**Weapons; Carrying, Possessing, Etc.** – All violations of regulations or statutes controlling the carrying, using, possessing, furnishing, and manufacturing of deadly weapons or silencers. Includes attempts.

**Prostitution and Commercialized Vice – Sex** offenses of a commercialized nature, such as prostitution, keeping a bawdy house, procuring, transporting women for immoral purposes, etc. Includes attempts.

**Sex Offenses (Except Forcible Rape, Prostitution and Commercialized Vice)** – Statutory rape and offenses against chastity, common decency, morals and the like. Includes attempts.

**Drug Abuse Violations** – All arrests for violations of state and/or local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Gambling** – Promoting, permitting, or engaging in illegal gambling.

**Offenses Against the Family and Children** – Nonsupport, neglect, desertion, or abuse of family and children. Includes attempts.

**Driving Under the Influence (DUI)** – Driving or operating any motor vehicle or common carrier while drunk or under the influence of liquor or narcotics.

**Liquor Laws** – State and/or local liquor law violations, except drunkenness and driving under the influence. Federal violations are excluded.

**Drunkenness** – Drunkenness or intoxication. Excludes DUI.

**Disorderly Conduct** – Breach of the peace.

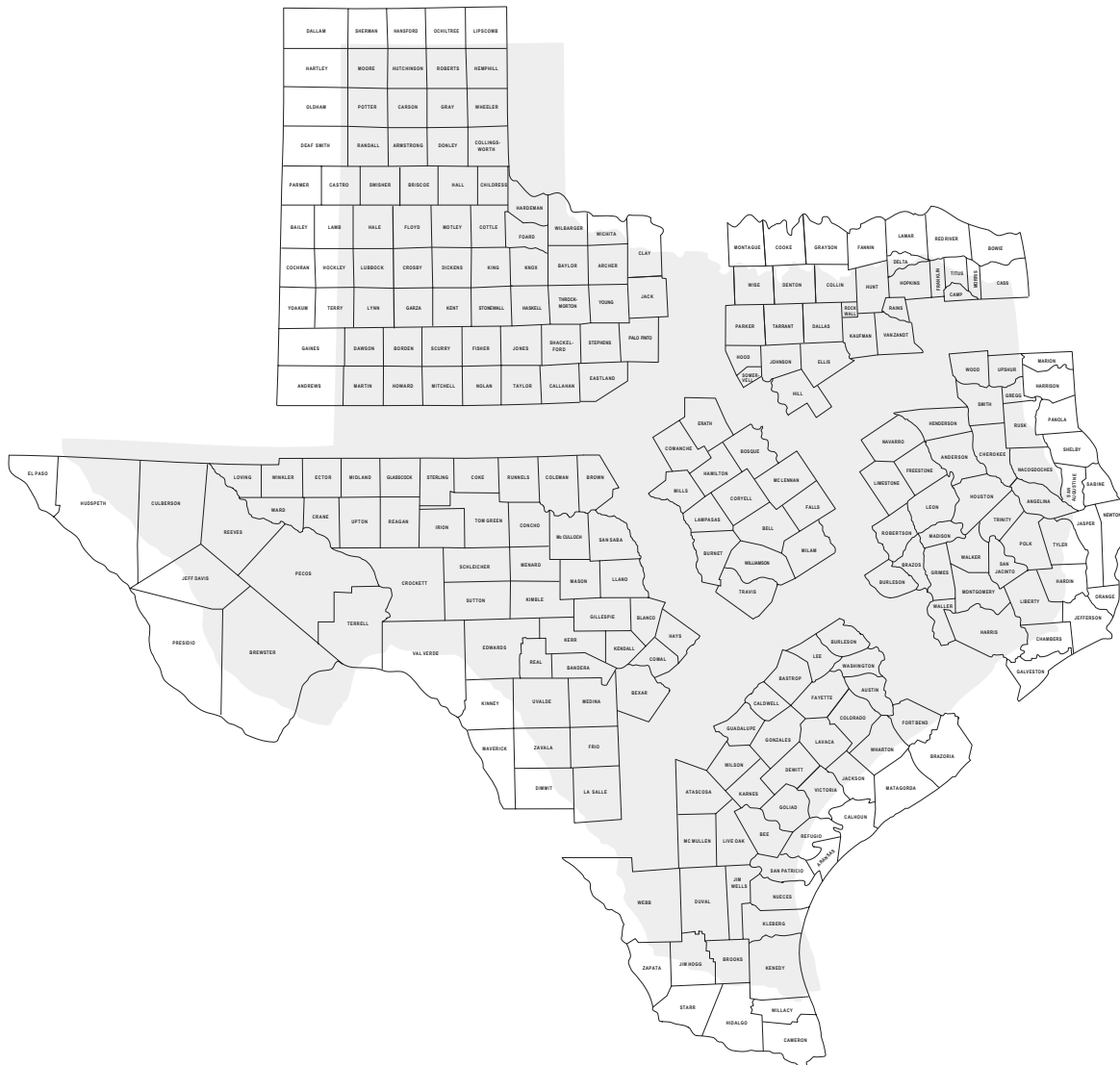
**Vagrancy** – Vagabondage, begging, loitering, etc.

**All Other Offenses** – All violation of state and/or local laws, except crimes listed above and traffic offenses.

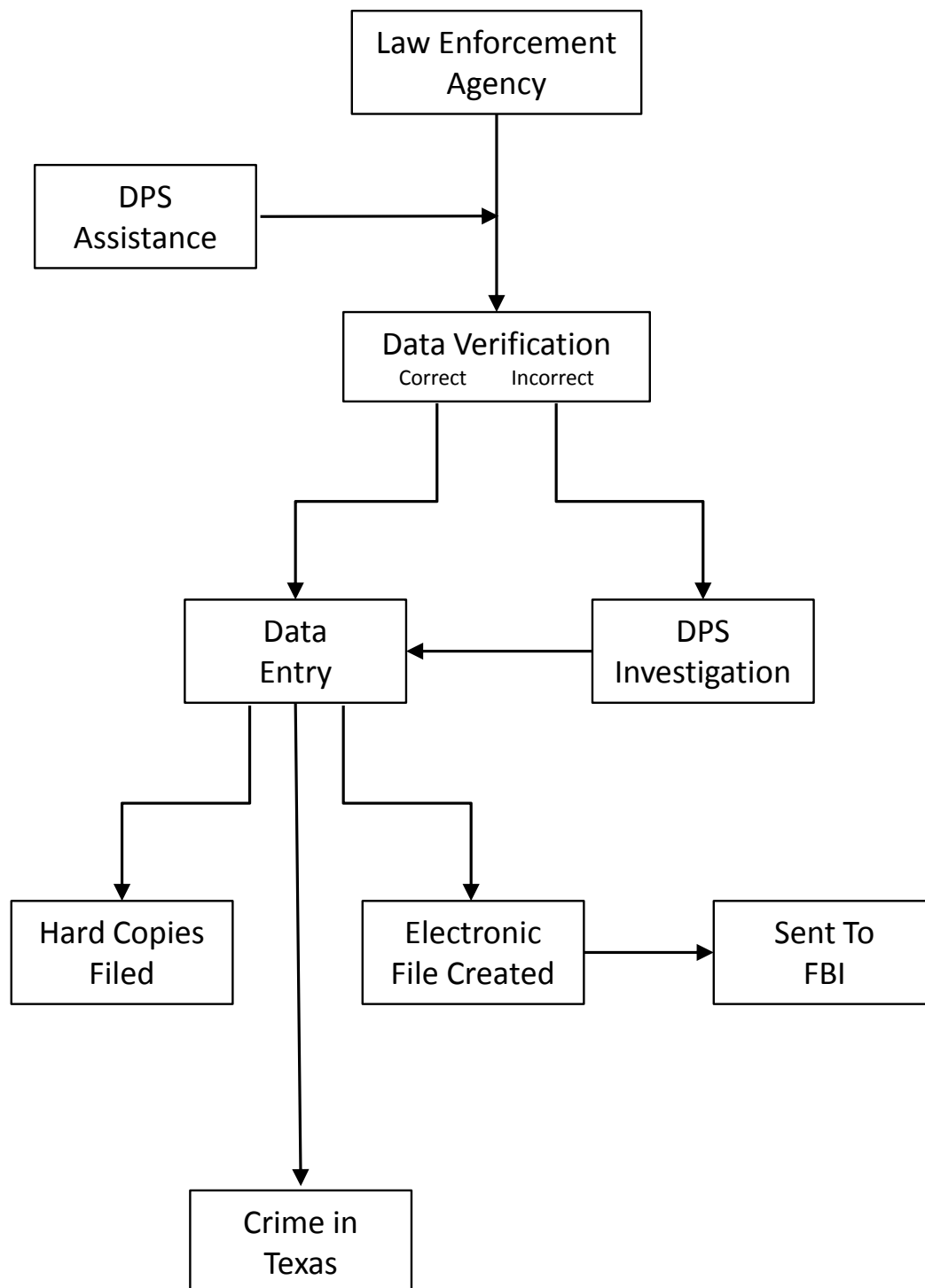
**Curfew and Loitering Laws (Juveniles)** – Offenses relating to violation of local curfew or loitering ordinances where such laws exist.

**Runaway (Juveniles)** – Limited to juveniles taken into protective custody as runaways under provisions of local statutes.

# TEXAS UNIFORM CRIME REPORTING FIELD REPRESENTATIVE AREAS



# TEXAS UNIFORM CRIME REPORTING DATA FLOW CHART



# GLOSSARY OF TERMS

**Adult** – In Texas, an adult is a person 17 years of age or over. National law provides that adults are age 18 or over. Unless otherwise indicated, this publication follows the state definition.

**Affinity** – The connection existing, as a consequence of marriage, between married persons and the kindred of the other.

**Aggravated Sexual Assault** – (a) A person commits an offense: (1) if the person:

(A) intentionally or knowingly: (i) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; (ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or (iii) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(B) intentionally or knowingly: (i) causes the penetration of the anus or sexual organ of a child by any means; (ii) causes the penetration of the mouth of a child by the sexual organ of the actor; (iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and

(2) if:

(A) the person: (i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode; (ii) by acts or words places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person; (iii) by acts or words occurring in the presence of the victim threatens to cause the death, serious bodily injury, or kidnapping of any person; (iv) uses or exhibits a deadly weapon in the course of the same criminal episode; (v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or (vi) administers or provides flunitrazepam, otherwise

known as rohypnol, gamma hydroxybutyrate, or ketamine to the victim of the offense with the intent of facilitating the commission of the offense;

(B) the victim is younger than 14 years of age; or

(C) the victim is an elderly individual or a disabled individual.

**Cleared by Arrest or Exceptional Means** – For Uniform Crime Reporting purposes, an offense is cleared by arrest or solved when at least one person is arrested, charged with the commission of an offense and turned over to court for prosecution. In certain situations police are not able to follow these three steps and, if the following four conditions can be met, the offense can be cleared exceptionally: (1) the investigation has definitely established the identity of the offender; (2) there is enough information to support an arrest, charge, and turning over to the court for prosecution; (3) the exact location of the offender is known so that he could be taken into custody; (4) there is some reason outside the police control that prevents the arresting, charging, and prosecuting of the offender.

**Consanguinity** – Kinship or blood relationship; the relationship of persons who are descended from a common ancestor.

**Continuous Sexual Abuse of Young Child or Children** – (a) In this section, "child" has the meaning assigned by Section 22.011(c). (b) A person commits an offense if: (1) during a period that is 30 or more days in duration, the person commits two or more acts of sexual abuse, regardless of whether the acts of sexual abuse are committed against one or more victims; and (2) at the time of the commission of each of the acts of sexual abuse, the actor is 17 years of age or older and the victim is a child younger than 14 years of age.

**Crime Factors** – Conditions that affect the amount and type of crime that occurs in a geographical area.

**Crime Index** – The sum of seven index offenses used to measure the extent, fluctuation and distribution of crime in a given geographical area. Crime classifications used in the Crime Index are: murder, rape, robbery, aggravated assault, burglary,

larceny-theft and motor vehicle theft. While arson is also an index offense, it is not part of the Crime Index.

**Crime Rate** – The number of offenses per 100,000 inhabitants. To calculate a crime rate, divide the population by 100,000 and then divide the number of offenses by that answer. The crime rate is useful in determining the relative frequency of crime without regard to fluctuations in population.

**Ethnicity** – In UCR, race and ethnic origin are counted as two separate designations. The ethnic origin categories were adopted from the U.S. Department of Commerce and are Hispanic and not Hispanic. Included as Hispanic are all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

**Family** – Individuals related by blood, affinity, marriage, former marriage, biological parents of the same child, foster children, foster parents, members of the same household or former members of the same household.

**Family Violence** – An act by a member of a family or household against another member that is intended to result in physical harm, bodily injury, assault or a threat that reasonably places the member in fear of imminent physical harm. The reasonable discipline of a child is excluded from consideration as family violence.

**Hate Crime** – A crime that is motivated by prejudice or hatred based on race, religion, sexual orientation, ethnicity, or disability.

**Hierarchy Rule** – When several offenses are committed simultaneously by one person or group of persons the hierarchy rule in UCR mandates that only the most serious offense is recorded for statistical purposes. Arson is an exception to this rule.

**Indecency with a Child** – (a) A person commits an offense if, with a child younger than 17 years and not the person's spouse, whether the child is of the same or opposite sex, the person: (1) engages in sexual contact with the child or causes the child to engage in sexual contact; or (2) with intent to arouse or gratify the sexual desire of any person: (A) exposes the person's anus or any part of the person's genitals, knowing the child is present; or (B) causes the child to expose the child's anus or any part of the child's genitals

**Index Crime** – A crime for which reports of offenses committed are collected. Index crimes are murder, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson.

**Intimidation** – Putting a victim in reasonable fear of bodily harm through the use of threatening words or other conduct.

**Juvenile** – In Texas, a juvenile is a person 16 years of age or under.

**Non-Violent Crime** – Property crimes; the index offenses of burglary, larceny-theft and motor vehicle theft.

**Part I Offenses** – The first of two categories of index offenses established for crime reporting purposes. Part I Offenses are by their nature more serious and/or occur most frequently. For Part I Offenses, the reports of offenses committed are collected without regard to whether an arrest was made.

**Part II Offenses** – The second of two categories established for crime reporting purposes. Part II Offenses are generally less serious in nature and/or occur less frequently than Part I Offenses. Monthly tabulations of Part II Offenses are limited to arrest information only.

**Personal Weapon** – The use of hands, feet, fists and teeth as a weapon to commit a crime; also termed strong-arm weapon.

**Prejudice** – An unreasonable and unjustifiable negative attitude toward a group and its individual members.

**Race** – In UCR, race and ethnic origin are counted as two separate designations. The racial categories were adopted from the U.S. Department of Commerce and are as follows: White--A person having origins in any of the original peoples of Europe, North Africa or the Middle East; Black--A person having origins in any of the Black racial groups of Africa; American Indian or Alaskan Native--A person having origins in any of the original peoples of North America who maintains cultural identification through tribal affiliation or community recognition; Asian or Pacific Islander--A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.

**Sexual Assault** – (a) A person commits an offense if the person: (1) intentionally or knowingly: (A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or (2) intentionally or knowingly: (A) causes the penetration of the anus or sexual organ of a child by any means; (B) causes the penetration of the mouth of a child by the sexual organ of the actor; (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

**Sexual Performance by a Child** – (a) In this section: (1) "Sexual performance" means any performance or part thereof that includes sexual conduct by a child younger than 18 years of age. (2) "Sexual conduct" means sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sado-masochistic abuse, or lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola. (3) "Performance" means any play, motion picture, photograph, dance, or other visual representation that can be exhibited before an audience of one or more persons. (4) "Produce" with respect to a sexual performance includes any conduct that directly contributes to the creation or manufacture of the sexual performance. (5) "Promote" means to procure, manufacture, issue, sell, give, provide, lend, mail, deliver, transfer, transmit, publish, distribute, circulate, disseminate, present, exhibit, or advertise or to offer or agree to do any of the above. (6) "Simulated" means the explicit depiction of sexual conduct that creates the appearance of actual sexual conduct and during which a person engaging in the conduct exhibits any uncovered portion of the breasts, genitals, or buttocks. (7) "Deviate sexual intercourse" and "sexual contact" have the meanings assigned by Section 43.01.

**Strong-Arm Weapons** – The use of hands, feet, fists and teeth as a weapon to commit a crime. Also termed personal weapons.

**Threat** – A declared intent to inflict bodily harm on a person.

**Unfounded Offense** – A criminal act reported to law enforcement authorities that, upon investigation, is found to be false or baseless.

**Violent Crime** – Consists of the Index Offenses of murder, forcible rape, robbery and aggravated assault. Also referred to as crimes against persons.