



## Welcome!

Thank you for being here today.  
Class will begin promptly at the scheduled time.

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**CRIMES AGAINST PERSONS**

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## Objectives

- Identify when an incident involves Crimes Against Persons and interpret how those offenses, when reported, are counted in UCR data.
- Classify Group A Crimes Against Persons when occurring in an incident including:
  - 13 A-C Assault Offenses
  - 09 A-C Homicide Offenses
  - 64 A-B Human Trafficking Offenses
  - 100 Kidnapping/Abduction
  - 36 A-B Sex Offenses

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## Objectives

- Classify Group A Crimes Against Persons Offense 11 A-D Sex Offenses when occurring in an incident and identify all instances in which victims are incapable of giving consent.

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## Offense Categories



**CRIMES AGAINST PERSONS**



**CRIMES AGAINST PROPERTY**



**CRIMES AGAINST SOCIETY**

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## CRIMES AGAINST PERSONS

**Assault Offenses**  
**Homicide Offenses**  
**Human Trafficking Offenses**  
**Kidnapping / Abduction**  
**Sex Offenses - Forcible**  
**Sex Offenses – Non-forcible**

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## CRIMES AGAINST PERSONS

- ❖ **Offense** – a description of a crime being committed.
- ❖ **Incident** – one or more offenses committed by the same offender, or group of offenders acting in concert, at the same time and place.
- ❖ **Count** – One offense is counted for each victim.

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## CRIMES AGAINST PERSONS

**A man goes to a party and rapes three women. How many counts?**

**Three**

**Three men go to a party and rape the same woman. How many counts?**

**One**

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## Assault Offenses 13A - 13C

**An unlawful attack by one person upon another**

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## Assault Offenses 13A - 13C

Careful consideration of the following factors should assist in classifying assaults:

1. The type of weapon employed or the use of an object as a weapon
2. The seriousness of the injury
3. The intent and capability of the assailant to cause serious injury

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## Assault Offenses 13A - 13C

The weapons used or the extent of the injury sustained typically will be the deciding factors in distinguishing aggravated from simple assault.

In only a very limited number of instances should it be necessary to examine the intent and capability of the assailant.

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## Assault Offenses 13A - 13C

❖ Prosecution policy in a jurisdiction should not influence classification or reporting of law enforcement offense data.

❖ Reporting agencies should examine and classify the assaults in their respective jurisdictions according to the standard UCR definitions, regardless of whether the offenses are termed misdemeanors or felonies by local definitions.

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## Assault Offenses 13A - 13C

By definition, there can be no attempted assaults, only *completed* assaults.

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## Aggravated Assault 13A

An unlawful attack by one person upon another wherein the *offender* uses a dangerous weapon OR displays it in a threatening manner OR the victim suffers obvious severe or aggravated *bodily injury*, OR where there was a risk for serious injury/intent to seriously injure.

Serious injuries include apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness

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## Aggravated Assault 13A

It is not necessary for injury to result from an Aggravated Assault when an offender uses a gun, knife, or other weapon which could cause serious personal injury.

**NOTE:**

LEAs must report the circumstances of a aggravated assault in Data Element 31 (Aggravated Assault/Homicide circumstances).

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### Simple Assault 13B

An unlawful physical attack by one person upon another where **neither the offender displays a dangerous weapon, nor the victim suffers obvious severe or aggravated bodily injury** involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness

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### Intimidation 13C

To unlawfully place another person in reasonable **fear** of harm through the use of threatening words and/or other conduct without displaying a dangerous weapon or subjecting the victim to an actual physical attack

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### Intimidation 13C

This offense includes stalking. In addition, the offender can make the threats associated with intimidation in person, over the telephone, or in writing

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## Questions



- 13A Aggravated Assault
- 13B Simple Assault
- 13C Intimidation

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## Learning Check 1

**Jack came home drunk. During an argument with his wife, he hit her with his hand and broke her jaw. Jack was arrested on domestic violence charges, but his wife refused to prosecute.**

**What are the reportable NIBRS offense(s)?**

**13A Aggravated Assault**

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## Learning Check 2

**Upon responding to a disturbance call at the local tavern, police found 5 people fighting. No determination could be made as to who started the fight. All 5 suffered abrasions and bruises. None of the injuries required medical attention. All 5 were arrested and charged with disorderly conduct.**

**What are the reportable NIBRS offense(s)?**

**13B Simple Assault**

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### Learning Check 3

George was arguing with his neighbor over the property line. George threatened to go get his gun and shoot the neighbor. George left the scene and never returned.

What are the reportable NIBRS offense(s)?

**13C Intimidation**

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### Homicide Offenses 09A – 09C

The killing of one human being by another

**DO NOT** report drug overdoses as homicides.

**NOTE:**

LEAs must report the circumstances of a homicide in Data Element 31 (Aggravated Assault/Homicide circumstances).

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### Murder and Nonnegligent Manslaughter 09A

The willful (nonnegligent) killing of one human being by another

**Generally, any death due to injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified in this category**

Suicides, accidental deaths, traffic fatalities, and attempted murders are excluded.

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## Law Enforcement Officers Killed and Assaulted(LEOKA)

Type of Victim = **Law Enforcement Officer**

### Data Elements:

(Conditional/Mandatory when Victim Type "L" reported)

25A = Type of Officer Activity/Circumstance

25B = Officer Assignment Type

25C = Officer - ORI Other Jurisdiction

Victim Type "L" can ONLY be reported for Offenses:

09A = Murder and Nonnegligent Manslaughter

13A = Aggravated Assault

13B = Simple Assault

13C = Intimidation

In all other offenses, officers are reported as an I = Individual.

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## Negligent Manslaughter 09B

The killing of another person through negligence

Include killings resulting from:

**Hunting Accidents**

**Gun Cleaning**

**Children playing with guns**

**Traffic Accidents associated with DUI**

**Distracted Driving**

**Reckless Driving**

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## Justifiable Homicide 09C

The killing of a perpetrator of a serious criminal offense by a law enforcement officer in the line of duty, or the killing during the commission of a serious criminal offense, of the perpetrator by a private individual

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## Justifiable Homicide 09C

**DO NOT COUNT** a killing as justifiable or excusable solely on the basis of self-defense or the opinion of a coroner, prosecutor, grand jury, or court

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## Justifiable Homicide 09C

The crime that was being committed when the Justifiable Homicide took place must be reported in a **separate** incident

### NOTE:

LEAs must report the circumstances of a justifiable homicide in Data Element 32 (Additional Justifiable Homicide circumstances).

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## Questions



- 09A Murder and Nonnegligent Manslaughter
- 09B Negligent Manslaughter
- 09C Justifiable Homicide

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### Learning Check 4

While two juveniles were playing with a gun, one "playfully" pointed the gun at the other. The gun fired, and the other juvenile was killed. At the time of the arrest, the juvenile claimed no knowledge of the gun being loaded.

What are the reportable NIBRS offense(s)?

**09B Negligent Manslaughter**

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### Learning Check 5

Hunters were walking through the woods and discovered a body at the base of a tree. Police were called to the scene. A forensic examination determined that the male had been shot several times in the back of the head. The location of the wounds eliminated the possibility of suicide.

What are the reportable NIBRS offense(s)?

**09A Murder and Nonnegligent Manslaughter**

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### Human Trafficking 64A – 64B

The inducement of a person to perform a commercial sex act, or labor, or services, through **force**, **fraud**, or **coercion**.

Also, if a person under 18 years of age has been induced, or enticed, regardless of **force**, **fraud**, or **coercion**, to perform a commercial sex act.

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## Force – Fraud - Coercion

### FORCE

Physical restraint, bodily harm (physical or sexual), or confinement

### FRAUD

Deceitful employment offers or work conditions, false promises, or withholding wages

### COERCION

Threats of serious or bodily harm against any person, abuse of legal process, withholding legal documents, creating a climate of fear

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## Human Trafficking Commercial Sex Acts 64A

Inducing a person by **force, fraud, or coercion** to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age

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## Human Trafficking Involuntary Servitude 64B

The obtaining of a person(s) through recruitment, harboring, transportation, or provision, and subjecting such persons by **force, fraud, or coercion** into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts)

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## Human Trafficking Indicators

### Physical Indicators

- Signs of physical abuse (bruises, burns, scars, or untreated injuries)
- Malnourishment, dehydration, or poor hygiene
- Evidence of confinement (physical restraints or locks on outside of doors)
- Signs of fatigue or overwork

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## Human Trafficking Indicators

### Behavioral Indicators

- Fearful, anxious, or submissive, especially around others
- Inability to make eye contact or speak freely.
- Appearing disoriented, confused, or unsure of location
- Seeming coached or rehearsed in their responses.

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## Human Trafficking Indicators

### Work/Living Conditions

- Workers not allowed to leave their workplace/living quarters.
- Living conditions are overcrowded, unsanitary, or controlled by employer.
- Excessive hours without breaks or days off.
- Pay is withheld, or worker is told they "owe a debt" to employer.

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## Human Trafficking Indicators

### Lack of control

- Someone else has control over identification documents (passport, visa, or ID)
- Limited to no freedom to move or make decisions independently.
- The victim does not have control of their money or personal documents.
- Constant surveillance by someone else

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## NIBRS OFFENSES RELATED TO HUMAN TRAFFICKING

### 40A Prostitution

To engage in commercial sex acts for anything of value.

This offense involves a consensual exchange of sex for money, but it does not involve force, fraud, coercion.

If an individual is coerced or forced into commercial sex acts, the crime should be classified under 64A Commercial sex offense rather than 40A.

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## NIBRS OFFENSES RELATED TO HUMAN TRAFFICKING

### 40B Assisting or Promoting Prostitution

To solicit customers or transport persons for prostitution purposes; to own, manage, or operate a dwelling or other establishment for the purpose of providing a place where prostitution is performed; or to otherwise assist or promote prostitution.

This offense can sometimes overlap with human trafficking if the person assisting or promoting is coercing or controlling individuals into prostitution.

Ex: pimps, madams, individuals running prostitution rings

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## NIBRS OFFENSES RELATED TO HUMAN TRAFFICKING

### 40C Purchasing Prostitution

To purchase or trade anything of value for sex acts.

This offense typically involves individuals engaging in prostitution transactions, but it could also overlap with trafficking if the buyer is aware or complicit in the coercion or trafficking the victim.

Ex: johns purchasing a service

While 40A, 40B and 40C are related to prostitution offenses, they can intersect with 64A Human Trafficking, Commercial Sex Acts when force, fraud, and coercion is involved.

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## Questions



• 64A Human Trafficking, Commercial Sex Acts

• 64B Human Trafficking, Involuntary Servitude

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## Learning Check 6

A doctor was arrested for falsely promising a juvenile from a foreign country a home, education, and work in the United States. Once there, she was forced to do domestic work for the doctor's family while being denied schooling and payment.

What are the reportable NIBRS offense(s)?

**64B Human Trafficking – Involuntary Servitude**

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## Learning Check 7

A 16-year-old girl is discovered working in a brothel. She reports that she was physically forced to engage in commercial sex acts.

What are the reportable NIBRS offense(s)?

**64A Human Trafficking – Commercial Sex Acts**

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## Kidnapping / Abduction 100

The unlawful seizure, transportation, and/or detention of a person against his/her will or of a minor without the consent of his/her custodial parent(s) or legal guardian

**Includes hostage and parental abduction situations**

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## Kidnapping / Abduction 100

This is the **only crime against persons where LEAs must report property information**

Property information is necessary so LEA's can report information regarding any ransom paid for the victim's release

If no ransom paid,  
Type of Property Loss is 1 = None.

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## Kidnapping / Abduction 100

Count only those persons actually kidnapped, abducted or detained against their will as victims

**NOT** those persons or organizations paying ransom

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## Questions



• 100 Kidnapping/Abduction

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## Learning Check 8

A six-year-old child was picked up from school by the non-custodial parent. Police investigation disclosed that the child had been taken out of state in violation of court ordered custodial agreement. The non-custodial parent has been located.

What are the reportable NIBRS offense(s)?

**100 Kidnapping/Abduction**

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## Sex Offenses 11A - 11D - Forcible

Any sexual act directed against another person, **without the consent** of the victim, including instances where the victim is incapable of giving consent

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## Sex Offenses 11A - 11D - Forcible

Situations where people are incapable of giving consent:

- **Drugs/Alcohol**
- **Mental/Physical Capacity**
- **Age**

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## Rape 11A

The carnal knowledge of a person, **without the consent** of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

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## Rape 11A

- **Carnal Knowledge** – the act of a man having sexual bodily connections with a woman or sexual intercourse.
- Must be between opposite sexes

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## Rape 11A

How do you count rape when an individual was raped multiple times over a period of time by the same person?

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## Rape 11A

- ❖ If the victim **knows** the exact dates, you can report each rape as a separate incident.
- ❖ If the exact dates are **unknown**, you will use the report date and only have one incident.

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### Sodomy 11B

Oral or anal sexual intercourse with another person, **without the consent** of the victim, including instances where the victim is unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

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### Sexual Assault with an Object 11C

To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, **without the consent** of the victim, including instances where the victim is unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

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### Rape 11A v2023.0

Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (include due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

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## Fondling 11D

The touching of the private body parts of another person for the purpose of sexual gratification, **without the consent** of the victim, including instances where the victim is unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

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## Questions



- 11A Rape
- 11B Sodomy
- 11C Sexual Assault with an Object
- 11D Fondling

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## Learning Check 9

A woman was attacked on the street by a man who attempted to have sexual relations with her. The attacker was frightened away by a pedestrian before he could complete the attack.

What are the reportable NIBRS offense(s)?

**11A Rape Attempted**

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## Learning Check 10

A 7-year-old boy disappeared from the front yard of his home. After several hours, the parents notified the police.

A two-day search by police and community volunteers ended when the youngster was found wandering by a highway. Investigation determined that the boy had been forced to engage in anal intercourse.

What are the reportable NIBRS offense(s)?

**100 Kidnapping/Abduction & 11B Sodomy v2019.2.1**  
**100 Kidnapping/Abduction & 11A Rape v2023.0**

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## Sex Offenses 36A – 36B Nonforcible

Unlawful sexual intercourse

If force was used or threatened or the victim was incapable of giving consent, classify as a forcible sex offense 11A, 11B or 11C

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## Incest 36A

Nonforcible sexual intercourse between persons who are related to each other with the degrees wherein marriage is prohibited by law

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## Statutory Rape 36B

**Nonforcible sexual intercourse with a person who is under the statutory age of consent.**

**Texas Penal Code states that person under 17 years of age is considered a child and cannot give consent making the offense forcible.**

**Texas agencies CANNOT report this offense.**

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## Statutory Rape 36B

**There is no Texas CJIS code for this offense.**

**These offenses should be reported as forcible sex offenses against a child.**

**\*Error T203 – Statutory Rape (NIBRS offense code 36B) is not reportable in Texas.**

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## Questions



- 36A Incest
- 36B Statutory Rape

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## Learning Check 11

First cousins get married, and they have a child.

What are the reportable NIBRS offense(s)?

**36A Incest**

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## Mutually Exclusive Offenses

Table 6-7 Mutually Exclusive Offenses for Error Code 479 Chart

Offense	36A Incest	36B Rape	36C Sexual Abuse	36D Sexual Assault	36E Sexual Harassment	36F Sexual Exploitation	36G Sexual Offense	36H Sexual Offense	36I Sexual Offense	36J Sexual Offense	36K Sexual Offense	36L Sexual Offense	36M Sexual Offense	36N Sexual Offense	36O Sexual Offense	36P Sexual Offense	36Q Sexual Offense	36R Sexual Offense	36S Sexual Offense	36T Sexual Offense	36U Sexual Offense	36V Sexual Offense	36W Sexual Offense	36X Sexual Offense	36Y Sexual Offense	36Z Sexual Offense
36A Incest	X																									
36B Rape		X																								
36C Sexual Abuse			X																							
36D Sexual Assault				X																						
36E Sexual Harassment					X																					
36F Sexual Exploitation						X																				
36G Sexual Offense							X																			
36H Sexual Offense								X																		
36I Sexual Offense									X																	
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36Q Sexual Offense																	X									
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36T Sexual Offense																				X						
36U Sexual Offense																					X					
36V Sexual Offense																						X				
36W Sexual Offense																							X			
36X Sexual Offense																								X		
36Y Sexual Offense																									X	
36Z Sexual Offense																										X

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## Mutually Exclusive Offenses

Table 6-7 Mutually Exclusive Offenses for Error Code 479 Chart

Offense	36A Incest	36B Rape	36C Sexual Abuse	36D Sexual Assault	36E Sexual Harassment	36F Sexual Exploitation	36G Sexual Offense	36H Sexual Offense	36I Sexual Offense	36J Sexual Offense	36K Sexual Offense	36L Sexual Offense	36M Sexual Offense	36N Sexual Offense	36O Sexual Offense	36P Sexual Offense	36Q Sexual Offense	36R Sexual Offense	36S Sexual Offense	36T Sexual Offense	36U Sexual Offense	36V Sexual Offense	36W Sexual Offense	36X Sexual Offense	36Y Sexual Offense	36Z Sexual Offense
36A Incest	X																									
36B Rape		X																								
36C Sexual Abuse			X																							
36D Sexual Assault				X																						
36E Sexual Harassment					X																					
36F Sexual Exploitation						X																				
36G Sexual Offense							X																			
36H Sexual Offense								X																		
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36T Sexual Offense																				X						
36U Sexual Offense																					X					
36V Sexual Offense																						X				
36W Sexual Offense																							X			
36X Sexual Offense																								X		
36Y Sexual Offense																									X	
36Z Sexual Offense																										X

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## Mandatories

**Example 1:** For all Crimes Against Persons (Assault Offenses, Homicide Offenses, etc.), Type of Victim (I) or (L) means that the submitting agency must enter I = Individual or L = Law Enforcement Officer into Data Element 25 (Type of Victim) of the Victims relating to those offenses. If any other type of victim code is entered into the victim submitted for one of these offenses (B = Business or S = Society/Public), the FBI's computer will reject the report as containing an error.

19. Human Trafficking Offenses  
Offense Codes Commercial Sex Acts (64A) and Involuntary Servitude (64B) - Crime Against Persons  
Mandatory Elements/Values:

1. Offense Attempted/Completed = Attempted or Completed
2. Type Weapon Force Involved/Automatic Indicator
3. Type of Victim = Individual
4. Type Injury
5. If Offender Sequence Number does not = Unknown:
  - a. Offender Number to be Related
  - b. Relationship of Victim to Offender
6. If Offender Sequence Number = Unknown:
  - a. Offender Number to be Related = Unknown

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## Common Data Quality Issues

- ❖ **Victim to Offender Relationship is CH = Victim was Child, but age difference is less than 11 yrs**
- ❖ **Use of ages 01, 02 and 99**
- ❖ **Warning 1407 Unknown Victim Information**
- ❖ **True Unknown Offenders**

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## Summary

- ❖ **Victims are always individuals which includes law enforcement officers.**
- ❖ **The count of offenses is based on the number of victims.**
- ❖ **Crimes Against Persons are assaults, homicides, human trafficking, kidnapping/abduction, and sex offenses – forcible and nonforcible.**

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## Questions




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## Classifying Crimes Against Persons

### Scenarios

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## Offenses

- |   |   |
|---|---|
| • 13A Aggravated Assault                        | • 64B Human Trafficking,<br>Involuntary Servitude         |
| • 13B Simple Assault                            | • 100 Kidnapping/Abduction                                |
| • 13C Intimidation                              | • 11A Rape  |
| • 09A Murder & Nonnegligent<br>Manslaughter     | • 11B Sodomy  |
| • 09B Negligent Manslaughter                    | • 11C Sexual Assault with an Object                       |
| • 09C Justifiable Homicide                      | • 11D Fondling  |
| • 64A Human Trafficking,<br>Commercial Sex Acts | • 36A Incest  |
|   | • 36B Statutory Rape – <i>Not<br/>Applicable in Texas</i> |

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### Scenario 1

Three girls were attacked, assaulted, and raped by four boys. Each boy raped each of the girls. No arrests have been made.

What are the reportable NIBRS offense(s)?  
How many count(s)?

**11A Rape with 3 counts**

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### Scenario 2

An elderly woman was being pistol whipped. A passing police officer observed the assault and confronted the man as he fled the scene. The police officer and man exchanged gunfire. The police officer was shot and suffered major injuries. The suspect was killed.

What are the reportable NIBRS offense(s)?

**Two incidents**  
**1<sup>st</sup> incident 13A Aggravated Assault**  
**2<sup>nd</sup> Incident 09C Justifiable Homicide**

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### Scenario 3

A target shooter was practicing in a wooded area near a crowded subdivision. One shot missed the target and killed a resident of the subdivision. The police arrested the shooter.

What are the reportable NIBRS offense(s)?

**09B Negligent Manslaughter**

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### Scenario 4

Two men were engaged in a fight on the second floor of a building. As a direct result of the fight, one male was knocked through a window and killed. No arrest has been made.

What are the reportable NIBRS offense(s)?

**Two incidents**

**1<sup>st</sup> incident 13B Simple Assault**

**2<sup>nd</sup> Incident 09A Murder and Nonnegligent Manslaughter**

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### Scenario 5

While an officer was attempting to serve a warrant, the individual ran. The subject turned and fired on the officer, severely wounding him. The officer died on the way to the hospital. The subject was caught and arrested.

What are the reportable NIBRS offense(s)?

**09A Murder and Nonnegligent Manslaughter**

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### Scenario 6

During an argument, Barney picked up a tire iron and hit both of his neighbors, Archie and Edith. Archie suffered a minor bruise, but Edith had a concussion from a blow to the head. The police arrested Barney.

What are the reportable NIBRS offense(s)?

**13A Aggravated Assault**

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### Scenario 7

An employee of a local retail establishment received numerous email messages on her phone from her ex-boyfriend, whom she had a restraining order. The email messages contained threats of violence to her. She turned them over to the police. Police were unable to make contact with her ex-boyfriend.

What are the reportable NIBRS offense(s)?

**13C Intimidation**

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### Scenario 8

Darlene claims that Tom attempted to rape her in his automobile. After law enforcement contacted Tom, Darlene admitted that she made up the story because she was angry at Tom and that he really did not attempt to rape her.

What are the reportable NIBRS offense(s)?

**11A Rape attempted initially,  
once unfounded = delete**

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Any Questions?

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### NIBRS and Other IBR Trainings

• Crimes Against Property	• NIBRS Errors and Warnings
• Crimes Against Society	• NIBRS Overview
• Group B Offenses	• Texas Specific or "T" Errors
• Hate Crimes	• Molly Jane's Law & ViCAP
• Cargo Theft	• LEEP/NDEx/Data Broker
• Texas Specific Reports	• Use of Force
	• NIBRS Overview for ISD PDs

Email IBR Training at [IBR.Training@dps.Texas.gov](mailto:IBR.Training@dps.Texas.gov)

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### Uniform Crime Reporting

Texas Department of Public Safety

(512) 424-2091 Main

[NIBRS@dps.texas.gov](mailto:NIBRS@dps.texas.gov)

[IBR.Training@dps.texas.gov](mailto:IBR.Training@dps.texas.gov)

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