




## CRIMES AGAINST SOCIETY

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### Crimes Against Society Objectives

1. Recognize how the offenses are counted in NIBRS.
2. Identify animal cruelty, drug/narcotic offenses, drug/narcotics and equipment violations.
3. Identify gambling offenses, betting and wagering, operating/promoting/assisting gambling and gambling equipment violations.
4. Identify sports tampering, pornography/obscene material, prostitution offenses, and weapon law violations.

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### Crimes Against Society

Crimes Against Society are counted one offense per each crime that causes detriment to society.

Victim must be Society and

**CANNOT** be any other victim type.

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## Crimes Against Society

720 – Animal Cruelty  
 35A - 35B Drug/Narcotic Offenses  
 39 A-D Gambling Offenses  
 370 – Pornography/ Obscene Material  
 40 A-C Prostitution Offenses  
 520 – Weapons Law Violation

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## 720 Animal Cruelty

Someone intentionally, knowingly, or recklessly taking an action that mistreats or kills any animal without just cause, such as torturing, tormenting, mutilation, maiming, poisoning, or abandonment.



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## Animal Cruelty Examples:

- Not providing proper care for your animals
- Not taking care of an outside animal during a weather advisory
- Causing animals to fight intentionally
- Not feeding an animal properly
- Not providing care to a sick animal
- Inflicting pain on an animal



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## Animal Cruelty Example

Police received a telephone complaint from a person whose neighbor was leaving her dog outside in extreme heat without food or water daily. Police responded to the call and found a German Shepherd that was breathing heavily and appeared to be very thin. Police found obvious signs of neglect. There was no water in the yard, and it was 102 degrees without shade for the dog. Police contacted the owner, who then denied the allegations.

Police arrested the dog's owner and charged her with Animal Cruelty. The agency should enter the NIBRS reportable offense as 720 = Animal Cruelty



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## Animal Cruelty Example

► Dog fights and cockfighting

► Thousands of dollars can exchange hands as spectators and owners' wager on the fate of birds and dogs. Usually, large sums of money are involved in these types of animal fights.

► This would be intentional abuse or torture for the animals involved as well as knowingly taking an action that mistreats an animal.



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## NOT included in Animal Cruelty

Proper maintenance of animals for show or sport

► An example is that a lamb's tail can be docked for show. This is not recorded as animal cruelty

Lawful fishing and lawful trapping is not animal cruelty



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## Non-Animal Cruelty Example



Police received a 911 call about someone shooting squirrels. The police respond to the call and find a squirrel lying in the road with a gunshot wound. Police identify the shooter, squirrel season is underway, and the shooter has a valid hunting license and is NOT breaking any other laws. The act of hunting is not considered to be animal cruelty, therefore, no offense should be reported, provided the hunting location is legal.

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## 720 Animal Cruelty

There is a duty to provide care, such as shelter, food, water, and medical care if an animal is sick or injured.



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## 720 Animal Cruelty

Reporting agencies should enter the Type Criminal Activity/Gang Information:

A = Simple/Gross Neglect  
F = Organized Abuse  
I = Intentional Abuse or Torture  
S = Animal Sexual Abuse



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### 35A Drug/Narcotic Violations

The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled substance.



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### 35A Drug/Narcotic Violations

Report Suspected Drug Type to identify the TYPES of drugs or narcotics seized in a drug case.

Estimated Drug Quantity to indicate the Quantity of drugs or narcotics seized in a drug case.

Type Drug Measurement in quantifying drugs or narcotics seized in a drug case.

Because it is difficult to determine the street value of drugs or narcotics seized in Drug/Narcotic Violations, reporting agencies should **NOT** enter a value in property value field

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### 35A-B Drug/Narcotic Offenses

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use

For Drug/Narcotic Offenses, reporting agencies must enter the type of Criminal Activity/Gang (3)

B = Buying/Receiving  
C = Cultivating/Manufacturing/Publishing (i.e., production of any type)  
D = Distributing/Selling  
E = Exploiting Children – dealing in schools  
P = Possessing/Concealing  
T = Transporting/Transmitting/Importing  
U = Using/Consuming

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## Drug Categories

A = Crack Cocaine  
 B = Cocaine (all forms except Crack)  
 C = Hashish; Dabs  
 D = Heroin  
 E = Marijuana; THC Oil, Edibles  
 F = Morphine  
 G = Opium  
 H = Other Narcotics: Codeine, Demerol, Hydrocodone, Percodan, Methadone, Pentazocine, Darvon, Oxycontin, Vicodin, Lortabs, Fentanyl, etc.  
 I = LSD

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## Drug Categories

J = PCP; Ketamine; Special K  
 K = Other Hallucinogens: BMDA, White Acid, DMT, MDA, MDMA, Mescaline, Peyote, Psilocybin, STP, Spice, Ecstasy, K2, etc.  
 L = Amphetamines/Methamphetamines (includes Methcathinone), Adderall  
 M = Other Stimulants: Adipex, Fastine, Ionamin, (Derivatives of Phentermine), Benzedrine, Didrex, Khat, Bath Salts, Methylphenidate, Ritalin, Naphthoylindol, Flakka, Pseudoephedrine, Focaline, etc.  
 N = Barbiturates

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## Drug Categories

O = Other Depressants: Glutethimide, Doriden, Methaqualone, Quaalude, Talwin, Benzodiazepines (Klonopin), Xanax, etc.  
 P = Other Drugs: Antidepressants (Elavil, Triavil, Tofranil, etc.), Aromatic Hydrocarbons, Tranquillizers (Chlordiazepoxide, Librium, Diazepam, Valium, etc.), Steroids, etc.  
 U = Unknown Type Drug  
 X = Over 3 Drug Types

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## 35A Drug/Narcotic Violation

LEAs may enter up to three of the following measurement types in Data Element 22 (Type Drug Measurement):

<u>Weight</u>	<u>Capacity</u>	<u>Units</u>
GM = Gram	ML = Milliliter	DU = Dosage Units/ Items
KG = Kilogram	LT = Liter	NP = Number of Plants
OZ = Ounce	FO = Fluid Ounce	
LB = Pound	GL = Gallon	

XX = Not Reported

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## Seized Drugs over 3



If more than three drugs/narcotics are seized, the quantities of the two most important should be entered first.

In the third field, the LEA should enter **X = Over 3** Drug Types. The quantity field will be left blank.

This triggers the segment 8 (TX seized drug report) to open for the agency to enter the rest of their seized drugs.

Property type of 10 = Drugs/Narcotic

1. Drug type: H Drug quantity: 60 Drug measurement: DU	2. Drug type: M Drug quantity: 30 Drug measurement: DU	3. Drug type: X
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## 35A Drug/Narcotic Violation

Your Officer seized a bag with a substance that he can not identify. The substance is sent to a lab to verify what it is.

He should report the  
35A Drug/Narcotic Violation  
Property loss code of 6 = seized  
Property type of 10 = Drugs/Narcotics  
Drug type is **U = Unknown**  
Drug quantity **1 = none**  
Drug measurement = **XX**



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## 35B Drug Equipment Violations

The unlawful manufacture, sale, purchase, possession, or transportation of equipment or devices utilized in preparing and/or using drugs or narcotics.



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## 35A-B Drug/Narcotic Offenses

If you have a **35A Drug/Narcotic Violation**, your property loss code will be **6 = seized** property description should only be **10 = Drugs/Narcotics** with no value of the property.



If you have a **35B Drug Equipment Violation** property loss code will be **6 = seized** property description will be **11 = Drug/Narcotic Equipment** with a value of 1 = none.

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## 35A-B Drug/Narcotic Offenses QC issue

Your Officer is called to a store about shoplifting. Your Officer arrests the Offender and takes them to the jail. While being searched at the jail, a baggie with a small bit of marijuana and a glass pipe are found

In the NIBRS report, your Officer reports: 23C Shoplifting, stolen property and value of property. **35B Drug Equipment Violation**, seized property of drug paraphernalia and **drugs**.

**Errors 387 & T208 blocks the incident from going into the database.**

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### 39 A-D Gambling Offenses

To unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess, or transport gambling equipment, devices, or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage

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### 39A Betting/Wagering



To unlawfully stake money or something else of value on the happening of an uncertain event or on the ascertainment of a fact in dispute

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### 39B Operating/Promoting/Assisting Gambling



To unlawfully operate, promote, or assist in the operation of a game of chance, lottery, or other gambling activity

Includes bookmaking, numbers running, transmitting wagering information, etc.

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### 39C Gambling Equipment Violation



To unlawfully manufacture, sell, buy, possess, or transport equipment, devices, and/or goods used for gambling purposes.

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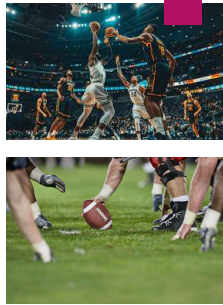
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### 39D Sports Tampering

To unlawfully alter, meddle in, or otherwise interfere with a sporting contest or event for the purpose of gaining a gambling advantage.



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### 39D Sports Tampering Example



If an offender bribed a referee at a High School State Playoff, the agency must report the offense as Sports Tampering.

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### 39D Sports Tampering Scenario

A search of a bar during operating hours reveals illegal poker gaming occurring on machines in the back room. The owner and patrons are cited but not taken into custody.

What are the reportable NIBRS Offenses?

- A. 39A Betting/Wagering
- B. 39B Operating/Promoting/Assisting
- C. 39C Gambling Equipment
- D. All of the Above

The answer is D. All of the Above, 39A, 39B and 39C for the owner and the patrons

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### 370 Pornography/Obscene Material

The violation of laws or ordinances prohibiting the manufacture, publishing (publication), distributing (distribution), sale, purchase, or possession of sexually explicit material, deemed legally obscene

Type Criminal Activity/Gang Information is a mandatory data field where agencies must enter the type of activity

**Manufacturing, Publishing, Selling, Buying or Possessing.**

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### 370 Pornography/Obscene Material

FBI NIBRS Code **370 Pornography** is conditionally reported with a **Segment 9 - TX Sexual Assault report** if it meets the Texas Penal Code **43.25 Sexual Performance of a Child** criteria.

The NIBRS incident will report the 370 – Pornography

Texas Sexual Assault report (seg 9) will report the 43.25 penal code

The child victim statistics will need to be guessimated. 10 – 12 yrs old, FWN

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### 40 A - C Prostitution Offenses

To unlawfully engage in or promote sexual activities for anything of value.



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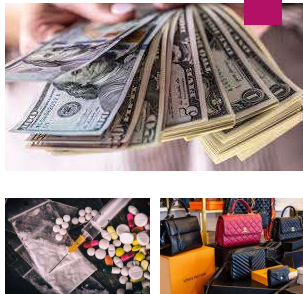
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### 40A Prostitution

To engage in commercial sex acts for anything of value.



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### 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.



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## 40C Purchasing Prostitution

To purchase or trade anything of value for sex acts.



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## 520 Weapon Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.



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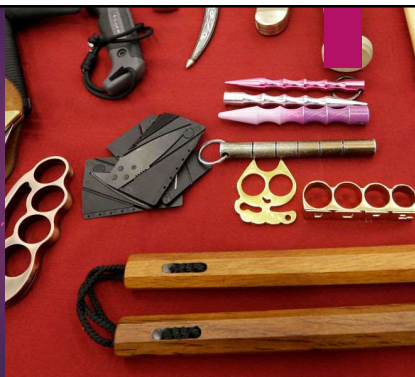
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## 520 Weapon Law Violation

LEAs should enter the type of criminal activity - manufacturing, buying, selling, transporting, possessing, concealing, or using

You must also enter type of weapon in Type Weapon/Force Involved.



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## Crimes Against Society Scenarios

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## Crimes Against Society Scenario

**True or False**

You receive a winter weather advisory for below-freezing temperature coming through in a few hours.

Would it be animal cruelty to leave your dog without any protection from the severe weather?

**True, it would be Animal Cruelty. You have a duty to provide proper care and shelter.**

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## Crimes Against Society Scenario

A man is arrested. While the officer searches the offender, he finds two small rocks of crack cocaine in his possession. Additionally, a needle and syringe are found.

**What are the reportable offenses?**

**35A Drug/Narcotic Offense**

**35B Drug Equipment Violation**

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### Crimes Against Society Scenario

A 24-year-old female was arrested on the street on charges of soliciting for prostitution.

What is the reportable NIBRS Offense?

**40A Prostitution**

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### Crimes Against Society Common Quality Control Issues

35A Drug Violation was reported in an incident, and 10 = Drugs/Narcotics and 11 = Drug Equipment property descriptions were listed. The agency received an error 387.

**Solution:** The agency will need to add or change a drug offense or drug property description.

If an agency reports 35A Drug Narcotic Violation, it must report **10 = Drugs as the property type.**

If an agency reports 35B Drug Equipment Violation, it must report **11 = Drug Equipment.**

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### Crimes Against Society Common Quality Control Issues

#### WARNING 1427 - INCIDENT REPORTED WITH SOCIETY AS VICTIM OF A HATE CRIME

**Problem:** 35A Drug/Narcotic Violation and 35B Drug Equipment Violation has a hate bias other than 88=None.

**Solution:** Since the victim is not a business or individual, you cannot have a bias. You would not have a bias against society. Change the hate bias to **88=None.**

Agencies should address and correct this warning to accurately report hate bias incidents.

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## Crimes Against Society Summary

Many Crimes Against Society offenses require an entry for Type Criminal Activity/Gang Information. You can choose up to 3.

- ▶ 35A Drug/Narcotics Violation must be reported with 10=Drugs/Narcotic property description.
- ▶ 35B Narcotics Equipment must be reported with 11=Drug/Narcotic Equipment property description.

Crime Against Society must have 'Society' as the victim and is counted one per specific offense.

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## Crimes Against Society



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Compliance and Training  
Bureau

IBR Training Team



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# NIBRS and other IBR Trainings

Crimes Against Persons

Crimes Against Property

Group B Offenses

Hate Crimes

Cargo Theft

LEEP Overview

N-DEx/Data Broker

NIBRS Errors and Warnings

How to Read a Flat File

NIBRS Overview

Texas Specific Reports

Texas "T" Errors

Molly Jane's Law /VICAP

Use of Force Overview

NIBRS Overview for ISD

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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