



DEFINITIONS

NOTE: The following definitions are provided by the state. The definitions that were developed for the IBR System are not meant to for charging persons with crimes. They are only meant to be categories for reporting crimes that are committed throughout the nation. The purpose for IBR is to provide a "common denominator" language that transcends varying local and state laws. State statutes and local ordinances must be very specific in defining crimes so that persons facing prosecution will know the exact charges being placed against them. The definitions used in IBR are generic in order not to exclude varying state and federal statutes relating to the same type of crime.

The following is a list of definitions for the more severe crime classifications.

1. Arson - Definition - To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.
2. Assault Offenses Definition - An unlawful attack by one person upon another.
 - A. Aggravated Assault - Definition - An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or 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. For purposes of Aggravated Assault reporting, a "weapon" is a commonly known weapon (a gun, knife, club, etc.) or any other item which, although not usually thought of as a weapon, becomes one when used in a manner that could cause the types of severe bodily injury described in the definition. A "severe laceration" is one which should receive medical attention. A "loss of consciousness" must be the direct result of force inflicted on the victim by the offender. Aggravated Assault includes: assaults or attempts to kill or murder; poisoning; assault with a dangerous or deadly weapon; maiming, mayhem, assault with explosives; and assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.). All assaults by one person upon another with the intent to kill, maim, or inflict severe bodily injury with the use of any dangerous weapon are classified as Aggravated Assault. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could cause serious personal injury. By definition, there can be no attempted assaults.
 - B. Simple Assault - Definition - An unlawful physical attack by one person upon another where neither the offender displays a 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. Included are offenses such as minor assault, hazing, assault and battery, and injury caused by culpable negligence. As with Aggravated Assault, there are no attempted Simple Assaults.
 - C. Intimidation - Definition - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. Intimidation involves an offender

making some type of threat to the victim without actually using or displaying a weapon. Such threats can be made in person, over the telephone, or in writing.

3. Bribery - Definition - The offering, giving, receiving, or soliciting of any thing of value (i.e., a bribe, gratuity, or kickback) to sway the judgment or action of a person in a position of trust or influence. This offense excludes sports bribery, i.e., changing the outcome of a sporting contest or event, which is covered in the offenses dealing with gambling. The phrase, "The offering, giving, receiving, or soliciting of any thing of value...", includes such things as gratuities, kickbacks, favors, or anything else used illegally to influence the outcome of something that is governed by law, fair play, contractual agreement, or any other guideline.
4. Burglary/Breaking and Entering - Definition - The unlawful entry into a building or other structure with the intent to commit a felony or a theft. For UCR purposes, offenses locally known as burglary (any degree); unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; and safecracking should be classified as burglary. In the UCR standard definition of burglary, a "structure" is considered to include, but not be limited to, the following: Apartment, Office, Barn, Other Building, Cabin, Outbuilding, Church, Public Building, Condominium, Railroad Car, Dwelling House, Room, Factory, School, Garage, Stable, Housetrailer or Houseboat, Vessel (Ship)(used as permanent dwelling), Warehouse, Mill.

Any housetrailer or other mobile unit that is permanently fixed as an office, residence, or storehouse should also be considered a structure. Whenever a question arises as to whether a type of structure comes within the purview of the burglary definition, the law enforcement officer should look to the nature of the crime and be guided by the examples set forth. The illegal entry of a tent, tent trailer, motorhome, housetrailer, or any other mobile unit that is being used for recreational purposes, followed by a theft, felony, or attempt to commit a felony or theft, should NOT be classified as burglary, but as larceny. Thefts from automobiles (whether locked or not); shoplifting from commercial establishments; and thefts from telephone booths, coin boxes, or coin-operated machines do not involve unlawful entry of a structure and under UCR definition are a larceny and not a burglary.

5. Counterfeiting/Forgery - Definition - The altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud.

Included in this category are offenses such as altering and forging public and other records; making, altering, forging or counterfeiting bills, notes, drafts, tickets, checks, credit cards, etc.; forging wills, deeds, notes, bonds, seals, trademarks, etc.; counterfeiting coins, plates, banknotes, checks, etc.; possessing forged or counterfeited instruments; erasures; signing the name of another or fictitious person with intent to defraud; using forged labels; possession, manufacture, etc., of counterfeiting apparatus; and selling goods with altered, forged, or counterfeited trademarks.

Although Counterfeiting/Forgery offenses can involve elements of fraud, they are treated separately due to their unique nature.

6. Destruction/Damage/Vandalism of Property - Definition - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
7. Drug/Narcotic Offenses - Definition - 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.
 - A. Drug/Narcotic Violations - Definition - The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

- B. Drug Equipment Violations - Definition - The unlawful manufacture, sale, purchase, possession, or transportation of equipment or devices utilized in preparing and/or using drugs or narcotics. This offense covers those cases involving drug paraphernalia, equipment, chemicals, illegal labs, etc.
8. Embezzlement - Definition - The unlawful misappropriation by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control. Generally, the victims of embezzlement offenses are businesses, financial institutions, etc.
9. Extortion/Blackmail - Definition - To unlawfully obtain money, property, or any other thing of value, either tangible or intangible, through the use or threat of force, misuse of authority, threat of criminal prosecution, threat of destruction of reputation or social standing, or through other coercive means. Even though persons are involved or victimized in extortion/blackmail cases, this offense is considered a crime against property. Like robbery, which is also a crime against property, the object or target of extortion/blackmail is to obtain money or property.
- Extortions include offenses where threats are made in non-confrontational circumstances and the victim is not in fear of immediate harm. If during a demand for money, property, etc., there is a personal confrontation between the victim and offender and the threat of force or violence could be carried out immediately, the offense should be reported as Robbery.
10. Fraud Offenses - Definition - The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with some thing of value or to surrender a legal right. By definition, fraud involves either the offender receiving a benefit or the victim incurring a detriment. The benefit or detriment could be either "tangible" or "intangible." For example, if a person impersonates a doctor to gain entrance to a restricted area of a hospital, the benefit to the offender (entry to the restricted area) is "intangible." Intangibles are anything, which cannot be perceived by the sense of touch. They can be benefits, e.g., a right or privilege, a promotion, enhanced reputation, etc.; or a detriment, e.g., loss of reputation, injured feelings, etc.
- A. False Pretenses/Swindle/Confidence Game - Definition - The intentional misrepresentation of existing fact or condition, or the use of some other deceptive scheme or device, to obtain money, goods, or other things of value.
 - B. Credit Card/Automatic Teller Machine Fraud - Definition - The unlawful use of a credit (or debit) card or automatic teller machine for fraudulent purposes. This offense does not apply to the theft of a credit/debit card but rather its fraudulent use.
 - C. Impersonation - Definition - Falsely representing one's identity or position, and acting in the character or position thus unlawfully assumed, to deceive others and thereby gain a profit or advantage, enjoy some right or privilege, or subject another person or entity to an expense, charge, or liability which would not have otherwise been incurred.
 - D. Welfare Fraud - Definition - The use of deceitful statements, practices, or devices to unlawfully obtain welfare benefits.
 - E. Wire Fraud - Definition - The use of an electronic communications facility to intentionally transmit a false and/or deceptive message in furtherance of a fraudulent activity. This classification applies to those cases where telephones, teletype, micro-relay facilities, etc., are used in the commission or furtherance of a fraud.
11. Gambling Offenses - Definition - 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.
- A. Betting/Wagering - Definition - 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.
 - B. Operating/Promoting/Assisting Gambling - Definition - To unlawfully operate, promote, or assist in the operation of a game of chance, lottery, or other gambling activity.

- C. Gambling Equipment Violations - Definition - To unlawfully manufacture, sell, buy, possess, or transport equipment, devices, and/or goods used for gambling purposes. Such equipment is also known as "gambling paraphernalia".
- D. Sports Tampering - Definition - To unlawfully alter, meddle in, or otherwise interfere with a sporting contest or event for the purpose of gaining a gambling advantage. This offense includes engaging in bribery for gambling purposes. For example, if a jockey were bribed to lose a horse race, it would be reported as Sports Tampering, not Bribery.

12. Homicide Offenses - Definition - The killing of one human being by another.

- A. Murder and Nonnegligent Manslaughter - Definition - The willful (nonnegligent) killing of one human being by another. As a general rule, any death due to injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified in this category. Although offenders may be charged with lesser offenses, e.g., manslaughter, if the killing was "willful" or intentional it must be reported as Murder and Nonnegligent Manslaughter.

Suicides, accidental deaths, assaults to murder, traffic fatalities, and attempted murders are not classified as Murder and Nonnegligent Manslaughter. Situations where a victim dies of a heart attack as a result of a robbery or witnessing a crime likewise do not meet the criteria for inclusion in this classification. Suicides, traffic fatalities, and fetal deaths are.

- B. Negligent Manslaughter Definition - The killing of another person through negligence. Included in this offense are killings resulting from hunting accidents, gun cleaning, children playing with guns, etc. Not included are deaths of persons due to their own negligence; accidental deaths not resulting from gross negligence; and accidental traffic fatalities. Again, the subsequent findings of a court, coroner's inquest, etc., do not affect the reporting of offenses in this category; these are law enforcement statistics.
- C. Justifiable Homicide - Definition - The killing of a perpetrator of a serious criminal offense by a peace officer in the line of duty; or the killing, during the commission of a serious criminal offense, of the perpetrator by a private individual.

13. Kidnapping/Abduction - Definition - 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.

This offense includes not only kidnapping and abduction, but hostage situations as well. This offense is classified as a crime against property. The object of a kidnapping may be to obtain money or property.

14. Larceny/Theft Offense - Definition - The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another person. Larceny and theft mean the same thing. Motor vehicle theft is not included and is counted separately because of the great volume of such thefts. Local offense classifications such as "grand theft," "petty larceny," "felony larceny," or "misdemeanor larceny" have no bearing on the fact that each distinct operation of larceny is reported as one offense. Also, all larceny offenses are reported regardless of the value of the property stolen.

- A. Pocket-picking - Definition - The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft. This type of theft includes removal of such items as wallets from women's purses and men's pockets and usually occurs in a crowd, public conveyance, or other similar situation to disguise the activity. Theft from a person in an unconscious state, including drunks, should also be classified as Pocket-picking. However, if the victim is manhandled or force beyond simple jostling is used to overcome the resistance of the victim, the offense becomes strong-arm robbery.
- B. Purse-snatching - Definition - The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person. If more force is used than is actually necessary to snatch the purse from the grasp of the person, or if the victim resists the theft in any way, then robbery has occurred. Also, cases in which a purse or some other item of value is left unattended and is stolen should not be classified as a Purse-snatching. This offense would be properly classified as a theft from a building, from a motor vehicle, or other appropriate larceny category.

- C. Shoplifting - Definition - The theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale. This violation assumes that the offender had legal access to the premises, and thus, no trespass or unlawful entry was involved. This offense includes thefts of merchandise displayed as part of the stock in trade outside buildings, such as department stores, hardware stores, supermarkets, fruit stands, gas stations, etc.
 - D. Theft From Building - Definition - A theft within a building which is either open to the general public or where the offender has legal access.
 - E. Theft From Coin-Operated Machine or Device - Definition - A theft from a machine or device which is operated or activated by the use of coins. Some examples of such machines are candy, cigarette, and food vending machines; telephone coinboxes; parking meters; pinball machines; or washers and dryers located in laundromats where no breaking or illegal entry of the building is involved.
 - F. Theft From Motor Vehicle - Definition - The theft of articles from a motor vehicle, whether locked or unlocked.
 - G. All Other Larceny - Definition - All thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above. This offense includes thefts from fenced enclosures. Thefts of bicycles, boats, bulldozers, airplanes, animals, lawn mowers, lawn furniture, hand tools, and farm and construction equipment are also included where no breaking or entering of a structure is involved.
15. Motor Vehicle Theft - Definition - The theft of a motor vehicle. A "motor vehicle" is defined for UCR purposes as a self-propelled vehicle that runs on land surface and not on rails and which fits one of the following property descriptions:
- A. Automobiles - sedans, coupes, station wagons, convertibles, taxicabs, or other similar motor vehicles which serve the primary purpose of transporting people.
 - B. Buses - motor vehicles which are specifically designed (but not necessarily used) to transport groups of people on a commercial basis.
 - C. Recreational Vehicles - motor vehicles which are specifically designed (but not necessarily used) to transport people and also provide them temporary lodging for recreational purposes.
 - D. Trucks - motor vehicles which are specifically designed (but not necessarily used) to transport cargo on a commercial basis.
 - E. Other Motor Vehicles - any other motor vehicles, e.g., motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, golf carts, whose primary purpose is to transport people.
- Classify as Motor Vehicle Theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned. Include joyriding.
16. Pornography/Obscene Material - Definition - The violation of laws or ordinances prohibiting the manufacture, publishing, sale, purchase, or possession of sexually explicit material, e.g., literature, photographs, etc.
17. Prostitution Offenses - Definition - To unlawfully engage in or promote sexual activities for profit.
- A. Prostitution - Definition - To unlawfully engage in sexual relations for profit. This offense includes prostitution by both males and females.
 - B. Assisting or Promoting Prostitution - Definition - 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.
18. Robbery - Definition - The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

Robbery involves the offender taking or attempting to take something of value from a victim, aggravated by the element of force or threat of force. The victim, who usually is the owner or person having custody of the property, is directly confronted by the perpetrator and is threatened with force or is put in fear that force will be used. If there is no direct confrontation and the victim is not in fear of immediate harm, extortion should be reported. In pocket-picking or purse-snatching, direct confrontation does occur, but force or threat of force is absent. However, if during a purse-snatching or other such crime, force

or threat of force is used to overcome the active resistance of the victim, the offense is to be classified as robbery. Cases involving pretended weapons or where the weapon is not seen by the victim but the robber claims to possess one are also classified as Robbery and the alleged weapon reported

19. Sex Offenses, Forcible - Definition - Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
 - A. Forcible Rape - Definition - The carnal knowledge of a person, forcibly and/or against the person's will 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).
 - B. Forcible Sodomy - Definition - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
 - C. Sexual Assault With An Object - Definition - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.
 - D. Forcible Fondling - Definition - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Forcible fondling includes "indecent liberties" and "child molesting." Because Forcible Fondling is an element of Forcible Rape, Forcible Sodomy, and Sexual Assault With An Object, it should be reported only if it is the sole forcible sex offense committed against a victim.

20. Sex Offenses, Nonforcible - Definition - Unlawful, nonforcible sexual intercourse.
 - A. Incest - Definition - Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - B. Statutory Rape - Definition - Nonforcible sexual intercourse with a person who is under the statutory age of consent.

21. Stolen Property Offenses - Definition - Receiving, buying, selling, possessing, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by burglary, embezzlement, fraud, larceny, robbery, etc.

22. Weapon Law Violations - Definition - 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. Include violations such as the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., silencers; and furnishing deadly weapons to minors.