



# ACIC NIBRS OFFENSE DEFINITIONS

The definitions that were developed for the NIBRS are not meant to be used for charging persons with crimes. They are simply a way of categorizing or organizing the crimes committed throughout Arkansas and the United States. State statutes must be very specific in defining crimes so that persons facing prosecution will know the exact charges being placed against them. On the other hand, the definitions used in the NIBRS must be generic in order not to exclude varying state statutes relating to the same type of crime.

Accordingly, the offense definitions in the NIBRS are based on common-law definitions found in *Black's Law Dictionary*, as well as those used in the *Uniform Crime Reporting Handbook* and the NCIC Uniform Offense Classifications. Since most state statutes are also based on common-law definitions, even though they may vary as to the specifics, most should fit into the corresponding NIBRS offense classifications.

**ACA-** Arkansas Code Annotated

**ACIC-**Arkansas Crime Information Center

**Acting in Concert** – requires all offenders to commit or assist in the commission of all the crimes in an incident. The offenders must be aware of, and consent to, the commission of all the offenses; or even if nonconsenting, their actions assist in the commission of all of the offenses.

**AIBRS-**Arkansas Incident Based Reporting System – the state system for collection of crime statistics information in an incident based format or NIBRS. (See NIBRS)

**Aggravated Assault**-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. This also includes 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 Other Larceny**-All thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

**All Other Offenses**-All crimes that are not Group A offenses and not included in one of the specifically-named Group B offense categories listed previously.

**Animal Cruelty** - 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.

**Arson**-To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.



# ACIC NIBRS OFFENSE DEFINITIONS



**Assault Offenses**-An unlawful attack by one person upon another.

**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.

**Automatic firearm** - any firearm that shoots, or is designed to shoot, more than one shot at a time by a single pull of the trigger without manual reloading.

**Bad Checks**-Knowingly and intentionally writing and/or negotiating checks drawn against insufficient or nonexistent funds. Because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**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.

**Bias Crime** – a committed criminal offense that is motivated in whole or in part, by the offender’s bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity; also known as Hate Crime.

**Bias Motivation**-Data element collecting hate or bias motivated crime information.

**Bribery**-(Except Sports Bribery) The offering, giving, receiving, or soliciting of anything 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.

**Burglary/Breaking and Entering**-The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

**Cargo Theft** - the criminal taking of any cargo including, but not limited to, goods, chattels, money, or baggage that constitutes, in whole or in part, a commercial shipment of freight moving in commerce, from any pipeline system, railroad car, motor truck, or other vehicle, or from any tank or storage facility, station house, platform, or depot, or from any vessel or wharf, or from any aircraft, air terminal, airport, aircraft terminal or air freight station, warehouse, freight distribution facility, or freight consolidation facility.

**Counterfeiting/Forgery**-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.

**Credit Card/Automated Teller Machine Fraud**-The unlawful use of a credit (or debit) card or automated teller machine for fraudulent purposes.



# ACIC NIBRS OFFENSE DEFINITIONS

**Crimes Against Persons**— Homicide, Assaults, Sex Offenses (forcible and non forcible), kidnapping. Each victim equals one offense. Example – an incident involving an aggravated assault with two victims will be counted as two aggravated assaults.

**Crimes Against Property**— Each offense counts as one occurrence with the exception of Motor Vehicle Theft which is the count of the number of vehicles stolen.

**Crimes Against Society**— Each offense counts as one occurrence. Example – one drug narcotic violation counts as one offense.

**Curfew/Loitering/Vagrancy Violations**-The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets or other specified areas; prohibiting persons from remaining in an area or place in an idle or aimless manner; or prohibiting persons from going from place to place without visible means of support.

**Cyberspace** - a virtual or internet-based network of two or more computers in separate locations which communicate either through wireless or wire connections.

**Data Value** – a specific characteristic or type of field being reported that has an assigned code, e.g., M = Male or F = Female.

**Destruction/Damage/Vandalism of Property**-(Except Arson) 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.

**Disorderly Conduct**-Any behavior that tends to disturb the public or decorum, scandalize the community, or shock the public sense of morality.

**Driving Under the Influence**-Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

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

**Drug/Narcotic Offenses**-(Except Driving Under the Influence) 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.

**Drug/Narcotic Violations**-The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

**Drunkness**-(Except Driving Under the Influence) To drink alcoholic beverages to the extent that one's mental faculties and physical coordination are substantially impaired.

**Embezzlement**-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.



# ACIC NIBRS OFFENSE DEFINITIONS



**Extortion/Blackmail**-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.

**False Pretenses/Swindle/Confidence Game**-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.

**Family Offenses, Nonviolent-Unlawful**, nonviolent acts by a family member (or legal guardian) that threaten the physical, mental, or economic well-being or morals of another family member and that are not classifiable as other offenses, such as Assault, Incest, Statutory Rape, etc.  
**Forcible Fondling**-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 in instances where the victim is incapable of giving consent.

**FBI**-Federal Bureau of Investigation

**Forced entry** -where the burglar used force of any degree or a mechanical contrivance of any kind (including a passkey or skeleton key) to unlawfully enter a building or other structure.

**Forcible Fondling**-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 in instances 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.

**Forcible Rape**-(Except Statutory Rape) The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

**Forcible Sodomy**-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 in instances 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.

**Fraud Offenses**-(Except Counterfeiting/Forgery and Bad Checks) The intentional perversion of the truth for the purpose of inducing another person, or other entity, in reliance upon it to part with something of value or to surrender a legal right.

**Gambling Equipment Violations**-To unlawfully manufacture, sell, buy, possess, or transport equipment, devices, and/or goods used for gambling purposes.

**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,



# ACIC NIBRS OFFENSE DEFINITIONS



devices or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

**Gang** -An ongoing organization, association, or group of three or more persons who have a common interest and/or activity characterized by the commission of or involvement in a pattern of criminal or delinquent conduct. Juvenile Gang - refers to a group of persons who go about together or act in concert, especially for antisocial or criminal purposes; typically, adolescent members have common identifying signs and symbols, such as hand signals and distinctive colors; they are also known as street gangs. Other Gang - Persons associated with the world of criminal gangs and organized crime commonly related to widespread criminal activities coordinated and controlled through a central syndicate and who rely on their unlawful activities for income; they traditionally extort money from businesses by intimidation, violence, or other illegal methods.

**Group A Offense** - Twenty-two classification of crime categories comprised of 47 separate criminal offenses.

**Group B Offense** - Eleven classifications of activities that violate state statutes or local ordinances that are reported to ACIC when an arrest is made.

**Hacking/Computer Invasion** - Wrongfully gaining access to another person's or institution's computer software, hardware, or networks without authorized permissions or security clearances.

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

**Identity Theft** - Wrongfully obtaining and using another person's personal data (e.g., name, date of birth, Social Security number, driver's license number). This offense includes opening a credit card, bank account, etc. using a person's information.

**Impersonation**-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.

**Incest**-Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Incident** - one or more offenses committed by the same offender, or group of offenders acting in concert, at the same time and place.

**Incident Number**-A number used to uniquely identify an incident at a reporting agency.

**Intimidation**-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.



# ACIC NIBRS OFFENSE DEFINITIONS

**Justifiable Homicide**-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.

**Juvenile Gang** - refers to a group of persons who go about together or act in concert, especially for antisocial or criminal purposes; typically, adolescent members have common identifying signs and symbols, such as hand signals and distinctive colors; they are also known as street gangs.

**Kidnapping/Abduction**-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.

**Larceny/Theft Offenses**-The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another person.

**(LEOKA) Law Enforcement Officer Killed or Assaulted** – a national program that collects information on any incidents involving an assault or killing of a law enforcement official.

**Lesser included offenses** -offenses where one offense is an element of another offense and cannot be reported as having happened to the victim along with the other offense.

**Liquor Law Violations**-(Except Driving Under the Influence and Drunkenness) The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

**Motor Vehicle Theft**-The theft of a motor vehicle.

**Multiple Arrest Indicator**-A field used if investigation determines that the current arrestee committed other unsolved crimes and will be charged with those crimes.

**Murder and Nonnegligent Manslaughter**-The willful (nonnegligent) killing of one human being by another.

**Mutually exclusive** - offenses that cannot occur to the same victim according to UCR Definitions. Lesser included offenses -offenses where one offense is an element of another offense and cannot be reported as having happened to the victim along with the other offense.

**Negligent Manslaughter**-The killing of another person through negligence.

**(NIBRS) National Incident Based Reporting System** – the FBI's system to collect crime statistics information in an incident based format.

**NIBRS start date** –first day of a given month when an agency begins contributing NIBRS data.

**Offense**-Criminal Activity that has been identified and reported to ACIC in the established format.





# ACIC NIBRS OFFENSE DEFINITIONS



**Operating/Promoting/Assisting Gambling**-To unlawfully operate, promote, or assist in the operation of a game of chance, lottery, or other gambling activity.

**ORI Number**- A 9-character number used as an agency identifier assigned by the FBI.

**Other Gang** - Persons associated with the world of criminal gangs and organized crime commonly related to widespread criminal activities coordinated and controlled through a central syndicate and who rely on their unlawful activities for income; they traditionally extort money from businesses by intimidation, violence, or other illegal methods.

**Peeping Tom**-To secretly look through a window, doorway, keyhole, or other aperture for the purpose of voyeurism.

**Pocket-picking**-The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft.

**Pornography/Obscene Material**-The violation of laws or ordinances prohibiting the manufacture, publishing, sale, purchase, or possession of sexually explicit material, e.g., literature, photographs, etc.

**Prostitution**-To engage in commercial sex acts for anything of value.

**Prostitution Offenses**-To unlawfully engage in or promote sexual activities for anything of value.

**Purse-snatching**-The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.

**Robbery**-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.

**Runaway**-A person under 18 years of age who has left home without permission of his/her parent(s) or legal guardian.

**Same Time and Place** – presupposes that if the same person or group of persons committed more than one crime and the time and space intervals separating them were insignificant, all the crimes make-up a single incident.

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

**Sex Offenses, Nonforcible**-(Except Prostitution Offenses) Unlawful, nonforcible sexual intercourse.

**Sexual Assault With An Object**-To use an object or instrument to unlawfully penetrate,



# ACIC NIBRS OFFENSE DEFINITIONS

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 in instances 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.

**Shoplifting**-The theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale.

**Simple Assault**-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.

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

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

**Stolen Property Offenses**-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.

**Theft From Building**-A theft from within a building which is either open to the general public or where the offender has legal access.

**Theft From Coin Operated Machine or Device**-A theft from a machine or device which is operated or activated by the use of coins.

**Theft From Motor Vehicle**-(Except Theft of Motor Vehicle Parts or Accessories) The theft of articles from a motor vehicle, whether locked or unlocked.

**Theft of Motor Vehicle Parts or Accessories**-The theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle, or necessary for its operation.

**Trespass of Real Property**-To unlawfully enter land, a dwelling, or other real property.

**UCR Uniform Crime Reporting** – the national system for collection of crime statistics based upon standard offense definitions and the NIBRS format. (See NIBRS)

**Unforced entry** - where the burglar unlawfully entered through an unlocked door or window, but used no force.

**Uniform Crime Reporting Program** -Statistical Analysis Center – ACIC unit responsible for day to day operations of Arkansas Incident Based Reporting System Program.





# ACIC NIBRS OFFENSE DEFINITIONS



**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.

**Welfare Fraud**-The use of deceitful statements, practices, or devices to unlawfully obtain welfare benefits.

**Wire Fraud**-The use of an electric or electronic communications facility to intentionally transmit a false and/or deceptive message in furtherance of a fraudulent activity.