

INDEX CRIMES

The Illinois Uniform Crime Reporting (I-UCR) Program requires agencies to report the occurrence of selected offenses within the eight Index Crime categories identified below. There is significance to the order in which the crime categories are listed, with criminal homicide ranked the highest in the hierarchy and arson ranked the lowest. Index Crime categories reported on a monthly basis include:

1. Criminal Homicide
2. Forcible Rape
3. Robbery
4. Aggravated Battery/Aggravated Assault
5. Burglary
6. Theft
7. Motor Vehicle Theft
8. Arson

Classification guidelines must be reviewed carefully as not all offenses within each classification are reported.

Classifying Offenses

Classifying is identifying the correct Index Crime category and specific offense within the category and determining if the offense is required to be reported to the I-UCR Program. The classification of the offense is based on the facts of an agency's investigation of a crime.

When agencies report index crime statistics, they must first classify offenses known to police into the appropriate I-UCR Program Index Crime category as defined by the Federal Program. The Index Crime category definitions do not, in all cases, mirror ILCS offense definitions. It is critical for an agency to review the classification guidelines to ensure all offenses required by the I-UCR Program are reported, and to avoid over reporting offenses within a category that do not meet the criteria. This practice ensures that offenses with different titles or elements under state law are considered and appropriately recorded. Generally, attempts to commit a crime should be scored as though the crimes were actually committed. The only exception to this rule applies to attempted murder. If the victim of an attempted murder does not die, the offense must be classified and reported as an aggravated battery rather than attempted murder. Unusual situations will arise when classifying offenses, and all cannot be covered in these guidelines. If assistance is needed in classifying an incident, contact the I-UCR Program staff.

It is essential to the I-UCR Program's attaining uniform and federally compliant data that all reporting agencies must use standard Federal UCR Program Index Crime category definitions. The standard definition is contained in each of the eight Index Crime categories to follow. Additionally, offenses to be reported as defined by Illinois law and their associated I-UCR offense codes are identified.

CRIMINAL HOMICIDE (1)

Federal UCR Program Definition: The willful killing of one human being by another **or** the killing of another person through gross negligence. As a general rule, any death caused by injuries received in a fight, argument, quarrel, battery, or commission of a crime must be reported as a criminal homicide. Attempted homicides are not reported in this classification category, and are to be reported in the aggravated battery classification category.

ILCS Offenses and Associated I-UCR Offense Codes

- First Degree Murder (0110)
- Second Degree Murder (0130)
- Drug Induced Homicide (0170)

The following scenarios illustrate incidents reporting agencies must classify and report as Criminal Homicide.

1. A berserk gunman shot and killed three pedestrians. The police subdued the offender and placed him under arrest.
2. A neighbor discovered an infant who had been beaten. The neighbor rushed the infant to the hospital. The infant later died as a direct result of the injuries. Investigation revealed that the mother was responsible. The mother was not considered mentally competent, and the district attorney did not wish to prosecute.
3. A man shot and killed his neighbor in an argument over the location of their property line.
4. A man was in a fight on the second floor of a building. During the fight, he was knocked through a window and fell to his death.
5. While attempting to break up a fight, a man was struck over the head with an ashtray by one of the combatants. During the incident, a pre-existing aneurysm burst in the man's head, causing his death.
6. A psychiatrist counseling a young female patient performed a criminal abortion on her. She died of peritonitis resulting from the operation. The psychiatrist fled the state and is still wanted for the crime.
7. A teller chased a robber from a bank. The robber fired at him. His shot missed the teller but killed a woman walking on the street. The police did not locate the robber.
8. A felon fleeing in her car attempted to get through a police roadblock. As a result, she struck and killed two police officers.
9. An individual inexperienced in drug use accepts cocaine from an acquaintance. The following day the individual dies after taking an overdose of the drug.

Agencies must **not** classify the following as Criminal Homicide:

- Suicides • Accidental deaths not resulting from gross negligence
 - Fetal deaths • Deaths of persons due to their own negligence
 - Traffic fatalities • Attempted murder (scored as Aggravated Battery)
- Involuntary Manslaughter**

Involuntary manslaughter meets the definition of criminal homicide; however, since homicides are reported as an aggregate total each month and not broken down in to specific homicide categories, it is the Federal UCR Program's choice that involuntary manslaughter statistics not be reported.

Situations in which a victim dies of a heart attack as the result of a crime are **NOT** classified as criminal homicides. A heart attack cannot be caused at will by an offender. Even in instances where an individual is known to have a weak heart, there is no assurance an offender can cause sufficient emotional or physical stress to guarantee the victim will suffer a fatal heart attack. This specific guideline may appear contradictory, after considering the scenario above where a blow to the head causes an aneurysm to burst causing death is classified and reported as a criminal homicide. The distinction between the two incidents and differences in classification is based upon the fact that no physical contact occurred between the offender and the victim in the heart attack scenario. There was physical contact between the offender and the victim in the aneurysm scenario, with the injury setting in motion a series of physical reactions which resulted in the victim's death.

Court findings do not affect classifying, unless the resulting death is deemed justifiable in a court of law. If an incident originally reported as a criminal homicide is adjudicated as justifiable, the reporting agency must submit an adjustment removing the criminal homicide from the month and year initially reported.

The following scenarios illustrate incidents agencies must not classify as Criminal Homicide.

1. A woman slipped on her neighbors' icy sidewalk and died as a result of the fall.
2. A woman was a passenger in a man's car who drove through an un-gated railroad crossing. A train struck the car, killing both the driver and the passenger.
3. A man drove his pickup truck recklessly and exited the interstate at a high rate of speed. While attempting a right turn at the first intersection, he lost control of his vehicle and struck and killed three pedestrians standing at a bus stop.
4. A convenience store clerk was robbed at gunpoint. The victim, who was under a doctor's care from previous heart surgery, had a heart attack during the robbery. He collapsed and died in the store.
5. While two juveniles were playing with a gun, one playfully pointed it at the other. The youth pointing the gun fired it and killed the other. The juvenile claimed no knowledge of the gun being loaded.
6. A target shooter was practicing in an unincorporated wooded area near some houses. One shot missed and killed a resident.

FORCIBLE RAPE (2)

Federal UCR Program Definition: The carnal knowledge of a **female** forcibly and against her will.

Carnal knowledge is defined by Black's Law Dictionary, 6th ed. as "the act of a man having sexual bodily connections with a woman; sexual intercourse." There is carnal knowledge if there is the slightest penetration of the sexual organ of the female (vagina) by the sexual organ of the male (penis).

Reporting agencies must classify and score one offense for each female raped or upon whom an attempt to rape has been made, regardless of the number of offenders.

"Against her will" includes instances in which the victim is incapable of giving consent because of her temporary or permanent mental or physical incapacity (or because of her youth). The ability of the victim to give consent must be a professional determination by the law enforcement agency. The age of the victim is critical in this determination. Individuals do not mature mentally at the same rate. For example, a 4-year-old is incapable of consenting, but a 10 or 12 year old victim may need to be assessed to determine whether or not consent was legitimately given to the offender.

By definition, sexual attacks on males are excluded from the forcible rape category. The incident is reported as an aggravated battery if the attack results in an injury.

ILCS Offenses and associated I-UCR Offense Codes

- Criminal Sexual Assault 720 ILCS 5/12-13 (a) (1) and (a) (2) ONLY, which also meet the Federal definition above (0260)
- Aggravated Criminal Sexual Assault when the criminal sexual assault element meets the Federal definition above (0261)
- Predatory Criminal Sexual Assault of a Child when the criminal sexual assault element meets the Federal definition above (0280)

Agencies must **not** classify statutory rape, incest, or other sex offenses, i.e. forcible sodomy, sexual assault with an object, forcible fondling, etc. as Forcible Rape. The I-UCR Program has adopted the following Federal UCR Program definitions:

Statutory rape: non-forcible sexual intercourse with a person who is under the statutory age of consent

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

However, if a female is victim to statutory rape or incest, and is forced against her will to engage in sexual intercourse, the incident must be classified and reported as a Forcible Rape.

The following scenarios illustrate incidents reporting agencies must classify and report as Forcible Rape.

1. Law enforcement received a complaint from a victim who claimed that when she was leaving work late one night, she was attacked in the company parking lot by an unidentified male and forcibly raped. The offender was not apprehended.

2. Two men lured a woman to their motel room with the promise of discussing a job opportunity. They threatened her with a knife and both forcibly raped her. On complaint by the woman, the police arrested both men.
3. Three girls were attacked, assaulted, and raped by four boys. Each boy raped each of the girls. No arrests were made.

The following scenarios illustrate incidents reporting agencies must classify as and report as Attempts to Commit Forcible Rape.

4. A man attacked a woman on the street, knocked her down, and attempted to rape her. A pedestrian frightened the man away before he could complete the attack.
5. At a local bar, a man slipped gamma-hydroxybutyrate (GHB), a date rape drug, into a woman's drink. However, the man was unable to lure the woman away from her friends. Investigators concluded that the man intended to have intercourse with the woman and arrested him.

The following scenarios illustrate criminal sexual assault incidents reporting agencies must not classify and report as Forcible Rape.

1. An 18-year-old male had consensual sexual intercourse with a 13-year-old female.
2. At a family reunion, a man had sexual intercourse with his niece. No force or weapon was involved.
3. A man forcibly sodomized his male cousin. The cousin was hospitalized with internal injuries.

ROBBERY (3)

Federal UCR Program Definition: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force, threat of force, violence, and/or putting the victim in fear.

In most cases, pocket-picking or purse-snatching offenses are classified as theft rather than robbery. However, if force or threat of force is used to overcome the active resistance of the victim, the offense must be classified as a robbery.

ILCS Offenses and Associated I-UCR Offense Codes

- Armed Robbery (0310)
- Robbery (0320)
- Vehicular Hijacking (0325)
- Aggravated Vehicular Hijacking (0326)
- Aggravated Robbery (0330)

An aggravated battery or aggravated assault may be an element of a robbery incident, but must not be reported as a separate crime as long as it was performed in furtherance of the robbery. However, if the injury results in death, a criminal homicide offense must be reported.

The following scenarios illustrate incidents reporting agencies must classify and report as Robbery.

1. A man came to a victim's door and asked to use the phone. After being admitted to the residence, he pulled a gun and demanded money. He took the victim's money and fled.
2. A lone male with a gun appeared in a tavern and ordered ten patrons and the owner to hand over their cash and jewelry. After obtaining their possessions, the man left.
3. Four individuals planned to rob a local supermarket. One of the individuals informed the police. On the appointed day, the four walked in the front door of the market armed with handguns.
4. A lone male approached a car stopped at a traffic light. The male brandished a knife and ordered the driver of the car to get out of the vehicle. She complied, and the male then jumped into the car and drove away, leaving the car owner frightened but unhurt.
5. A man was walking down the street when an assailant grabbed him and held a broken bottle to his throat. While the assailant was attempting to remove the victim's wallet from his pocket, the police arrived and apprehended the assailant.
6. Two men attacked a third, an acquaintance, in an alley near a bar. They beat him severely with a club and took his wallet containing several hundred dollars.
7. A woman demanded merchandise at a jewelry store while threatening to detonate a bomb. Two store employees managed to detain the suspect until the police arrived.
8. While a motorist was stopped at an intersection, a man armed with a canister of Mace forcibly removed her from her convertible. The man got into the vehicle and drove away. The motorist suffered several cuts and bruises in the confrontation.
9. During a purse-snatching, a thief shoved a woman to the ground and took her purse.
10. A juvenile was observed by a store security guard concealing compact discs under his shirt. When he was confronted, the youth punched the security guard and fled the store, leaving the compact discs behind.
11. A resident discovered an intruder in his residence. An altercation ensued, and the offender battered the resident with his fists, demanding the resident forfeit his wallet prior to fleeing the residence. The resident complied.

AGGRAVATED BATTERY/AGGRAVATED ASSAULT (4)

Federal UCR Program Definition: An unlawful attack or attempted attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

Agencies must consider the following factors in classifying aggravated battery.

1. Was the intent of the assailant to cause serious injury?
2. Was a weapon employed or the use of an object as a weapon?
3. Was the injury serious?

An aggravated battery must be accompanied by the use of a weapon (firearm, knife or cutting instrument, objects in which serious injury does or could result, or hands/fist/feet). It is not necessary that serious injury result from the attack when a weapon used could cause serious personal injury, unless the weapon used is hands/fist/feet.

When hands/fist/feet is the weapon, the seriousness of the injury is the primary factor in establishing whether the battery is aggravated. The offense must be classified as aggravated if the personal injury is serious, i.e. broken bone(s), internal injuries, loss of teeth, unconsciousness, or stitches required. If there were no or minor injuries, the offense would be classified as a battery and not reported.

If any weapon other than hands/fist/feet is used, and the intent was to inflict serious injury, the incident is classified and reported as an aggravated battery as long as the weapon used did have the capability of inflicting serious injury. A steel-toed boot, when used as a weapon, could inflict serious injury. A battery where a steel-toed boot was the weapon used must be classified and reported as an aggravated battery if there was intent to inflict serious injury, regardless if the subsequent injuries were minor. Conversely, a slipper, when used as a weapon, is highly unlikely to inflict serious damage. A battery where a slipper was the weapon used must be classified as a battery, and is not reported.

The I-UCR Program uses **ONLY** the above parameters when classifying an incident as an aggravated battery or aggravated assault. Illinois law allows for a battery or assault charge to be elevated to an aggravated classification based on the who the victim is, or where the offense took place, rather than relying solely on the use of a weapon and severity of injuries. Victims of battery or assault identified as police and correctional officers, fireman, private security officer, teachers or persons employed in any school, emergency medical technicians, disabled persons, persons age 60 years, pregnant victims, etc., can allow for aggravated charges. Offenses occurring in certain locations; public way, public property, publicly or privately owned sports or entertainment arenas when certain sporting events are scheduled, etc., can also allow for aggravated charges. Additionally, an offender who is hooded, robed, or masked in such a manner to conceal his identity while committing the offense can allow for aggravated charges. **NONE** of these ILCS elements which elevate an offense of battery or assault to an aggravated classification should be applied when reporting incidents to the I-UCR Program.

ILCS Offenses and Associated I-UCR Offense Codes

- Aggravated Battery (0410)
- Heinous Battery (0480)
- Aggravated Battery of a Child (0485)
- Aggravated Domestic Battery (0488)
- Aggravated Battery of a Senior Citizen (0495)
- Ritual Mutilation (0490)
- Aggravated Assault (0510)

The following scenarios illustrate incidents reporting agencies must classify and report as Aggravated Battery.

1. A man had an argument with his girlfriend. She left and later returned with a gun and shot the man, attempting to kill him. He recovered from his gunshot wound.
2. During a dice game, a heated argument erupted and one man stabbed another with a knife. The victim recovered.

3. Police responded to a domestic dispute. They found the offender beating the victim about the head and face with a shoe. The victim suffered multiple lacerations requiring stitches.
4. A fist fight occurred between two patrons outside a hardware store. One victim's nose was broken, the second suffered from a broken jaw.
5. A disgruntled worker threw lye on a co-worker suspected of forwarding allegations of theft to management.
6. An altercation occurred between two high school students. The assailant attacked the victim with a pen with the intent of gouging the victim's eye. The pen does not hit the intended mark, and the resulting injury is minimized to a slight puncture on the victim's cheek.

The following scenarios illustrate incidents reporting agencies must classify and report as Aggravated Assault.

7. While an officer was attempting to serve a warrant, the individual ran from the officer. The subject turned and fired, missing the officer. Subject was apprehended without further altercation.
8. During an argument, a man threatened his girlfriend with a knife. The assailant left the area without inflicting injury to the girlfriend.
9. During an altercation between two patrons at a local tavern, one of the men displayed a vial filled with a biological contaminant in a threatening manner. Police arrived prior to the man carrying out threats to open the vial and expose the contents to the other party involved.

BURGLARY (5)

Federal UCR Program Definition: The unlawful entry (forced or no force) of a structure to commit a felony or a theft. Attempted burglary must be reported.

The definition of a structure includes, but is not limited to, the following:

- Apartment
- Barn
- Cabin
- Church
- Condominium
- Dwelling house
- Factory
- Garage
- House trailer or houseboat (used as permanent dwelling)
- Mill
- Office
- Other building
- Outbuilding
- Public building
- Railroad car
- Room
- School
- Stable

- Storage facility
- Vessel (ship)
- Warehouse

Additionally, any house trailer or other mobile unit that is permanently fixed as an office, residence, or storehouse is considered a structure. Tents, tent trailers, motor homes, house trailers, or other mobile units that are being used for recreational purposes are not considered structures. A telephone booth is not a structure.

Shoplifting from commercial or public establishments; and thefts from telephone booths, coin boxes, or coin-operated machines are all classified as theft offenses. If the area entered was one of open access, thefts from the area would not involve an unlawful entry, a required element in the offense of burglary.

An unlawful entry in which no theft or felony occurs but acts of vandalism, malicious mischief, or no crime at all is committed, is not classified as a burglary provided investigation clearly establishes that the unlawful entry was for a purpose other than to commit a felony or theft. The offense would be classified as a criminal trespass to property or residence, criminal damage to property, etc., which do not require reporting.

Thefts from the interior of an automobile, whether locked or not; do not constitute the offense of burglary in the I-UCR Program and must be classified as theft. Automobiles are not included in definition of "structure" provided above.

ILCS Offenses and associated I-UCR Offense Codes

- Burglary (0610)
- Residential Burglary (0625)
- Home Invasion (0650)

The following scenarios illustrate incidents reporting agencies must classify as Burglary.

1. A liquor store was broken into on a holiday when the store was closed. The next day, the manager found alcoholic beverages and money missing and called the police.
2. A burglar used a key to enter four units in a condominium complex and stole numerous articles from each residence. The resident in each condominium called the police.
3. A man hid in a theater. After it closed, he stole money from the cash register and left the premises during the night.
4. While a housewife was in the backyard hanging clothes, a 14-year-old boy entered her house through the unlocked front door and took her purse. When the woman realized her purse was missing, she called the police.
5. A woman posing as a maintenance employee entered an unlocked office after business hours and stole a wallet from a cabinet.
6. During the night, someone stole a vehicle out of an unlocked, but closed, private garage. Two days later, police found the car abandoned in a nearby town.

7. After closing hours, a subject entered an unlocked door of a warehouse. The warehouse contained a number of offices of individual shipping companies. The subject broke into eight of the company offices, rifled the office desks, and stole some items from each office.
8. Three teen-agers broke into their high school over the weekend. The youths did not remove any items from the buildings; however, they were responsible for over \$10,000 of criminal damage to the property.

THEFT (6)

Federal UCR Program Definition: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted thefts must be reported.

Constructive possession is defined by Black's Law Dictionary, 6th ed, as "where one does not have physical custody or possession, but is in a position to exercise domain or control over a thing."

All thefts and attempted thefts are included in this category with one exception: motor vehicle theft. Because of the high volume of motor vehicle thefts, this crime has its own offense category.

Though Illinois law allows for the charge of burglary from motor vehicle, the I-UCR Program requires this offense to be classified and reported as a theft.

ILCS Offenses and Associated I-UCR Offense Codes:

- Theft over \$300 (0810)
- Theft \$300 and Under (0820)
- Retail Theft (0860) *refer to definition below*
- Delivery Container Theft (0865)
- Pocket-Picking (0870) *refer to definition below*
- Purse-Snatching (0880) *refer to definition below*
- Theft From Building (0890)
- Theft From Coin-operated Machine or Device (0895)
- Theft From Motor Vehicle (0710)
- Theft of Motor Vehicle Parts or Accessories (0720)
- Burglary of Motor Vehicle Parts or Accessories (0730)
- Burglary From Motor Vehicle (0760)
- Vehicular Invasion when there is intent to commit a theft (0770)
- Theft of Motor Fuel From a Self-Service Gas Station (no current code, use 0810 or 0820)

I-UCR Program Retail Theft Definition: The theft by a person (other than an employee) of goods or merchandise exposed for sale.

By definition, the offender in a retail theft incident has legal access to the premises and no trespass or unlawful entry is involved. The category includes thefts of merchandise displayed as a part of the stock in trade outside buildings such as department stores, hardware stores, supermarkets, fruit stands, and gas stations.

I-UCR Program Pocket-Picking Definition: The theft of articles from a person by stealth where the victim usually does not become immediately aware of the theft.

Pocket-picking includes the removal of such items as wallets from women's purses and men's pockets. It usually occurs in a crowd, public conveyance, or other similar situation to disguise the activity. Reporting agencies must also include theft from a person in an unconscious state, including drunks, in this category. However, if the victim is manhandled or if force beyond simple jostling is used to overcome the resistance of the victim, the offense must be classified as a robbery.

I-UCR Program Purse-Snatching Definition: The grabbing or snatching of a purse, handbag, etc., from the custody of an individual.

The purse must be in the physical possession of the victim in order for the theft to be classified as purse-snatching. If more force is used than is actually necessary to snatch the purse from the grasp of the owner, or if the victim resists the theft in any way, then the offense is classified as a robbery. If a woman leaves her purse unattended and it is stolen, it is likewise reported as a theft.

The following scenarios illustrate incidents reporting agencies must classify and report as Theft:

1. While standing in a crowd watching a parade, a man was jostled by someone who stole his billfold containing identification, credit cards, and cash.
2. Two persons entered a hardware store together. While one engaged the clerk in a discussion in the back of the store, the other stole a power saw.
3. A truck-tractor semi-trailer parked in the company parking lot was broken into, and 120 cases of canned food were taken.
4. A subject broke into a locked car and was attempting to remove an expensive compact disc player when the owner of the car returned. The subject fled the area.
5. A local airport reported the theft of a single-engine airplane by a mechanic who did not have permission to take the plane.
6. Two 17-year-old boys boarded a rowboat at dockside and stole a fishing rod and reel.
7. A farmer discovers a John Deere tractor has been taken from a parcel of his property located 3 miles from his residence.

MOTOR VEHICLE THEFT (7)

Federal UCR Program Definition: The theft or attempted theft of a motor vehicle.

Motor Vehicle Theft includes the theft or attempted theft of a motor vehicle, which the I-UCR Program defines as a self-propelled vehicle that runs on land surface and not on rails. Examples include: sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, all-terrain vehicles, trail bikes, mopeds, golf carts, motorized wheelchairs, motor homes, and snowmobiles.

This category does **not** include the theft or attempted theft of farm equipment, bulldozers, airplanes, construction equipment, or water craft (motorboats, sailboats, houseboats, or jet skis) which are classified and reported as thefts.

Taking a vehicle for temporary use when prior authority has been granted or can be assumed such as in family situations, rental car and lease agreements, or unauthorized use by chauffeurs and others having lawful access to the vehicle must **not** be classified as motor vehicle thefts.

Reporting agencies must classify as Motor Vehicle Theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned. Joyriding is included in this category.

ILCS Offense and Associated I-UCR Offense Code

- Motor Vehicle Theft (0910)

The following scenarios illustrate incidents reporting agencies must classify and report as Motor Vehicle Theft.

1. A juvenile took a sport utility vehicle from in front of the owner's residence. Approximately an hour later the police found the vehicle on the other side of town, abandoned and out of gas.
2. An owner awoke to find his car several parking spaces north of where it had been parked the previous night. There was no damage. The vehicle had not been hot wired. The owner noticed that the gas tank was empty.
3. A woman stopped at a mailbox and left her minivan running while she got out of the vehicle to mail a letter. A 14-year-old boy jumped into the vehicle and drove away. The police recovered the auto 2 hours later, wrecked against a tree.
4. A taxi was stolen from a parking lot. The police recovered it in another city.
5. A self-propelled motor home was stolen from the driveway of a citizen's residence. The police later found the vehicle stripped of all removable parts.
6. Three 16-year-old students drove their school bus from the school's property to a shopping center to buy concert tickets. They had no permission to use the bus.
7. A winter retreat lodge in a mountain area had numerous snowmobiles for the use of its guests. During the night, three of the snowmobiles were stolen.

The following scenarios illustrate incidents reporting agencies must not classify and report as Motor Vehicle Theft.

1. A daughter had permission to drive one of the family vehicles to and from school. She took the vehicle without her parent's knowledge or permission to provide her boyfriend with transportation home from his place of employment.
2. A pizza delivery man was off duty and drove a company delivery vehicle to the grocery store and then to his residence before returning the vehicle.

ARSON (8)

Federal UCR Program Definition: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Agencies must report as arson only fires determined through investigation to have been willfully or maliciously set. Attempts to burn are included in this offense, but fires of suspicious or unknown origins are not. Agencies must classify one offense for each distinct arson operation originating within the reporting jurisdiction. If a fire is willfully and maliciously set in one location and spreads to another, the jurisdiction in which the fire originated must report it.

Illinois law stipulates that the value of the damaged property must be \$150 or more to be classified as arson. If the value of the damaged property is less than \$150, the incident is classified as criminal damage to property. The I-UCR Program does not have this requirement and all willful or malicious or attempts to burn personal property **must** be reported, regardless of the value of the damaged property.

ILCS Offenses and Associated I-UCR Codes

- Arson (1010)
- Aggravated Arson (1025)
- Criminal Damage to Property under \$150 where real or personal property damaged by means of fire or explosive (1310)

The following scenarios illustrate incidents reporting agencies must classify and report as Arson.

1. As the result of fire, several condominiums were destroyed or damaged. Investigation revealed an arsonist had ignited a fire in one condominium; however, the fire spread to several adjacent buildings, causing \$400,000 total damage.
2. Someone threw a firebomb at a parked vehicle. The device missed the car and harmlessly burned in the street.
3. The owner of an airplane willfully burned it to collect the insurance money. The fire also damaged the plane's hangar; the estimated total loss was \$450,000. The owner fled the area and could not be found.
4. A 16-year-old boy, whose motive was revenge, burned the timber belonging to a local rancher, causing \$200,000 in damage.
5. The police and fire investigators determined a fire was deliberately set in a trash can in a college dormitory room. Damage was contained to the trash can and there were no injuries.
6. Three individuals broke into a warehouse and spray painted the walls. They located the night watchman and kicked him into unconsciousness. The watchman sustained several broken ribs. Prior to leaving, the vandals sloshed gasoline around the premises. The police arrived on the scene and apprehended two of the three suspects as they were attempting to ignite the gasoline.

SCORING

Scoring is counting the number of offenses after they have been classified. The correct method of scoring offenses is dependent upon which of the two types of crimes have been reported, crimes against persons or crimes against property, and application of the Hierarchy Rule, Hotel Rule, and Same Time and Same Place Rule where applicable.

In most cases, agencies score attempts to commit a crime as though the crimes were actually completed. The only exception to this rule applies to attempted criminal homicide where the victim does not die; these offenses must be scored as aggravated batteries rather than attempted criminal homicides.

Crimes Against Persons Versus Crimes Against Property

Categorizing an offense as a crime committed against persons or committed against property determines the scoring method. In the I-UCR Program, the offenses of criminal homicide, forcible rape, and aggravated battery/aggravated assault are crimes against persons. For these crimes, one offense is counted for each victim. The number of offenders involved in the incident is irrelevant. Robbery, burglary, theft, motor vehicle theft, and arson are crimes against property. For these crimes, one offense is counted for each distinct operation or attempt, regardless of the number of victims. Again, the number of offenders involved in the incident is irrelevant. The exception is in the case of motor vehicle theft for which one offense is counted for each stolen vehicle and one offense for each attempt to steal a motor vehicle.

Hierarchy Rule

There is significance to the order in which the offenses were listed, with criminal homicide being ranked the highest in the hierarchy and arson being ranked the lowest.

Offenses may occur singly as opposed to more than one offense being committed simultaneously within one incident. If several offenses are committed at the same time and place by a person or a group of persons, it is referred to as a **multiple-offense incident**. As a general rule, the I-UCR Program requires the application of the Hierarchy Rule when scoring a multi-offense incident. The Hierarchy Rule requires that when more than one offense has occurred within a single incident, the agency must identify which of the offenses is the highest on the hierarchy list and score and report only that offense. The other offense(s) in the multiple-offense incident are not reported.

The Hierarchy Rule applies **only** to I-UCR reporting and does not affect the number of charges for which the defendant may be prosecuted in the courts.

The offenses of motor vehicle theft and arson are exceptions to the hierarchy rule.

Motor vehicle theft is a separate classification of theft because of the volume of such thefts and the need of law enforcement for specific statistics on this offense. In instances where a motor vehicle theft is reported along with an additional theft in a multi-offense incident, the motor vehicle theft is the only offense reported. In other instances where motor vehicle theft is coupled with the higher ranking offenses of criminal homicide, forcible rape, robbery, and/or burglary, the highest offense is the sole offense reported and the motor vehicle theft is not reported.

For a multiple-offense incident, of which one offense is arson, the reporting agency must report the arson and then apply the Hierarchy Rule to the remaining offenses to determine which one is the most serious. Both the arson and the most serious offense must be reported.

The following scenarios illustrate the proper application of the Hierarchy Rule in reporting a multiple-offense incident.

1. Two women broke into a new car dealership after closing hours. They took the cash from the dealership's office safe and two new automobiles from the garage.

Applying the Hierarchy Rule to crime reporting: A burglary and motor vehicle theft were committed. Following the Hierarchy Rule, only the burglary, the highest of the offenses on the list of offenses, must be reported.

2. A burglar broke into a home, stole several items, and placed them in a car belonging to the owner of the home. The homeowner returned and surprised the thief, who in turn knocked the owner unconscious by hitting him over the head with a chair. The burglar drove away in the homeowner's car.

Applying the Hierarchy Rule to crime reporting: A home invasion, robbery, aggravated battery, and motor vehicle theft occurred in this incident. After classifying the offenses, the agency must report one offense—robbery—the crime with the highest ranking.

3. A white female, aged 23, was being arrested on charges of soliciting for prostitution. During the arrest, she attempted to spray mace into the arresting officer's face. The officer's search of the female resulted in the recovery of a credit card belonging to an individual that had previously reported it stolen. There was no indication that the card had been used fraudulently.

Applying the Hierarchy Rule to crime reporting: In this situation, prostitution, possession of stolen property, and aggravated assault were committed. Following the Hierarchy Rule, only the aggravated assault must be reported.

The following scenarios illustrate incidents that are exceptions to the Hierarchy Rule.

4. Someone stole a pickup truck that had attached to it a camper containing camping equipment. The police recovered the truck and camper but not the equipment.

Exception to the Hierarchy Rule: After classifying, the reporting agency must choose between theft and motor vehicle theft. In this case, the exception to the Hierarchy Rule requires the agency to report the motor vehicle theft, and not the theft.

5. As a result of arson in an apartment building, six persons were found dead.

Exception to the Hierarchy Rule: The offenses of criminal homicide and arson were committed in this multiple-offense situation. The agency must report the criminal homicide offenses (one for each victim) **AND** the arson.

Hotel Rule

Burglaries of hotel or motel rooms, lodging houses, or other places where lodging is the main purpose are scored differently depending on the following circumstances. If a number of units under a single manager are burglarized and the offenses are most likely to be reported to the police by the manager rather than the individual tenants, the burglary must be reported as a single offense. Examples are burglaries of a number of rented hotel, flop house, youth hostel, or motel rooms. Even if the reports come in separately to the manager over a span of continuous time, the burglaries would be reported as one incident.

If the individual living areas in a building are rented or leased to the occupants for a period of time that would preclude the tenancy from being classified as transient, then the burglaries would most likely be reported separately by the occupants. Such burglaries must be reported as separate offenses. Examples of the type of burglaries reported independently would be the burglaries of a number of apartments in an apartment house, of the offices of a number of commercial firms in a business building, of the offices of separate professionals within one building, or of a number of rooms in a college dormitory.

Separation of Time and Place Rule

Occasionally, an individual or a group will commit a number of offenses over a short period of time. If there is a separation of time and place between the commission of several crimes, the agency must handle each crime as a separate incident and must classify, score, and report each offense individually. Burglaries where a separate structure was entered with each incident, regardless of their proximity to one another, must be reported separately. See Page 8 for the definition of “structure”.

Same time and place means that the time interval between the offenses and the distance between locations where they occurred are insignificant. Normally, the offenses must have occurred during an unbroken time frame and at the same or adjoining location(s), excluding structures. However, incidents can also be comprised of offenses which, by their nature, involve continuing criminal activity by the same offender(s) at different times and places, as long as investigation deems the activity to constitute a single criminal transaction.

The following scenarios illustrate the correct application of the Separation of Time and Place Rule:

1. A man and a woman were parked in a vehicle when a gunman surprised them and killed the man when he resisted. He abducted the woman and drove across town to a secluded area where he raped her.

Application of the Separation of Time and Place Rule: This incident is an example of two separate crimes against persons – criminal homicide and forcible rape. The Hierarchy Rule does not apply because there is a separation of place, and both offenses are reported.

2. A man forcibly entered a closed sporting goods store and stole cash and merchandise including numerous firearms. The next day, police arrested a man during an attempted street robbery. The man was armed with a handgun, which further investigation determined he stole from the sporting goods store.

Application of the Separation of Time and Place Rule: In this example, two crimes have been committed at different times and places – a separation of both time and place. The agency must report both offenses.

3. Patrons who attended a musical event parked in the auditorium parking deck. Seven of the patrons returned to find their vehicles had all been broken into. Each reported the loss of personal items.

Application of the Separation of Time and Place Rule: Seven crimes were committed in this scenario at the same time and place. The incident must be scored as one theft offense.

CRIMINAL SEXUAL ASSAULT AND MOTOR VEHICLE THEFT ADDITIONAL REPORTING REQUIREMENTS

The I-UCR Program requires agencies to additionally report on a monthly basis and **without the application of the Hierarchy Rule**, the occurrence of Criminal Sexual Assault offenses and Motor Vehicle Thefts. Attempted Criminal Sexual Assaults and Motor Vehicle Thefts must be included. The revised I-UCR Program, with the application of the Hierarchy Rule, does not allow for an accurate tabulation of the total number of Motor Vehicle Thefts occurring. Additionally, the adoption of the Federal definition of Forcible Rape prevents the collection several critical elements of the ILCS Criminal Sexual Assault. Statistics in these two crime categories in particular, are most often sought out by law enforcement, criminologists, media services, academia, and the public. The revised I-UCR Program is committed to the collection of accurate and pertinent crime data, and has retained the reporting categories of total Motor Vehicle Thefts (expanded to include vehicular hijacking incidents) and Criminal Sexual Assaults in addition to the aforementioned Index Crimes.

CRIMINAL SEXUAL ASSAULT (1)

ILCS Offenses and Associated I-UCR Offense Codes

- Criminal Sexual Assault (0260)
- Aggravated Criminal Sexual Assault (0261)
- Forcible Sodomy (0262)
- Predatory Criminal Sexual Assault of a Child (0280)
- Criminal Sexual Assault With an Object (0281)

MOTOR VEHICLE THEFT (2)

ILCS Offenses and Associated I-UCR Offense Codes

- Vehicular Hijacking (0325)
- Aggravated Vehicular Hijacking (0326)
- Motor Vehicle Theft (0910)

INDEX CRIME ARRESTS

The I-UCR Program requires agencies to report on a monthly basis **the number of persons arrested, not the number of charges involved in the arrest.** The following guidelines outline the correct scoring methodology to be used in reporting Index Crime arrests.

- For each person arrested, agencies must score only one Index Crime arrest. If a person was arrested for a multi-offense incident, agencies must score only the arrest for the crime ranking highest in the hierarchy. See Page 1 for the hierarchy listing.
- An agency must score each arrest separately when a person is arrested several times during a month for the same or different Index Crime category offenses.
- Persons arrested as aiders, abettors, conspirators, solicitors, and accessories must be scored as an arrest in the Index Crime category in which they were involved.
- Juvenile arrests must be scored.
- If two or more persons are arrested for committing one offense, the agency must count each individual as a separate arrest.
- If an offender confesses to additional crimes while in custody, the agency must not score additional arrests for those crimes. Only the original arrest is scored.
- Do not count persons arrested for other jurisdictions. The originating agency must count the arrest.
- Include arrests for federal offenses only when the arrest is for a federal crime occurring in the agency's jurisdiction and the offense is also a crime under the ILCS.
- Arrests are to be reported during the month in which the arrest occurred, which may differ from the month in which the crime was reported. Do not submit an adjustment for a previous month if the arrest for a crime occurs in the month(s) following the initial report. Example: An arrest was made in September for an aggravated battery reported in May. The arrest must be scored in the September report rather than submitting an adjustment for the month of May adding the arrest.
- An arrest under a city code or ordinance violation that mirrors an ILCS Index Crime offense must be scored as an arrest. Example: A juvenile arrested for shoplifting was charged and released for the city ordinance violation of shoplifting as a result of prosecutorial direction from the States Attorney's Office. The agency must score an arrest in the Theft Index Crime category.
- If there were no Index Crime Offense arrests in a specific category, "zero" must be reported.

DRUG OFFENSE ARRESTS

The I-UCR Program requires agencies to report on a monthly basis the number of arrests affected for the offense categories below.

- Violations of Cannabis Control Act
 - Possession of Cannabis 30 gm and Under (1811)
 - Possession of Cannabis Over 30 gm (1812)
 - Delivery of Cannabis 30 gm and Under (1821)
 - Delivery of Cannabis Over 30 gm (1822)
 - Casual Delivery (1830)
 - Delivery to Persons Under 18 (1840)
 - Cannabis Plant(s) (1850)
 - Calculated Cannabis Conspiracy (1860)

- Violations of Controlled Substance Act
 - Manufacture or Delivery of Controlled Substance (2010)
 - Possession of a Controlled Substance (2020)
 - Look-a-Like Controlled Substance (2030)
 - Delivery or Possession with Intent to Deliver (2040)
 - Criminal Drug Conspiracy (2050)
 - Licensed Operations (2060)
 - Delivery to Persons Under 18 (2070)
 - Failure to Keep Records (2080)

- Violations of Methamphetamine Offenses
 - Possession of Methamphetamine (1910)
 - Possession or Delivery of Methamphetamine Precursor(s) (1915)
 - Possession or Delivery of Anhydrous Ammonia with Intent to Manufacture Methamphetamine (1920)
 - Possession or Delivery of Materials (not methamphetamine precursor) With Intent to Manufacture (1925)
 - Manufacturing Methamphetamine (1930)
 - Delivery or Possession with Intent to Deliver Methamphetamine (1935)
 - Methamphetamine, Methamphetamine Precursor, or Anhydrous Ammonia Trafficking (1940)
 - Purchase, Receive, or Acquire Over the Limit – Ephedrine/Pseudoephedrine (1945)
 - Pharmacy Selling Over the Limit - Ephedrine/Pseudoephedrine (1950)
 - Retail Store Selling Over the Limit–Convenience Packs Ephedrine/Pseudoephedrine (1955)
 - Protection of Methamphetamine Manufacturing (Failure to Report or Guards/Lookout) (1960)
 - Tampering with Anhydrous Ammonia Equipment (1965)
 - Using or Allowing Use of Property for Methamphetamine Offenses (1970)
 - Unlawful Disposal of Methamphetamine Manufacturing Waste (1975)
 - Child Endangerment–Exposing Children to Methamphetamine Manufacturing (1980)

- Violations of the Hypodermic Syringes and Needles Act
 - Sale or Possession of Hypodermic Syringes or Needles (2110)

- Violations of the Drug Paraphernalia Act
 - Sale or Delivery of Drug Paraphernalia (2160)
 - Possession of Drug Equipment (2170)

The following guidelines outline the correct scoring methodology to be used in reporting Drug Offense Crime arrests.

- Score the total number of drug offenses a person has been arrested for and **DO NOT** apply the Hierarchy Rule.
- If a person is arrested for multiple offenses within a Drug Crime Offense Category, score one arrest for each offense. Example: A person arrested for Delivery of Cannabis 30 gm and Under AND Delivery to Persons Under 18 would be scored as **2** arrests in the Violations of Cannabis Control Act category.
- If a person is arrested for multiple charges of the same offense, only one arrest is scored. Example: A person arrested on three charges of Possession of a Controlled Substance would be scored as **1** arrest.
- A drug arrest under a city code or ordinance violation that mirrors an ILCS Drug Crime Offense must be scored and reported as an arrest.
- If there were no Drug Crime Offense arrests in a specific category, “zero” must be reported.