

# ILLINOIS UNIFORM CRIME REPORTING PROGRAM MONTHLY INDEX CRIME FORM

Agency Name: \_\_\_\_\_ NCIC: IL

Contact Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Report for Month/Year: \_\_\_\_\_ County: \_\_\_\_\_

Initial

Adjustment

## INDEX CRIME OFFENSES

CRIMINAL HOMICIDE	RAPE	ROBBERY	AGG. ASSAULT/ AGG. BATTERY	BURGLARY	THEFT	MOTOR VEHICLE THEFT	ARSON	HUMAN TRAFFICKING - COMMERCIAL SEX ACTS	HUMAN TRAFFICKING - INVOLUNTARY SERVITUDE
Include only offenses 0110, 0130 (do not include attempts; attempts should be included in Agg. Assault/Agg. Battery category)	Include only offenses 0260*, 0261*, 0280* 0262, 0281 (include attempts)	Include only offenses 0310, 0320, 0325, 0326, 0330 (include attempts)	Include only offenses 0410, 0480, 0485, 0488, 0490, 0495, 0510 (include attempts), 0110 attempts, 0130 attempts	Include only offenses 0610, 0625, 0650 (include attempts)	Include only offenses 0710, 0720, 0730, 0760, 0770, 0810, 0820, 0860, 0865, 0870, 0880, 0890, 0895 (include attempts)	Include only offense 0910 (include attempts)	Include only offenses 1010, 1025, 1310-by means of fire or explosives only (include attempts)	Include only offense 1050	Include only offense 1055

## INDEX CRIME ARRESTS

CRIMINAL HOMICIDE	RAPE	ROBBERY	AGG. ASSAULT/ AGG. BATTERY	BURGLARY	THEFT	MOTOR VEHICLE THEFT	ARSON	HUMAN TRAFFICKING - COMMERCIAL SEX ACTS	HUMAN TRAFFICKING - INVOLUNTARY SERVITUDE
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## DRUG CRIME ARRESTS

VIOLATIONS OF CANNABIS CONTROL ACT	VIOLATIONS OF CONTROLLED SUBSTANCES ACT	VIOLATIONS OF THE HYPODERMIC SYRINGES & NEEDLES ACT	VIOLATIONS OF THE DRUG PARAPHERNALIA ACT	VIOLATIONS OF THE METHAMPHETAMINE ACT
Include only offenses 1811, 1812, 1821, 1822, 1830, 1840, 1850, 1860	Include only offenses 2010, 2020, 2030, 2040, 2050, 2060, 2070, 2080	Include only offense 2110	Include only offenses 2160, 2170	Include only offenses 1910, 1915, 1920, 1925, 1930, 1935, 1940, 1945, 1950, 1955, 1960, 1965, 1970, 1975, 1980

**Illinois State Police**  
**Illinois Uniform Crime Reporting**  
**801 South 7th Street, 300-South**  
**Springfield, Illinois 62703**  
**Fax Number 217/524-8850**  
 Call I-UCR program staff at  
 (217) 557-6482  
 if you have any questions  
 regarding this form.

\* Report only criminal sexual assault (CSA), aggravated CSA and predatory CSA of a child offenses meeting the RAPE definition found in the Index Crime Reporting Guidelines.

## INDEX CRIMES

Chapter 50 of the Illinois Compiled Statutes, 709/5 mandates Illinois law enforcement agencies to report the occurrence of selected offenses and arrests within the **ten** Index Crime categories identified below. Prior to 2014, there were eight categories. Two Human Trafficking categories, Commercial Sex Acts and Involuntary Servitude, were added in 2014. There is significance to the order, or hierarchy, in which the crime categories are listed, with criminal homicide ranked the highest and human trafficking categories ranked the lowest. The Hierarchy Rule is discussed in detail in the scoring section. Index Crime offense and arrest categories reported on a monthly basis include:

1. Criminal Homicide
2. Rape
3. Robbery
4. Aggravated Battery/Aggravated Assault
5. Burglary
6. Theft
7. Motor Vehicle Theft
8. Arson
9. Human Trafficking – Commercial Sex Acts
10. Human Trafficking – Involuntary Servitude

Additionally, Index Crime reporting includes the submission of select drug offense arrests.

### STEP 1 - Classifying Offenses

Classifying is reviewing the offense(s) that occurred in an incident and determining if the offense is required to be reported to the I-UCR Program. The classification of an offense is based solely on the facts of an agency's investigation of a crime incident. I-UCR classification and reporting may not always match the resulting charges. An offender who disarms a police officer and flees the scene may not be charged with robbery, but classification would determine a reportable robbery had occurred. Additionally, modification to a reportable offense initiated by the State's Attorney's Office does not impact reporting. If an agency initially classifies an offense as an aggravated battery, and action by the State's Attorney's Office reduces the charge to battery, the agency must still report an aggravated battery offense. Similarly, adjudication results do not negate the reporting of an offense. If a defendant is found not guilty in court proceedings of a reported offense or found guilty of a lesser, non-reportable offense, the agency does not adjust the monthly Index Crime report in which the offense was originally reported and remove or subtract the offense. The age of the offender does not impact reporting. If the offender of a reportable offense is a juvenile, the offense must still be reported.

Index Crime offenses are classified based on the Federal UCR Program's offense definitions. Index Crime offense definitions do not, in all cases, mirror ILCS offense definitions. It is critical

for an agency to review the definitions to ensure all offenses meeting the Index Crime definitions are reported, and to avoid over reporting offenses that do not meet the definitions.

Generally, attempts to commit an offense should be reported as though the offense was actually committed. The only exception to this rule applies to attempted murder. If the victim of an attempted murder survives, the offense must be classified and reported as an aggravated battery rather than attempted murder.

It is essential in achieving federal compliance and establishing uniformity state-wide that all reporting agencies adhere to the Federal UCR Program's offense definitions. Unusual situations will arise when classifying offenses and all cannot be covered in these guidelines. If assistance is needed in classifying an offense, contact the I-UCR Program staff.

The standard definition for each of the ten Index Crime categories follows.

## **CRIMINAL HOMICIDE (1)**

**I-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)

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 to **NOT** include involuntary manslaughter statistics the reporting of criminal homicide.

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 to be a contradiction when compared to an incident where a victim suffers a blow to the head causing an aneurysm to burst resulting in death. This incident would be classified and reported as a criminal homicide. The distinction between the two incidents and differences in classification is based upon the fact the offender did not take physical actions that would cause the victim to have a heart attack. There was physical contact between the offender and the aneurysm victim, with the potential for significant injury to occur which could result in

death. The head injury in the second example set in motion a series of physical reactions which resulted in the victim's death.

If the victim of an aggravated battery succumbs to injuries in the month(s) following the initial incident, the homicide must be reported in the month the incident occurred. Delete the previously reported aggravated assault and add the criminal homicide.

## **RAPE (2)**

**I-UCR Program Definition:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

The definition of Rape (previously Forcible Rape) was revised and agencies are required to use the new definition beginning with the 2014 reporting year. The words 'forcible' and 'against the person's will' have been removed from the definition. It is the goal of the broader definition to provide a more accurate understanding of the scope and volume of sex offenses being committed.

The new definition allows for the reporting of incidents involving male victims, oral penetration by a sex organ, vaginal or anus penetration by any object or body part, and offenses in which physical force is not involved. The new definition allows for the reporting of instances in which offenders use drugs or alcohol to take away the victim's ability to knowingly give consent to the sex act.

The definition still includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (or because of youth). Physical resistance is not required on the part of the victim to demonstrate lack of consent. 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.

Not every element in each of the ILCS offenses listed below meet the revised Rape definition. It may be necessary to review the narrative of a criminal sexual assault report to determine if the elements of the incident meet the definition and requires reporting. Report only those offenses that meet the definition.

### **ILCS Offenses and associated I-UCR Offense Codes**

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

Agencies must **not** classify sex offenses excluded in the revised definition, i.e. forcible fondling, criminal sexual abuse, etc. as Rape.

Instances of repeated rape are reported only once. This is most commonly reported in family situations where a juvenile victim is raped repeatedly over the course of weeks, months, or years. The rape is reported once, in the month and year in which the offense first occurred.

Statutory rape (criminal sexual abuse) and incest (sexual relations within families) offenses meeting the Rape definition are only reported when the victim did not give consent. If the sex act(s) in either of these categories was consensual, an offense is NOT reported.

## **ROBBERY (3)**

**I-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.

Robbery is considered to be the most under-reported index crime category. Particular attention must be given to the definition as compared to the elements of an incident to ensure robbery incidents are not overlooked. Below provides an example of an incident that must be classified and reported as a robbery, though the offender may not be charged with a robbery offense.

While attempting to take an offender into custody, a physical confrontation occurs between the officer and the offender. The offender disarms the officer, taking his duty weapon, and flees the scene. By definition, a robbery has occurred and must be reported.

### **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.

## **AGGRAVATED BATTERY/AGGRAVATED ASSAULT (4)**

**I-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. It is not necessary to meet all three factors before classifying an incident as an aggravated battery or aggravated assault.

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 is limited to the definition and parameters above 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 or correctional officers, firemen, 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.

**If any of the ‘qualifiers’ listed above are the only reason why a simple battery or assault is elevated to aggravated, the offense is NOT classified and reported as an aggravated offense.**

If a teacher is slapped by a student, the resulting charge could be aggravated battery. When classifying for I-UCR reporting purposes, you must remove the fact that the victim was a teacher and in the ‘protected person’ category. The remaining elements of the incident would only support a battery classification. A more common example is aggravated battery to a police officer. Unless the elements of the incident would support classification as aggravated with no regard to the fact that the victim was a police officer, the offense would not be classified as an aggravated battery. Agencies must carefully review aggravated battery and aggravated assault offenses to avoid over-reporting.

#### **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)

## BURGLARY (5)

**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
- Dormitory room
- Factory
- Garage
- House trailer or houseboat (used as permanent dwelling)
- Mill
- Office
- Other building
- Outbuilding
- Public building
- Railroad car
- Room
- School
- Semi-Trailer (only when stand alone and no longer connected to the truck tractor unit)
- Stable
- Storage unit or shed
- 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 used for recreational purposes and moved to various locations are **not** considered structures. An exception is when a recreational trailer or motor home is left permanently or for an extended period of time and the unit serves as a residence for the occupants. The type of locker found in schools, fit clubs, train stations, shopping malls, etc. 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. In these examples, the area entered was one of open access and 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. Examples of incidents that would NOT be classified as a burglary based on this guideline are: neighborhood youth break in to a storage shed belonging to vacationing neighbors for the purpose of creating a spot to drink alcohol and smoke cigarettes, or suspects break into a school and turn tables upside down and strew chairs throughout the cafeteria. The offenses classified in these incidents would be criminal trespass to property or residence and criminal damage to property,

which do not require reporting. An incident where suspects break into a school and commit \$10,000 worth of damage would however be classified as a burglary as the resulting criminal damage would constitute a felony.

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)

### **THEFT (6)**

**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, 6<sup>th</sup> Ed, as “where one does not have physical custody or possession, but is in a position to exercise domain or control over a thing.” An example of constructive possession would be personal items in an individual’s office though the individual is not in the office.

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*
  - Identity Theft (1137) *refer to additional information 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)
- Note: Theft of Motor Fuel from a FULL Service Gas Station is classified as Fraud and NOT reported in the Theft category.**



**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 but located outside buildings such as department stores, hardware stores, supermarkets, fruit stands, and gas stations. A theft committed by an employee is classified as embezzlement and NOT theft.

**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.

**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.

**Fraud Definition:** The intentional perversion of the truth for the purpose of inducing another person or entity to part with something of value or to surrender legal right. It is the fraudulent conversion and obtaining of money or property by false pretenses. Fraud involves either the offender receiving a benefit or the victim incurring a detriment. Fraud offenses are not classified and reported as theft. Examples: bad checks, forgeries, counterfeiting, swindle games, leaving full-service gas station, restaurant, or cab without paying, impersonation, and failure to return rental equipment including vehicles.

### **Identity Theft Classification**

The following guidelines are a the result of a collaborative effort between the Illinois and Federal Uniform Crime Reporting Programs to provide guidelines for agencies in determining what, if any, offenses are to be reported in relation to the ILCS definition of Identity Theft.

In the past, agencies have been specifically directed to report the unlawful obtaining or taking of an identifier(s); i.e. name, sex, dob, social security number, account number, etc., as an Index Crime (Part I) THEFT offense. It is assumed agencies have been consistently reporting this element of Identity Theft as a theft. The unlawfully obtained identifiers may or may not be used in the future to secure goods and/or services. The Federal Program has provided additional clarification in that before reporting the theft of an identifier(s), the investigation of the reporting agency must be able to corroborate through investigation that the identifiers were unlawfully obtained.

The following provides an example of an incident where a theft **would not** be reported.

- A customer uses their Macy's credit card to purchase items at the store. When the customer receives the monthly statement, it is discovered numerous additional charges were made to the account that were not authorized by the customer. Investigation determines that the Macy's sales clerk retained the credit card information, which was used a week later to purchase the unauthorized items.

**Per the Federal UCR Program guidelines, the credit card information (identifier) was obtained lawfully and no theft has occurred for UCR reporting purposes. The later unauthorized use of the credit card to purchase goods is classified as FRAUD. Fraud is a Part II offense, which Illinois agencies currently do not report. No offenses related to this incident would be reported to the I-UCR Program.**

- A victim files a report with their local police agency after receiving a statement from their credit card provider with unauthorized purchases. The subsequent investigation does not allow the agency to determine how the account number was obtained.

**Per the Federal UCR Program guidelines, the agency through investigation has been unable to corroborate that the account information was obtained unlawfully. No theft has occurred for UCR reporting purposes. The later use of the credit card to purchase goods is classified as FRAUD. Fraud is a Part II offense, which Illinois agencies currently do not report. No offenses related to this incident would be reported to the I-UCR Program.**

The following provides an example of an incident where a theft **would** be reported.

A customer uses their Macy's credit card to purchase items at the store. During the purchase process, the customer's wallet was open, clearly displaying a VISA credit card. Another customer in line notes the credit card information while the customer is attending to an infant in a stroller at the check-out station. The customer later discovers unauthorized purchases on the VISA monthly statement.

**Per the Federal UCR Program guidelines, the agency has been able to corroborate through investigation that the credit card number (identifier) was obtained unlawfully by the second customer. A reportable theft has occurred. The later unauthorized use of the credit card to secure services and/or goods is classified as a FRAUD. Fraud is a Part II offense, which Illinois agencies currently do not report. One theft offense related to this incident would be reported to the I-UCR Program.**

Recently it was corroborated through investigation the computer system for Schnuck's grocery chain was "hacked" and countless account identifiers were unlawfully obtained. This was a singular act, and despite the number of victims, only one theft is reported.

An incident where investigation corroborates a system/network/data base has been unlawfully accessed or 'hacked' to obtain identifiers should be reported as theft by the agency taking the report, even when the exact location of where the theft occurred may be unknown. The Federal and Illinois UCR Programs require the reporting of offenses known to police. A theft has occurred, though the location of where the offense took place may be in cyberspace. This does not preclude the requirement for an agency to report a known offense, theft, to the I-UCR Program.

Dependent upon the circumstances surrounding the unlawful obtaining of an identifier(s), the offense may be classified as a robbery or burglary instead of a theft.

- A man is walking to his vehicle after work. He is approached by an offender who threatens him with a knife while demanding his wallet. It is later discovered that multiple credit cards were used without authority. The unlawful obtaining of the identifiers would be classified as a robbery. A separate offense of theft would not be reported.
- An employee discovers their office burglarized over the weekend. The employee had left personal bank statements in a desk drawer. The bank statements were discovered on the floor of the office. Fraudulent use of the account information is discovered shortly after the incident. The unlawful obtaining of the identifiers would be classified as a burglary. A separate offense of theft would not be reported.

## **MOTOR VEHICLE THEFT (7)**

**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. Though farm equipment, bulldozers, and construction equipment meet the definition of a motor vehicle above, they are excluded because their primary purpose is not transportation.

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 may be recovered. Joyriding is included in this category.

### **ILCS Offense and Associated I-UCR Offense Code**

- Motor Vehicle Theft (0910)

## **ARSON (8)**

**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, or personal property of another.

Agencies must report as arson fires determined through investigation to have been willfully or maliciously set. Attempts to burn are included in this offense, but fires of 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. If a fire is willfully and

maliciously set in a building that spreads and engulfs three neighboring buildings, only one arson is reported.

Illinois law stipulates that the value of the property damaged by fire or explosive 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 definition of Arson does not include this value of property stipulation and all willful or malicious or attempts to burn personal property **must** be reported, regardless of the value of the damaged property. Fires intentionally set in trash cans or dumpsters are classified as an arson, as are incidents where cherry bombs or other fireworks are used to intentionally cause damage to property.

#### **ILCS Offenses and Associated I-UCR Codes**

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

### **HUMAN TRAFFICKING – COMMERCIAL SEX ACTS (9)**

**Definition:** Inducing a person by force, fraud, or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age. Commercial sex acts may be exchanged for anything of value. It is not limited to the exchange of money.

In Illinois, minors involved in commercial sex are abused children and victims under the Abused and Neglected Child Reporting Act. “Juvenile prostitution” has been eliminated from the criminal code. Minors under the age of 18 are immune from prosecution for prostitution. Law enforcement officers who encounter minors engaged in prostitution must file a report of human trafficking to DCFS. DCFS is required to investigate the report within 24 hours.

The I-UCR code for Human Trafficking – Commercial Sex Acts was created for use beginning with the 2014 reporting year. Though the monthly Index Crimes collection form indicates to only include the I-UCR code of 1050 (see below), additional Sex Offense I-UCR codes should be reviewed to determine if the elements of the incident meet the commercial sex act definition and require reporting.

#### **ILCS Offenses and Associated I-UCR Codes**

- Human Trafficking – Commercial Sex Acts (1050)
- Solicitation of a Sexual Act (1504)
- Prostitution (1505)
- Patronizing a minor engaged in prostitution (1512 – *note – code revised*)

### **HUMAN TRAFFICKING – INVOLUNTARY SERVITUDE (10)**

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

## ILCS Offenses and Associated I-UCR Codes

- Human Trafficking – Involuntary Servitude (1055)

**NOTE:** An incident may involve a victim of both Human Trafficking categories. Example: During the weekdays a victim is labored at a kiosk at a mall and on the weekends the same victim is prostituted.

## STEP 2 – Scoring Offenses

**Scoring is counting the number of offenses after classification. The correct method of scoring offenses incorporates the application of the Hierarchy Rule, Crimes Against Persons/Property Rules, Hotel Rule, and Same Time and Same Place Rule when 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; this offense must be classified as an aggravated battery rather than attempted criminal homicide.

## Hierarchy Rule

There is significance to the order in which Index Crime offenses are listed on page 1, with criminal homicide being ranked the highest in the hierarchy and human trafficking offenses being ranked the lowest. The Index Crime Monthly report form provides the hierarchy order from left to right, beginning with Criminal Homicide as the highest ranking offense.

Offenses may occur singly or more than one offense can be committed simultaneously within one incident. If several offenses are committed within the same incident 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, arson, and human trafficking offenses are exceptions to application of the hierarchy rule.**

Motor vehicle theft is a separate classification of theft because of the volume of such thefts and the law enforcement need for specific statistics on this offense. In an incident where a motor vehicle theft and an additional theft offense are the only offenses that occurred, the motor vehicle theft is the offense reported though it ranks lower than theft in the hierarchy order. An example of this exception is an incident where a motor vehicle is stolen from a driveway at a residence, and a yard ornament is also taken. Although standard application of the hierarchy rule would require the reporting of the theft (lawn ornament) rather than the motor vehicle theft, this exception to the hierarchy rule requires the reporting of the motor vehicle theft instead of the theft. 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. The exception only applies when theft and motor vehicle theft are the only two offenses reported in the incident.

Arson offenses are exempt from the Hierarchy Rule and always 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 of the remaining offenses must be reported. An example of this exception is an incident where a criminal homicide, rape, burglary (home invasion), and arson occurred. The arson is scored, and the hierarchy rule is applied to the remaining offenses. An arson and criminal homicide would be scored for this incident.

Human Trafficking offenses (both commercial sex acts and involuntary servitude) are exempt from the Hierarchy Rule and always reported. For a multiple-offense incident, of which one offense is human trafficking, the agency must report the human trafficking offense and then apply the Hierarchy Rule to the remaining offenses to determine which one is the most serious. Both the human trafficking offense and the most serious of the remaining offenses must be reported. An example of this exception is an incident where a rape, aggravated battery, and human trafficking offense occurred. The human trafficking offense is scored, and the hierarchy rule is applied to the remaining offenses. A human trafficking offense and rape would be scored for this incident.

## **Crimes Against Persons Versus Crimes Against Property**

Categorizing an offense as a crime committed against person or committed against property determines the scoring method. In the I-UCR Program, the offenses of criminal homicide, rape, aggravated battery/aggravated assault, and human trafficking offenses are crimes against persons. For these crimes, one offense is counted for each victim. The number of offenders involved in the incident is irrelevant.

Examples:

- A woman is raped by three men. One (1) rape is scored for the incident.
- In a drive-by shooting, four individuals are killed. Four (4) criminal homicides are scored for the incident.
- Two fans are severely beaten at a sporting event by eight fans from the opposing team. Two (2) aggravated battery offenses are scored for the incident.

Robbery and theft 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.

Examples:

- An armed robbery occurs at a convenience store. The store employee gives money from the cash register to the offender. The offender demands and receives the wallets and purses from three customers before leaving. Though there were four victims in the incident, only one (1) robbery is scored.
- During a conference, attendees leave the meeting room for a lunch break. Upon their return it is discovered six lap top computers were stolen. Though there were six victims, only one (1) theft is scored.

Though burglary, motor vehicle theft, and arson are crimes against property, these offenses are scored differently from the property crime offenses listed above. Burglaries where a separate structure was entered, regardless of their proximity to one another, must be reported separately. See Page 6 for the definition of “structure”.

Additionally, one offense is scored for each stolen or attempt to steal a motor vehicle, and one offense is scored for each arson regardless of the number of victims within the incident.

## **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**

An individual or a group may commit a number of **robberies** or **thefts** over a short period of time in the same location. If there is a separation of time and place between the commissions of multiple thefts, the agency must handle each crime as a separate incident and must classify, score, and report each offense individually.

If the time interval between the thefts and the distance between locations where they occurred are insignificant, the separation of time and place rule must be applied resulting in the theft incidents being grouped together and reported as one offense. Normally, the offenses must have occurred during an unbroken time frame and at the same or immediately adjoining location(s).

Examples:

- Over a week period an agency receives ten vehicle burglary reports (classified as theft per definition). The victims were residents in the 100, 200, and 300 block of Main Street. All of the ‘thefts’ took place between 10:00 p.m. Friday evening and 9:00 a.m. Saturday morning. Though there were ten victims of theft, after applying the separation of time and place rule, only one (1) theft is reported.
- In the late evening hours after the county fair closed an armed offender robs two vendors whose booths are located across from each other. Though two robberies occurred, after applying the separation of time and place rule, only one (1) robbery is reported.
- Three neighbors in the 400 block of South Rammer Street and two neighbors in the 100 block of South Rammer report the theft of mail which occurred on the same date. Though all of the victims reside on South Rammer, there is a separation between the 400 and 100 blocks. The three thefts that occurred in the 400 block of South Rammer would

be combined and reported as one (1) theft after application of the separation of time and place rule. The two thefts that occurred in the 100 block of South Rammer would be combined and reported as one (1) theft after the application of the separation of time and place rule.

Agencies should use caution and be reasonable when applying the separation of time and place rule. Locations must be the same or immediately adjacent which is easily discerned when considering street blocks within a given jurisdiction. Other locations are more difficult to categorize as the same or immediately adjacent. Agencies are encouraged to use 'line of vision' in determining if locations other than street blocks are the same or immediately adjacent. If an offense occurs and is repeated at a location that can be seen from the location of the first offense, the locations are considered to be adjacent.

Examples:

- Three vehicles are burglarized (classified as theft by definition) on the north side of a large shopping mall complex on a Saturday afternoon. Four additional vehicles were burglarized on the south side of the mall. After application of the separation of time and place rule, the three thefts that occurred on the north side of the mall would be reported as one (1) theft, and the four thefts that occurred on the south side of the mall would be reported as one (1) theft.
- Camping equipment is taken from five camp sites overnight. Four of the camp sites are within the line of vision from one another and considered to be adjacent; however, the fifth camp site is in a remote area. After application of the separation of time and place rule, the four thefts from adjacent locations would be reported as one (1), and the fifth incident would be reported as one (1) theft.

## **ADDITIONAL SCORING PRINCIPLES**

- Ensure that each offense which is reported is a separate, distinct crime, rather than just a part of another offense. Example: Every robbery includes some type of assault; but, because the assault is an element which makes up the crime of robbery, only the robbery offense is reported.
- An incident must be submitted by the date of occurrence, regardless if the date is from a previous month or year. Do **NOT** report the incident during the month in which the incident is reported. This would incorrectly add the incident to the current month and year's statistics.
  - If the incident occurred during or prior to 2009, a paper index crime collection form must be submitted, indicating the report is an "adjustment" rather than an "initial" report. Only complete the field(s) requiring modification due to the newly-reported incident.
  - If the incident occurred in 2010 or subsequent years, and the agency reports index crimes electronically through the on-line reporting system, the electronic record for that year and month should be modified by the agency to reflect the offense(s) associated with the newly-reported incident.
  - If the incident occurred in 2010 or subsequent years, and the agency reports index crimes through the paper collection form, a form must be submitted to the I-UCR Program by the agency indicating the report is an "adjustment" rather than an "initial" report. Only complete the field(s) requiring modification due to the newly-reported incident with the adjusted number. Do **NOT** indicate +1.



- Reporting is based on the results of the investigation of the originating agency. An offense could be submitted that is determined in subsequent months of investigation to be unfounded. An adjustment for the reporting month eliminating the offense is submitted based on the electronic or paper form methods described above.
- An adjustment may also be required based on a variety of factors, including but not limited to, the late submission of a report by an officer, incorrect hand-counts, or delayed entry into an agency's RMS. Adjustments must be submitted based on the electronic or paper form methods described above.
- Do not report an offense referred to another law enforcement agency to avoid duplicate reporting of the same offense. Example: An armed robbery occurs with multiple law enforcement agencies responding. Only the primary or lead agency should report the offense. Assisting agencies should not report the offense. The exception to this rule is when a federal agency takes the lead in an investigation. Federal agencies do not report to the I-UCR Program and the offense would go unreported. If an offense is referred to a federal agency, the Illinois agency with jurisdiction must report the offense.

## INDEX CRIME ARRESTS

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

- Arrests are to be reported during the month in which the arrest occurred, which may differ from the month in which the offense was initially reported. For 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.
- The hierarchy rule must be applied when an offender is arrested for a multi-offense incident. The exceptions to the hierarchy rule that would allow for the reporting of an arson or human trafficking offense along with the most serious of the remaining offenses also applies to reporting arrests in a multi-offense incident. Refer to Page 12 for details on the hierarchy rule.

Application of the hierarchy rule should not be confused with an offender who is taken into custody and arrested for multiple types of offenses having occurred in separate incidents. In this type of scenario, an arrest should be scored for each offense type. An example is an offender who is taken into custody and arrested for a theft that occurred two months ago and a burglary that occurred the previous year. One (1) arrest should be reported for each category, theft and burglary.

If an offender is taken into custody and arrested for twelve thefts that occurred over the past three months, only one (1) theft arrest is reported.

- 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. The definition of arrest is expanded in relation to juveniles to include the resulting actions of peer jury and station of adjustment.
- 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 index crime offenses having occurred in separate incidents while in custody, the agency must score additional arrests for those crimes.
- Do not count persons arrested for other jurisdictions. The originating agency must count the arrest. An example is when an agency affects an arrest on an individual who is wanted on a warrant originating from an agency other than the arresting agency. A second example is when an agency recovers a stolen vehicle and takes the offender into custody when the vehicle was stolen from another jurisdiction. In both of these cases an arrest is not reported by the agency affecting 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.
- 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.
- Adjustments may be made to previously submitted index crime arrests, using the electronic or paper form adjustment processes outlined on Page 15.

## **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 two (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 one (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.
- Adjustments may be made to previously submitted drug offense arrests, using the electronic or paper form adjustment processes outlined on page 15.