

Virginia State Police



Criminal Justice Information Services (CJIS) Division Newsletter

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Firearms Transaction Center (FTC)

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Pursuant to the requirements of Virginia Code § 52-25.1, the Department of State Police established the Criminal Firearms Clearinghouse (CFC) as a central repository of information regarding all firearms seized, forfeited, found or otherwise coming into the possession of any state or local law-enforcement agency of the Commonwealth which are believed to have been used in the commission of a crime.

State Police form SP-187 is utilized to report the recovery and trace information to the CFC. The SP-187 and instructions are under review for revision, but, in the meantime please continue to use the form available on the State Police website at <http://www.vsp.state.va.us/FormsPublications.shtm#Firearms>. An advance administrative message is no longer necessary.

While a trace by the National Tracing Center may be obtained by U.S. Mail, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) maintains an “eTrace” system which is an online firearms trace program available to Virginia law enforcement agencies, at <https://www.atfonline.gov/etrace/>. A copy of the trace report may be attached to the SP-187 in lieu of completing the corresponding blocks on the form. The completed form should be mailed to the State Police within seven days after the trace is completed.

The federal eTrace program provides a significant reduction in the turnaround time required to process a trace request, and provides an investigative tool to the agency by compiling statistical and analytical data. Further, ATF advises that they are in the process of upgrading the current eTrace system to include a data sharing pool, which will allow all police agencies who are eTrace participants to view firearms recovery information on a statewide basis.

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Virginia Criminal Information Network (VCIN)

Running Criminal History for Local Permits

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VCIN audits reveal that agencies continue to access III Criminal History information for taxi cab permits, massage therapy permits, employees running their own names for personal use, and other similar local ordinances. The use of III for these criminal history requests is a violation of both state and federal law.

Information obtained from the III is considered CHRI, and rules governing the access, use, and dissemination of CHRI are found in Title 28, Part 20, CFR. The III information shall be accessed only for an authorized purpose. Furthermore, CHRI shall only be used for an authorized purpose consistent with the purpose for which III was accessed. Dissemination to another agency is authorized if (a) the other agency is an Authorized Recipient of such information and is being serviced by the accessing agency, or (b) the other agency is performing personnel and appointment functions for criminal justice employment applicants. (*CJIS Security Policy*, Version 5.1, July 2012, 4.2.1 Proper Access, Use, and Dissemination of CHRI).

These permits are required for the local ordinances and are disseminated to agencies and individuals not in compliance with CJIS Security Policy and III rules. At no time, should an agency use III to obtain criminal history information for the aforementioned local ordinances or uses. The only type of criminal history inquiry that is authorized for local ordinances is Virginia criminal histories only. VCIN operators are reminded that when running these types of inquiries to use a "VAQR" request. If you use a "QR" request you will access III, and will be in violation of Title 28, Part 20, CFR and CJIS Security Policy. So, in order for your agency to remain in compliance, you must use "VAQR" when requesting these types of criminal history inquiries. Remember, operators are responsible for these inquiries and will be held accountable.

Virginia Criminal Information Network (VCIN)

Protective Order Condition Codes

Protective order conditions (PCO) determine what guidelines the Respondent must follow, while subject to a protective order. Conditions on the protective order do not always mirror the conditions that are available to select in the Virginia Criminal Information Network (VCIN) and the National Crime Information Center (NCIC). VCIN and NCIC provide a total of nine protective order PCO codes for use in appropriate situations.

In some cases, there will be conditions on the protective order that do not have a corresponding PCO code available in VCIN and NCIC. In these situations, this information must be added to the miscellaneous field (MIS).

Using the PCO codes will allow the law enforcement agency to have more space in the miscellaneous field for any additional information that is on the protective order. This will save time when adding or modifying information to the VCIN/NCIC protective order entry.

Remember, there is a 500 character limit for the miscellaneous field. When information is added to the miscellaneous field, the law enforcement agency will need to add PCO code 08. This will note that additional information regarding the terms and conditions of the protective order is listed in the entry. Never enter a PCO code to the VCIN/NCIC protective order entry that is not on the protective order.

Refer to the PCO guide that is listed in the VCIN manual, page II-11-20. The manual provides examples of how to use the PCO codes; however, we are not able to provide an example to cover every issue that may arise with a protective order. You can also find this guide on the LEO website.

Coming soon to the LEO website is a video providing basic protective order training. This video is 1 hour and 30 minutes. If you have questions concerning protective order entries, you can email your questions to vcin.analyst@vsp.virginia.gov. Your email will be answered as soon as possible.

Use of Extradition Codes

NCIC has approved the proposal to provide a method for agencies to indicate that extradition information is unable to be obtained prior to entry of a wanted person record.

In many instances, however, no forecast of extradition can be made at the time the wanted person is entered on file because extradition is not a law enforcement decision. In such cases, use the codes 6 (felony) or F (misdemeanor) in the Extradition Limitation (EXL) Field to indicate PENDING EXTRADITION DETERMINATION. When the entering agency learns that the individual definitely will not be extradited or limited extradition, the NCIC record **must be modified to change the appropriate code in the "EXL" field.**

Extradition codes 5 (felony) or E (misdemeanor) have changed from PENDING to EXTRADITION ARRANGEMENTS PENDING SEE MIS FIELD which **requires the name and ORI of the apprehending agency, where the extradition is pending, to be entered in the MIS Field.**

Virginia Criminal Information Network (VCIN)

Use of Extradition Codes - Continued

NCIC will send a \$.K. notification to the ORI of record when the EXT Field contains codes of 5, E, 6, or F and the EXL Field remains unchanged for 15 days. The message will be regenerated every 15 days until the EXL Field code is modified to a code other than 5, E, 6, or F.

Extradition codes 6 or F is not intended to be used indefinitely, but must be modified as soon as the extradition limitations can be determined. Virginia agencies must make a change to this field within 15 days of entry. Under no circumstance should these remain in effect following the initial 15 day assessment of extradition.

Verify Identification Before You Print

When someone comes to your agency and requests fingerprints to be taken, how well do you check their identification? Do you vaguely look at the Identification and input the information on the card and print?

Recently, we had an individual go to a local police department to have their fingerprints taken. A passport and social security card were presented for identification. All the information from these documents was documented on the fingerprint card, and it was submitted along with photocopies of the identification presented. When the documents arrived at State Police Headquarters, it appeared that one of the documents had been altered. This individual was then told they would need to appear at State Police Headquarters for the fingerprints to be retaken.

This individual used the same information, but two different types of documents for identification. When this person was printed it was discovered that the person fingerprinted at the local department was not the same individual who was fingerprinted at State Police Headquarters. The person fingerprinted at the local department had used false documentation and forged a public document.

This scenario reminds all of us when presented identification to thoroughly examine the document. You should look for any alterations, and closely examine the picture to ensure that the ID is the same person. If in doubt, you should request additional identification before printing for Criminal History Challenges, employment, or similar fingerprinting.

Virginia Criminal Information Network (VCIN)

Altavista Student Wins State Recognition

Source: Matt Jones/Altavista Journal Staff Writer

The Virginia State Police recently named Aleighson Robertson, a fifth grader at Altavista Elementary School, as the winner of a statewide program to raise awareness of missing children.

"It feels great, unbelievable," Robertson said.

"Her work hit us in the heart," said Scott Downs, First Sergeant with the Virginia State Police, and part of the Virginia Missing Children Clearinghouse.

Robertson's submission for the Juvenile Justice Program's lost and missing children included a house in a teardrop. The house was made up of a puzzle with a single piece missing. Within the piece was a child representing that a house is not complete when a child is missing, said Downs.

In addition to the drawing, the contestants wrote an essay about their submission and themselves.

"I wanted to do a teardrop and I saw a puzzle. My mom and I were talking, and I wanted to show how a house takes a lot of pieces," said Robertson. *"And if a child is missing, the house hurts."*

Her inspiration came from thinking about how she would feel if one of her siblings were to go missing.

Robertson was presented a plaque and a gift basket from the Virginia State Police at an assembly Friday.

"It's great that the winner is from a small town like Altavista," said Downs.

Downs added that the Department of Missing Children is looking at the possibility of using Robertson's design as part of a logo for the office.

Her essay read, *"My poster is a teardrop with a house in the middle of it. The house is constructed of puzzle pieces that depict a typical family. One piece of the puzzle is missing. This piece has the child on it. The teardrop stands for the sadness existing around missing children. The puzzle is undone and incomplete, just like a family is when their child is missing. I created this poster because I want all children to be found and returned to their homes and families."*

She is the daughter of Andrea Rice and Allen Robertson, and she lives in Altavista.

The 2013 gallery of state winning posters can be viewed online by visiting the Office of Juvenile Justice and Delinquency Prevention website at http://www.ojjdp.gov/mcd/postergallery_sw_2013.html.

UCR Highlights

Crime in Virginia

The 2012 Crime in Virginia annual report was released May 20, 2013. This and prior reports may be viewed on the State Police website www.vsp.virginia.gov under “Forms & Publications,” “Publications,” “Crime in Virginia.” This detailed document provides rates and occurrences of crimes committed in towns, cities and counties across the Commonwealth. The report breaks down criminal offenses by reporting agency, as well as, arrests by jurisdiction.

We appreciate the ongoing effort from all contributing agencies to help ensure their data are as complete and accurate as possible. These data are the official figures for both state and national crime statistics, and are used by criminal justice personnel, policymakers and the public to better understand the nature and extent of crime issues.

For 2012, statewide violent crimes (murder, rape, robbery and aggravated assault) declined 3.0 percent compared to the previous year. Property crimes such as burglary, larceny and motor vehicle thefts decreased 3.3 percent during this period of time. Motor vehicle theft continued to experience a large decrease with an 8.0 percent reduction last year, and 7.5 percent in 2011. Drug and narcotics violations increased 9.4 percent compared to the previous year. Marijuana accounted for approximately 62.4 percent of all drug arrests that occurred during 2012.

Group A Arrests: Using the table below, there was an overall decrease in arrests between 2011 and 2012 (-2.1 percent). Adult arrests decreased slightly during this period of time (0.9 percent), while juvenile arrests decreased (-11.8 percent).

Group B Arrests: Between 2011 and 2012 adult arrests decreased 5.1 percent. Juvenile arrests experienced a similar decrease for the same period of time (-5.8 percent).

Group A Arrests and Group B Arrests: There were a total of 341,577 arrests in 2012, compared to 355,595 arrests in 2011, representing a decrease of 3.9 percent.

| Arrests | 2012 | | 2011 | |
|---|----------------|----------|----------------|----------|
| | Adult | Juvenile | Adult | Juvenile |
| Group A | 126,932 | 14,521 | 128,067 | 16,462 |
| Group B | 185,828 | 14,296 | 195,893 | 15,173 |
| TOTAL (Adult & Juvenile) | 341,577 | | 355,595 | |

UCR Highlights – Continued

The table below compares reporting years 2006 through 2012 for each Group A offense. These figures are rates per 100,000 population.

| | Number of Offenses | 2012 | 2011 | 2010 | 2009 | 2008 | 2007 | 2006 |
|--|--------------------|---------|---------|---------|---------|---------|---------|---------|
| | 2012 | | | | | | | |
| Murder/Non-negligent Manslaughter * | 316 | 3.86 | 3.77 | 4.61 | 4.43 | 4.75 | 5.33 | 5.21 |
| Kidnapping / Abduction * | 1,487 | 18.17 | 18.22 | 20.18 | 23.44 | 27.33 | 29.28 | 28.31 |
| Forcible Sex Offenses * | 5,093 | 62.22 | 63.04 | 62.25 | 60.63 | 67.69 | 68.94 | 71.64 |
| Robbery | 4,729 | 57.77 | 67.32 | 70.99 | 80.19 | 96.36 | 100.37 | 101.55 |
| Aggravated Assault * | 9,148 | 111.75 | 109.19 | 120.32 | 125.80 | 134.33 | 144.25 | 152.61 |
| Simple Assault / Intimidation * | 96,976 | 1184.68 | 1229.47 | 1271.09 | 1247.50 | 1270.37 | 1278.19 | 1243.86 |
| Arson | 1,249 | 15.26 | 14.41 | 15.42 | 16.63 | 18.86 | 21.54 | 22.73 |
| Extortion / Blackmail | 124 | 1.51 | 1.40 | 1.90 | 1.48 | 1.80 | 1.40 | 1.37 |
| Burglary | 28,759 | 351.33 | 375.94 | 378.61 | 396.33 | 408.66 | 408.85 | 412.53 |
| Larceny | 140,786 | 1719.87 | 1784.59 | 1849.06 | 1920.66 | 1976.38 | 1921.63 | 1908.36 |
| Motor Vehicle Theft | 8,846 | 108.06 | 118.77 | 129.91 | 145.27 | 169.40 | 182.66 | 193.19 |
| Counterfeiting/Forgery | 6,794 | 83.00 | 87.37 | 89.25 | 94.78 | 93.27 | 96.90 | 111.15 |
| Fraud | 27,998 | 342.03 | 321.62 | 307.00 | 310.95 | 314.58 | 303.70 | 273.29 |
| Embezzlement | 2,650 | 32.37 | 35.05 | 33.75 | 36.87 | 46.90 | 50.31 | 46.06 |
| Stolen Property | 1,342 | 16.39 | 17.96 | 19.41 | 22.39 | 23.59 | 23.29 | 21.85 |
| Damage / Vandalism | 70,087 | 856.20 | 912.64 | 971.05 | 1055.03 | 1189.99 | 1223.79 | 1264.16 |
| Drug/Narcotic Offenses | 55,410 | 676.90 | 625.57 | 591.35 | 570.27 | 593.67 | 619.66 | 587.93 |
| Non-forcible Sex Offenses * | 196 | 2.39 | 2.61 | 2.55 | 2.71 | 2.96 | 2.83 | 3.34 |
| Pornography | 714 | 8.72 | 8.44 | 7.75 | 7.03 | 5.95 | 4.75 | 3.90 |
| Gambling | 64 | 0.78 | 1.93 | 1.04 | 1.46 | 0.76 | 0.92 | 2.11 |
| Prostitution | 993 | 12.13 | 11.73 | 12.36 | 14.51 | 9.22 | 10.70 | 13.48 |
| Bribery | 26 | 0.32 | 0.31 | 0.40 | 0.29 | 0.37 | 0.22 | 0.29 |
| Weapon Law Violations | 9,049 | 110.54 | 111.92 | 112.72 | 117.31 | 133.01 | 137.03 | 141.53 |

* Crime counts are number of victims for offenses against a person and number of offenses for all other offenses.

UCR Highlights – Continued

Additions/Revisions to IBR Data

As of July 1, 2012, agencies reporting IBR data to the state UCR/IBR state Program were required to include new data additions/revisions mandated by the FBI. These include additional location and property codes, as well as, a new cargo theft field. Some of the new location codes are abandoned/condemned structures, amusement parks, daycare facilities, military installations, and a breakdown of schools by college/university and elementary/secondary. Examples of new property categories include building materials, personal or business documents, identity documents, crops, fuel, pets, non-precious metals (such as aluminum and copper wire and pipes), portable electronic communication devices (such as cell phones, palm pilots and blackberries), recreational/sports equipment and trailers. Most of the new location and property categories were previously included in a generic 'other' code. These new categories allow for more specific data reporting.

In response to the USA Patriot Improvement and Re-authorization Act of 2005, the FBI created and defined a new cargo theft data element to be incorporated into the UCR program. The FBI definition of cargo theft includes 'the criminal taking of any cargo including, but not limited to, goods, chattels, money, or baggage that constitutes, in whole or in part, a commercial shipment of freight moving in commerce...at all points between the point of origin and the final destination, regardless of any temporary stop while awaiting transshipment or otherwise.' The new cargo theft field is applicable only to certain offenses: robbery, theft from a building, theft from a motor vehicle, all other larceny, fraud (except for welfare fraud), extortion/blackmail, burglary, motor vehicle theft, embezzlement and bribery. Agencies indicate whether or not (yes or no) the incident included the criminal taking of any cargo deemed as moving in commerce.

As revisions are implemented, the "Modifications Log" in the IBR Data Dictionary, page 1 (available on the IBR website under Publications) is updated. It is recommended that UCR/IBR reporting agency personnel regularly review the "Modifications Log" to identify revisions, and print those pages that have changed.

Tip(s) Of The Month

In 2010, we began posting a 'Tip of the Month' as a bulletin on the IBR website. Posted at the beginning of each month, situations that frequently come to the attention of the IBR state Program staff are discussed along with ideas or 'tips' to help agency personnel resolve these issues. We encourage all IBR agency personnel to review these postings on a regular basis. The most recent 'tips' include:

Cargo Theft

All agencies should now be reporting the cargo theft field for applicable offenses (see the IBR website publications: Data Dictionary, page 5 as well as the Cargo Theft document). The Cargo Theft document includes definitions and examples of what is and is not considered cargo theft for the IBR Program. While some agencies have submitted reports with cargo theft coded as 'yes', our review which asked agencies to verify the accuracy revealed that very few incidents (only 3%) initially reported as cargo theft were submitted correctly. Because each incident could involve unique circumstances, please feel free to request a review of possible cargo theft cases from your agency by the state IBR program office.

UCR Highlights – Continued

Tip(s) of the Month - Continued

2012 Year-end Crime and Arrest Data

As in past years, agencies are required to submit 2012 year-end crime and arrest data by March 15, 2013. Year-end data will be published in the annual Crime in Virginia publication as well as the Crime in the U.S. report by the FBI. If any 2012 reports have not been submitted and/or if any unresolved errors are not corrected and resubmitted by March 15, 2013, the data cannot be included in these publications. Of special importance this year is the review and resubmission of any incidents on your unresolved errors list due to the implementation of the cargo theft field. This is important because what you send to the State becomes the official crime statistics for your agency. Please call the state Program office if you need help with any error.

Simple Assault with No Weapon Reported

A simple assault is 'an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.' We have been seeing simple assault incidents where there is no injury or minor injury with NO weapon reported. While using a weapon such as a firearm, knife, club, etc., would make the assault aggravated, the definition of an assault includes a 'physical attack.' Therefore, at least personal weapons (hands, feet, fists) are being used during a simple assault. Please review any simple assaults reported with no weapon to verify whether the offender did, indeed, use his or her hands, feet, or fists to assault the victim and revise and resubmit any changes with your next monthly IBR submission file. Feel free to contact the state Program office with any questions.

Location of Incident

Please be aware that the FBI has replaced the former location code of 'school/college' with two new location codes designating 'school-college/university' (code # 52) or 'school-elementary/secondary' (code # 53). Your RMS software should include these new location codes (as well as additional new property and location codes). Please check your unresolved error list and revise and resubmit any that have errored because the incident was submitted with the location code of 22 'school/college'. If possible, and to avoid future errors, you may be able to update the drop-down/pick list for the location field to indicate that '22 is no longer valid.' Also, there have been more location codes, as well as, new property codes incorporated into the IBR program. Refer to the Data Dictionary, pages 17 & 18, for all of the location codes, and pages 30 -- 34 for all of the property categories. Please call the state IBR program office with any questions.

UCR Highlights – Continued

Anomaly Detection

On a regular basis, the state IBR Program office reviews submitted data to identify any incident that has been reported with one or more 'anomaly.' For IBR purposes, an anomaly can be thought of as a data field or combination of data fields that initially appears to be 'out of the ordinary' or 'unusual.' While the reported data may be correct, we routinely send a list of the identified incidents to agencies for review. If a correction or revision is needed, the agency will then resubmit the incident with the next monthly IBR submission file. A few examples of the anomalies include:

1. An incident is reported with an offender age of '01', '02', '99' or the range '01-99'. It is possible that the agency may be entering the 'offender sequence code' as the 'offender age', such as reporting offender # 1 as being 01 year old. Also, the code of '99' should be used to report an offender who is over 98 years old. The agency may be entering '99' or the range '01-99' to indicate an unknown age. For this field, '00' is the valid code for unknown age. When an age range is reported to the FBI, the middle of the range is used for statistical reporting. Therefore, the FBI reports an offender with the age range of '01-99' as a 50 year old offender. If an agency routinely submits incidents with offenders ranging from 01 to 99 years of age, it would statistically appear that a majority of crimes are being committed by persons 50 years old.
2. The "Victim to Offender" relationship was reported as "CH Child" meaning that the victim is the child of the offender. However, when there is a difference of 10 years or less between the age of the victim and the age of the offender we ask agencies to review the incident.
3. A crime against property incident is reporting that a type of structure was the stolen property. While a small structure could be stolen, this is not a logical property description in most property crime offenses. Review of this type of anomaly has often brought to light that an agency was mistakenly submitting, for example, a burglary with the residence itself as the stolen property.

IBR Quality Assurance - Tracking

In addition to anomalies, the state IBR Program office is in contact with each agency that submits an incident with a bias motivation (hate crime) as well as property dollar value of \$100,000 or more. During 2011, the UCR/IBR office began "tracking" bias motivated crimes (aka, hate crimes) as well as incidents with property values greater or equal to \$100,000. This process begins by the UCR/IBR office extracting those case numbers submitted by agencies that meet the identified criteria. We then ask individual agencies if the data in question are correct or incorrect. If correct, nothing further needs to be done. If incorrect, the submitting agency's personnel are asked what the correct data should be, and to then resubmit these corrections with their next regular monthly file submission. The UCR/IBR office then checks to make sure that the correct data are resubmitted. If not, the agency is recontacted and asked to once again submit the correct data. This process continues until the correct data are sent to the UCR/IBR office. As with all UCR/IBR data, the state Program cannot make data modifications for agencies; we have to rely on individual agencies to make the correct modifications. Whatever modifications are made or not made, the data recorded in the IBR database consists of the data submitted to us.

UCR Highlights – Continued

IBR Quality Assurance - Tracking

It is important to remember that we cannot track offenses that are not submitted in a timely manner. For this reason, results do not represent the final figures for end-of-year reporting. To help resolve these, as well as other, data entry errors, agencies need to be vigilant in the initial data entry process as well as responding to requests from the state Program personnel in a timely manner. Without a resolve to submit the most complete and accurate data possible, the value of these crime figures will be limited.

For example, in the first quarter of 2013, over 700 offenses were submitted as a hate crime or indicating a possible hate crime. The code of '99' can be used to report a possible hate crime while investigation is being done. However, once the investigation is concluded, these incidents should be resubmitted as either an actual hate crime or indicating that no bias motivation by the offender was involved. Reviews of offense data indicate that between two and five percent of all offenses meet the criteria of a hate crime.

Uniform Statute Conversion Table

A new Uniform Statute/Conversion Table (Modified) will be uploaded to the IBR website in July 2013. This table is located under IBR Publications, and includes new state statutes enacted July 2013, that are most applicable to the UCR/IBR program. Any additions or changes are identified with the '7/1/2013' date entered in the column 'Most Recent IBR Modifications.' Please remember, this table is intended to be used as a tool and, depending on the specific circumstances of a case, the IBR code may need to be modified to reflect the actual scenario for a specific incident. State Program staff is available to review individual case narratives if you have any questions about the reportable IBR offense to use.