Law Enforcement is Failing at Crime Reporting

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At the center of the law enforcement profession is the proper reporting of crime. Doctors report medical data, schools report student data and police report crime data. Law enforcement is failing miserably at this most fundamental task.

I am utterly amazed at the number of agencies I meet and work with that are oblivious to what case management really is, what exceptional clearances are, and the proper way of writing/reporting crimes. I am further amazed at how many do not follow standard case management and case assignment procedure and therefore aren't sure which cases are closed, which are cleared, which are unfounded and thus have very inaccurate crime stats.

I am disheartened by how many stick to their old ways, become defensive of their homegrown investigations/case management systems despite the inefficiencies they create on the overall process, and by how many don't know UCR reporting rules.

PRI has trained and consulted nearly 1500 police agencies and can attest to the fact the depth of this problem is profound. If you read this article, take it to heart and implement what it says, your agency can be assured that it's doing things right. These are the standard UCR crime reporting rules. They exist for a reason.

Crime reporting is a process. Producing accurate UCR/NIBRS data is a process. It requires so much more than just ensuring the "numbers" are accurate. Your numbers may appear accurate when they really aren't. Just because the UCR error check doesn't return any errors doesn't mean everything is right. How officers classify, report and clear crimes is the most important part of the process and your RMS has no idea when what they write is incorrect- they only indicate there is a UCR error when something is missing or not reconciling correctly.

There are two types of "case management" in law enforcement:

1. Case management in the Records Unit means the proper management of case statuses and dispositions, and proper statuses of people, property and vehicles (stolen, missing, impounded, recovered, etc.) It means making sure the incident report status correctly reflects what UCR says it should be and the status of all items are properly reflected in the report.

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2. Case management to your officers/detectives means cases assigned to them are investigated, managed and closed out properly and in a timely manner. Victims, witnesses and suspects have all been contacted, the investigation is proceeding efficiently and supplements are being written as appropriate.

The procedures described herein should be incorporated into your report writing manual and/or your records management, investigations or UCR policy. They need to become part of the fabric of your agency.

Every report should be reviewed by a designated person responsible for determining which cases get assigned for follow-up investigation. This includes suspicious incidents and other non-criminal reports. Everything. Reports are sometimes titled incorrectly and do not get assigned when they should be. Sometimes suspicious incidents or other seemingly unimportant reports get overlooked and lead to real consequences. I have seen missing persons cases go completely unnoticed because they were titled wrong. Imagine a missing person ending up being a dead person because a police investigation wasn't initiated. Not good.

Likewise, someone (usually in Records) should be assigned the task of ensuring on a daily basis that reports have been submitted on time, changed to the appropriate status immediately upon a supplement or arrest being submitted and that incidents, arrests and supplements are all reconciled.

I know- sounds pretty basic right? Not so fast. Between our training courses during which we meet about 100 agencies every month, and our consulting work when we get hired to fix "issues", we see agencies failing to do this on a regular basis (and then wonder why they have the "issues")! Why do these failures occur?

- The Chief and/or Command Staff fails to embrace the importance of crime reporting and thus doesn't become well versed in the rules. The message isn't sent from the top that officers and supervisors will be held accountable to the timely and proper submission of reports to Records. Ask those that have been in the news for having bad crime stats and you can bet they wish they had.

- Conversely, officers and supervisors fail to understand or outright reject quality control by records personnel. They become defensive when they make mistakes and fall victim to the false narrative or belief that records personnel shouldn't be reviewing or correcting reports. This is an abject falsehood that must be corrected from above. The very job of the records unit is quality control. Records units exist to ensure reporting is done properly. Selfishly, many officers fail to recognize that by correcting reports records personnel are actually making them look better through a more professional work product.

- The agency fails to provide report writing and basic UCR training to officers. UCR training doesn't mean knowing all of the nuisances of the program. It means, in part, reporting crimes properly as described below.

Cases Status, Disposition and Exceptional Clearances

The UCR program states crimes should be classified as they "become known" to law enforcement. The agency is to classify the report according to the way the crime was reported to the police. However, there are occasions when the investigation determines the reported crime was actually something different. There are also times when the officer is unable to determine if in fact a crime has occurred. Accordingly, officers have several options when writing reports:

- Classify the report according to the way the crime was reported if the investigation verifies the crime happened as reported and keep the case open for further investigation.

- Classify the report according to the way the crime was reported if the investigation verifies the crime happened as reported and close the case when no further investigation will occur due to the circumstances.

- Classify the report according to the way the crime was reported and change the status to "unfounded" when the investigation determines that a crime didn't happen or it happened in another jurisdiction. Accordingly, reported crimes which are difficult to verify should remain classified as the reported crime until the investigation determines otherwise. <u>If a final determination cannot be made regarding the validity of the reported crime, it should remain as is.</u>

- Classify the report according to the correct criminal classification when the investigation determines the crime that occurred is different from the crime reported (and keep the case open or closed as appropriate).

- Classify the report according to the appropriate non-criminal classification when the incident was not reported as or did not involve a crime (civil in nature, suspicious incident, lost property, etc).

Case Status

Your system should have only 5 incident/case status options as follows:

1. **Open/pending**: the case remains open pending further investigation
2. **Closed**: all leads have been exhausted and no investigation will occur
3. **Unfounded**: the reported crime did not occur or occurred in another jurisdiction
4. **Cleared by Arrest:** the crime was solved and the offender has been arrested
5. **Cleared by Exception**: the crime was solved but due to extenuating circumstances, an arrest could not be made.

We commonly see RMS incident status tables that contain incorrect options- usually because someone added to this list with customized options such as "referred to other jurisdiction", "juvenile", etc. The status field is not the place to do that. The *disposition* field is. But first a word about exceptional clearances…

How to Exceptionally Clear a Crime

An "exceptional clearance" is a report status that is used when a crime has been solved but the offender cannot be arrested for reasons beyond the control of your agency/investigator.

In order to properly use this status the following four conditions must all be in place:

1. The offender has been identified
2. There is enough information to support an arrest, charge <u>and</u> prosecution of the offender
3. The location of the offender is known
4. There is some reason beyond the control of the officer/investigator that prevents making an arrest of the offender

When these conditions exist, the case status should be "exceptionally cleared". The *disposition* field should then be changed to reflect the standard UCR options as follows:

- Death of the offender
- Murder/suicide
- Extradition (of the offender) is declined
- In Custody of Other Jurisdiction.
- Victim refuses to cooperate
- Juvenile released
- Prosecution declined

Other options for the disposition field can be added for use when the case status is "closed" or "unfounded":

- Referred to other jurisdiction (crime happened outside of jurisdiction). Status would be unfounded
- No crime occurred. Status would be unfounded.
- All leads exhausted. Status would be closed.
- Investigated by other agency. Status would be closed.

The Uniform Crime Reporting Program is *the* nationwide standard for the proper reporting of crime in America. To not know it or not follow it is irresponsible and leads to incorrect information being provided to our citizens. It also leads to agencies being accused of falsifying crime data and losing the trust of their communities- a devastating outcome. It also can lead to the demise of a career. It's also preventable.

Of all the work we do in this field, PRI has yet to figure out why agencies let this happen. Why does law enforcement continue to find itself in the news for having bad crime stats? We know the failures that cause the problems; we have yet to understand how they are allowed to happen. Anyone assigned to records management must know this information inside and out and work to ensure the agency is in compliance. Unfortunately, I have spoken to many police records managers who have brought these concerns up within the agency, only to be ignored or dismissed.   What a shame.

By 2021 all agencies will be required to report their stats according to NIBRS. PRI is developing a comprehensive training course that will provide a step-by-step process for making this transition. Keep an eye out and hope to see you there.

About the Author

Ed Claughton, founder and president of PRI Management Group is a nationally recognized expert in public safety records management. Ed has over 20 years of combined experience in law enforcement and professional consulting work and after becoming a notable expert in the field founded PRI Management Group in 2008.

His business success is rooted in his understanding of the needs that both police personnel and records personnel have when it comes to crime reporting, records management, technology and compliance, and being able to bridge the gap that often exists between these entities.

Ed has provided training and consulting services to over 760 agencies around the U.S. and has been an invited speaker for the International Association of Chiefs of Police along with various other professional associations. He has been published in Law Officer Magazine, Government Technology magazine and several major newspaper articles featuring law enforcement records news.

Ed is a retired Coral Gables Police lieutenant, once assigned to manage the police records unit. His successful turnaround of this area of the department and ability to obtain agency-wide compliance with public records law became a national model for law enforcement, presented to the International Association of Chiefs of Police.

He has developed several training courses in public records for law enforcement focusing on the proper creation, maintenance, processing, release, retention and destruction of agency information according to legal standards. He is a crime data expert and also provides training in UCR/NIBRS rules and crime stat accuracy.

Ed holds a Master of Criminal Justice degree from Boston University, Bachelor of Arts from Loyola University New Orleans, and a certificate in Florida Public Records from Florida State University.

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