

	GENERAL ORDER	# 08-01
	Effective: 10-01-2021	
	Section: Records Management	Replaces or Modifies: GO #08-01 (3-10-14)
	Title: UCR Reporting and Case Management	
Issued by: Chief Deputy Mattie Provost		

Purpose:

To establish written guidelines for Uniform Crime Reporting (UCR) and Case Management.

Policy:

The Fort Bend County Sheriff’s Office (FBCSO) expects all employees who initiate case reports and manage the investigation of cases to do so within the guidelines of this General Order in a manner that accurately and timely reflects actions taken and the current status of the case.

The FBCSO expects that all employees will follow the UCR Manual guidelines when reporting and/or closing UCR reported cases.

Definitions:

ARS – Automated Reporting System within the FBCSO Tiburon RMS (Records Management System).

Case Management System – The sections in the Incident module within Tiburon RMS where follow up investigation activity is documented and tracked.

Juvenile – A person who is at least 10 years of age and under 17 years of age, unless he/she has been certified as an adult by a Court of competent jurisdiction.

UCR – Uniform Crime Report that is submitted to the State of Texas by FBCSO. The report is then submitted to the Federal Bureau of Investigation (FBI) by the State of Texas.

UCR Part I Crimes - Criminal Homicide, Rape, Robbery, Aggravated Assault, Burglary, Larceny-Theft, Motor Vehicle Theft, Arson, Human Trafficking (Commercial Sex Acts), and Human Trafficking (Involuntary Servitude).

UCR Manual – UCR National Incident-Based Reporting System (NIBRS) User Manual issued by the FBI.

Procedure:

I. Cases shall only be closed using the following guidelines:

A. Cleared by Arrest

An offense is cleared by arrest, or solved for crime reporting purposes, when at least one person is (1) arrested, (2) charged with the commission of the offense, and (3) turned over to the court for prosecution (whether following arrest, court summons, or police notice).

Although there is no physical arrest, an offense may be cleared by arrest when the offender is a person under 18 years of age and is cited to appear in juvenile court or before

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other juvenile authorities.

The number of offenses and not the number of persons arrested are counted in the clearances that are recorded on UCR Return A. **NOTE:** Agencies cannot report more clearances than offenses in a given month unless they are scoring clearances of offenses that were reported in previous months.

Several crimes may be cleared by the arrest of one person, or the arrest of many persons may clear only one crime. **NOTE:** Further, if several persons are involved in the commission of a crime and only one is arrested and charged, the agency must list the crime on the UCR Return A as cleared by arrest. When the other persons involved in the crime are arrested at a later date, the agency must not record another clearance because the offense was already cleared following the arrest of the first person.

Procedure to Use in the FBCSO Records Management System. The Case Management Codes to use in clearing a case by Arrest are AA (Arrest Adult) or AJ (Arrest Juvenile). Clearances of this type are entered into the Case Management System and must also be documented through ARS by showing involvement as “ARREST” and completing the arrest tab (being sure to fill out the arrest date and time in addition to the other information). **NOTE:** In certain cases that are cleared by Arrest where an Investigator is not involved (example a Patrol Deputy makes a field arrest clearing a case) there may not always be an entry in Case Management (AA or AJ) – these may be cleared using only the ARS documentation as detailed above.

B. Cleared by Exceptional Means

Definition of Exceptional Means. A case may be cleared by Exceptional Means only if all 4 of the following questions are answered Yes:

1. Has the investigation definitively established the identity of the offender?
2. Is there enough information to support an arrest, charge, and turning over to the court for prosecution?
3. Is the exact location of the offender known so that the subject could be taken into custody now?
4. Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender?

Examples of Exceptional Clearances. Generally, an offense can be exceptionally cleared when it falls into one of the following categories. The list is not all-inclusive; there may be other circumstances in which an exceptional clearance is appropriate (but only in cases where all 4 questions in the definition of Exceptional Means section above are answered Yes).

1. Suicide of the offender. (The person who committed the offense is deceased.)
2. Double murder. (Two persons kill each other.)
3. Deathbed confession. (The person who committed the offense dies after making the confession.)
4. Offender killed by police or citizen.
5. Offender is prosecuted by state or local authorities in another city/county for a different offense or is prosecuted in another city/county or state by the federal government for an offense which may be the same. (Law enforcement makes an attempt to return the offender for prosecution, but the other jurisdiction will not allow the release.)
6. Extradition denied / In Custody of Other Jurisdiction. The suspect is in the custody of another jurisdiction, usually for a more serious offense, and the extradition was either denied or not pursued. For example, a suspect of motor vehicle theft was arrested for murder in another jurisdiction and is currently serving a sentence for the more serious offense.

7. Victim refuses to cooperate in the prosecution. (This action alone does not unfound the offense. The answer must also be yes to questions 1, 2, and 3 in the Exceptional Means Definition section above.)
8. A Warrant is outstanding for a felon but before being arrested the offender dies. (The method of death is irrelevant.)
9. The handling of a juvenile offender either orally or by written notice to parents in instances involving minor offenses such as petty larceny. No referral is made to juvenile court as a matter of publicly accepted law enforcement policy.
10. Prosecution declined (for other than the lack of probable cause).

The UCR Program recognizes that departmental policy in various law enforcement agencies permits discontinuing an investigation and administratively closing cases for which all investigation has been completed. The administrative closing of a case or the clearing of it by departmental policy does not permit exceptionally clearing the offense for UCR unless all four questions mentioned earlier can be answered yes. Additionally, the recovery of property does not clear a case for UCR purposes.

Procedure to Use in the FBCSO Records Management System. The Case Management Codes to use in clearing a case under Exceptional Means are EA (Exceptional Adult) or EJ (Exceptional Juvenile).

C. Unfounded Cases

Definition of Unfounded. A case that is determined through investigation to be false or baseless. In other words, no crime has been found to have occurred. This is also used to clear cases that have been taken and it is determined that it is outside of the jurisdiction of the FBCSO.

NOTE: The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with prosecution, or the failure to make an arrest does not unfound a legitimate offense. Also, the findings of a coroner, court, jury, or prosecutor do not unfound offenses or attempts that law enforcement investigations establish to be legitimate. If, after scoring an actual offense in one of the Part I categories, new information is developed through investigation that shows that the offense in fact did not occur, an agency must unfound it on the next monthly UCR Return A the agency submits. Additionally, if the offense the agency unfounded has a property value, the agency must unfound the value as well.

Procedure to Use in the FBCSO Records Management System. The Case Management Code to use to Unfound a case is UF (Unfounded).

D. Closed Other

In UCR Part I Cases. Used in cases where all investigative leads have been exhausted, physical evidence has been reviewed, no suspects have been identified, and no further investigative activity is foreseen at the time of closure. **This action does not clear a case for UCR purposes - it is an internal administrative closure that is not reported to UCR as a clearance.**

In Non-UCR Part I Cases. Used in cases where all investigative leads have been exhausted, physical evidence has been reviewed, no suspects have been identified, and no further investigative activity is foreseen at the time of closure. **This action does not clear a case for UCR purposes - it is an internal administrative closure that is**

not reported to UCR as a clearance. This action is also used to close non-criminal reports (including but not limited to natural deaths, found property, lost property, missing persons when the person is found safe or returned home safely, and industrial accidents).

Procedure to Use in the FBCSO Records Management System. The Case Management Code used to indicate closed other is CO (Closed Other).

II. Other Case Management Activity

A. Codes

IN (Initial Assignment). This Case Management Code is used when a case is initially assigned for investigative activity.

VN (Victim Notified of Case Status). This Case Management Code is used to show the initial contact with the victim(s) in a case. A supplement report will be added to ARS to indicate this activity. This is normally the first activity on a case assigned for follow up investigation. This action is not applicable in most instances to cases concerning Child Protective Service referrals where a child is the victim – the investigator assigned these cases will document actions taken in supplement report(s) in ARS.

SS (Supplement Submitted). This Case Management Code is used each time a supplement report is added to ARS without another Code being used (example: VN code is entered and therefore a supplement in ARS is done, there is no need to add the activity code of SS in addition to the VN code).

CF (Case Filed). This Case Management Code is used when a case has been presented to the District Attorney's Office for prosecutorial action. This action moves a case from ACTIVE to PENDING status and has no bearing on UCR status.

SU (Case Suspended). This Case Management Code is used where investigative activity is being suspended, but it is expected that the case will need further action at a later date. This action keeps the case in the PENDING status. This action has no bearing on UCR status.

AW (Obtained Arrest Warrant). This Case Management Code is used when an arrest warrant is obtained on the case. This action has no bearing on UCR status.

RA (Reassignment). This Case Management Code is used to show a change in investigative assignment on a case. This action should be performed by Supervisory personnel only.

RO (Reopen). This Case Management Code is used to open a case that had been previously closed. This action should be performed by Supervisory personnel only and the supplement report in ARS should give details including but not limited to any impact on previously reported UCR statistics and actions taken to ensure proper documentation of UCR reported statistics.

VC (Victim Compensation Notice). This Case Management Code is used to document activity concerning victim compensation and is usually performed by Crime Victim Liaison Personnel.

OT (Other). This Case Management Code is used when activity does not fit any other code. When used - the remarks field in Case Management must give a description of the code's usage and a supplement written in ARS.

Legacy Codes. The RMS system has older codes that were used at one time for Case Management purposes. These codes remain due to their use in prior cases. Unless a code is authorized by this General Order as amended, legacy codes are not to be used.

B. General Reporting and Investigative Management Expectations

Initial Reporting. Initial reports shall be written in a manner consistent with reporting

standards of UCR (as found in this General Order and in the UCR Manual).

Supervisory Duties (concerning initial reports). Supervisors are responsible for reviewing all initial reports to ensure that they are reported in a manner that is in compliance with the reporting standards of UCR (as found in this General Order and in the UCR Manual).

Supervisory Duties (concerning follow up investigation activity). Persons who supervise follow up investigation activities are charged with ensuring that cases are investigated in a thorough, timely, and professional manner. They shall review reports to ensure that reporting standards of UCR (as found in this General Order and in the UCR Manual) are being followed.

Investigator Duties. All employees conducting follow up investigation duties are to do so in a thorough, timely, and professional manner. Victims of crimes shall be kept apprised of the status of cases. Any problems that impact the ability to conduct a successful investigation shall be reported to the appropriate supervisory personnel for resolution. Each case shall be reviewed to ensure that it has been correctly classified for UCR purposes and subsequent actions taken on a case shall be in compliance with the reporting standards of UCR (as found in this General Order and in the UCR Manual).

III. UCR Reports

Responsibility. The Chief Deputy shall designate a position/person that is responsible to produce the UCR Report for submission to the State. This person is charged with ensuring that the report is accurate and timely submitted as directed by the Chief Deputy. The Division Commander over the position/person designated in this subsection is responsible for the oversight of this function (including but not limited to certifying that the report is accurate and complete, providing administrative support to the function, and keeping the Chief Deputy apprised of activities concerning this function).

Shared Duties. All employees will provide assistance to and follow the directions of the Division Commander responsible for the UCR report as it relates to this function in compliance with General Orders. If there is a conflict in provision of assistance or directions given it should be resolved at the Bureau Commander level and if conflict is still not resolve shall be referred to the Chief Deputy for resolution.

IV. Bureau Manuals / Standard Operating Procedures

Responsibility. Bureau and Division Commanders over areas impacted by this General Order shall ensure that Standard Operating Procedures (SOPs) are updated and in place to fully implement this General Order.

Content. In addition to the guidance concerning Bureau Manuals / SOPs found in General Order 01-01, SOPs concerning this General Order should at a minimum address timeline expectations concerning certain aspects of the investigative process (examples include but are not limited to an expectation on the manner in which a victim is given initial notification, the timeframe allowed for initial victim notification, standards on reviewing cases in the RMS to ensure timely actions...)

V. Reporting Violations concerning this General Order

Responsibility. Any employee who becomes aware of a violation of this General Order is to immediately report same to supervisory personnel for resolution. The Division Commanders will be given a report on any such activity and shall report the issue, findings, and resolution through the Chain of Command to the Chief Deputy.

Chain of Command. While the normal chain of command should be followed in most

instances to report violations under this subsection, an employee who feels that reporting in this manner might bring adverse action upon himself/herself may report the violation directly to a Bureau Commander or the Chief Deputy.

VI. Uniform Crime Reporting Summary Reporting System User Manual

Conflict with General Order. The version of the UCR Manual (UCR Manual) in effect at the time of the revising of this General Order is Revision 2021.1 – Document Date 4/15/2021. Any conflict being found with this General Order and the UCR Manual (either current or revised) shall be reported to the Chief Deputy for resolution.

Duty to maintain knowledge. All employees who enter case information that results in reportable activity to UCR have the duty to read and follow not only this General Order, but also the sections of the UCR Manual that pertain to their activity. The UCR Manual is available for download in PDF format from the FBI website (as of July 2021, the address for this download is <https://www.fbi.gov/file-repository/ucr/ucr-2019-1-nibrs-user-manual-093020.pdf/view>). Division Commanders may also make copy(ies) either through paper or electronic formats for use by employees under their command; however, the individual employee is responsible for maintaining knowledge on this topic (regardless of whether copies are provided) as this information is in the public domain and readily available for viewing / downloading.

Only the Sheriff or Chief Deputy may authorize exceptions to this General Order.

Reference Material:

Criminal Justice Information Services Division Uniform Crime Reporting Program
2021.1 National Incident-Based Reporting System User Manual