



NIBRS User  
Manual for Animal  
Control Officers  
and Humane Law  
Enforcement

## **ABOUT THE NCOVAA NIBRS IMPLEMENTATION COMMITTEE**

The National Council on Violence Against Animals' NIBRS Implementation Committee was charged with creating a document for animal control officers and humane law enforcement officers to use to support the tracking of animal cruelty data in the NIBRS database. The committee was also tasked with developing a Memorandum of Understanding (MOU) that ACOs and HLEs can provide to their local law enforcement agencies to coordinate the entry of the data into the Unified Crime Reporting (UCR) system.

In addition to developing this user's manual, the MOU, and other tools for animal control officers, the committee is tasked with alerting the animal control community to its important new role, through seminars and training at local, state, and national conferences and institutes.

To accomplish this, NCOVAA assembled subject matter experts from across the spectrum of animal cruelty, law enforcement, animal law, and psychology.

The committee was comprised of the following personnel:

**Martha Smith Blackmore, DVM** : President, Forensic Veterinary Investigations, LLC  
**Nancy Blaney** : Animal Welfare Institute  
**Sheriff Bill Bohnyak** : Orange County Sheriff (VT)  
**Joanne Bourbeau** : HSUS Northeast Region Director  
**Daniel DeSousa** : National Animal Care and Control Association;  
Deputy Director, County of San Diego Department of Animal Services  
**April Doherty** : Lead Investigator, Animal Abuse Unit,  
Baltimore County State Attorney's Office  
**Nelson Ferry** : Federal Bureau of Investigation  
**George Harding** : Executive Director, National Animal Care and Control Association  
**Scott Heiser** : Association of Prosecuting Attorneys  
**Jody Jones** : Director, Dallas Animal Services  
**Deborah Knaan** : Deputy District Attorney, Los Angeles County  
**Mark Kumpf** : Director, Montgomery County Animal Resource Center  
**David LaBahn** : Association of Prosecuting Attorneys  
**Ashley Mauceri** : The Humane Society of the United States  
**Sherry Ramsey** : The Humane Society of the United States  
**Mary Lou Randour, Ph.D.** : Animal Welfare Institute  
**John Thompson** : National Sheriff's Association  
**Sheriff Carolyn Walsh** : Chester County Sheriff (PA)

## **ABOUT THE AUTHOR**

**Daniel DeSousa** has worked for the County of San Diego Department of Animal Services since 1989. Starting out as an animal control officer, he currently holds the position of Deputy Director for the Department of Animal Services. He also was the Vice President for the National Animal Care and Control Association.

Designed and edited by the Animal Welfare Institute : Cover photo by David Verdugo

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# NIBRS User Manual for Animal Control Officers and Humane Law Enforcement

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## Introduction

The role of all animal control officers became even more important on January 1, 2016, when the FBI started collecting data on animal cruelty crimes, which had been added to Group A of the National Incident Based Reporting System (NIBRS). All crimes that fall within Group A are reported if there is an “incident.” This means that there does not have to be an arrest, an investigation, or even an offender found at the scene. If there is a complainant, there is an incident and this incident is to be reported to NIBRS.

Since animal control officers (ACOs) are the first responders to many, if not most, incidents of animal neglect and cruelty, this professional community will play a key role in developing an accurate and comprehensive system of animal cruelty crime reporting.

As animal control officers, we face on a daily basis the reality of animals across the country who are being abandoned, neglected, abused, fought, and sexually assaulted. While we know what is going on within our own jurisdiction, do we have any idea of what is happening in the neighboring jurisdiction or in the rest of the state or nation? With the exception of a few states that have statewide databases or reporting systems, the answer is a resounding “no.” And even in those states, law enforcement agencies (LEAs) have not been gathering information on animal cruelty crimes.

Why is this information important? First and foremost, animal cruelty is a serious crime against not only the animals, but also our society as a whole. Secondly, we are all aware of the fact that animal-related crimes can be an indicator of other crimes or future crimes. By knowing where these crimes are occurring and who is committing them, law enforcement agencies, animal control officers, and humane law enforcement (HLE) organizations can take proactive steps to prevent further abuse as well as other crimes.

What does the FBI consider to be animal abuse? Their definition is as follows: *“Intentionally, knowingly, or recklessly taking an action that mistreats or kills any animal without just cause, such as torturing, tormenting, mutilation, maiming, poisoning, or abandonment. Included are instances of duty to provide care, e.g.,*

*shelter, food, water, care if sick or injured; transporting or confining an animal in a manner likely to cause injury or death; causing an animal to fight with another; inflicting excessive or repeated unnecessary pain or suffering, e.g., uses objects to beat or injure an animal. This definition does not include proper maintenance of animals for show or sport; use of animals for food, lawful hunting, fishing or trapping.*

For NIBRS, the FBI breaks this definition down into four categories:

- A → simple/gross neglect : the failure of a person to provide for the needs of an animal (lack of food, water, shelter, grooming or veterinary care)
- I → intentional abuse and torture : the intentional act of harming an animal;
- F → organized abuse : dog fighting and cockfighting; and
- S → animal sexual abuse

The FBI’s definition is meant to encompass all state animal cruelty statutes, which, of course, vary in what they cover; what constitutes abuse and neglect will differ from jurisdiction to jurisdiction. Simply put, if the reported incident meets your state’s or agency’s definitions, then the incident should be submitted to NIBRS.

The following guide offers step-by-step instructions on how ACOs and HLEs should report NIBRS data to law enforcement agencies (LEAs).

Since the FBI does not yet consider most animal control and humane organizations to be law enforcement agencies, each agency or organization must work with its local law enforcement to ensure that these data are captured. A Memorandum of Understanding is included in this document to assist the ACOs and HLEs in collaborating with the LEA to ensure the data is captured. If your agency is already part of the local law enforcement, you should speak with your LEA supervisors to ensure that they start to capture your data.

# Introduction to the NIBRS Animal Cruelty Incident Report

## **NIBRS INCIDENT FORMAT**

The NIBRS Animal Cruelty Incident Report consists of eight different sections, as described below. Each section is further broken down into various data elements, some with specific data values that can be entered for each element.

It should be noted that the Incident Report is a “living” document and can be updated as more information is received regarding a specific incident; thus, not all sections need to be completed prior to submission to your LEA. For example, if you have only received a complaint, but do not yet have a specific suspect, you can still complete the administrative, offense, offender, victim, complainant, and witness sections and submit the Incident Report to your LEA for entry. If you subsequently either arrest a suspect or issue a citation or order for that person to appear in court, you could resubmit the Incident Report to your LEA with the additional information in the offender/arrestee section completed.

## **ADMINISTRATIVE**

This section contains administrative data that apply to the entire incident report (e.g., the identifying number assigned to the incident and the date and hour the incident occurred). The ACO or HLE should submit a single administrative section to the LEA for each reported incident. Much of the administrative section will be completed by the LEA that enters the data into NIBRS.

## **OFFENSE**

The offense section identifies and describes the types of offenses involved in the incident. For simple/gross neglect, organized animal abuse, intentional abuse and torture, or animal sexual abuse, the UCR offense code is 720.

## **PROPERTY**

In an effort to move communities, law enforcement, and the courts away from considering animals as “property,” NIBRS classifies crimes against animals as crimes against society. Therefore the property section of the Incident Report does not apply.

## **OFFENDER/ARRESTEE**

The offender/arrestee section captures data about each of the offenders in the incident (e.g., his/her age, sex, race, and ethnicity). The reporting agency should submit a separate offender section for each of the offenders (up to 99) involved in the incident. If the reporting agency knows nothing specific about the offenders—i.e., no suspect was arrested and thus there is no name, age, etc.—the reporting agency should enter what limited information it has regarding the suspects.

Once a suspect has either been identified or arrested in the incident, the reporting agency should resubmit the Incident Report to the LEA with the suspect-specific information contained in the offender/arrestee section.

## **VICTIM**

Because the offenses of simple/gross neglect, organized animal abuse, intentional abuse and torture, or animal sexual abuse are considered to be crimes against society, the offense field should be animal cruelty (720) with the appropriate criminal activity suffix (see page 10).

Even though multiple animals may have been abused or neglected, the victim in these crimes is “society” and thus there is only one victim type.

## **COMPLAINANT**

The complainant section captures any information obtained from the complainant or reporting party to the incident. In instances where an ACO/HLE or even an LEA is the first to observe the crime, the officer could be the complainant.

## **WITNESS**

This section should be used to capture any information from a witness to the incident. If the only witness to the incident is the complainant, this section should remain blank.

## **NARRATIVE**

The narrative section is available for the reporting agency to enter any pertinent information regarding the incident that is not captured in the data fields of the Incident Report.

### UPDATING INCIDENTS IN NIBRS

Once your LEA has entered the Incident Report into the FBI UCR Program, circumstances may warrant updating the original submission. The flexibility of the NIBRS provides for updating reports by adding, modifying, and deleting data. The FBI UCR Program's updating policy states that an agency should update a report only if the change would substantially alter the report's statistical significance. Anytime an LEA updates a previously submitted report, it should resubmit the report so the data are the same at all levels—local, state, and federal.

Circumstances requiring an update include the occurrence of a subsequent event materially affecting the report; learning that the ACO/HLE or LEA made a serious error in the original report, such as the incorrect entry of the arrestee's sex or race or similar important data; discovery of an additional unreported offender; or a subsequent arrest or exceptional clearance.

An example of a circumstance not requiring an update include the ACO/HLE or LEA learning the exact age

of the offender (e.g., 22) after reporting an age range (e.g., 20-25).

### DATA ELEMENTS

For each data element, the ACO/HLE should choose the most appropriate data value(s), i.e., specific characteristics or types of the reported data that have assigned codes. Although some data values require a specific format, most are codes from an approved list.

### COMPATIBILITY WITH STATE AND FBI UCR PROGRAMS

This Incident Report was created after reviewing the Incident Based Reporting documents of several states as well as of the FBI. It may not have every piece of information that a specific state captures or it may capture more data than your state. The intent of this NIBRS Animal Cruelty Incident Report is to provide a template for animal control and humane officers across the country to use to submit their data to their local law enforcement agencies. Any corrections or amendments to this Incident Report will be made in consultation with the experts who assisted in creating the document to ensure compatibility with the FBI's UCR system.

## Administrative

### ADMINISTRATIVE DATA

The administrative data section of the Incident Report identifies each incident uniquely. Each reported incident can have only one administrative section. The following information must be entered for each incident.

#### ORI NUMBER

An ORI is a unique nine-character identifier that the FBI's National Crime Information Center (NCIC) has assigned to each LEA. This data element is mandatory in each NIBRS submission. As animal control agencies and humane organizations do not have an ORI number, it will be assigned by the LEA to which the Incident Report is submitted. If, however, the ACO/HLE is part of the LEA, the officer may be able to enter the ORI number for their agency.

#### INCIDENT NUMBER

Similarly, the incident number will be assigned by the

LEA to each Group A Incident Report to uniquely identify the incident (e.g., the LEA's case number). This data element is mandatory in each NIBRS submission and will be entered by the LEA at the time of submittal.

It is recommended that animal control and HLE officers note the incident number in their own reports in case updates to the Incident Report need to be provided to the LEA.

#### CAD NUMBER

The CAD, or computer-aided dispatch, number is the number generated by the LEA's computer system. If the ACO or HLE agency is part of the local LEA, it can enter the CAD number from its database. If the ACO or HLE agency is not part of the local LEA, it is recommended that the agency enter its specific case number so it can easily cross reference its data with that submitted to the LEA.

### INCIDENT DATE

ACOs and HLEs should use the incident date field to enter the month, day, and year when the incident occurred. The format for entering the date is month-date-year (mm/dd/yyyy).

#### Example 1

If a dog fight occurred at 9:30 p.m. on July 2, 2015, the entry should be 07/02/2015.

### INCIDENT TIME

This is the actual time an incident occurred or the beginning of the time frame in which the incident could have occurred. NIBRS uses standard 24 hour military time.

Military Time Table

| a.m.            | p.m.         |
|-----------------|--------------|
| Midnight → 0000 | Noon → 1200  |
| 01:00 → 0100    | 01:00 → 1300 |
| 02:00 → 0200    | 02:00 → 1400 |
| 03:00 → 0300    | 03:00 → 1500 |
| 04:00 → 0400    | 04:00 → 1600 |
| 05:00 → 0500    | 05:00 → 1700 |
| 06:00 → 0600    | 06:00 → 1800 |
| 07:00 → 0700    | 07:00 → 1900 |
| 08:00 → 0800    | 08:00 → 2000 |
| 09:00 → 0900    | 09:00 → 2100 |
| 10:00 → 1000    | 10:00 → 2200 |
| 11:00 → 1100    | 11:00 → 2300 |
| 12:00 → 1200    | 12:00 → 2400 |

If the incident occurred on or between midnight and 00:59 a.m., 0000 should be entered; if on or between 0100 and 0159, 0100 should be entered; if on or between 2300 and 2359, 2300 should be entered, etc. If the incident occurred at exactly midnight, the ACO or HLE should consider it as having occurred at the beginning of the next day, as if the crime occurred at one minute past midnight. Therefore, ACOs/HLEs would enter 0000 for the hour, along with the next day's date.

#### Example 1

If an incident occurred at 7:30 p.m. or 1930 hours, the entry should be 1900.

### INCIDENT DATE IS

This element is the date the incident was actually reported to the ACO or HLE, which may or may not be the same as the incident date. In most situations, the reporting party or complainant should be able to provide the date that the incident happened and, if so, select the "actual date" from the list of data values. If, however, the reporting party or complainant could not provide the actual date the incident occurred, select the data value of "reported date."

#### Valid data values


- actual date
- reported date

### INCIDENT ADDRESS

The data elements for the location of the incident are self-explanatory. If a specific address is obtained, that information should be captured in these fields, e.g. 1234 Main Street, Los Angeles, CA 90049. If only an approximate location is known, then enter as much information as possible to accurately pinpoint the location of the incident, e.g., 1200 Main Street, Los Angeles, CA 90049.

### LATITUDE AND LONGITUDE

If an incident address cannot be obtained, then the latitude and longitude data fields must be entered. If you do not know the latitude and longitude of the location, most smart phones have an available app to pinpoint the latitude and longitude of the phone and thus the location of the incident (assuming of course that the officer was at the actual scene of the incident). If a smart phone is not available, there are numerous websites where you can ascertain the latitude and longitude of the location of an incident (e.g., [www.latlong.net](http://www.latlong.net)).



| Lat Long                | GPS Coordinates                        | Map Mouse Over Location  |
|-------------------------|--|--------------------------|
| (32.658326, -117.03529) | 32° 39' 29.9736" N<br>117° 2' 7.044" W | (32.688694, -117.017958) |

Report the latitude and longitude for the location where the incident occurred using the decimal system. In the example above, by moving your mouse over the animal shelter, the latitude and longitude would be entered as follows: Latitude 32.68894 and Longitude -117.017958

#### **OFFICER**

Enter the last name and first initial of the officer who investigated the complaint, e.g., Smith, T. If multiple officers were involved in the investigation, list the lead officer.

#### **ARRIVAL DATE AND TIME**

As with the incident date and incident time data elements described above, the format for entering the arrival date is month-date-year (mm/dd/yyyy). The format for entering the time the officer arrived on the scene is the same as the incident time, i.e., military time.

#### **CLEARED BY**

Since animal cruelty is a Group A incident, a specific incident can be cleared by one of two means: either by arrest or exceptional means. In many instances, the ACO/HLE or LEA may never locate, much less arrest, a suspect in a reported incident. Consequently, many cases will not be "cleared" and the cleared by field should be left blank.

#### *Valid data values*

- arrest
- exceptional clearance

An "arrest" is simply that, either taking the suspect into custody or issuing a citation or notice to appear in court for the violations detailed in the incident form. In such a case, the arrest information must be entered in the offender/arrestee section of the Incident Report.

In order to clear an incident as an "exceptional clearance" the animal control officer or humane officer must select one of the five data elements in the exceptional clearance field.

#### **EXCEPTIONAL CLEARANCE**

The data element "exceptional clearance" indicates whether or not the ACO/HLE cleared the incident by exceptional means.

To clear an offense by exceptional means, the ACO/HLE must meet the following four conditions:

1. The ACO/HLE investigation must have clearly and definitely established the identity of at least one offender.
2. The ACO/HLE must have sufficient probable cause to support arresting, charging, and prosecuting the offender.
3. The ACO/HLE must know the exact location of the offender so that an arrest could be made were circumstances not preventing it.
4. There must be a reason outside the control of the ACO/HLE that prevented the arrest.

You must not confuse exceptionally clearing an incident with administratively closing an investigation due to lack of evidence. Also, you cannot clear an incident exceptionally if it was previously or is concurrently cleared by arrest, i.e., if the suspect was taken into custody or issued a citation or notice to appear in court (and the arrest information has been entered in the offender/arrestee section of the Incident Report).

#### *Valid data values*

- death of offender
- prosecution declined (by the prosecutor for other than lack of probable cause)
- in custody of other agency/jurisdiction (includes extradition denied)

Beginning January 1, 2011, agencies began using the data value "in custody of other agency" or "in custody of other jurisdiction" for cases in which extraditions are formally denied or in circumstances where an offender committed offenses in two jurisdictions and was arrested in one of the jurisdictions. The ACO/HLE in the jurisdiction not reporting the arrest should report this data value when that officer becomes aware of the arrest.

- victim refused to cooperate (in the prosecution; as the victim in any animal cruelty case is society, this data value should never be selected)
- juvenile, no custody (the handling of a juvenile without taking him/her into custody, but rather by oral or written notice given to the parents or legal guardian in a case involving a minor offense)
- not applicable (not cleared exceptionally)

If an incident was not cleared by either an arrest or exceptional means by the time an initial Group A Incident Report is submitted regarding it, then N = Not Applicable should be entered.



If, after an Incident Report has been submitted, an offender is arrested, the previously submitted report should be updated with the offender/arrestee section completed with updated arrestee information as well as the arrest information. Submitting an updated Incident Report with offender/arrestee information will automatically clear the incident. The exceptional clearance field should still contain N = Not Applicable.

#### *Example 1*

A person suspected of sexually assaulting a dog killed himself when the investigating agency was approaching his residence. The sexual assault on the animal should be reported and cleared exceptionally by "death of offender."

#### *Example 2*

A person suspected of cockfighting in your jurisdiction was arrested and taken into custody in a neighboring jurisdiction for the same crime in that jurisdiction. In such a case, the data value of "in custody of other agency" should be selected.

#### **EXCEPTIONAL CLEARANCE DATE**

As with the incident date data elements described above, the format for entering the exception clearance date is month-date-year (mm/dd/yyyy).

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## Offense

#### **NIBRS OFFENSE CODE**

The offense code for animal cruelty is 720, which has already been entered in the NIBRS Animal Cruelty Incident Report.

#### **LOCATION**

This data element captures the type of location/premises where each offense in an incident took place.

The FBI UCR Program recognizes that for many incidents, there may be more than one possible choice for reporting a location. Therefore, ACOs and HLEs should use their best judgment in reporting location type after investigating the crime and considering the circumstances surrounding the location and the offender's intent during the commission of the crime.

Because the geographic location of an incident is not always the same as the functional location of the incident, the FBI UCR Program relies on the reporter to determine the most appropriate location type. For example, if an offense occurs at an elementary school playground during school hours, the location can be classified as 53 = School : Elementary/Secondary. But, if the offense occurred at the same physical location on a Saturday afternoon when the school is not operating and the public is allowed to use the facility for

recreational purposes, you would be equally correct in classifying the location as 50 = Park/Playground.

We realize that many of these locations may be outside what we consider to be the usual locations where animal abuse or neglect may occur, but all of the possible locations are included for your review and possible selection.

| VALID DATA VALUES                                  | DATA VALUE INCLUDES  |
|--|--|
| 01 = Air/Bus/Train Terminal                        | Airports; bus, boat, ferry, or train stations and terminals  |
| 02 = Bank/Savings and Loan                         | Other financial institutions, whether in a separate building or inside another store<br>Note: This data value does not include payday lender type businesses.  |
| 03 = Bar/Nightclub                                 | Establishments primarily for entertainment, dancing, and the consumption of beverages  |
| 04 = Church/Synagogue/Temple/Mosque                | Buildings for public religious activities, meetings, or worship  |
| 05 = Commercial/Office Building                    | Establishments that pertain to commerce and trade  |
| 06 = Construction Site                             | All buildings/locations that are under some type of construction   |
| 07 = Convenience Store                             | Establishments primarily for convenience shopping, e.g., stores that include the sale of other items as well as gasoline   |
| 08 = Department/Discount Store                     | Establishments that are considered department stores and that sell a wide range of goods; Target, Walmart, etc.<br>Note: This data value does not include shopping malls.  |
| 09 = Drug Store/Doctor's Office/Hospital           | Medical supply companies and buildings; stores that are primarily considered pharmacies; veterinary practices, veterinary hospitals, and medical practices   |
| 10 = Field/Woods                                   | Areas that are primarily open fields or wooded areas<br>Note: This data value does not include parks.  |
| 11 = Government/Public Building                    | Buildings primarily used for local, state, or federal offices or public businesses   |
| 12 = Grocery/Supermarket                           | Establishments primarily used for buying/ selling food items, etc.   |
| 13 = Highway/Road/Alley/Street/Sidewalk            | Open public ways for the passage of vehicles, people, and animals  |
| 14 = Hotel/Motel/Etc.                              | Includes other temporary lodgings<br>Note: This data value does not include campgrounds or recreational vehicle parks.   |
| 15 = Jail/Prison/Penitentiary/Corrections Facility | Places for the confinement of persons in lawful detention or awaiting trial  |
| 16 = Lake/Waterway/Beach                           | Shorelines, lakes, streams, canals, or bodies of water other than swimming pools   |
| 17 = Liquor Store                                  | Establishments primarily used for buying/selling alcoholic beverages   |
| 18 = Parking/Drop Lot/Garage                       | Areas primarily used for parking motorized vehicles that are commercial in nature  |
| 19 = Rental Storage Facility                       | Any mini-storage and/or self-storage buildings   |
| 20 = Residence/Home                                | Apartments, condominiums, townhouses, nursing homes, residential driveways, residential yards; extended/continuous care facilities<br>Note: This data value refers to permanent residences.  |
| 21 = Restaurant                                    | Any commercial establishments that serve meals or refreshments; cafeterias   |
| 23 = Service/Gas Station                           | Establishments where motor vehicles are serviced and gasoline, oil, etc., are sold   |
| 24 = Specialty Store                               | Fur stores, jewelry stores, television stores, dress shops, and clothing stores, etc.; payday lender type businesses   |
| 25 = Other/Unknown                                 | Any location that does not fit in one of the other defined data values or when the location of the incident is unknown   |
| 37 = Abandoned/Condemned Structure                 | Buildings or structures that are completed but have been abandoned by the owner and are no longer being used<br>Note: This data value does not include vacant rental property. ACOs/HLEs should use the data value that best describes the property in question, e.g., vacant rental house should be classified as 20 = Residence/Home, vacant convenience store that is for rent should be classified as 07 = Convenience Store, etc. |

|  |  |
|--|--|
| 38 = Amusement Park                      | Indoor or outdoor, permanent or temporary, commercial enterprises that offer rides, games, and other entertainment   |
| 39 = Arena/Stadium/Fairgrounds/Coliseum  | Open-air or enclosed amphitheater-type areas designed and used for the presentation of sporting events, concerts, assemblies, etc.   |
| 40 = ATM Separate from Bank              | Machines that provide the ability to make deposits and/or withdrawals using a bank card. Includes stand-alone or kiosk-type ATMs. If located at a banking facility, classify the location as Bank/Savings and Loan   |
| 41 = Auto Dealership New/Used            | Businesses specifically designed for selling new and/or used motor vehicles  |
| 42 = Camp/Campground                     | Areas used for setting up camps, including tent and recreational vehicle campsites   |
| 44 = Daycare Facility                    | Facilities that provide short-term supervision, recreation, and/or meals for adults or children during the daytime or at night; respite care facilities for seniors or for physically or mentally challenged individuals   |
| 45 = Dock/Wharf/Freight/Modal Terminal   | Separate facility with platforms at which trucks, ships, or trains load or unload cargo<br>Note: This data value does not include cargo bays attached to a department store or shopping mall. ACOs/HLEs should classify these as 08 = Department/Discount Store or 55 = Shopping Mall, respectively. |
| 46 = Farm Facility                       | Facilities designed for agricultural production or devoted to the raising and breeding of animals, areas of water devoted to aquaculture, and/or all building or storage structures located there; grain bins<br>Note: ACOs/HLEs should classify the house on a farm as 20 = Residence/Home.         |
| 47 = Gambling Facility/Casino/Race Track | Indoor or outdoor facilities used to legally bet on the uncertain outcome of games of chance, contests, and/or races   |
| 48 = Industrial Site                     | Active manufacturing locations, factories, mills, plants, etc., specifically designed for the manufacturing of goods<br>Note: This data value does not include abandoned facilities. ACOs/HLEs should classify these as 37 = Abandoned/Condemned Structure.  |
| 49 = Military Installation               | Locations specifically designed and used for military operations   |
| 50 = Park/Playground                     | Areas of land set aside for public use usually maintained for recreational or ornamental purposes; soccer fields, baseball fields  |
| 51 = Rest Area                           | Designated areas, usually along a highway, where motorists can stop  |
| 52 = School : College/University         | Institutions for the higher education of individuals, which gives instruction in specialized fields; community colleges; trade schools   |
| 53 = School : Elementary/Secondary       | Institutions for the instruction of children from preschool through 12th grade   |
| 54 = Shelter : Mission/Homeless          | Establishments that provide temporary housing for homeless individuals and/or families; venues set up as temporary shelters, i.e., a shelter set up in a church or school during a storm   |
| 55 = Shopping Mall                       | Indoor or outdoor shopping areas and/or centers with multiple (two or more) stores and/or businesses; strip malls<br>Note: ACOs/HLEs should use the data value that best describes the location in question.   |
| 56 = Tribal Lands                        | Native American reservations, communities, and/or trust lands<br>Note: The FBI UCR Program intends that non-tribal ACOs/HLES will primarily use this data value. Tribal agencies should use the data value that best describes the location in question.   |

### OFFENSE STATUS

An ACO/HLE should use the offense status field to indicate whether each offense in the incident was attempted or completed.

#### *Valid data values*

- attempted
- completed

#### *Example 1*

An incident involving a juvenile who attempted to set a cat on fire but was not able to do so would receive a code of "attempted."

### OFFENDER SUSPECTED OF USING

An ACO/HLE should use "offender suspected of using" to indicate whether any of the offenders in the incident were suspected of consuming alcohol or using drugs/narcotics during or shortly before the incident, or using computer equipment to perpetrate the crime. You can check all of the boxes that apply per offense type. If none apply, select "not applicable."

#### *Valid data values*

- N/A (not applicable)
- alcohol
- drugs
- computer equipment

#### *Example 1*

A dog fight in progress was broken up and the suspect admitted to drinking alcohol during the fight. In such a case, "alcohol" would be entered.

### WEAPONS/FORCE INVOLVED

When reporting if a weapon was used, select the most specific weapon type listed, e.g., you should report a revolver as "handgun" rather than "firearm." If a weapon was used that could be employed in several ways, choose the weapon type which indicates how the weapon was used.

For example, if the offender used a bottle to injure an animal, report "blunt object" if the animal was beaten. If, however, the offender cut or stabbed the animal with the bottle, you should select "knife/cutting instrument."

The FBI UCR Program defines an automatic firearm as any firearm which shoots, or is designed to shoot, more than one shot at a time by a single pull of the

trigger without manual reloading. If the weapon was an automatic firearm, you should mark the check box after the weapon type.

#### *Valid data values*

- firearm : type unknown
- handgun
- rifle
- shotgun
- other firearm
- knife/cutting instrument
- blunt object
- motor vehicle
- personal weapons
- poison
- explosives
- fire/incendiary device
- drugs/narcotics/sleeping pills
- asphyxiation
- other
- unknown
- none

#### *Example 1*

A suspect poisoned his neighbor's dog, so the data value would be "poison."

#### *Example 2*

If a suspect beat a cat to death with a baseball bat, the data value would be "blunt object."

### CRIMINAL ACTIVITY

There are four types of criminal activity that can be entered that are specific to the UCR Offense Code of 720:

#### *Valid data values*

- simple/gross neglect (A)
- intentional abuse and torture (I)
- organized abuse (F)
- animal sexual abuse (S)

The determination of subtype to be assigned is made by the reporting officer. Differentiating between A and I or S and I will sometimes be difficult to do. It is important to bear in mind the purpose of NIBRS reporting, and that is to record crime incidents, co-occurring crimes, and other relevant data. With that in mind consider the following guidelines:

**A – Simple/gross neglect:** These are crimes of animal cruelty that are passive, or “crimes of omission.” The animal suffered because someone or some people failed to provide for an animal’s appropriate care. The animal who suffers a lethal disease because of a failure to vaccinate or suffers from an inability to move freely because of heavily matted fur is included in this category. The animal who has been denied adequate food, water, shelter, grooming, or veterinary care and has suffered to a criminal degree because of that would be assigned the subtype “A.”

**I – Intentional abuse and torture:** These are crimes of animal cruelty that are active, or “crimes of commission.” The animal suffered because someone or some people took action that caused harm to an animal. These would be non-accidental injuries such as (but not necessarily limited to) blunt force trauma, sharp force trauma, burns, drowning, strangulation hanging, or bullet or arrow projectile wounding. Some cases of starvation or dehydration may be considered “I” if a deliberate action was taken to deny an animal access to food or water, such as imprisoning an animal in a crate and never providing food or water. Generally speaking, if an animal is dead, even if the crime started as an “A,” there is a good chance that at some point during that animal’s decline, an individual made a decision not to take corrective action that would have eased the suffering. In these extreme cases of failure to provide care to an animal, the determination may be made that the animal suffered from “starvation abuse” or other intended harm. In these cases, the designation should be “I” rather than “A.”

**F – Organized abuse (fighting):** These are cases where animals are incited to harm one another, usually, although not necessarily, for the purposes of wagering.

These activities may occur in formal organized fighting venues such as dog or cock fighting “pits” with spectators who paid to attend. However, the designation “F” also includes informal or impromptu engagements, such as dogs encouraged to fight in the street. The designation “F” is not limited to dogs and game fowl; it may also include finches and so called “blood sports” that involve setting one species of animal against another, such as bull or bear baiting.

**S – Animal sexual abuse (ASA):** These are cases where animals are harmed in the pursuit of sexual or sadistic gratification by the offender. ASA may or may not result in physical harm to the animal, and local laws will dictate whether a crime has been committed or not. In some jurisdictions, any contact with animals in a sexual manner will be considered a crime. In others, there must be proof of penetration, or the animal must suffer physical harm (blunt force trauma, lacerations) in order for a crime to be charged. ASA may include fondling of an animal’s genitalia; vaginal, anal, oral penetration or oral-genital contact (from person to animal and vice versa); masturbation on the animal or masturbation of the animal; penetration of an animal with a foreign object; and injuring or killing an animal for sexual gratification. Forcing an individual to perform sexual acts on or with an animal is also to be recorded as “S.” Involvement of other trauma such as burns, incised wounds, or crush injuries may also be inflicted, to include injuries to the nipples. These would ordinarily be viewed as cases of “I,” but when a sexual motive is thought to exist for the perpetrator, it should be recorded as “S.”

---

## Property

As noted at the beginning of this user manual, NIBRS considers crimes against animals to be crimes against society. Therefore, the property section of the Incident Report does not apply.

# Offender/Arrestee

## ARRESTED

If the suspect in the incident was taken into custody or issued a citation or notice to appear in court, select the data value of "yes." If the suspect is unknown or has not yet been located, select "no."

*Note: As previously noted, if the suspect is eventually arrested for an incident that has already been submitted, this section should be filled out as much as possible.*

### Valid data values

- yes
- no

## STATE CONTROL NUMBER

If the suspect was taken into custody, the state's criminal justice system identification number for the arrestee should be entered in this field.

## DATE OF BIRTH (DOB)

If known, the date of birth of the offender/arrestee is entered in this field in the format of month-date-year (mm/dd/yyyy).

## AGE RANGE OF OFFENDER

The age of each offender should be reported as an exact number of years or, if the exact age is not known, then either as a range of years or as unknown.

*Note: Age ranges must be of ten years or less (30–40 or 55–65) or the data will be rejected once submitted.*

### Valid data values

- 01–98 = Report exact number of years
- 99 = Over 98 years old
- 00 = Unknown
- 13–19 = Age range for a teenager

### Example 1

If the victim or a witness reported the offender's age as between 25 and 30 years old, the ACO/HLE should report 25–30 (i.e., 25 to 30 years old).

## SEX OF OFFENDER

Sex of offender indicates the sex of an offender in an incident.

### Valid data values

- female
- male
- unknown

## RACE OF OFFENDER

Race of offender indicates the race of an offender in an incident.

### Valid data values

- African American or Black
- American Indian or Alaska Native
- Asian
- Native Hawaiian or other Pacific Islander
- White
- unknown

The definitions of the racial designations are:

**African American or Black:** A person having origins in any of the black racial groups of Africa

**American Indian or Alaska Native:** A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment

**Asian:** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam

**Native Hawaiian or other Pacific Islander:** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands, e.g., individuals who are Carolinian, Fijian, Kosraean, Melanesian, Micronesian, Northern Mariana Islander, Palauan, Papua New Guinean, Ponapean (Pohnpelan), Polynesian, Solomon Islander, Tahitian, Tarawa Islander, Tokelauan, Tongan, Trukese (Chuukese), and Yapese

*Note: The term "Native Hawaiian" does not include individuals who are native to the state of Hawaii simply by virtue of being born there.*

**White:** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa

**Unknown:** The race of the offender/arrestee cannot be determined at the time the Incident Report was submitted.

### **ETHNICITY OF OFFENDER**

Ethnicity of offender indicates the ethnicity of an offender in an incident. This is an optional data element.

#### *Valid data values*

- Hispanic or Latino
- not Hispanic or Latino
- unknown

The ethnic designation of Hispanic or Latino includes persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

#### *Example 1*

If the offender was Cuban, report Hispanic or Latino.

### **RESIDENT STATUS OF OFFENDER/ARRESTEE**

The ACO/HLE should use resident status of offender/arrestee to indicate whether the offender/arrestee was a resident or nonresident of the jurisdiction in which the incident occurred. This is an optional data element.

*Note: Resident status does not refer to the immigration or national citizenship status of the individual.*

A resident is a person who maintains his/her permanent home for legal purposes in the locality (town, city, or community) where the crime took place. Reporting agencies should base their determinations of residency on the town, city, or community where the crime occurred rather than their broader geographical jurisdictions. Concerning university/college campuses, only persons living on campus (in dormitories, etc.) would be considered residents if they committed the crime on campus grounds.

#### *Valid data values*

- resident
- nonresident
- unknown

#### *Example 1*

The animal abuse crime occurred in San Diego, California, and the arrestee maintained his legal residence in the city. The entry should be "resident."

#### *Example 2*

The crime occurred in Washington, D.C., but the arrestee maintained his legal residence in Alexandria, Virginia. The entry should be "nonresident."

### **OFFENDER/ARRESTEE INFORMATION**

Each field should be filled out to the greatest extent possible understanding that once the suspect has been arrested or issued a citation or notice to appear, most of this information should be readily available.

### **EYE COLOR**

#### *Valid data values*

- black
- blue
- brown
- gray
- green
- hazel
- maroon
- multicolored
- pink

### **HAIR COLOR**

#### *Valid data values*

- bald
- black
- blonde
- brown
- gray
- red
- sandy
- white

### **GLASSES**

If it is known that the offender/arrestee wears contacts or prescription glasses, that information should be captured here.

#### *Valid data values*

- yes
- no
- contacts

### OFFENDER/ARRESTEE BUILD

Valid data values

- small
- medium
- large

### OFFENDER/ARRESTEE SMT

SMT stands for “scars/marks/tattoos.” Any identifying scars, marks, or tattoos should be entered in these fields with a brief description and a notation as to the location on the body of the offender/arrestee.

#### Example 1

An arrestee had a tattoo on his back of two roosters fighting. The first SMT should be completed as “fighting roosters on back.”

### NIBRS ARREST OFFENSE

The NIBRS arrest offense field identifies the offense for which the ACO/HLE arrested an offender. In animal-related incidents, the data element is 720 and the ACO/HLE must select the appropriate criminal activity for the offense.

Valid data values

- animal cruelty (720A)
- animal cruelty (720I)
- animal cruelty (720F)
- animal cruelty (720S)

### ARREST DATE

The date the suspect is arrested is entered in this field in the format of month-date-year (mm/dd/yyyy).

#### Example 1

If a suspect was issued a Notice to Appear or citation on July 4, 2015, the entry should be 07/04/2015.

### TYPE OF ARREST

This data element is used to indicate the type of apprehension or arrest.

Valid data values

- on-view arrest (apprehension without a warrant or previous incident report)
- summoned/cited (not taken into custody)
- taken into custody (based on a warrant and/or previously submitted incident report)
- referred to institution authority

*Note: The ACO/HLE should enter only one per arrestee.*

#### Example 1

An HLE arrested a person beating a dog in a public park. The entry should be “on-view arrest.”

#### Example 2

An ACO served a man with a Notice to Appear or citation summoning him to appear in court. The entry should be “summoned/cited.”

#### Example 3

A citizen filed a complaint regarding animal abuse. After completing the investigation and pursuant to an arrest warrant issued by the court, the ACO/HLE took the offender into custody. The data value would be “taken into custody” for type of arrest.

### ARREST TRANSACTION NUMBER

An ACO/HLE or LEA assigns an arrest transaction number to an arrest report to uniquely identify it. It may be the incident number of the previously reported incident relating to the arrest or a separate arrest transaction number. The number may be up to 12 characters long.

### STATE STATUTE

Enter the state statute for the violation documented in the Incident Report.

*Note: While you as an ACO or HLE are very familiar with the laws that you enforce, the LEA to whom this Incident Report is forwarded for submission likely is not. Enter the full name of the statute that was violated; do not use any abbreviations.*

#### Example 1

If a person is arrested in the state of New York for cockfighting, the state statute would be New York Agriculture and Markets 351(b).

#### Example 2

A person is suspected of poisoning a dog in the state of California; you would enter California Penal Code 596.

### STATUTE OFFENSE

Indicate the level of the crime, e.g., a felony, misdemeanor, infraction, or other penalty.

#### Example 1

In the cockfighting example above, you should enter “felony.”



*Example 2*

In the poisoning case, "misdemeanor" should be entered.

**ARRESTEE WAS ARMED WITH**

An agency should use this data element to indicate whether an offender was in possession of a commonly known weapon at the time of his/her arrest.

*Note: The FBI defines an automatic firearm as any firearm which shoots, or is designed to shoot, more than one shot at a time by a single pull of the trigger without manual reloading. If the weapon was an automatic firearm, you should check the box following the type of weapon.*

*Valid data values*

ACOs/HLEs/LEAs should enter up to two:

- handgun
- rifle
- shotgun
- other firearm
- firearm : type unknown
- unarmed
- knife/cutting instrument (e.g., switchblade knife or martial arts stars)
- club/blackjack/brass knuckles

*Example 1*

When a suspect was arrested, he had in his possession a .357-caliber revolver and a penknife. The entry should be "handgun." Because law enforcement does not generally consider a small pocket knife to be a weapon, it should not be reported as such.

*Example 2*

An ACO/HLE arrested a female who resisted the arrest using a liquor bottle and a chair as weapons before being subdued. The entry should be "unarmed." Although the subject did use the bottle and chair as weapons, the FBI does not consider those items as weapons for this data element.

**JUVENILE DISPOSITION**

An ACO/HLE should use the juvenile disposition data element to report the nature of the arrestee's detention when the arrestee is under the age of 18 at the time of the arrest. The word "arrest" as it applies to juveniles is intended to mean the law enforcement handling of those juveniles who have committed a crime and are taken into custody under such circumstances that, if the juvenile were an adult, an arrest would have been reported.

Depending on the seriousness of the offense and the offender's prior criminal record, this can include a warning by the animal control agency or humane organization with the juvenile being released to parents, relatives, friends, or guardians. Or, the juvenile offender may be referred to the probation department or some other branch of the juvenile court; to welfare agencies; to other LEAs; or, in the case of serious offenders, to criminal or adult court by waiver of juvenile court. Therefore, not only should arrests in the usual sense be included, but an ACO/HLE should report any situation where they handle/process a young person for a violation of the law in lieu of an actual arrest, e.g., summons, citation, or notification to appear before a juvenile or youth court or similar authority.

Contacts with juveniles where no offense has been committed (e.g., instructing children to keep their dog on a leash) and instances where juveniles are taken into custody for their own protection (i.e., the juvenile's welfare is endangered) should not be recorded as arrests.

*Valid data values*

The following data values may be entered (only one per arrestee):

- Handled within department (released to parents, released with warning, etc.)
- Referred to other authorities (turned over to juvenile court, probation department, welfare agency, other police agency, criminal, or adult court, etc.)

*Note re juvenile arrest reporting:*

*The FBI UCR Program does not collect the identities of individuals. Therefore, laws or regulations pertaining to the confidential treatment of the identity of juvenile offenders do not preclude the collection of arrest information for FBI UCR Program purposes or an agency's administrative use.*

In a situation where juvenile records are not readily available because a jurisdiction keeps them in a juvenile bureau, youth bureau, or other special office, statistical compilation problems involving juveniles can normally be resolved in one of the following ways:

1. The agency can route the arrest report (or copy) by juvenile or youth offices through the main records operation so they can retrieve the necessary information.

1. The agency can route a statistical slip showing the required NIBRS information but not the name of the juvenile to the employee who prepares the NIBRS arrestee reports.

#### *Example 1*

An ACO/HLE arrested a 13-year-old for dragging a dog by a chain and released the juvenile to his parents with a warning. The entry should be "handled within department."

#### *Example 2*

An ACO/HLE arrested a 17-year-old for stabbing a cat to death and turned the juvenile over to the adult court for trial as an adult. The entry should be "referred to other authorities."

### **MULTIPLE CLEARANCE DATA**

The multiple clearance data field ensures that an ACO/HLE counts the arrestee only once when the arrest is related to multiple incidents.

In this situation, the reporting agency should enter "count" for one incident in the multiple clearance data field and "multiple" in this data element for all of the remaining incidents. If a suspect's arrest did not clear additional incidents, the entry should be "not applicable."

#### *Valid data values*

LEAs should enter only one per arrestee per incident:

- count
- multiple
- not applicable

#### *Example 1*

After an ACO/HLE apprehended a suspect for the sexual assault on an animal, she learned the suspect was also responsible for two additional sexual assaults on animals within the jurisdiction. The agency should enter "count" for the sexual assault using the multiple clearance data field and "multiple" in this data element for all of the remaining sexual assaults.

---

## Victim

### **OFFENSE #1**

This data element should be the same as entered in the NIBRS arrest offense field in the offender/arrestee section—specifically, animal cruelty (720) and the specific criminal activity suffix.

#### *Valid data values*

- animal cruelty (720A)
- animal cruelty (720I)
- animal cruelty (720F)
- animal cruelty (720S)

### **VICTIM TYPE**

As the offenses of simple/gross neglect, organized animal abuse, intentional abuse and torture, and animal sexual abuse are considered to be crimes against society, the data value of "society" is already entered in the template.

---

## Complainant & Witness

These two sections are to be filled out in as much detail as possible. If the complainant is the only witness to the incident, that information should only be entered in the complainant section of the Incident Report. If a different person also witnessed the incident, that person's information would be captured in the witness section of the report.

---

## Narrative

This section is included for the ACO or HLE to enter any pertinent notes or information not captured in any of the previous sections. While this information can be sent to the LEA, it is not forwarded on through the UCR system to the FBI.

# Frequently Asked Questions

## 1. Why should I submit this information?

As stated in the cover letter and the introduction to this user manual, first and foremost, animal cruelty is a serious crime against not only the animals, but also our society as a whole. Secondly, we are all aware of the fact that animal-related crimes can be an indicator of other crimes or future crimes. By knowing where these crimes are occurring and the demographics of who is committing these crimes, law enforcement agencies and animal control/humane organizations can take proactive steps to address problems in areas with high rates of animal abuse.

## 2. As an animal control officer or humane law enforcement officer, do I report this information directly to the FBI?

Unless you are directly affiliated with either a police or sheriff's department in a NIBRS state (see the map in Appendix A), you cannot submit your incident reports directly to the FBI. If you are in a NIBRS state, but not affiliated with the local law enforcement, you will need to contact your local law enforcement and work to collaborate on the submission of your incident reports. A sample MOU is included in Appendix C.

## 3. What questions do I need to ask of my local law enforcement?

You will need to ask if the LEA is already reporting their data to NIBRS and if it has updated its system to be able to report animal crimes.

## 4. Do I need to have the MOU between my agency and the local law enforcement?

No, you do not. If your local law enforcement agrees to report your data without requiring an MOU, then there is no need. The sample MOU and other options are included in the toolkit for your use, as necessary.

## 5. Why can't I fill in the property section?

In an effort to encourage communities, law enforcement, and the courts that animals should not be considered as "property," NIBRS considers crimes against animals to be crimes against society. Therefore, the property section of the Incident Report does not apply.

## 6. What do I enter in the victim section?

You have the option to pick from the four criminal activity types of simple/gross neglect, organized animal abuse, intentional abuse and torture, or animal sexual abuse in the dropdown fields. As these crimes are considered to be crimes against society, "society" has already been entered in the NIBRS template for the victim type.

## 7. For the purposes of reporting an incident to NIBRS, what constitutes an "animal"?

As each jurisdiction may define "animal" differently, you should use the definition of "animal" that currently exists in either your local ordinances or state law.

## 8. If more than one animal is involved in the incident, how do I note that in the document?

Even though multiple animals may have been abused or neglected, the victim in these crimes is "society" and thus there is only one victim.

## 9. When will the accumulated data be made available?

As data collection just started on January 1, 2016, data will not be available until 2017.

## 10. Is there a time limit to updating an incident that has already been reported?

No. An incident can be updated at any time after the original report has been entered in NIBRS.

## 11. If I do not have a computer to fill out this Incident Report, how can I submit my cases to the law enforcement agency?

While this report is intended to be filled out electronically, it can also easily be printed and filled out by hand.

## 12. Do I need to submit an Incident Report even if I could not corroborate that a crime actually occurred?

Yes. You should still submit the Incident Report. Just because you could not prove that the crime occurred doesn't mean it did not happen.

## 13. I do not know that a specific incident meets the definitions provided by the FBI. Should I still submit an Incident Report?

Yes. The definitions provided by the FBI are purposely

vague. You, as the ACO/HLE for your jurisdiction, have the ability to decide whether or not the crime fits into one of the four criminal activity types. If it does, you should submit an Incident Report.

**14. Is it mandatory to report these crimes to the FBI?**

No. It is not mandatory, but the more information that is sent to the FBI, the better it will be able to gauge the amount of crime in a specific area. And, it will allow for a more comprehensive review of the relationship between animal cruelty and other crimes in the community.

**15. Are other animal control and humane agencies participating in this data collection?**

Yes. Agencies in states that already utilize the NIBRS system are already participating but we need your data as well.

**16. If I have questions on how to fill out the report, is there a help desk or someone I can contact for assistance?**

Yes. While we have not established a help desk, any questions regarding how to use the report can be sent to the National Animal Care and Control Association at [naca@nacanet.org](mailto:naca@nacanet.org).

**17. Is there any training available to learn how to fill out the Incident Report?**

Yes. If your state association is interested in obtaining training, it can contact the National Animal Care and Control Association at [naca@nacanet.org](mailto:naca@nacanet.org).

**18. If two or more criminal activity types, e.g., intentional abuse and torture and sexual assault, occur in a single incident, can I report both?**

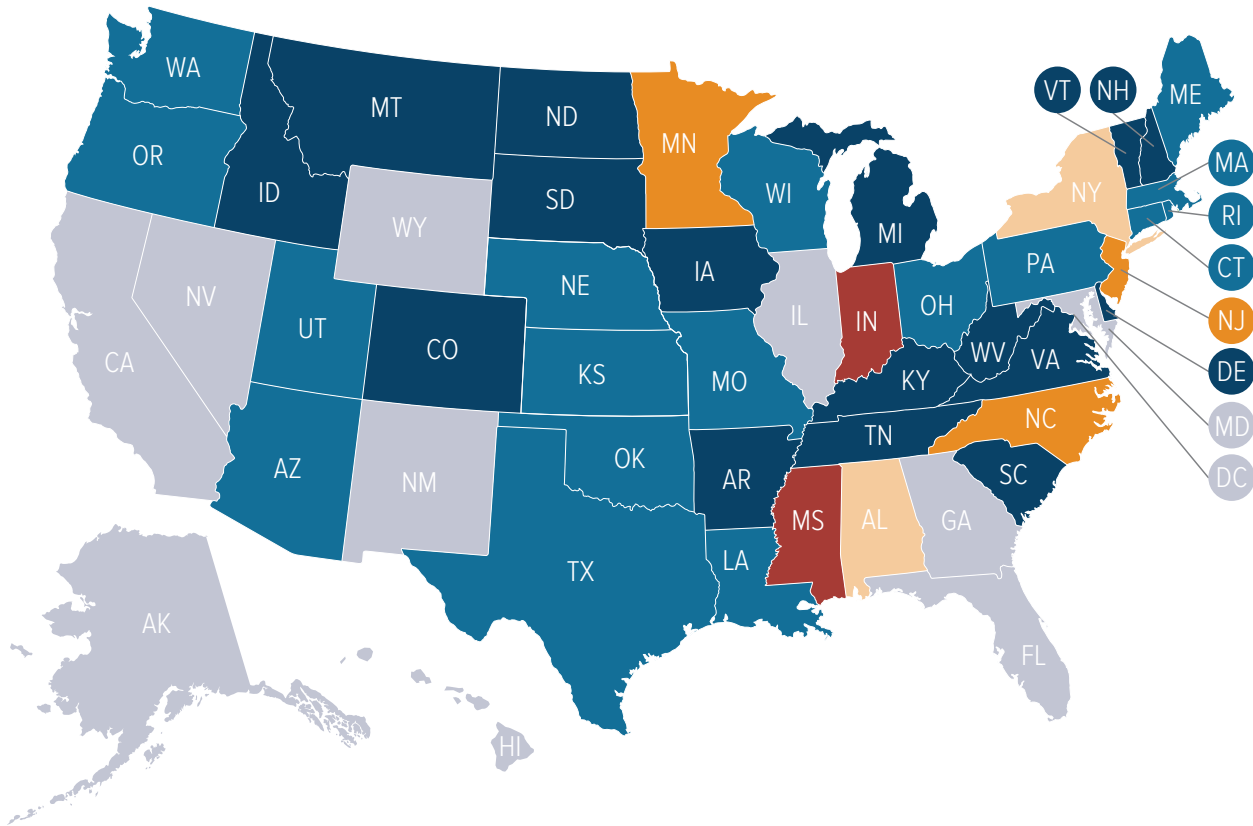
Yes. The victim section of the Incident Report allows you to select as many of the criminal activity types as necessary.

**19. Will my animal control or humane law enforcement agency have access to the data compiled by the FBI?**

Yes. The amount of information and how it will be provided are still being discussed but it is expected that the data will be available to those agencies that are submitting the Incident Reports.

# Appendix A

## CURRENT NIBRS PARTICIPATION STATES (AS OF FEBRUARY 7, 2016)



- NIBRS only states
- Summary Reporting System (SRS) NIBRS states
- SRS : no state UCR program
- Developing NIBRS
- NIBRS capability, reports only SRS
- No NIBRS capability at the state level

### OTHER OUTLYING AREAS

- American Samoa
- Guam
- Puerto Rico
- U.S. Virgin Islands

### NIBRS DIRECT CONTRIBUTORS

Hoover, Alabama  
 D.C. Metro Transit Authority  
 Rockford, Illinois  
 Indiana State Police  
 Adams County, Mississippi  
 Biloxi, Mississippi  
 Byram, Mississippi  
 Gulfport, Mississippi

## Appendix B

| <b>NIBRS Animal Cruelty Incident Report</b>                        |   |  |  |
|--|---|--|--|
| ORI #  | Incident #  | CAD #  |  |
| Incident Date  | Incident Time   | Incident Date is:  |  |
| Address #  | Street Name   | Apt/Suite #  |  |
| City   | State   | Zip Code   | Zone   |
| Latitude   | Longitude   | Officer  |  |
| Arrival Date   | Arrival Time  | Cleared by:  |  |
| Exceptional Clearance  | Ex. Clearance Date  |  |  |
| <b>Offense #1</b>  |   |  |  |
| NIBRS Offense Code   | Animal Cruelty (720)  |  |  |
| Location   |   |  |  |
| Offense Status   | Offender Suspected of Using: (check all that apply)           |  |  |
|  | <input type="checkbox"/> N/A                                  | <input type="checkbox"/> Alcohol                           | <input type="checkbox"/> Drugs <input type="checkbox"/> Computer Equipment |
| <b>Weapons:</b> (Check up to three)<br>Automatic? Check Box if yes | <b>Criminal Activity</b> (check up to three) Required for 720 |  |  |
| <input type="checkbox"/> Firearm-Type Unk                          | <input type="checkbox"/> Poison                               | <input type="checkbox"/> Simple/Gross (A)                  |  |
| <input type="checkbox"/> Handgun                                   | <input type="checkbox"/> Explosives                           | <input type="checkbox"/> Intentional Abuse and Torture (I) |  |
| <input type="checkbox"/> Rifle                                     | <input type="checkbox"/> Fire/Incendiary Device               | <input type="checkbox"/> Organized (F)                     |  |
| <input type="checkbox"/> Shotgun                                   | <input type="checkbox"/> Drugs/Narcotics/Sleeping Pills       | <input type="checkbox"/> Animal Sexual Abuse (S)           |  |
| <input type="checkbox"/> Other Firearm                             | <input type="checkbox"/> Asphyxiation                         |  |  |
| <input type="checkbox"/> Knife/Cutting Instrument                  | <input type="checkbox"/> Other                                |  |  |
| <input type="checkbox"/> Blunt Object                              | <input type="checkbox"/> Unknown                              |  |  |
| <input type="checkbox"/> Motor Vehicle                             | <input type="checkbox"/> None                                 |  |  |
| <input type="checkbox"/> Personal Weapons                          |   |  |  |
| NIBRS Animal Cruelty Incident Report (08-2016)                     |   |  |  |

| <b>Offense #1 (continued)</b>                                      |   |   |  |
|--|---|---|--|
| Gang Involvement?  | <input type="text"/>                              | Type of Gang Involvement?                                     | <input type="text"/>   |
| 1 <sup>st</sup> Gang Name?   | <input type="text"/>                              | 2 <sup>nd</sup> Gang Name?                                    | <input type="text"/>   |
| 1 <sup>st</sup> Gang Type  | <input type="text"/>                              | 2 <sup>nd</sup> Gang Type                                     | <input type="text"/>   |
| <b>Offense #2</b>  |   |   |  |
| NIBRS Offense Code   | <input type="text" value="Animal Cruelty (720)"/> |   |  |
| Location   | <input type="text"/>                              |   |  |
| Offense Status   | <input type="text"/>                              | Offender Suspected of Using: (check all that apply)           |  |
|  | <input type="checkbox"/> N/A                      | <input type="checkbox"/> Alcohol                              | <input type="checkbox"/> Drugs <input type="checkbox"/> Computer Equipment |
| <b>Weapons:</b> (Check up to three)<br>Automatic? Check Box if yes |   | <b>Criminal Activity</b> (check up to three) Required for 720 |  |
| <input type="checkbox"/> Firearm-Type Unk                          | <input type="checkbox"/>                          | <input type="checkbox"/> Poison                               | <input type="checkbox"/> Simple/Gross (A)                                  |
| <input type="checkbox"/> Handgun                                   | <input type="checkbox"/>                          | <input type="checkbox"/> Explosives                           | <input type="checkbox"/> Intentional Abuse and Torture (I)                 |
| <input type="checkbox"/> Rifle                                     | <input type="checkbox"/>                          | <input type="checkbox"/> Fire/Incendiary Device               | <input type="checkbox"/> Organized (F)                                     |
| <input type="checkbox"/> Shotgun                                   | <input type="checkbox"/>                          | <input type="checkbox"/> Drugs/Narcotics/Sleeping Pills       | <input type="checkbox"/> Animal Sexual Abuse (S)                           |
| <input type="checkbox"/> Other Firearm                             | <input type="checkbox"/>                          | <input type="checkbox"/> Asphyxiation                         |  |
| <input type="checkbox"/> Knife/Cutting Instrument                  | <input type="checkbox"/>                          | <input type="checkbox"/> Other                                |  |
| <input type="checkbox"/> Blunt Object                              | <input type="checkbox"/>                          | <input type="checkbox"/> Unknown                              |  |
| <input type="checkbox"/> Motor Vehicle                             | <input type="checkbox"/>                          | <input type="checkbox"/> None                                 |  |
| <input type="checkbox"/> Personal Weapons                          |   |   |  |
| Gang Involvement?  | <input type="text"/>                              | Type of Gang Involvement?                                     | <input type="text"/>   |
| 1 <sup>st</sup> Gang Name?   | <input type="text"/>                              | 2 <sup>nd</sup> Gang Name?                                    | <input type="text"/>   |
| 1 <sup>st</sup> Gang Type  | <input type="text"/>                              | 2 <sup>nd</sup> Gang Type                                     | <input type="text"/>   |
| <b>Property</b>  |   |   |  |
| Not Applicable   |   |   |  |

**Offender/Arrestee #1**Arrested  State Control #  DOB  Age Range Sex  Race  Ethnicity  Resident Status First Name  Middle Name  Last Name 1<sup>st</sup> Alias  2<sup>nd</sup> Alias Address #  Street Name  Apt./Suite # City  State  Zip Code  Phone # SSN  Driver License /OLN #  State Height (FT)  (IN)  Weight  Eye Color  Hair Color Glasses  Build  Occupation Employer/School  Address 1<sup>st</sup> SMT  2<sup>nd</sup> SMT 3<sup>rd</sup> SMT  4<sup>th</sup> SMT Clothing Description NIBRS Arrest Offense  Arrest Date  Type of Arrest Arrest Transaction #  State Statute Arrestee Armed with at Time of Arrest:  Statute Offense 

(Check up to two) Automatic? Check Box if yes

 Handgun   Unarmed  Juvenile Disposition  Rifle   Knife/Cutting Instrument  Warrant Signed By  Shotgun   Club, Blackjack, Brass Knuckles Other Firearm  Multiple Clearance Data  Firearm – Type   
Unknown



**Offender/Arrestee #2**Arrested  State Control #  DOB  Age Range Sex  Race  Ethnicity  Resident Status First Name  Middle Name  Last Name 1<sup>st</sup> Alias  2<sup>nd</sup> Alias Address #  Street Name  Apt./Suite # City  State  Zip Code  Phone # SSN  Driver License /OLN #  State Height (FT)  (IN)  Weight  Eye Color  Hair Color Glasses  Build  Occupation Employer/School  Address 1<sup>st</sup> SMT  2<sup>nd</sup> SMT 3<sup>rd</sup> SMT  4<sup>th</sup> SMT 

Clothing Description

NIBRS Arrest Offense  Arrest Date  Type of Arrest Arrest Transaction #  State Statute 

Arrestee Armed with at Time of Arrest:

(Check up to two) Automatic? Check Box if yes

Statute Offense  Handgun   Unarmed Juvenile Disposition  Rifle   Knife/Cutting Instrument Warrant Signed By  Shotgun   Club, Blackjack, Brass Knuckles Other Firearm  Multiple Clearance Data  Firearm – Type   
Unknown

**Victim #1**Offense #1 Offense #2 Offense #3 Offense #4 Victim Type **Complainant**First Name  Middle Name  Last Name Address #  Street Name  Apt./Suite # City  State  Zip Code  Phone # Alt. Phone # Employer Address #  Street Name City  State  Zip Code  Phone # **Witness #1**First Name  Middle Name  Last Name Address #  Street Name  Apt./Suite # City  State  Zip Code  Phone # Alt. Phone # Employer Address #  Street Name City  State  Zip Code  Phone #

***Narrative***

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## Appendix C

### MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "Agreement") is entered as of \_\_\_\_\_, 2016 (the "Effective Date"), by and between the Law Enforcement Agency and Animal Control Organization (ACO)/Humane Society (HS)/Society for the Prevention of Cruelty to Animals (SPCA).

As used throughout, the term "Parties" means LEA and ACO/HS/SPCA. "Animal cruelty" means "[i]ntentionally, knowingly, or recklessly taking an action that mistreats or kills any animal without just cause, such as torturing, tormenting, mutilation, maiming, poisoning, or abandonment. Included are instances of duty to provide care, e.g., shelter, food, water, care if sick or injured; transporting or confining an animal in a manner likely to cause injury or death; causing an animal to fight with another; inflicting excessive or repeated unnecessary pain or suffering, e.g., uses objects to beat or torture an animal. This definition does not include proper or general maintenance of animals for show or sport; use of animals for food, lawful hunting, fishing, or trapping." [NOTE: Source is FBI's UCR definition of animal cruelty, see, <https://ucr.fbi.gov/ucr-program-quarterly/ucr-quarterly-january-2015>]

### RECITALS

WHEREAS, the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program is a nationwide, cooperative statistical effort of nearly 18,000 city, university and college, county, state, tribal, and federal law enforcement agencies ("Reporting Agencies") voluntarily reporting data on crimes brought to their attention;

WHEREAS, since 1930, the FBI has administered the UCR Program and continued to assess and monitor the nature and type of crime in the Nation with the program's primary objective being to generate reliable information for use in law enforcement administration, operation, and management with the FBI's UCR data playing a key role in the work of criminologists, sociologists, legislators, municipal planners, the media, and other students of criminal justice who use the data for varied research and planning purposes;

WHEREAS, the FBI updated its UCR NIBRS Program policies, effective January 1, 2016, to specifically include Animal Cruelty as a criminal offense category that Reporting Agencies should include when tendering crime statistics to the FBI;

WHEREAS, the ACO/HS/SPCA has the legal authority to investigate incidents of Animal Cruelty but lacks an Originating Agency Identifier (ORI) number and therefore does not have the ability to report its data on incidents of Animal Cruelty to the FBI's UCR NIBRS Program and the LEA has an ORI number and does report crime data using the FBI's UCR NIBRS Program;

NOW, THEREFORE, the Parties agree as follows:

### THE AGREEMENT

1. **PURPOSE OF AGREEMENT:** The purpose of this Agreement is to ensure that Animal Cruelty incident data from **ACO/HS/SPCA** investigations is reported to the FBI's UCR NIBRS Program.
2. **TERM OF AGREEMENT:** This Agreement begins on the Effective Date noted above and shall remain in full force until terminated in writing by either Party.
3. **RECORDS AND REPORTING:**
  - a. Using the "NIBRS Animal Cruelty Incident Report," **ACO/HS/SPCA** shall tender Animal Cruelty incident data on a monthly basis by *[specify manner of data submission/transmission, e.g., if hardcopy or electronically and spell out the details of data submission here]*.
  - b. **LEA** agrees to (i) accept all Animal Cruelty data submissions from **ACO/HS/SPCA** that substantially comply with the reporting requirements and terms specified in subparagraph (a) above; (ii) enter all Animal Cruelty data submissions from **ACO/HS/SPCA** into **LEA's** records management system; and (iii) subsequently report—at a frequency of no less than once a year—all Animal Cruelty data received from **ACO/HS/SPCA** to the FBI's UCR NIBRS Program.
  - c. Both Parties agree, whenever possible, to coordinate and combine all animal cruelty incident reports with any associated non-animal related incident report(s) from the same date and location, to allow for a better analysis of the incidents when viewed as a whole.
4. **COSTS:** Each Party shall be responsible for their own costs associated with establishing, maintaining, or terminating this Agreement.
5. **GOVERNING LAW:** This Agreement shall be governed and construed by the laws of the state of \_\_\_\_\_.
6. **GENERAL:** This Memorandum of Understanding (MOU) does not create additional jurisdiction or limit or modify existing jurisdiction vested in the Parties. This MOU is intended to document an agreement between the **LEA** and **ACO/HS/SPCA**. Nothing contained herein creates or extends any right, privilege, or benefit to any person or entity.
7. **INDEMNIFICATIONS:** Notwithstanding any other provision of state law, each Party shall defend, indemnify, and hold harmless the other Party and its officers, agents, employees and representatives from any and all losses, liability, damages, claims, suits, actions and administrative proceedings, and demands and all expenditures and cost relating to acts or omissions of the indemnitor, its officers, agents, or employees arising out of or incidental to the performance of any of the provisions of this Agreement. The Parties do not assume liability for the acts or omissions of persons other than their respective officers, its employees, agents, and officers.
8. **REPRESENTATIONS AND WARRANTIES:** Each Party hereby represents and warrants to the other Party the following:
  - a. **Authority.** It has the right and power to enter into this Agreement.
  - b. **No Violation.** By entering into this Agreement, it does not violate the terms and conditions of any legal obligations or any other agreements to which it is a party or by which it is bound.
  - c. **Nonprofit Status.** It is duly organized and existing under the laws of its state of incorporation and is described in Section 501(c) (3) of the Code and qualified as a public charity.
  - d. **Disclaimer of Warranty.** EXCEPT AS OUTLINED ABOVE, NEITHER PARTY MAKES ANY WARRANTY TO THE OTHER PARTY, NEITHER EXPRESS, IMPLIED NOR STATUTORY, NOR SHALL ANY WARRANTY ARISE BY COURSE OF

- a. CONDUCT OR BY PERFORMANCE, CUSTOM, OR USAGE.
  - b. Limitation of Liability. Neither Party shall be liable to the other for any special, indirect, incidental, consequential, punitive, or exemplary damages, including, but not limited to, lost profits, even if such Party alleged to be liable has knowledge of the possibility of such damages.
9. MISCELLANEOUS:
- a. Amendments. No alteration, modification or addition to this Agreement, nor any waiver of any of the terms hereof or notice, shall be valid unless made in writing and signed by the duly authorized representatives of both Parties.
  - b. Non-Assignment. Neither Party may assign, transfer, or delegate this Agreement or any of its rights or obligations under this Agreement, without the other Party's written consent.
  - c. Dispute Resolution. IN THE EVENT OF A DISPUTE BETWEEN THE PARTIES ARISING UNDER OR IN CONNECTION WITH THIS AGREEMENT, THE PARTIES SHALL ATTEMPT TO RESOLVE THEIR DIFFERENCES THROUGH GOOD-FAITH NEGOTIATIONS IN A TIMELY MANNER. ANY CONTROVERSY OR CLAIM ARISING UNDER OR IN CONNECTION WITH THIS AGREEMENT, OR THE MAKING, PERFORMANCE OR INTERPRETATION THEREOF, THAT CANNOT BE RESOLVED BY THE PARTIES SHALL BE SETTLED BY ARBITRATION ADMINISTERED BY THE AMERICAN ARBITRATION ASSOCIATION ("AAA"), IN \_\_\_\_\_, UNDER THE AAA COMMERCIAL ARBITRATION RULES, AND JUDGMENT ON THE AWARD RENDERED BY THE ARBITRATOR MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF. THE PARTIES HEREBY EXPRESSLY WAIVE THE RIGHT TO A JURY TRIAL ON ALL MATTERS SUBJECT TO ARBITRATION.
    - i. The Arbitrator shall have authority to award any form of remedy, at law or in equity, which would be available in a court.
    - ii. The fees and expenses of the Arbitrator shall be equally divided between the Parties. Unless the Arbitrator's award directs otherwise, the Parties shall pay their own attorney's fees and expenses associated with the arbitration.
10. Entire Agreement. This Agreement represents the entire and sole agreement between the Parties with respect to the subject matter hereof and supersedes any and all prior negotiations, understandings, representations, or consulting agreements whether written or oral.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

LEA

By: \_\_\_\_\_

ACO/HS/SPCA

By: \_\_\_\_\_

Date: \_\_\_\_\_

