



April 26, 2011

Dr. Robert O. Kelley, President
University of North Dakota
264 Centennial Drive, Stop 8193
Grand Forks, North Dakota 58202-8193

Certified Mail
Return Receipt Requested
Domestic Return Receipt
7008 1300 0002 4440 2917

RE: **Program Review Report**
OPE ID: 00300500
PRCN: 201040827298

Dear Dr. Kelley:

From September 14, 2010 to September 16, 2010, Fran Susman and James Moore conducted a review of University of North Dakota's (UND's) administration of the programs authorized pursuant to Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 *et seq.* (Title IV, HEA programs). The review focused solely on UND's compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)*. The findings of that review are presented in the enclosed report.

Findings of noncompliance are referenced to the applicable statutes and regulations and specify the action required to comply with the statute and regulations. Please review the report and respond to each finding, indicating the corrective actions taken by UND. The response should include a brief, written narrative for each finding that clearly states UND's position regarding the finding and the corrective action taken to resolve the finding. Separate from the written narrative, UND must provide supporting documentation as required in each finding.

Please note that pursuant to section 498A(b) of the HEA, the Department is required to:

- (1) provide to the institution an adequate opportunity to review and respond to any preliminary program review report¹ and relevant materials related to the report before any final program review report is issued;
- (2) review and take into consideration an institution's response in any final program review report or audit determination, and include in the report or determination –

¹ A "preliminary" program review report is the program review report. The Department's final program review report is the Final Program Review Determination (FPRD).

- a. A written statement addressing the institution's response;
- b. A written statement of the basis for such report or determination; and
- c. A copy of the institution's response.

For purposes of attaching a copy of the institution's response, the Department considers the institution's response to be the written narrative and any supplemental responses. Any supporting documentation submitted with the institution's written response will not be attached to the final program review determination (FPRD), although it will be retained. Copies of the program review report, the institution's response, and any supporting documentation may be subject to release under the Freedom of Information Act (FOIA) and may be provided by the Department to other entities with oversight responsibility over the University after the FPRD is issued.

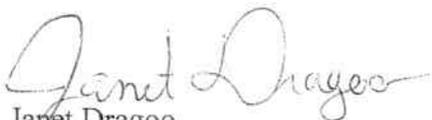
The institution's response should be sent directly to Fran Susman of this office within 30 calendar days of receipt of this letter.

Record Retention:

Program records relating to the period covered by the program review must be retained until the later of: resolution of the violations, weaknesses, and other issues identified during the program review as delineated at 34 C.F.R. § 668.24 (e)(3); or the end of the retention period applicable to Title IV-related records under 34 C.F.R. § 668.24 (e)(1) and (e)(2).

We would like to express our appreciation for the courtesy and cooperation extended during the review. Please refer to the above Program Review Control Number (PRCN) in all correspondence relating to this report. If you have any questions concerning this report, please contact Fran Susman at (303) 844-3682 or via e-mail at fran.susman@ed.gov.

Sincerely,



Janet Dragoo
Team Leader

cc: Mr. Duane Czapiewski, Chief of Police
Ms. Diane Fore, Administration, UND Police Department
Ms. Robin R. Holden, Financial Aid Director

Enclosure:
Protection of Personally Identifiable Information

PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION

Personally Identifiable Information (PII) being submitted to the Department must be protected. PII is any information about an individual which can be used to distinguish or trace an individual's identity (some examples are name, social security number, date and place of birth).

PII being submitted electronically or on media (e.g., CD-ROM, floppy disk, DVD) must be encrypted. The data must be submitted in a .zip file encrypted with Advanced Encryption Standard (AES) encryption (256-bit is preferred). The Department uses WinZip. However, files created with other encryption software are also acceptable, provided that they are compatible with WinZip (Version 9.0) and are encrypted with AES encryption. Zipped files using WinZip must be saved as Legacy compression (Zip 2.0 compatible).

The Department must receive an access password to view the encrypted information. The password must be e-mailed separately from the encrypted data. The password must be 12 characters in length and use three of the following: upper case letter, lower case letter, number, special character. A manifest must be included with the e-mail that lists the types of files being sent (a copy of the manifest must be retained by the sender).

Hard copy files and media containing PII must be:

- sent via a shipping method that can be tracked with signature required upon delivery
- double packaged in packaging that is approved by the shipping agent (FedEx, DHL, UPS, USPS)
- labeled with both the "To" and "From" addresses on both the inner and outer packages
- identified by a manifest included in the inner package that lists the types of files in the shipment (a copy of the manifest must be retained by the sender).

PII data cannot be sent via fax.



START HERE
GO FURTHER
FEDERAL STUDENT AID

Prepared for:
University of North Dakota

OPE ID: 00300500
PRCN: 201040827298

Prepared by
U.S. Department of Education
Federal Student Aid
School Participation Team – Chicago/Denver

Program Review Report

April 26, 2011

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A. Institutional Information

University of North Dakota
264 Centennial Drive
Grand Forks, North Dakota 58202

Type: Public

Highest Level of Offering: Master's or Doctor's Degree

Accrediting Agency: North Central Association of Colleges and Schools – CIHE

Current Student Enrollment: 13,172

% of Students Receiving Title IV: 65%

Title IV participation, Per PEPS Data Base:

2008-2009 Award Year

Federal Family Education Loan Program	\$71,198,784
Federal Pell Grant Program	\$ 5,732,903
Federal Work-Study Program	\$ 1,140,625
Federal Perkins Loan Program	\$ 1,026,012
Federal Supplemental Education Opportunity Grant Program	\$ 859,469
National SMART Grant	\$ 220,000
Academic Competitiveness Grant	\$ 250,475
TEACH Grant	\$ 85,500
Total:	\$80,513,768

FFEL Default Rate:

2008 – 2.0%
2007 – 2.3%
2006 – 1.6%

Perkins Default Rate:

As of:
6/30/2009 – 13.8%
6/30/2008 – 4.6%
6/30/2007 – 5.0%

Founded in 1883, the University of North Dakota (UND) is a comprehensive public university that offers undergraduate, master's and doctoral programs in 217 fields of study. Situated on 549 acres in Grand Forks, UND is comprised of more than 223 buildings and parcels of land. The UND Police Department consists of 12 sworn officers that patrol the campus 24 hours a day, 7 days a week. The UND Police Department

entered into a mutual aid agreement with the City of Grand Forks that allows the UND Police Department and Grand Forks Police Department to assist each other in the conduct of law enforcement activities on an as-needed basis. UND Police Officers have citywide jurisdiction with the power to enforce all city ordinances and state laws. Under state law, UND Police Officers, along with all other campus police officers in North Dakota, have jurisdiction on any campus in the state that is under the control and direction of the North Dakota Board of Higher Education.

B. Scope of Review

The U.S. Department of Education (the Department) conducted a focused campus security program review at UND from September 14, 2010 to September 16, 2010. The review was conducted by Ms. Fran Susman and Mr. James L. Moore, III.

The focus of the review was to examine UND's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (*Clery Act*). The *Clery Act* is in Section 485(f) of the Higher Education Act of 1965, as amended (HEA), 20 U.S.C. § 1092(f). The Department's implementing regulations are at 34 C.F.R. §§ 668.41 and 668.46.

UND was selected from a list of institutions of higher education in the state of North Dakota with sworn police departments. The review was not the result of any specific complaint or allegation of non-compliance. The review consisted of an examination of UND's police incident reports, arrest records, and disciplinary files as well as policies and procedures related to the *Clery Act*. The review also included a comparison of the campus statistics submitted by UND to the Department and reported to students and employees. The reviewers also interviewed institutional officials with *Clery Act* responsibilities.

The Department's program review coincided with the Quality Assurance Review (QAR) that the Federal Bureau of Investigation (FBI)'s Criminal Justice Information Service (CJIS) Audit Unit conducted at UND. The Department is partnering with the CJIS Audit Unit (CAU) to ensure more accurate crime reporting on America's college campuses. The CAU reviews law enforcement agencies' reporting practices and audits crime statistics that are reported by the states through their participation in the Uniform Crime Reporting (UCR) program. The results of the QAR are shared with the Department for a comparative analysis of the annual crime statistics data received from participating postsecondary institutions. The CAU reviewed a total of 30 Group A Offenses and 27 Group B Arrests reported to the UND Police Department during calendar year 2009. The CAU identified three classification errors. Correctly classified, these offenses are not reportable for Clery Act purposes. As such no further action is required of this report as it relates to the QAR discrepancies. A copy of the CJIS report is attached as Appendix A.

The Department reviewed 30 campus police incident reports for Part I Offenses, 70 disciplinary reports, and an additional 90 miscellaneous campus police incident reports

from calendar year 2009. The files were selected randomly from a list of all incidents of crime reported to the UND Police Department or other campus security authority and from a listing of all arrests and disciplinary referrals for law violations involving alcohol, illegal drugs, illegal usage of legal controlled substances and weapons during the same calendar year. Both random and judgmental sampling techniques were used to select reports for this review. Approximately 25 incident reports from the initial sample also were cross-checked against the daily crime log to ensure that crimes occurring within the patrol jurisdiction were entered properly on the log.

Disclaimer:

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning UND's specific practices and procedures must not be construed as acceptance, approval, or endorsement of those specific practices and procedures. Furthermore, it does not relieve UND of its obligation to comply with all of the statutory or regulatory provisions governing the Title IV, HEA programs including the *Clery Act*.

While this report reflects initial findings of the Department, they are not final. The Department will issue a Final Program Review Determination Letter at a later date.

C. Findings

During the review, several areas of noncompliance were noted. The findings of noncompliance are referenced to the applicable statutes and regulations and specify the actions to be taken by UND to bring its operations into compliance with Federal laws and regulations.

Finding 1: Failure to Properly Classify and Disclose Crime Statistics

Citation:

The *Clery Act* and the Department's regulations require Title IV participating institutions to compile, publish, and distribute statistics concerning the occurrence on campus of the following crimes during the three most recent calendar years: criminal homicide, manslaughter, forcible and non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. In addition, institutions are required to disclose arrests and disciplinary referrals involving violations of Federal or State drug, liquor and weapons laws. 34 C.F.R. § 668.46(c)(1). For Clery Act reporting purposes, participating institutions must classify incidents of crime based on the definitions in Appendix A to Subpart D of Section 668 of the General Provisions Regulations. 34 C.F.R. § 668.46(c)(7).

Each participating institution must also submit its crime statistics to the Department for inclusion in the Office of Postsecondary Education's (OPE) online campus crime statistics database. *34 C.F.R. § 668.41 (e)(5)*.

Institutions must also provide a geographic breakdown of crime statistics according to the following categories: 1) on campus; 2) as a subset of the on campus category, dormitories or other residential facilities for students on campus; 3) certain non-campus building or property; and, 4), adjacent and accessible public property. *34 C.F.R. § 668.46(c)(4)*.

Noncompliance:

A. Improper Crime Classifications

UND failed to properly classify one reported incident in the 2009 statistics in accordance with the Clery Act's crime categories. Specifically, case # 200931055 was improperly coded as a "Simple Assault." In this incident, two students, one from UND and another from Northland College, were injured during an attack. According to the UND Police Department's incident report, the first victim stated that, "she had been sprayed with mace, hit, and pushed to the ground." The second victim was also sprayed with mace. Based on our review of this case, this incident should have been coded as an "Aggravated Assault" and should have been included in UND's campus crime statistics. The Uniform Crime Reporting Handbook defines Aggravated Assault as "an unlawful attack by one person upon another for the purposes of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm." In this case, mace is clearly a weapon and the incident should have been reported as an "Aggravated Assault."

Because simple assault is not counted for Clery Act purposes, this classification error caused UND's crime statistics to be under-reported.

B. Inaccurate Disciplinary Referral Statistics

UND failed to disclose accurate disciplinary referral statistics for the calendar year 2009. UND reported a total of 602 on-campus liquor law violations referred for disciplinary action. During a review of the audit trail, UND discovered one additional incident report (Residence Services Report No. 090520) that had not been included in the original statistics. This incident report contained five additional individuals referred for disciplinary action for liquor law violations.

Although calendar year 2008 was not the focus of this review, the reviewers noted that the disciplinary referral statistics for calendar year 2008 (184) were considerably less than for calendar year 2009 (607). UND indicated that it appears that the statistics for 2008 were reported by the number of incidents instead of by the number of individuals referred for disciplinary action.

Failure to classify and disclose incidents of crime reported in an accurate and complete manner violates the HEA and the Department's regulations and deprives the campus community and the public of vitally important information regarding crime and safety concerns.

Required Action:

As a result of this finding, UND must correct all errors in its crime statistics. This requirement applies to the exceptions noted above and any other errors identified during the preparation of the response. UND must reclassify the crimes and violations identified above and correct the errors in its crime statistics as published in the Annual Security Report (ASR) and as submitted to the online database administered by the Department. As part of its response preparation, UND must also make all necessary corrections to the audit trail provided to the review team.

A copy of the revised 2009 audit trail must accompany the University's response.

UND must provide an audit trail for on-campus liquor law violation disciplinary referral statistics for calendar year 2008. UND may provide any additional documentation that might change the number of reportable disciplinary referrals for consideration by the review team. If UND concurs that its disciplinary referral statistics are not accurate for 2008, the University must correct its statistics for that year as published in its ASR and as submitted to the Department's online database.

Finally, the University must examine and improve its policies, procedures, internal controls, and training programs to ensure that all incidents of crime reported to the UND Police Department, non-law enforcement campus security authorities, and other local law enforcement agencies are properly classified and included in UND's ASR, which will have to be amended and re-distributed in accordance with instructions that will be provided in our Final Program Review Determination letter. A copy of all such revisions must accompany the University's response.

If UND believes that any of the initial crime classifications or statistics challenged in this finding are correct, the University must provide an explanation along with documentation in support of its position that shows that the incident was in fact classified and reported properly.

Based on an evaluation of all available information, including UND's response, the Department will determine if additional actions are necessary and advise the University accordingly in the Final Program Review Determination letter.

Finding 2: Failure to Report Crimes for Non-Campus Buildings/Property

Citation:

An institution's ASR must include statistics of incidents of Clery-reportable crimes that occurred in any buildings or on any property covered by the definitions in 34 C.F.R. § 668.46(c)(4). The geographical categories are on campus including residence halls, non-campus buildings and property, and certain public property.

A non-campus building or property is defined as “any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.” 34 C.F.R. § 668.46(a)

An institution also must comply with the *Clery Act* statistical disclosure requirements for each separate campus. 34 C.F.R. § 668.46(d). If an institution's campus consists solely of rented classroom space on the campus of another institution, the institution must disclose crimes that occur in the classroom space while it is occupied by that institution's students. If an institution has multiple campuses, each located in different geographically separate buildings that are rented or leased by the institution, compliance requirements must be met separately for each location.

Noncompliance:

UND failed to include crime statistics for certain non-campus sites in its 2009 ASR. Specifically, the review team identified several properties that are listed as additional locations on UND's Eligibility and Certification Approval Report for which crimes were not reported:

OPE ID	Name of Location	Address
00300502	Casper College/Occupational Therapy	125 College Drive Casper, Wyoming
00300503	Bismarck Center	1309 Shafer Street Bismarck, North Dakota
00300507	Continuing Education Outreach	1919 Elm Street North Fargo, North Dakota
00300514	Simle Middle School	1215 North 19 th Street Bismarck, North Dakota
00300515	Skills and Technology Training Center	1305 19 th Avenue North Fargo, North Dakota
00300516	Bennett Elementary School	2000 58 th Avenue South Fargo, North Dakota
00300521	Mayo Clinic	200 First Street SW Rochester, Minnesota

In addition, UND did not report crime statistics for the ten sites throughout the state of North Dakota where UND students attend classes provided by UND via the Interactive Video Network (IVN).

Failure to comply with the Clery Act requirements for each separate campus of the University violates the HEA and the Department's regulations and deprives that particular campus community of crime information that is most relevant to their safety and security.

Required Action:

As a result of this finding, UND must conduct a review of all real estate and land parcels that it owns or controls, determine the use(s) of each holding, and apply the definition of "campus" in 34 CFR §668.46(a) to each building or property. Based on the findings of this review, UND must then request, compile, and publish crime statistics for the locations in the chart above and any other buildings and properties that fall under any part of the definition of campus. If any or all of the locations above met the definition of a non-campus building for the calendar year 2009, UND must attempt to obtain statistics of incidents of crime reported to local law enforcement as occurring at these locations and disclose such statistics in the manner required by the *Clery Act*. Specifically, UND is required to correct its 2009 campus crime statistics on its Web site and in the Department's on-line database. UND will be required to distribute the modified campus security report to all students and employees.

If UND is unable to obtain statistics for any of these locations for 2009, UND must provide the review team with an explanation and supporting documentation detailing its efforts to obtain the statistics.

Finally, UND must review and revise its policies and procedures for preparing its campus security report to ensure that crime statistics are gathered and reported for non-campus properties.

UND should carefully evaluate the extent to which some of its buildings and properties may constitute separate campuses. If a location meets the definition of a campus and is not reasonably contiguous to the main campus, a separate statistical disclosure is required for that location. Please see the Department's "Handbook for Campus Reporting" located at the following Web site for additional information on this and other *Clery Act* requirements: <http://www2.ed.gov/admins/lead/safety/campus.html>

Based on an evaluation of all available information, including UND's response, the Department will determine if additional actions are appropriate and advise the University accordingly in its Final Program Review Determination letter.

Finding 3: Lack of Adequate Policy Statements

Citation:

The *Clery Act* and the Department's regulations require institutions to include several policy statements in their ASR. These disclosures are intended to inform the campus community about the institution's security policies, procedures, programs and the availability of programs and resources as well as channels to seek recourse. In general, these policies include topics such as the law enforcement authority and practices of campus police and security forces, incident reporting procedures for students and employees, and policies that govern the preparation of the report itself. Institutions are also required to disclose alcohol and drug policies and educational programs. Policies pertaining to sexual assault education, prevention, and adjudication must also be disclosed. All required policies must be included in a comprehensive document. With the exception of the certain drug and alcohol program information, cross referencing to other publications is not sufficient to meet this requirement. *§ 485(f) of the HEA; 34 C.F.R. § 668.46 (b)(2)-(b)(12)*

Noncompliance:

UND's ASR failed to provide all of the policy statements required by the Department's regulations. In addition, the UND ASR was not contained in a single, separate part of UND's Web site. Although the site contained some of the required policies and procedures in various sections of the site, the Department's review revealed the following specific deficiencies:

- Although UND has a comprehensive timely warning policy, UND's ASR does not include that policy. An institution is required to include in its ASR its policies for making timely warning reports to the campus community, including the circumstances for which a warning will be issued; the individual or office responsible for issuing a warning; and the manner in which a warning will be disseminated. *34 C.F.R. § 668.46(b)(2)(i)*
- UND's ASR does not provide a policy for preparing the annual disclosure of crime statistics (who prepares the report and how and from what sources crime statistics are collected). *34 C.F.R. § 668.46(b)(2)(ii)*
- UND's ASR does not provide a description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices. *34 C.F.R. § 668.46(b)(5)*
- UND's ASR does not provide a statement of policy concerning whether the institution works with local police agencies to monitor and record criminal activity involving recognized student organizations with off-campus housing facilities. *34 C.F.R. § 668.46(b)(7)*

The *Clery Act* requires institutions to provide an accurate and complete disclosure of policies and a clear articulation of programs. These disclosures allow the campus community to be more fully informed and actively provide for their own safety.

Required Action:

As a result of this finding, UND must review and revise its ASR to ensure that it includes all required statements of campus security policy and procedure. UND must also ensure all required information regarding crime prevention and programming is accurate, complete, and sufficient to give actual notice to all readers of the ASR.

UND must provide a copy of the revised document with its response. To meet all of the consumer information and distribution requirements of the *Clery Act*, UND also must ensure that the ASR is published and distributed as a single, comprehensive document. Once the modified ASR is reviewed for accuracy and completeness, UND will be directed to distribute it to all current students and employees.

Based on an evaluation of all available information, including UND's response, the Department will determine if additional actions are necessary and advise the University accordingly in the Final Program Review Determination letter.

Appendix A

U.S. Department of Justice
Federal Bureau of Investigation
Criminal Justice Information Services Division



IBR Exit Briefing Local Agency Review

Univ. of North Dakota, Grand
Forks



Quality Assurance Review

*Shared Management
Shared Responsibility
Shared Success*

A Partnership in Criminal Justice

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Local Agency Review Process

To adequately conduct a state Uniform Crime Reporting (UCR) Program Quality Assurance Review (QAR), the CJIS Audit Unit (CAU) reviews local agencies that contribute to the national Program through their respective state Programs. This helps evaluate the crime reports as they relate to data submission to the national UCR Program via the state UCR Program. The CAU staff contact these agencies through a designated Point of Contact (POC) approximately 45 days prior to the scheduled Review to gather information regarding the flow of reports from the time an incident is reported, to its classification, scoring, and submission to the national UCR Program. During the initial contact call, the auditors discuss logistics pertaining to the on-site Review with the agency POC and make preliminary plans regarding the Review. The CAU staff then follows up with written confirmation of the scheduled QAR to the Chief/Sheriff and UCR POC that will give general information concerning the QAR process.

The local agency QAR consists of three phases:

- Administrative Interview
- Data Quality Review
- Exit Briefing

Administrative Interview

During the administrative interview, CAU staff learn how an agency manages crime reports and whether the data submitted to the national UCR Program comply with national definitions and guidelines or, if not, how the data are converted to national UCR Program standards prior to submission to the national UCR Program.

The interview is based on the agency's policies and procedures concerning the national UCR Program's standards, definitions and information requirements. Topics covered during the interview include:

- Duties and responsibilities of the UCR POC
- Records management system
- Classification and Scoring
- Arrests
- Clearances
- Jurisdiction
- Property Values
- Offenders
- Hate Crime
- Law Enforcement Officers Killed or Assaulted (LEOKA)
- Updating/Quality Assurance
- State Program Services

Data Quality Review

During the data quality review, the CAU staff reviews a predetermined number of Group A and Group B incidents based on a statistical sampling method used at the state level. Record counts are distributed to agencies based on their Return A record counts. Case files, including the officer's narrative and supplemental information, are then compared to data reported to the national UCR Program to determine if the standards and definitions were appropriately applied. The CAU staff then determine if the offenses were appropriately classified into the Group A and Group B offense categories for NIBRS reporting as defined by the national UCR Program. The following error/discrepancy categories are considered when reviewing the incidents for accuracy:

- Overreported - Information reported was not documented in the case file.
- Underreported - Additional information is available in the case file and was not reported.
- Inaccurate – Information reported did not match the case report.

CAU staff compare agency documentation with a NIBRS printout that encompasses the 56 data elements displaying offense, offender, property, victim and arrestee data reported to the national UCR Program.

Overreported, underreported and inaccurate offenses discovered in data element 6 are scored as classification errors when they do not meet the national UCR Program definitions. Other data element discrepancies discovered in the remaining 55 data elements (excluding classification data element 6 errors) are provided for information only to identify systemic technical issues or areas where additional training may be needed.

Classification errors and data element discrepancies are documented for evaluation and discussion with local agency personnel and/or the state UCR Program manager.

Additionally, the CAU staff reviews incidents to ensure Hate Crimes and LEOKA data are reported according to the national standards and definitions for NIBRS.

Exit Briefing

The CAU staff provides an exit briefing packet to the local agency that summarizes the findings based on the administrative interview and the data quality review. The exit briefing packet contains a brief description of all the topics covered during the administrative interview and documents local agency compliance with UCR guidelines. During the exit briefing, the CAU staff will review/discuss each of the classification errors and data element discrepancies with the local agency UCR Point of Contact to verify the auditor's findings. The CAU will answer any questions the agency may have.

Data Quality Classification Results - Group A/B

The data quality portion of this QAR will help assess the state concerning conformance to policy, definitions and information requirements. Requirement One, NIBRS handbook page 2 "The state Program must conform to the national UCR Program's standards definitions and information requirements."

Month(s) Jan-Dec 2009
Reviewed: _____

Total Group A
Offenses Reviewed: 30

Offense / Definition Classification

Indicates data element 6 (UCR Offense Code) scored as classification errors when they do not meet the national UCR Program definitions.

Overreported

Underreported

Inaccurate

Total Group B
Records Reviewed: 27

Total underreported Group A offenses
found in Group B Arrest Reports:

Total Classification Errors:

LEOKA

Overreported

Underreported

Hate Crime

Total Hate
Crime Reviewed: _____

Overreported

Underreported

Inaccurate

Inaccurate
from Data
Element 8A

Administrative Interview Results

The administrative interview portion of this QAR will help assess the state concerning conformance to policy, definitions and information requirements. Requirement One, NIBRS handbook page 2 "The state Program must conform to the national UCR Program's standards definitions and information requirements."

Scoring

1. For counting purposes, the agency:

a. Counts one offense for each victim of a "Crime Against Persons" (UCR Handbook, NIBRS Edition, 1992, p. 29)

Meets UCR Guidelines

b. Counts one offense for each distinct operation or attempt for "Crime Against Property" except motor vehicle theft, where one offense is counted for each stolen vehicle. (UCR Handbook, NIBRS Edition, 1992, p.29)

Meets UCR Guidelines

c. Counts one offense for each "Crime Against Society" (UCR Handbook, NIBRS Edition, 1992, p.29)

Meets UCR Guidelines

Comments:

Arrests

2. "Arrestee data is to be reported for all persons apprehended for the commission of Group A or Group B Crimes (except Justifiable Homicide). The arrestee data to be reported describes the arrestee (e.g., his/her age, sex, race, etc.) and the circumstances of the arrest." (UCR Handbook, NIBRS Edition, 1992, p. 55)

Meets UCR Guidelines

Comments:

Administrative Interview Results

Clearances

3. In order to clear an offense by exceptional means, each of the following four conditions must be met (UCR Handbook, NIBRS Edition, 1992, p. 34)

1. "The investigation must have clearly and definitely established the identity of at least one offender."
2. "Sufficient probable cause must have been developed to support the arrest, charging, and prosecution of the offender."
3. "The exact location of the offender must be known so that an arrest could be made."
4. "There must be a reason outside the control of law enforcement which prevents the arrest."

Meets UCR Guidelines

4. "The administrative closing of a case or the "clearing" of it by departmental policy does not permit exceptionally clearing an offense." (UCR Handbook, NIBRS Edition, 1992, p. 34))

Meets UCR Guidelines

Comments:

Jurisdiction

5. "To be certain that data is not reported more than once by overlapping jurisdictions:" (UCR Handbook, NIBRS Edition, 1992, p. 6)

- a. "Agencies report only those offenses committed within the . . . boundaries. . ."

Meets UCR Guidelines

- b. "The recovery of property is reported only by the agency that first reported it missing and/or stolen, regardless of who or what agency recovered it." (UCR Handbook, NIBRS Edition, 1992, p. 6).

Meets UCR Guidelines

- c. "Agencies report only those arrests made for offenses committed within their own boundaries/jurisdictions." (UCR Handbook, NIBRS Edition, 1992, p. 6)

Meets UCR Guidelines

Comments:

Property Values

6. "Property information is to be submitted separately for each type of property loss. . ." (UCR Handbook, NIBRS Edition, 1992, p. 41)

Meets UCR Guidelines

7. Agency considers the following guidelines in the evaluation of property: (UCR Handbook, NIBRS Edition, 1992, p. 43 - 44)

- a. "Use fair market value..."
- b. "Use cost to the merchant (wholesale cost)..."
- c. "Use victim's evaluation..."
- d. "Use replacement cost or actual cash cost..."
- e. "When the victim obviously exaggerates the value of stolen/destroyed/damaged property for insurance or other purposes, common sense and good judgment will dictate a fair market value to be placed on the stolen items by law enforcement."

Meets UCR Guidelines

8. "The theft of nonnegotiable instruments such as traveler's checks, personal checks, money orders, stocks, bonds, food stamps, etc., should be scored but no value recorded." (UCR Handbook, NIBRS Edition, 1992, p. 44) "Nonnegotiable instruments, documents requiring further action to become negotiable, e.g., unendorsed checks and unendorsed money orders..." (NIBRS, Volume 1: Data Collection Guidelines, 2000, p. 84)

Meets UCR Guidelines

9. "If the value is unknown, one dollar (\$1.00) which means unknown, i.e., 1=Unknown should be entered." (NIBRS, Volume 1: Data Collection Guidelines, 2000, p. 86)

Meets UCR Guidelines

10. "...in order to obtain some measure of the drug problem, the 'estimated quantity' of seized drugs or narcotics is to be reported." (UCR Handbook, NIBRS Edition, 1992, p. 45)

Meets UCR Guidelines

11. "...when drugs are involved in other types of crime (e.g., they were stolen in a burglary or burned in an arson) their value is to be reported" (UCR Handbook, NIBRS Edition, 1992, p. 43)

Meets UCR Guidelines

Administrative Interview Results

Offenders

12. "Offender data include characteristics (age, sex, and race) of each offender (up to 99) involved in a crime incident whether or not an arrest has been made." (UCR Handbook, NIBRS Edition, 1992, p.

Meets UCR Guidelines

Comments:

Hate Crime

13. "The types of bias to be reported to the FBI's UCR Program are limited to those mandated by the enabling Act and its subsequent amendments, i.e., bias based on race, religion, disability, sexual orientation, or ethnicity." (UCR , Hate Crime Data Collection Guidelines, Revised October 1999, p. 2)

Meets UCR Guidelines

14. "Incidents which do not involve any facts indicating biased motivation on the part of the offender are to be reported as None" (88) (UCR Handbook, NIBRS Edition, 1992, p. 38)

Meets UCR Guidelines

15. "Incidents involving ambiguous facts (i.e., where some facts are present but are not conclusive) are to be reported as Unknown" (99) (UCR Handbook, NIBRS Edition, 1992, p. 38)

Meets UCR Guidelines

Comments:

Administrative Interview Results

Law Enforcement Officers Killed or Assaulted (LEOKA)

- Any questions regarding LEOKA, call CSMU 5-4831.
- (UCR Handbook, NIBRS Edition, 1992, p. 61 - 65)

16. "The form entitled 'Law Enforcement Officers Killed or Assaulted' (LEOKA) is to be used by agencies to report line-of-duty felonious or accidental killings of and assaults on sworn law enforcement officers." (UCR Handbook, NIBRS Edition, 1992, p. 61)

Meets UCR Guidelines

17. "Officers Killed" relates to sworn officers with full arrest powers killed in the line of duty. The number of officers slain by felonious acts and those killed by accident or negligence should be entered (on this form, LEOKA)." (UCR Handbook, NIBRS Edition, 1992, p. 61)

Meets UCR Guidelines

18. "All assaults on officers with or without injuries should be included on this form (LEOKA)." (UCR Handbook, NIBRS Edition, 1992, p. 63)

Meets UCR Guidelines

Comments:

Updating / Quality Assurance

19. "Updated information is to be reported to the national program on discovery of an additional unreported offense, victim, and/or offender; a subsequent arrest or exceptional clearance; discovery of a significant amount of unreported property loss; the recovery of stolen property; or the incorrect entry of important data, such as the offense code, the victim's or arrestee's sex or race, etc." (NIBRS Volume 1: Data Collection Guidelines, 2000, p. 18)

Meets UCR Guidelines

Comments:

Administrative Interview Results

State Program Services

20. Submission frequency:

Monthly

Comments: