

Exhibit H

Foreword, *Crime in the United States, 2004*

In its 75th year, the Uniform Crime Reporting (UCR) Program serves as a long-standing example of how the country can benefit when information flows freely among local, state, and federal law enforcement agencies. The cooperative efforts of these agencies to report their jurisdictions' crime statistics enable the FBI to present a nationwide view of crime.

Though Congress passed an act in 1870 calling for the attorney general to gather crime statistics for the United States, the framework for collecting these statistics was missing until the formation of the International Association of Chiefs of Police (IACP) in 1893. The foreword of an IACP manual for police records, published in 1929, states, "We are compelled to recognize that crime statistics must originate with the police and that without police support, there can be no crime statistics." The FBI, tapped to coordinate the UCR Program in 1930, worked to foster this fundamental principle, helping the Program to grow in participation and refine its methods for data collection, analysis, and publication.

Crime in the United States, 2004, a manifestation of this collaboration, offers an array of offense, arrest, and police employment data with national totals broken down by region, state, and agency. Narrative and tabular portions highlight national and regional trends identified in the reported figures for the year. Yet, the statistics included in this publication represent only a small percentage of the voluminous amount of information the Program captures and makes available to law enforcement and the public.

This vast compilation of data serves a large and varied audience. In addition to law enforcement, the Program's data users include other members of the criminal justice community, governmental agencies, legislators, researchers, students, the media, corporate managers, and private citizens. The Program's data are essential for those seeking to understand the nature and extent of crime in the Nation, their region, their state, or their community.

Local and state law enforcement agencies and the UCR Program staff collaborate daily to gather and provide reliable crime statistics. The resulting valuable data resource is used in a multitude of real-world applications. In a Nation where information sharing has become a priority as law enforcement works together to investigate crimes and prevent terrorist acts, the UCR Program remains an open book for all who wish to better understand crime in the United States.



Robert S. Mueller, III
Director

Data users are cautioned against comparing crime trends presented in this report and those estimated by the National Crime Victimization Survey (NCVS), administered by the Bureau of Justice Statistics. Because of differences in methodology and crime coverage, the two programs examine the Nation's crime problem from somewhat different perspectives, and their results are not strictly comparable. The definitional and procedural differences can account for many of the apparent discrepancies in results from the two programs.

The national Uniform Crime Reporting (UCR) Program would like to hear from you.

The staff at the national UCR Program are continually striving to improve the publications. We would appreciate it if the primary user of this publication would complete the evaluation form at the end of this book and either mail it to us at the indicated address or fax it: (304) 625-5394.

Until data users examine all the variables that affect crime in a town, city, county, state, region, or college or university, they can make no meaningful comparisons.

Caution against ranking

Each year when *Crime in the United States* is published, many entities—news media, tourism agencies, and other groups with an interest in crime in our Nation—use reported figures to compile rankings of cities and counties. These rankings, however, are merely a quick choice made by the data user; they provide no insight into the many variables that mold the crime in a particular town, city, county, state, or region. Consequently, these rankings lead to simplistic and/or incomplete analyses that often create misleading perceptions adversely affecting cities and counties, along with their residents.

Consider other characteristics of a jurisdiction

To assess criminality and law enforcement's response from jurisdiction to jurisdiction, one must consider many variables, some of which, while having significant impact on crime, are not readily measurable or applicable pervasively among all locales. Geographic and demographic factors specific to each jurisdiction must be considered and applied if one is going to make an accurate and complete assessment of crime in that jurisdiction. Several sources of information are available that may assist the responsible researcher in exploring the many variables that affect crime in a particular locale. The U.S. Census Bureau data, for example, can be used to better understand the makeup of a locale's population. The transience

of the population, its racial and ethnic makeup, its composition by age and gender, educational levels, and prevalent family structures are all key factors in assessing and comprehending the crime issue.

Local chambers of commerce, planning offices, or similar entities provide information regarding the economic and cultural makeup of cities and counties. Understanding a jurisdiction's industrial/economic base; its dependence upon neighboring jurisdictions; its transportation system; its economic dependence on nonresidents (such as tourists and convention attendees); its proximity to military installations, correctional facilities, etc., all contribute to accurately gauging and interpreting the crime known to and reported by law enforcement.

The strength (personnel and other resources) and the aggressiveness of a jurisdiction's law enforcement agency are also key factors in understanding the nature and extent of crime occurring in that area. Although information pertaining to the number of sworn and civilian law enforcement employees can be found in this publication, it cannot be used alone as an assessment of the emphasis that a community places on enforcing the law. For example, one city may report more crime than a comparable one, not because there is more crime, but rather because its law enforcement agency through proactive efforts identifies more offenses. Attitudes of the citizens toward crime and their crime reporting practices, especially concern-

ing minor offenses, also have an impact of the volume of crimes known to police.

Make valid assessments of crime

It is incumbent upon all data users to become as well educated as possible about how to understand and quantify the nature and extent of crime in the United States and in any of the more than 17,000 jurisdictions represented by law enforcement contributors to the Uniform Crime Reporting (UCR) Program. Valid assessments are possible only with careful study and analysis of the various unique conditions affecting each local law enforcement jurisdiction.

Historically, the causes and origins of crime have been the subjects of investigation by many disciplines. Some factors that are known to affect the volume and type of crime occurring from place to place are:

- Population density and degree of urbanization.
- Variations in composition of the population, particularly youth concentration.
- Stability of population with respect to residents' mobility, commuting patterns, and transient factors.
- Modes of transportation and highway system.
- Economic conditions, including median income, poverty level, and job availability.

- Cultural factors and educational, recreational, and religious characteristics.
- Family conditions with respect to divorce and family cohesiveness.
- Climate.
- Effective strength of law enforcement agencies.
- Administrative and investigative emphases of law enforcement.
- Policies of other components of the criminal justice system (i.e., prosecutorial, judicial, correctional, and probational).
- Citizens' attitudes toward crime.
- Crime reporting practices of the citizenry.

Crime in the United States provides a nationwide view of crime based on statistics contributed by local, state, tribal, and federal law enforcement agencies. Population size is the only correlate of crime presented in this publication. Although many of the listed factors equally affect the crime of a particular area, the UCR Program makes no attempt to relate them to the data presented. ***The reader is, therefore, cautioned against comparing statistical data of individual reporting units from cities, counties, metropolitan areas, states, or colleges and universities solely on the basis of their population coverage or student enrollment.*** Until data users examine all the variables that affect crime in a town, city, county, state, region, or college or university, they can make no meaningful comparisons.

Summary of the Uniform Crime Reporting (UCR) Program

The Program's primary objective is to generate reliable information for use in law enforcement administration, operation, and management; however, its data have over the years become one of the country's leading social indicators.

The Uniform Crime Reporting (UCR) Program is a nationwide, cooperative statistical effort of more than 17,000 city, university and college, county, state, tribal, and federal law enforcement agencies voluntarily reporting data on crimes brought to their attention. During 2004, law enforcement agencies active in the UCR Program represented 94.2 percent of the total population. The coverage amounted to 95.4 percent of the United States population in Metropolitan Statistical Areas (MSAs), 86.9 percent of the population in cities outside metropolitan areas, and 89.2 percent in nonmetropolitan counties.

Since 1930, the FBI has administered the UCR Program and continued to assess and monitor the nature and type of crime in the Nation. The Program's primary objective is to generate reliable information for use in law enforcement administration, operation, and management; however, its data have over the years become one of the country's leading social indicators. The American public looks to the Uniform Crime Reports for information on fluctuations in the level of crime, and criminologists, sociologists, legislators, municipal planners, the media, and other students of criminal justice use the statistics for varied research and planning purposes.

Historical background

Recognizing a need for national crime statistics, the International Association of Chiefs of Police (IACP) formed the

Committee on Uniform Crime Records in the 1920s to develop a system of uniform crime statistics. Establishing offenses known to law enforcement as the appropriate measure, the Committee evaluated various crimes on the basis of their seriousness, frequency of occurrence, pervasiveness in all geographic areas of the country, and likelihood of being reported to law enforcement. After studying state criminal codes and making an evaluation of the recordkeeping practices in use, the Committee completed a plan for crime reporting that became the foundation of the UCR Program in 1929.

Seven main offense classifications, known as Part I crimes, were chosen to gauge the state of crime in the Nation. These seven offense classifications included the violent crimes of murder and nonnegligent manslaughter, forcible rape, robbery, aggravated assault, and the property crimes of burglary, larceny-theft, and motor vehicle theft. By congressional mandate, arson was added as the eighth Part I offense category in 1979. Agencies classify and score these offenses according to a Hierarchy Rule, with the exception of justifiable homicides, motor vehicle theft, and arson, and report their data to the FBI. More information regarding the Hierarchy Rule is presented in Appendix I.

During the early planning of the Program, it was recognized that the differences among criminal codes precluded a mere aggregation of state statistics to arrive at a national total. Further,

because of the variances in punishment for the same offenses in different state codes, no distinction between felony and misdemeanor crimes was possible. To avoid these problems and provide nationwide uniformity in crime reporting, standardized offense definitions by which law enforcement agencies were to submit data without regard for local statutes were formulated. The definitions used by the Program are set forth in Appendix II of this publication.

In January 1930, 400 cities representing 20 million inhabitants in 43 states began participating in the UCR Program. Congress enacted Title 28, Section 534, of the United States Code authorizing the Attorney General to gather crime information that same year. The Attorney General, in turn, designated the FBI to serve as the national clearinghouse for the crime data collected. Since that time, data based on uniform classifications and procedures for reporting have been obtained from the Nation's law enforcement agencies every year.

Advisory Groups

Providing vital links between local law enforcement and the FBI in the conduct of the UCR Program are the Criminal Justice Information Systems Committees of the IACP and the National Sheriffs' Association (NSA). The IACP, as it has since the Program began, represents the thousands of police departments nationwide. The NSA encourages sheriffs

throughout the country to participate fully in the Program. Both committees serve in advisory capacities concerning the UCR Program's operation.

In 1988, a Data Providers' Advisory Policy Board was established. That Board operated until 1993 when it combined with the National Crime Information Center Advisory Policy Board to form a single Advisory Policy Board (APB) to address all FBI criminal justice information services. The current APB ensures continuing emphasis on UCR-related issues. The Association of State Uniform Crime Reporting Programs (ASUCRP) focuses on UCR issues within individual state law enforcement associations and also promotes interest in the UCR Program. These organizations foster widespread and responsible use of uniform crime statistics and lend assistance to data contributors when needed.

Redesign of UCR

Although UCR data collection had originally been conceived as a tool for law enforcement administration, by the 1980s, the data were widely used by other entities involved in various forms of social planning. Recognizing the need for more detailed crime statistics, law enforcement called for a thorough evaluative study that would modernize the UCR Program. The FBI fully concurred with the need for an updated Program and lent its complete support, formulating a comprehensive three-phase redesign effort. The Bureau of Justice Statistics (BJS), the Department of Justice agency responsible for funding criminal justice information projects, agreed to underwrite the first two phases. Conducted by an independent contractor, these phases were structured to determine what, if any, changes should be made to the current Program. The third phase would involve implementa-

tion of the changes identified. Abt Associates Inc. of Cambridge, Massachusetts, overseen by the FBI, BJS, and a Steering Committee comprised of highly qualified individuals representing a myriad of disciplines, commenced the first phase in 1982.

During the first phase, the historical evolution of the UCR Program was examined. All aspects of the Program, including the objectives and intended user audience, data items, reporting mechanisms, quality control issues, publications and user services, and relationships with other criminal justice data systems, were studied.

Early in 1984, a conference on the future of UCR, held in Elkridge, Maryland, launched the second phase of the study that examined the potential of UCR and concluded with a set of recommended changes. Attendees at this conference reviewed work conducted during the first phase and discussed the recommendations that should be considered during phase two.

Findings from the evaluation's first phase and input on alternatives for the future were also major topics of discussion at the seventh National UCR Conference in July 1984. A survey of law enforcement agencies overlapped phases one and two.

Phase two ended in early 1985 with the production of a draft, *Blueprint for the Future of the Uniform Crime Reporting Program*. The study's Steering Committee reviewed the draft report at a March 1985 meeting and made various recommendations for revision. The Committee members, however, endorsed the report's concepts.

In April 1985, the phase two recommendations were presented at the eighth National UCR Conference. Various considerations for the final report were set forth, and the overall concept for the revised Program was unanimously

approved. The joint IACP/NSA Committee on UCR also issued a resolution endorsing the *Blueprint*.

The final report, the *Blueprint for the Future of the Uniform Crime Reporting Program*, was released in the summer of 1985. It specifically outlined recommendations for an expanded, improved UCR Program to meet future informational needs. There were three recommended areas of enhancement to the UCR Program. First, offenses and arrests would be reported using an incident-based system. Second, data would be collected on two levels. Agencies in level one would report important details about those offenses comprising the Part I crimes, their victims, and arrestees. Law enforcement agencies covering populations of over 100,000 and a sampling of smaller agencies that would collect expanded detail on all significant offenses would be included in level two. Third, a quality assurance program would be introduced.

To begin implementation, the FBI awarded a contract to develop new offense definitions and data elements for the redesigned system. The work involved (a) revising the definitions of certain Part I offenses (b) identifying additional significant offenses to be reported, (c) refining definitions for both, and (d) developing data elements (incident details) for all UCR offenses in order to fulfill the requirements of incident-based reporting versus the current summary system.

Concurrent with the preparation of the data elements, the FBI studied the various state systems to select an experimental site for implementing the redesigned Program. In view of its long-standing incident-based Program and well-established staff dedicated solely to UCR, the South Carolina Law Enforcement Division (SLED) was chosen. The SLED agreed to adapt its existing

system to meet the requirements of the redesigned Program and collect data on both offenses and arrests relating to the newly defined offenses.

To assist the SLED with the pilot project, offense definitions and data elements developed under the private contract were put at the staff's disposal. Also, FBI automated data processing personnel developed Automated Data Capture Specifications for use in adapting the state's data processing procedures to incorporate the revised system. The BJS supplied funding to facilitate software revisions needed by the state. The SLED completed its testing of the new Program in late 1987.

Following the completion of the pilot project conducted by the SLED, the FBI produced a draft of guidelines for an enhanced UCR Program. Law enforcement executives from around the country were then invited to a conference in Orange Beach, Alabama, where the guidelines were presented for final review.

During the conference, three overall recommendations were passed without dissent: first, that there be established a new, incident-based national crime reporting system; second, that the FBI manage this Program; and third, that an Advisory Policy Board composed of law enforcement executives be formed to assist in directing and implementing the new Program.

Information about the redesigned UCR Program, call the National Incident-Based Reporting System, or NIBRS, is contained in several documents. *Data Collection Guidelines* (August 2000) contains a system overview and descriptions of the offense codes, reports, data elements, and data values used in the system. *Error Message Manual* (December 1999) contains designations of mandatory and optional data elements, data element edits, and error

messages. *Data Submission Specifications* is for the use of local and state systems personnel who are responsible for preparing magnetic media for submission to the FBI. The document is only available electronically at the FBI's Internet site at <www.fbi.gov/ucr/ucr.htm>. Another publication, *Handbook for Acquiring a Records Management System (RMS) that is Compatible with NIBRS* is also available electronically at that Web site.

A NIBRS edition of the *UCR Handbook* was published in 1992 to assist law enforcement agency data contributors implementing the NIBRS within their departments. This document is geared toward familiarizing local and state law enforcement personnel with the definitions, policies, and procedures of the NIBRS. It does not contain the technical coding and data transmission requirements presented in the other NIBRS publications.

The NIBRS collects data on each single incident and arrest within 22 crime categories. For each offense known to police within these categories, incident, victim, property, offender, and arrestee information are gathered when available. The goal of the redesign is to modernize crime information by collecting data currently maintained law enforcement records, making the enhanced UCR Program a by-product of current records systems while maintaining the integrity of UCR's long-running statistical series.

It became apparent during the development of the prototype system that the level one and level two reporting proposed in the *Blueprint* might not be the most practical approach. Many local and state law enforcement administrators indicated that the collection of data on all pertinent offenses could be handled with more ease than could the extraction of selected ones. Although

"Limited" participation, equal to the *Blueprint's* level one, remains an option, most reporting jurisdictions, upon implementation, go immediately to "Full" participation, meeting all the NIBRS' data submission requirements.

Implementation of the NIBRS is occurring at a pace commensurate with the resources, abilities, and limitations of the contributing law enforcement agencies. The FBI was able to accept NIBRS data as of January 1989, and to date, the following 29 state Programs have been certified for NIBRS participation: Arizona, Arkansas, Colorado, Connecticut, Delaware, Idaho, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wisconsin. Among those that submit NIBRS data, eight states (Delaware, Idaho, Iowa, South Carolina, Tennessee, Virginia, West Virginia, and Vermont) submit all their data via the NIBRS.

Ten state Programs are in various stages of testing the NIBRS. Six other state agencies, as well as agencies in the District of Columbia, are in various stages of planning and developing NIBRS.

Suspension of the Crime Index and Modified Crime Index

In June 2004, the CJIS APB approved discontinuing the use of the Crime Index in the UCR Program and its publications and directed the FBI publish a violent crime total and a property crime total until a more viable index is developed. The Crime Index was first published in *Crime in the United States* in 1960. Congress designated arson as a Part I offense in October 1978, and the UCR Program began collecting arson data in 1979. The FBI adopted the term Modified Crime Index to reflect the addition

of arson as a Part I offense. The Modified Crime Index was the number of Crime Index offenses plus arson. However, in recent years, the Crime Index (and subsequently the Modified Crime Index) has not been a true indicator of the degree of criminality. The Crime Index was simply the title used for an aggregation of the seven main offense classifications (Part I offenses) for which data has been collected since the Program's implementation. The Crime Index and Modified Crime Index were driven upward by the offense with the highest number, in this case, larceny-theft, creating a bias against a jurisdiction with a high number of larceny-thefts but a low number of other serious crimes such as murder and forcible

rape. Currently, larceny-theft makes up 59.4 percent of reported crime, and thus the sheer volume of those offenses overshadow more serious but less frequently committed offenses. The CJIS Division studied the appropriateness and usefulness of the Crime Index and Modified Crime Index for several years and brought the matter before many advisory groups including the UCR Subcommittee of the CJIS APB, the ASUCRP, and a meeting of leading criminologists and sociologists hosted by the BJS. The consensus was that the Crime Index and Modified Crime Index no longer served their original purpose, that the UCR Program should suspend their use, and that a more robust index should be developed.

CRIME CLOCK 2004



Every 23.1 seconds One Violent Crime

Every 32.6 minutes	One Murder
Every 5.6 minutes	One Forcible Rape
Every 1.3 minutes	One Robbery
Every 36.9 seconds	One Aggravated Assault

Every 3.1 seconds One Property Crime

Every 14.7 seconds	One Burglary
Every 4.5 seconds	One Larceny-theft
Every 25.5 seconds	One Motor Vehicle Theft

The Crime Clock should be viewed with care. The most aggregate representation of UCR data, it conveys the annual reported crime experience by showing a relative frequency of occurrence of Part I offenses. It should not be taken to imply a regularity in the commission of crime. The Crime Clock represents the annual ratio of crime to fixed time intervals.

Figure 2.16

Regional Crime Rates 2004

Violent and Property Crimes per 100,000 Inhabitants

