

**DIVISION OF ARKANSAS CRIME INFORMATION
DEPARTMENT OF PUBLIC SAFETY**

Statistical Analysis Center

National Incident-Based
Reporting System

**Arkansas
NIBRS Offense Definitions**

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ACIC NIBRS OFFENSE DEFINITIONS

The definitions that were developed for the NIBRS are not meant to be used for charging persons with crimes. They are simply a way of categorizing or organizing the crimes committed throughout Arkansas and the United States. State statutes must be very specific in defining crimes so that persons facing prosecution will know the exact charges being placed against them. On the other hand, the definitions used in the NIBRS must be generic in order not to exclude varying state statutes relating to the same type of crime.

Accordingly, the offense definitions in the NIBRS are based on common-law definitions found in *Black's Law Dictionary*, as well as those used in the *Uniform Crime Reporting Handbook* and the *NCIC Uniform Offense Classifications*. Since most state statutes are also based on common-law definitions, even though they may vary as to the specifics, most should fit into the corresponding NIBRS offense classifications.

Group A Offenses

Animal Cruelty - 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.

Arson -To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

Assault Offenses - An unlawful attack by one person upon another.

Aggravated Assault - An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. This also includes assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

Simple Assault - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Bribery - (Except Sports Bribery) The offering, giving, receiving, or soliciting of anything of value (i.e., a bribe, gratuity, or kickback) to sway the judgment or action of a person in a position of trust or influence.



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Burglary/Breaking and Entering - The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

Counterfeiting/Forgery - The altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud.

Destruction/Damage/Vandalism of Property - (Except Arson) To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Drug/Narcotic Offenses - (Except Driving Under the Influence) The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

Drug/Narcotic Violations - The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

Drug Equipment Violations - The unlawful manufacture, sale, purchase, possession, or transportation of equipment or devices utilized in preparing and/or using drugs or narcotics.

Embezzlement - The unlawful misappropriation by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.

Extortion/Blackmail - To unlawfully obtain money, property, or any other thing of value, either tangible or intangible, through the use or threat of force, misuse of authority, threat of criminal prosecution, threat of destruction of reputation or social standing, or through other coercive means.

Fraud Offenses - (Except Counterfeiting/Forgery and Bad Checks) The intentional perversion of the truth for the purpose of inducing another person, or other entity, in reliance upon it to part with something of value or to surrender a legal right.

False Pretenses/Swindle/Confidence Game - The intentional misrepresentation of existing fact or condition, or the use of some other deceptive scheme or device, to obtain money, goods, or other things of value.

Credit Card/Automated Teller Machine Fraud - The unlawful use of a credit (or debit) card or automated teller machine for fraudulent purposes.

Impersonation - Falsely representing one's identity or position and acting in the character or position thus unlawfully assumed, to deceive others and thereby gain a profit or advantage, enjoy some right or privilege, or subject another person or entity to an expense, charge, or liability which would not have otherwise been incurred.



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Welfare Fraud - The use of deceitful statements, practices, or devices to unlawfully obtain welfare benefits.

Wire Fraud - The use of an electric or electronic communications facility to intentionally transmit a false and/or deceptive message in furtherance of a fraudulent activity.

Identity Theft - Wrongfully obtaining and using another person's personal data (e.g., name, date of birth, Social Security number, driver's license number).

Hacking/Computer Invasion - Wrongfully gaining access to another person's or institution's computer software, hardware, or networks without authorized permissions or security clearances.

Gambling Offenses - To unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess, or transport gambling equipment, devices or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

Betting/Wagering - To unlawfully stake money or something else of value on the happening of an uncertain event or on the ascertainment of a fact in dispute.

Operating/Promoting/Assisting Gambling - To unlawfully operate, promote, or assist in the operation of a game of chance, lottery, or other gambling activity.

Gambling Equipment Violations - To unlawfully manufacture, sell, buy, possess, or transport equipment, devices, and/or goods used for gambling purposes.

Sports Tampering - To unlawfully alter, meddle in, or otherwise interfere with a sporting contest or event for the purpose of gaining a gambling advantage.

Homicide Offenses - The killing of one human being by another.

Murder and Nonnegligent Manslaughter - The willful (nonnegligent) killing of one human being by another.

Negligent Manslaughter - The killing of another person through negligence. This offense includes killings resulting from hunting accidents, gun cleaning, children playing with guns, and arrests associated with driving under the influence, distracted driving (using a cell/smartphone) and reckless driving traffic fatalities. It does not include deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and accidental traffic fatalities.

Justifiable Homicide (Not a Crime) - The killing of a perpetrator of a serious criminal offense by a peace officer in the line of duty, or the killing, during the commission of a serious criminal offense, of the perpetrator by a private individual.



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Human Trafficking Offenses - The inducement of a person to perform a commercial sex act, or labor, or services, through force, fraud, or coercion.

Human Trafficking, Commercial Sex Acts - Inducing a person by force, fraud, or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age.

Human Trafficking, Involuntary Servitude - The obtaining of a person(s) through recruitment, harboring, transportation, or provision, and subjecting such persons by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts)

Kidnapping/Abduction - The unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian.

Larceny/Theft Offenses - The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another person.

Pocket-picking - The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft.

Purse-snatching - The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.

Shoplifting - The theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale.

Theft From Building - A theft from within a building which is either open to the general public or where the offender has legal access.

Theft From Coin-Operated Machine or Device - A theft from a machine or device which is operated or activated by the use of coins.

Theft From Motor Vehicle - (Except Theft of Motor Vehicle Parts or Accessories) The theft of articles from a motor vehicle, whether locked or unlocked.

Theft of Motor Vehicle Parts or Accessories - The theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle, or necessary for its operation.

All Other Larceny - All thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

Motor Vehicle Theft - The theft of a motor vehicle.

Pornography/Obscene Material - The violation of laws or ordinances prohibiting the manufacture, publishing, sale, purchase, or possession of sexually explicit material, e.g., literature, photographs, etc.



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Prostitution Offenses - To unlawfully engage in or promote sexual activities for anything of value.

Prostitution - To engage in commercial sex acts for anything of value.

Assisting or Promoting Prostitution - To solicit customers or transport persons for prostitution purposes; to own, manage, or operate a dwelling or other establishment for the purpose of providing a place where prostitution is performed; or to otherwise assist or promote prostitution.

Robbery - The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

Sex Offenses - Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

Rape - (Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sodomy (Recoded to 11A Rape for Reporting Purposes) - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with An Object (Recoded to 11A Rape for Reporting Purposes) - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses, Nonforcible - (Except Prostitution Offenses) Unlawful sexual intercourse.

Incest - Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape - Nonforcible sexual intercourse with a person who is under the statutory age of consent.



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Stolen Property Offenses - Receiving, buying, selling, possessing, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by Burglary, Embezzlement, Fraud, Larceny, Robbery, etc.

Weapon Law Violations - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Group B Offenses

Curfew/Loitering/Vagrancy Violations - The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets or other specified areas; prohibiting persons from remaining in an area or place in an idle or aimless manner; or prohibiting persons from going from place to place without visible means of support.

Disorderly Conduct - Any behavior that tends to disturb the public peace or decorum, scandalize the community, or shock the public sense of morality.

Driving Under the Influence - Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

Family Offenses, Nonviolent - Unlawful, nonviolent acts by a family member (or legal guardian) that threaten the physical, mental, or economic well-being or morals of another family member and that are not classifiable as other offenses, such as Assault, Incest, Statutory Rape, etc.

Liquor Law Violations - (Except Driving Under the Influence) The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

Trespass of Real Property- To unlawfully enter land, a dwelling, or other real property.

All Other Offenses - All crimes that are not Group A offenses and not included in one of the specifically named Group B offense categories listed previously