



AMENDS

Reporting Case Clearances

REFERENCE

Uniform Crime Reporting Handbook – NIBRS Edition
RSMO 43.505

RESCINDS

I. PURPOSE

Assure crime data reported by the Kansas City, Missouri Police Department are in complete compliance with the Uniform Crime Reporting (UCR) and the National Incident Based Reporting System (NIBRS) requirements as set forth by the Criminal Justice Information Services Division of the Federal Bureau of Investigations.

II. DEFINITIONS

A. **UCR CLEARANCES** - The submission of arrestee data, in connection with an incident associated in the Tiburon Computer System, automatically clears all offenses within an incident. The fact that a warrant has been applied for or issued does not constitute a clearance. When reporting case dispositions in UCR, there are only three options: Cleared by Arrest, Exceptionally Cleared and Open. Each are discussed in further detail below.

1. **Cleared by Arrest** – An offense is reported as cleared by arrest when all three points listed below are satisfied:
 - a. At least one suspect is arrested
 - b. That person is charged
 - c. The arrestee is turned over to the court system for prosecution and adjudication.
2. **Exceptional Clearance** – An offense is reported as exceptionally cleared when all four of the listed conditions are satisfied:
 - a. The investigation must have clearly and definitely established the identity of at least one offender.
 - b. Sufficient probable cause must have been developed to support the arrest, charging and prosecution of the offender.
 - c. The exact location of the offender must be known so that an arrest could be made.
 - d. There must be a reason outside the control of law enforcement which prevents the arrest.

- e. Exceptional Clearances should be reported under one of the following five circumstances once the previous conditions have been met:
 - (1) **Death of the Offender** – Offender is accidentally killed or dies of natural causes after the warrant is obtained, suicide of the offender, double murder, death bed confession, offender killed by police or citizen.
 - (2) **Prosecution Declined** – By the prosecutor for a reason other than lack of probable cause, e.g., offense falls outside prosecution guidelines by virtue of value of loss, first time offender or any other reason deemed appropriate by the prosecutor, including held in abeyance.
 - (3) **Extradition Denied** – Offender prosecuted by state or local authorities in another city for a different offense or prosecuted in another city or state by the Federal government for an offense which may be the same (an attempt is made to return the offender for prosecution, but the other jurisdiction will not allow the release).
 - (4) **Victim Refused to Cooperate in the Prosecution**
 - (5) **Juvenile / No Custody** – This will not be used by the Kansas City, Missouri Police Department as an exceptional clearance code.

3. **Open Cases** – Any case that has not been cleared by arrest or exceptional clearance.

B. **UCR – (Uniform Crime Reporting)** - The UCR Program is a collective effort on the part of city, county, state, tribal, and federal law enforcement agencies to present a nationwide view of crime. Agencies participating in the UCR Program provide reports on arrested persons and offenses known to law enforcement. These agencies also provide information about law enforcement officers killed and assaulted in the line of duty and hate crimes. The FBI compiles, publishes, and distributes the data to participating agencies, state UCR programs and others interested in the nation's crime data. The UCR Program does not record the findings of a court, coroner, jury, or the decision of a prosecutor. Within the UCR system, there are two reporting options:

1. **NIBRS – (National Incident Based Reporting System)** – NIBRS collects data on each single incident and arrests within 22 (twenty-two) offense categories made up of 46 (forty-six) specific crimes called Group A offenses. In addition to the Group A Offenses, there are 11 (eleven) Group B Offense categories for which only arrest data are reported.

2. **Summary Reporting (commonly referred to as UCR)** - Developed by the F.B.I. to capture crime statistics that summarize information on 8 (eight) Part I Crimes (murder/non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson).
- C. **Solved** – A term used in the Kansas City, Missouri Police Department Case Management System to define cases with identified suspects. This is not an authorized UCR case clearance code.

III. PROCEDURE

- A. Adult Clearances in City Offenses with Arrests
1. Members who complete an original ARS report in the Tiburon Computer System and are arresting someone in conjunction with the offense will complete the Arrest Tab of the report by entering the appropriate information.
 2. Members who arrest individuals who have an original city pick-up will complete a supplemental ARS report using the Nature of Call, "City Pkup," (City Pickup Arrest) including the appropriate information in the Arrest Tab.
 3. After "Supervisor Approving" the report, the approving supervisor will open the Case Management module and clear the case by entering the appropriate information in case management.
- B. Fugitive Apprehension and Arraignment Section (FAAS) will receive all Case Status Reports, Form 327 P.D., yellow sheet or any notification from the county prosecutor's offices in regard to the disposition of a case and forward to the original investigative element for case disposition and entry into case management system.
- C. Adult Exceptional Clearances in Felony and City Offenses – There are three distinct steps that must be completed before a case is considered exceptionally cleared. If a case has already been cleared by arrest it can not be exceptionally cleared. NIBRS will only allow an agency to clear a case one time.
1. Member will complete a Supplemental ARS report using the Nature of Call, "Case Disp" (Case Disposition) detailing the conditions that have been met for the exceptional clearance.
 - a. If a suspect is listed on the "Case Disp" report they should be listed using the appropriate involvement code. The member will not use the involvement code of "ARR" which will record the incident as cleared by arrest.
 - b. All four conditions listed under the definition of Exceptional Clearances must be met for the case to be cleared in this manner.

2. After "Supervisor Approving" the report, the approving supervisor will then clear the case by entering the correct exceptional clearance data in the Incident Tab or Case Management Incident Tab. The Exception Date, Code and Remarks fields near the bottom left portion of the screen, will be completed.
 - a. The Incident Tab can be accessed by right clicking on the CRN (Case Report Number) on the Incident Tab of ARS (Automated Reporting System) or by opening the Incident folder then accessing Case Management then entering the case report number.
 - b. The Exceptional Clearance fields mentioned in step "B" **must** be completed to exceptionally clear the case for NIBRS reporting purposes. Failure to complete this step will result in inaccurate statistics being reported to the State of Missouri and the FBI. When clearing a case through exceptional means, members should also check the persons tab and make sure that no arrest is listed. You cannot exceptionally clear a case if an arrest has already been entered.
3. The approving supervisor will then open the Case Tab of the Case Management module and enter the correct Exceptional Clearance code as described in section II, A, 2, e of this directive.

D. Adult Felony Case Clearance with Arrest

1. Members who arrest an individual who has an outstanding original felony warrant issued under the Kansas City, Missouri Police Department ORI (Originating Routing Indicator – MOKPD0000) will complete a supplemental ARS report using the Nature of Call, "Warr Arr."
2. Any case involving a warrant which is issued by a judge while the suspect is in custody will be cleared by the case detective.
3. The investigative element handling the case will complete the activity screen in Case Management to reflect the actions that were taken during the case.

E. Adult outside agency warrant arrests issued under the Kansas City, Missouri Police Department ORI.

1. Department members transporting arrests from outside agencies will complete the appropriate supplemental arrest report in ARS.
2. When an arrest is bonded and released by an outside agency and the warrant is verified, the Records Section will complete a supplemental arrest report.

F. Juvenile Case Clearances

1. Juvenile case clearance can happen in two instances:

- a. If the juvenile is taken to a juvenile detention facility for booking or the "Juvenile Court Referral," Form 308 P.D. has been given to the parent or legal guardian; the juvenile will be listed as an "ARR" in the persons tab of the original report.
 - b. When a case file is turned over to the appropriate juvenile court it is considered a clearance by arrest. The member assigned to the case will complete the appropriate supplemental arrest report and the juvenile will be listed as an "ARR" in the persons tab of the report.
2. The member completing the report will call the Crimes Against Children Section and obtain a booking number. The booking number will be entered in the Arrest Tab under "Other Booking Number."
 3. The member will select "Juv" option in the "Dispo" box of the arrest tab.
 4. Members will select the appropriate state statute in the Charges Sub-Tab which is found under the Arrest Tab.
 5. When a juvenile is administratively booked and released in the field, a "Juvenile Court Referral," Form 308 P.D., will be given to the juvenile's parents, legal guardian or responsible party. The approving supervisor will:
 - a. Assign the case in the Case Management module to the member completing the report.
 - b. On the Assignment and Management Tab "dispo" box, select the "Cleared Arrest-Juvenile."
 6. Once the investigative element receives disposition from the juvenile court, the case can be closed in Case Management.

James D. Corwin
Chief of Police

Adopted by the Board of Police Commissioners this _____ day of _____ 2009.

Mark C. Thompson
President

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