

APPENDIX B

Definitions of Crime Categories

The following definitions are not meant to be used for charging persons with crimes but as “receptacles” or “pigeonholes” for reporting crimes. State statutes must be specific to communicate what a defendant is being charged with, however, a nation wide system must be generic in definition in order to include varying state statutes.

PART A CRIMES

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 physical 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 collecting of anything of value (i.e., a bribe, gratuity, or kickback) to sway the judgment of action of a person in a position of trust or influence.

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/Automatic Teller Machine Fraud

The unlawful use of a credit (or debit) card or automatic 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.

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.

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 purposes 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.

Justifiable Homicide

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.

KIDNAPPING/ABDUCTION

The unlawful seizure, transportation, and/or detention of a person against her/his 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 a Building

The 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 either open to the general public or where the offender has legal access.

Theft From Motor Vehicle

(Except "Theft of MV 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.

(A "motor vehicle" is a self-propelled vehicle that runs on the surface of land and not on rails, and which fits one of the following: Automobiles, Buses, Recreational Vehicles, Trucks, Other (motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, golf carts, etc.)).

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.

PROSTITUTION OFFENSES

To unlawfully engage in sexual relations for a profit.

Prostitution

To unlawfully engage in sexual relations for a profit.

Assisting of 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, FORCIBLE

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Forcible Rape

The carnal knowledge of a person, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault With An Object

To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, or, not forcibly or against the person's will where the person incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

SEX OFFENSES, NONFORCIBLE (Except "prostitution Offenses")

Unlawful, nonforcible 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.

STOLEN PROPERTY OFFENSES

Receiving, buying, selling, possessing, concealing, or transporting any property with the knowledge that it has been lawfully 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.

PART B OFFENSES

BAD CHECKS

Knowingly and intentionally writing and/or negotiating checks drawn checks drawn against insufficient or nonexistent funds.

CURFEW/LOITERING/VAGRANCY VIOLATIONS

The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets of 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.

DRUNKENNESS (Except for "Driving under the Influence")

To drink alcoholic beverages to the extent that one's mental faculties and physical coordination are substantially impaired.

FAMILY OFFENSES, NONVIOLENT

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

LIQUOR LAW VIOLATIONS

(Except "Driving under the Influence" and "Drunkenness")

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

PEEPING TOM

To secretly look through a window, doorway, keyhole, or other aperture for the purpose of voyeurism.

RUNAWAY

A person under 18 years of age who has left home without the permission of his/her parent (s) or legal guardian.

TRESPASS OF REAL PROPERTY

To unlawfully enter land, a dwelling, or other real property.

ALL OTHER OFFENSES

All crimes which are not Group "A" Offenses and not included in one of the specifically named Group "B" crime categories listed above.