

	KANSAS CITY, MO. POLICE DEPARTMENT	DATE OF ISSUE	EFFECTIVE DATE	NO.
	<b>PROCEDURAL INSTRUCTION</b>	04/08/2015	04/08/2015	15-03
SUBJECT			AMENDS	
<b>Reporting Case Clearances</b>				
REFERENCE		RESCINDS		
National Incident-Based Reporting System (NIBRS) User Manual Missouri Revised Statutes Chapter 43, Section 43.505 P.I., Arrest Guidelines		P.I. 09-7 DM 11-9		

## I. INTRODUCTION

- A. This written directive establishes guidelines and procedures for the reporting of crime data by the Kansas City Missouri Police Department (Department) in 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 (CJIS) Division of the Federal Bureau of Investigation (FBI).
- B. 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.

## II. TERMINOLOGY

- \*A. **NIBRS** – One of two reporting options within the UCR system.
  1. Law enforcement agencies report data on each offense and arrest within twenty-three (23) categories made up of forty-nine (49) specific crimes called Group A offenses. For each Group A offense, administrative, offense, property, victim, offender, and arrestee information is collected.
  2. Arrest data for an additional ten (10) Group B offense categories is reported.
  3. Refer to the NIBRS User Manual (located on the Intranet) for more information.
- B. **Open Cases** – Any case that has not been cleared by arrest or exceptional means.

- C. **Solved** – A term used in the Department’s Case Management System to define cases with identified suspects. This is not a recognized UCR case clearance code.
- D. **Summary Reporting (commonly referred to as UCR)** – One of two reporting options within the UCR system. Originally developed by the FBI to capture crime statistics that summarize information on eight (8) Part I Crimes; murder/non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.
- \*E. **UCR Clearances** - To clear an offense within the UCR program, certain criteria must be met. Offenses can be cleared in one of two ways; by arrest or by exceptional means. The offense may also be administratively closed.
  - 1. **Cleared by Arrest** – An offense is reported as cleared by arrest when all three of the following conditions have been met:
    - a. At least one suspect is arrested,
    - b. The arrestee is charged, and
    - c. The arrestee is turned over to the court system for prosecution and adjudication (whether following arrest, court summons, or police notice).
  - 2. **Cleared by Exceptional Means** – The following four conditions must be met to clear an offense by this category:
    - a. Clearly and definitely established the identity of at least one offender.
    - b. Enough evidence to support an arrest, charge, and turn the offender over to the court for prosecution.
    - c. The offender’s exact location must be identified so that they may be taken into custody.
    - d. Circumstances outside the control of law enforcement which prevents the arrest, charge, and prosecution of the offender.

Examples of exceptional clearance include, but are not limited to:

- (1) Death of the offender (e.g., suicide or justifiably killed by law enforcement or citizen).

- (2) Victim's refusal to cooperate with the prosecution after the offender has been identified.
- (3) Prosecution declined 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.

### **III. PROCEDURE**

- A. The submission of arrestee data, in connection with an incident associated in the Records Management System (RMS) automatically clears all offenses within an incident. The fact that a warrant has been applied for or issued does not constitute a clearance.
- B. The appropriate arrest report and RMS entries must be completed for the Clearance by Arrest when a member arrests an individual with a local city warrant. For more information regarding arrests, refer to the current written directive entitled, "Arrest Guidelines."
- C. Adult Outside Agency Warrant Arrests Issued under the Departments Originating Routing Indicator (ORI - MOKPD0000)
  1. Members transporting arrests from outside agencies will complete the appropriate supplemental arrest report.
  2. When an arrest is bonded and released by an outside agency and the warrant is verified, the Records Section must complete a supplemental arrest report for the clearance to count in NIBRS.
- D. Adult Exceptional Clearances in Felony and City Offenses
  1. If a case has already been cleared by arrest it cannot be exceptionally cleared.
  2. NIBRS will only allow an agency to clear a case one time. Members/supervisors should refer to the reference guides regarding case clearance within RMS located on the Intranet.
- E. Adult Felony Case Clearance with Arrest
  1. Members who arrest an individual with an outstanding original felony warrant issued under the Department's ORI will complete the appropriate supplemental report and entries within RMS.

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 necessary actions within the Case Management system.

\*F. Juvenile Case Clearances

1. NIBRS records the case clearance for juvenile cases referred to Family Court as Cleared by Arrest.
2. Crimes Against Children (CAC) will complete the booking procedure for all cases that will be forwarded to Family Court.
3. CAC will complete the appropriate entries in RMS on the arrest and Case Management function on the dispositions of the case.

G. When clearances involve both juvenile and adult offenders, those incidents are classified as clearances for crimes committed by adults.

\*H. Fugitive Apprehension and Arraignment Section (FAAS) will:

1. Handle notifications from the municipal or county prosecutor's offices regarding dispositions on cases.
2. Forward to the original investigative element for case disposition and entry into Case Management system.

Darryl Forté  
Chief of Police

Adopted by the Board of Police Commissioners this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

Alvin Brooks  
Board President

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