Uniform Offense Citation Table

Department of Public Safety, Division of Administrative Services - April 2002

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1. Purpose of the Uniform Offense Citation Table

DPS developed the Uniform Offense Citation Table (UOCT) to improve the accuracy of criminal history records in the Alaska Public Safety Information Network (APSIN).[1] The state was criticized in a 1993 audit for using National Crime Information Center (NCIC) crime classification codes instead of state statutes and municipal ordinances in its computerized criminal history records.

For example: A police officer, correctional officer, prosecutor, or court clerk cites a statute (*AS 11.46.130 -- Theft in the Second Degree)* on an arrest report, fingerprint card, Criminal Case Intake and Disposition (CCID) form, court judgment, or other source document. In order to record this information in APSIN, a data entry clerk must translate the statute citation written on the source document to an NCIC code (*2399B – Larceny in the Second Degree).* However, there is not always an exact or obvious match between the actual Alaska statute or municipal ordinance and an NCIC code. Imprecise offense codes prevent APSIN criminal history records from being fully reliable to identify a person who

- must register as sex offender;
- must provide a DNA sample;
- may not possess a firearm under federal law (Brady) or obtain a concealed handgun permit under state law;
- is ineligible for a Permanent Fund Dividend; or
- is ineligible for various other licenses, permits, or employment.

2. Original Table Contents & Software Design

In 1996 DPS contracted with the Alaska Judicial Council, which compiled a list of over 5,700 state and municipal offenses for the UOCT.

Representatives from the Departments of Public Safety, Law, and Corrections, the Alaska Court System, the Alaska Judicial Council, the University of Alaska Justice Center, and the Anchorage Police Department reviewed the UOCT contents and conceptual design during a conference in June 1996. DPS circulated a summary of findings and obtained consensus on the project following that conference.[2] Basically, it was agreed that DPS would maintain the table and make the contents available to other criminal justice agencies. Agencies would use the uniform table of statute- and ordinance-based citations to exchange information about offenses.

DPS contracted with Wolfe and Associates to design the UOCT software. Wolfe loaded the Judicial Council's list of offenses into an Access database and developed software to enable DPS to keep the table updated. DPS sent agencies the UOCT technical specifications in 1997.[3] DPS also offered to make

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[1] This project was accomplished with funding from National Criminal History Improvement Program (NCHIP) Award 95-RU-RX-K031, administered by the U.S. Department of Justice, Bureau of Justice Statistics.

[2] The memo, dated August 7, 1996 is available from DPS upon request.

[3] Copies of *Uniform Offense Citation Table (UOCT) Application Program Interface (API), May 1997* (including the UOCT data dictionary) are available from DPS upon request.

the UOCT maintenance software available to agencies at no charge, however, all agencies so far have opted to download DPS' table contents into their own information systems table software instead.

3. Requirements for Agencies to Report Offense Information to DPS

AS 12.62.120 requires agencies to submit arrest/citation, criminal fingerprint, prosecutor declination, court disposition, executive clemency, and correctional status information to the state central repository. In 1996 DPS adopted regulations specifying how agencies must report the information. The regulations require agencies to describe offenses using codes approved by DPS.[4]

In 1997 DPS published technical specifications for agencies to transmit warrant, arrest, prosecution, court, and correctional status information to the central repository through an automated interface between an agency's own information system and APSIN. For transactions involving criminal offenses, the interface specifications require the sending agency to provide:

- the *offense citation* (e.g., "AS 11.41.100");

- *a date* on which the offense citation was in effect (this may be the offense date, the date the transaction is sent, or another non-future date);

- any *modifiers* that apply: attempt, solicitation, conspiracy, and/or gang-related.

The UOCT validates the information and provides the offense literal description (e.g., "Murder 1"), the seriousness level (e.g., "unclassified felony"), a default NCIC code, and some other codes that may be used by some agencies for reporting crime statistics.

In 1998 DPS deployed the UOCT in APSIN, but only to the extent necessary to process interface transactions. The Anchorage Police Department (APD) became the first agency to use the UOCT when it began transmitting warrant and arrest records from its new records system to APSIN through an automated interface in June 1998.

In 2001 DPS modified APSIN data entry and display screens and began requiring all criminal record updates, manual or automated, to use statute-based offense codes valid in the UOCT. Now data entry personnel type in the offense citation exactly as it appears on the source document. However, if the statute or municipal ordinance that is cited on the source document does not match an offense in the UOCT, data entry personnel will not be able to enter the information into APSIN. When this happens, the source document, the UOCT, or both are in error. Data entry personnel must contact DPS to get the UOCT corrected, or contact the author of the source document to get the source document corrected before updating APSIN.

4. Procedures for Updating and Correcting Table Contents

Because UOCT errors prevent agencies from entering criminal history information into APSIN, DPS must keep the table up to date as laws change, and must respond promptly to requests to correct errors. DPS' Division of Administrative Services has one position (and a backup, in case of absence) assigned this responsibility. This task currently comprises roughly 5-10% of the position's overall duties.

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[4] 13 AAC 68 Article 2. Reporting Information to the Repository.

DPS routinely updates the UOCT after each legislative session to reflect new, revised, and repealed state statutes. The Department of Law (Criminal Division) compiles this information for its prosecutors and provides a list to DPS.

Upon request from a municipal criminal justice agency, DPS updates the UOCT when a municipality enacts, revises, or repeals an ordinance. For example, in 1998 the Municipality of Anchorage renumbered hundreds of its municipal ordinances. The Anchorage Police Department provided DPS with copies of the new ordinances and DPS updated the UOCT by adding the repeal date to the old ordinances and adding new citations (and effective dates) for the new ordinances.

Any agency that uses the table may request DPS to correct an error or omission. Depending upon the type of change being requested DPS may require documentation, such as a copy of a law.

DPS will rely on the prosecuting authority to resolve questions or disputes about whether an offense should be included in or deleted from the UOCT or how it should be cited. The Department of Law, Criminal Division, is the final authority for state laws. The municipal prosecutor (or municipal attorney, if there is no prosecutor) is the final authority for a city's ordinances.

Sometimes DPS finds that an offense citation has been erroneously included in the UOCT and must be *deleted*. Before deleting an offense from the UOCT, DPS must first query APSIN to find out if there are any APSIN records containing the erroneous offense citation and notify other agencies that use the table in their information systems. If the erroneous citation is not used in any agency system not, DPS may delete it from the UOCT. If it is used in APSIN or another agency system, the affected records must be corrected before DPS can delete it from the UOCT. Depending on the nature of the error, an alternative is for DPS to enter an immediate "effective end date" for the offense citation so that old records do not have to be changed but no further records can be created with that offense citation.

When DPS updates the UOCT, it notifies affected agencies by email that the updated UOCT (Access application, Access database, flat text files, and VSAM files) may be accessed at: ftp://www.dps.state.ak.us/uoct. Agencies that use the table contents in their own applications are responsible for downloading the table contents from the flat files provided by DPS.

Users may also access a UOCT Search System through a link on the DPS home page at: www.dps.state.ak.us. The search system allows users to look up specific crimes and groups of crimes. It allows them to search the UOCT by legal source (e.g., Alaska Statute or municipal code), search by offense description (e.g., "robbery"), and filter out expired laws to search only those currently in effect.

5. UOCT Contents/Functions

The UOCT is comprised of ten tables, listed below with their functions and the approximate number of entries as of April 2002. Following the list is a discussion of the functions (a – n) of the first table within the UOCT, also called the "Offense Citation" table.

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Table Name	Functions	Entries
1. Offense Citation	Identifies the following attributes of each offense:	2,165

    a)   Offense Citation
    b)   Effective Begin Date/Effective End Date
    c)   Offense Category
    d)   Offense Literal Description
    e)   Primary/Secondary Severity
    f)   Modifiers: Attempt, Solicit, Conspiracy, Gang-Related
    g)   Collateral Offense Indicator
    h)   Artificial Offense Indicator
    i)   APSIN Offense Category
    j)   Court Literal Description *(not populated)*
    k)   Default NCIC Code
    l)   NIBRS Code *(not populated)*
    m)   DMV Code *(not populated)*
    n)   Add/Update Agency/Date/Time

2. NCIC Code	Identifies codes used by the National Crime Information Center (NCIC).	3,342
3. UCR Code	Identifies codes used for the federal Uniform Crime Reporting (UCR) program.	69
4. NIBRS Code	Identifies codes used for the federal National Incident-Based Reporting System (NIBRS) program.	57
5. Keyword	Identifies short descriptors that categorize offenses e.g., *theft* or *sexual assault,* to facilitate word searches. **(not populated)**	
6. Offense/NCIC Relationship	Associates an offense citation to each potentially matching NCIC offense code. An offense is related to at least one (default) NCIC offense code, and may be related to many. An NCIC offense code is related to one or more offense citations.	3,919
7. Offense/UCR Relationship	Associates an offense citation to each of its potentially matching UCR codes. An offense may be associated with many, one, or no UCR codes. A UCR code may be associated with one or more offense citations.	1,263
8. Offense/NCIC/ UCR Relationship	Associates an offense citation to each of its potentially matching NCIC offense codes and their potentially matching UCR codes. Each of these may have relationships to one or more of the others.	3,006
9. Offense/ Keyword Relationship	Associates an offense citation to each keyword that describes it. An offense may be associated with many, one, or no keywords. A keyword may be associated with one or more offense citations. **(not populated)**	
10. Update History	Shows changes to the other UOCT tables, including before-and-after values of the file elements affected by an update, and the date and time of the change.	13,552

a)   Offense Citation

The *offense citation* describes where, in a body of law, the offense is defined. Most offense citations progress from the lowest level of detail (the body of law) to the highest level of detail (specific aspects of the offense):

Level of Detail	Example	
1. Body of Law	AS	Alaska Statute
2. Title	11	Criminal Law
3. Chapter	71	Controlled Substances
4. Section	040	Misconduct involving a controlled substance in the 4th degree
5. Subsection	(a)	makes it a crime to…
6. Paragraph	(3)	possess
7. Subparagraph	(G)	25+ cannabis plants
8. Sub-subparagraph	(i)	within 500 feet of a school

The *minimum* level of detail for an offense citation in the UOCT must be sufficient to identify the class of felony or misdemeanor. *Optionally*, as resources allow, DPS includes offenses defined beyond this minimum level.

Example: All forms of Assault in the Third Degree defined in Alaska Statutes are class C felonies, so defining this offense at the *section* level satisfies the minimum requirements for the UOCT. However, the UOCT also contains optional, more detailed subcategories of this offense, all the way to the sub-subparagraph level.

b)   Effective Begin Date/Effective End Date

For efficiency when the original table contents were compiled, all offenses were assigned a "blanket" effective begin date of 01/01/1500 and effective end date of 12/31/9999.

When adding a newly enacted offense to the UOCT, DPS enters the actual effective date.

When an offense that is included in the UOCT is repealed, DPS retains it in the table and enters the effective end date (the last date the repealed law was in effect).

Agencies continue processing cases involving offenses that were committed years (or even decades) ago. Those offenses, although they have been repealed, must be included in the UOCT if information about them is to be reported to the repository (entered in APSIN).

Example: When the Municipality of Anchorage rewrote its ordinances in May 1998, it repealed some offenses and reassigned citation numbers to different offenses. Now the UOCT contains two identical offense citations for two very different offenses, distinguishable by their effective dates.

c) Offense Category

The *offense category* refers to the body of law in which an offense is defined. Agencies can use this information to sort or screen table contents when downloading table updates. The UOCT contains the following categories of state and municipal laws:

AS	Alaska Statute
AMC	Anchorage Municipal Code
BW	Bench Warrant (*see explanation of "artificial indicator", below*)
CBJ	City and Borough of Juneau
FGC	Fairbanks Gateway Code
FNS	Fairbanks North Star Borough Code
KCC	Kodiak City Code
KMC	Ketchikan Municipal Code
PMC	Petersburg Municipal Code
SGC	Sitka General Code

Originally, the UOCT contained crimes defined in regulation. However, those were eliminated to reduce demands on limited DPS resources for table updates/corrections. Unlike statutes, which may be enacted, repealed or revised by the Legislature only once each year, regulations are subject to change every day of the year, by a variety of boards and state executive branch agencies. Over 2,000 of the 5,700+ offenses in the original table were eliminated by excluding offenses defined in regulations.

To define a crime in regulation there must be an authorizing state statute. Because offenses defined in regulation have been deleted from the UOCT, agencies must include the authorizing statute, in addition to or instead of the regulation, on source documents (arrest reports, citation forms, fingerprint cards, prosecutor screening forms, criminal complaints and court judgments). Otherwise, data entry personnel will not be able to enter information about the crime from the source document into APSIN (or another information system using the UOCT).

d) Offense Literal Description

DPS tries to describe an offense as similarly as possible to the wording in the law. However, the offense literal description in the UOCT is limited to 40 characters to accommodate APSIN screen layout requirements. Because of the size limit, abbreviations are often necessary, especially for very detailed subcategories of offenses.

Because offenses literal descriptions may be entered into the FBI's NCIC 2000 system by DPS, only the following characters may be used:

alpha A – Z	,	$	&	-	/	*	#	( )
numerals 0-9	+	;	%	'	and blank spaces			

e)   Primary and Secondary Seriousness Levels

Under the general provisions of the state's criminal code[5] an *offense* is conduct for which a sentence of imprisonment or fine is authorized.

An *offense* is either a *crime* or a *violation.*

> A *crime* is an offense for which a sentence of imprisonment is authorized; a *crime* is either a *felony* or a *misdemeanor*.

> > A *felony* is a crime for which a sentence of imprisonment for a term of more than one year is authorized.

> > A *misdemeanor* is a crime for which a sentence of imprisonment for a term of more than one year may not be imposed.

> A *violation* is a noncriminal offense punishable only by a fine, but not by imprisonment or other penalty; conviction of a violation does not give rise to any disability or legal disadvantage based on conviction of a crime; a person charged with a violation is not entitled to a trial by jury; or to have a public defender or other counsel appointed at public expense to represent the person.

Felonies are assigned secondary seriousness levels in state law. Misdemeanors are usually assigned secondary seriousness levels in state and municipal law. The UOCT designates primary and secondary seriousness levels as follows:

Primary Seriousness Levels	Secondary Seriousness Levels
Felony	**U**nclassified, Class **A**, **B**, *or* **C**
Misdemeanor	Class **A**, **B**, *or* **N**ot assigned

Because the purpose of the UOCT project is to improve *criminal* history records, noncriminal offenses were removed from the table in 1999 to make table maintenance more manageable. Although the state central repository (DPS Records and Identification Bureau) does not maintain records about noncriminal offenses, police departments, DPS Divisions of Alaska State Troopers and Fish and Wildlife Protection, the Alaska Court System, the Division of Motor Vehicles, and state and municipal prosecutors may have some use for a uniform table of noncriminal offenses. DPS will make its list of noncriminal offenses (compiled for the original UOCT) available to any agency upon request.

f)   Modifiers

There are four *modifiers* that can change the seriousness level of an offense under state law: attempt, solicit, conspiracy, and gang-related. Although municipal offenses may also involve attempts and solicitations, they do not alter the seriousness levels of municipal offenses. Therefore, modifiers in the UOCT can be valid only for state offenses.

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[5] AS 11.81.900

<u>A</u>ttempt: For all but a few offenses defined in state law, it is possible to be charged with an attempt to commit the offense. When the "attempt" modifier is applied to an offense, the seriousness level changes as follows:

Murder I:	no change, remains F/U	
F/U	becomes	F/A (other than Murder I)
F/A	becomes	F/B
F/B	becomes	F/C
F/C	becomes	M/A
M/A	becomes	M/B

<u>S</u>olicit: Applicability is similar to "attempt" so the solicit modifier is valid for all state offenses citations. Formerly, application of the solicit modifier to Murder 1 lowered it to a class A felony. However, as of 6/5/99, if the "solicit" modifier is applied to an offense, the seriousness level changes as follows:

Murder I:	no change, remains F/U	
F/U	becomes	F/A (other than Murder I)
F/A	becomes	F/B
F/B	becomes	F/C
F/C	becomes	M/A
M/A	becomes	M/B

<u>C</u>onspiracy: The conspiracy modifier is valid only for unclassified or Class A felonies against persons and unclassified, Class A, and Class B MICS[6] felonies under AS 11.71. If the conspiracy modifier is applied to an offense, the seriousness level changes as follows:

Murder I:	no changes, remains F/U	
F/U	becomes	F/A (other than Murder I)
F/A	becomes	F/B
F/B	becomes	F/C

<u>G</u>ang Related: AS 12.55.137 defines the "gang-related" modifier that increases the seriousness level of misdemeanor offenses defined in state law. If the gang-related modifier is applied to an offense, the seriousness level changes as follows:

M/A	becomes	F/C
M/B	becomes	M/A

The seriousness level of an offense citation cannot drop more than one level, regardless of how many of the attempt, solicit, and conspiracy modifiers are applied.

When one or more of the attempt, solicit, or conspiracy modifiers is applied, but a gang-related modifier is also applied, the modifiers have the effect of canceling each other out, i.e., the offense citation retains its original seriousness level.

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[6] Misconduct Involving a Controlled Substance

g)   Collateral Offense Indicator

Collateral offenses[7] are arrestable offenses that are not criminal charges. They are violations or failures relating to underlying felonies or misdemeanors. The APSIN interface specifications require transactions involving *collateral offenses* to include the court case number of the underlying criminal offense(s). Collateral offenses will be processed differently than criminal offenses in APSIN criminal history records.   To accomplish the special requirements for the APSIN interface software and criminal history record processing, the UOCT contains a collateral offense indicator field.

h)   Artificial Indicator

Some laws describe offenses of varying seriousness levels within a single offense citation instead of breaking the different levels of crime into distinct subsections, paragraphs, etc. In such cases, DPS must assign additional *artificial* levels of detail to meet the minimum standard for the UOCT: *each offense citation must contain enough detail to be assigned primary and secondary seriousness levels.*

Artificial offense citations present problems for personnel entering data from source documents into APSIN criminal history files. The source document will likely cite the *actual* statute or ordinance number. Attempts to enter the actual offense citation into APSIN, without the artificial designation added by DPS, will result in error messages. In some cases there may be enough descriptive information about the offense on the source document for data entry personnel to select the correct artificial offense citation from the UOCT. However, in other cases, data entry personnel will have to contact the author of the source document to get enough additional information about the offense to select the correct *artificial* offense citation from the UOCT.

DPS will continue to work with the Department of Law's Criminal Division to eliminate the need for artificial offense citations in the UOCT by submitting legislative proposals to revise current laws or at least avoiding enacting future laws with this problem.

i)   APSIN Category

The APSIN Category refers to groups of offenses that require different processing in APSIN. The values are "C" for criminal offenses other than Fish and Wildlife crimes, "T" for noncriminal traffic offenses, "P" for other noncriminal offenses, and "F" for Fish and Wildlife Protection offenses. Since noncriminal offenses were removed from the table in 1999, only the "C" and "F" categories apply to current table contents.

j)   Court Literal Description

This field was included in the original table design to allow descriptions that exceed the 40-character limitation applicable in APSIN. It was assumed that other agencies electing to use the table maintenance

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[7] 13 AAC 68.905(9) "collateral offense" means any of the following conduct, if the conduct is not charged as a crime that will result in a sentence separate from the original offense to which the conduct relates:
   (A)   failure to comply with an order of a court in a criminal case, including violation of probation or bail conditions;
   (B)   violation of parole;
   (C)   failure to appear in court in response to a summons issued by a law enforcement agency for a criminal offense.

software might wish to use this field to enter their own literal descriptions better suited to their own applications and forms, etc. DPS has not populated this field and has no immediate plans to do so.

k)   NCIC Offense Codes/Default Code

The NCIC code is a four-digit number assigned by the FBI to describe a general category of offenses. Over the years, DPS has added "artificial" NCIC offense codes to its table in APSIN, applicable only to Alaskan offenses. These artificial NCIC codes are easily identified in APSIN because they begin with the digit "8" (for fish and game offenses) or "9". DPS also assigned artificial suffixes to the NCIC offense codes (A, B, C, D, etc. to indicate first, second, third, fourth degree; X for attempted, S for solicited, etc.). Printouts of the NCIC offense codes and corresponding offense descriptions are available from DPS.

DPS assigns a "default" NCIC offense code to each offense in the UOCT. DPS may assign additional NCIC offense codes that can also be valid for that offense citation. When a valid offense citation is entered into APSIN, the UOCT will automatically provide the default NCIC offense code. Data entry personnel may override the default with any other NCIC offense code listed as valid for that offense in the UOCT.

Because NCIC offense codes do not always correspond precisely to Alaskan offenses, there may be no perfect match, or many possible matches. DPS will add optional NCIC offense codes beyond the default code upon request, as resources allow.

l)   NIBRS Code

This is a federal code that may be used by some police departments. DPS has not fully populated this field in the UOCT, and has no immediate plans to do so.

m)   DMV Code

When the UOCT was created, the Division of Motor Vehicles (DMV) was part of DPS and maintained its records in APSIN. DMV assigned codes meeting the standards of the American Association of Motor Vehicle Administrators to certain driving offenses to facilitate processing its own records. Since DMV moved to the Department of Administration and has its own computer system, DPS has not populated this field, and has no plans to do so.

n)   Add/Update Information

The UOCT software logs the date and time of all table changes and the identity of the agency that made the change.

When the table maintenance software was designed, it was anticipated that other agencies might wish to use the software in their own systems, and might wish to add some unique "local" codes to their own table versions. If so, the agencies could have used this field to differentiate between their own local/unique codes and the codes that are valid for APSIN criminal history entry (added to the UOCT by DPS.) Since no other agency is using the UOCT software, DPS continues to be the only valid agency identifier for this field.