

Senators Gillibrand and Ernst Urge FBI to Collect Crime Data on Stalking and Domestic Violence

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Abstract:

[...]as the FBI works with these agencies, we urge the FBI to develop a strategy for ensuring that data on the crimes of domestic violence and stalking are reported, and that statistics on those specific crimes are readily ascertainable through NIBRS. [...]the transition to a NIBRS-only data collection program is complete, we request that the FBI take appropriate steps to ensure stalking and domestic violence crime statistics can be ascertained from the current UCR Program and NIBRS.

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Full text:

Sen. Joni Ernst (R-IA) News Release

U.S. Senate Documents

Washington, D.C. - U.S. Senators Kirsten Gillibrand (D-NY) and Joni Ernst (R-IA) today sent a letter to James Comey, Director of the FBI, and Loretta Lynch, Attorney General of the United States, urging the FBI to begin collecting data on stalking and domestic violence crimes in the United States. Under the FBI's current system for crime data collection, detailed information and data are collected on a wide range of crimes, from homicide to loitering, but no data are collected on stalking and very limited data are collected on domestic violence - two crimes that disproportionately affect women and families.

"The seriousness and devastating effects of these crimes, as well as the propensity for repeat victimization, expose a dangerous gap in the FBI's crime data collection programs," the Senators wrote in their letter. "Both stalking and domestic violence crimes have a high level of repeat victimizations, and many times lead to death or serious injury of the victim. The FBI should begin collecting comprehensive crime data on stalking and domestic violence as soon as possible."

The FBI currently collects crime data from state and local law enforcement agencies through two voluntary, nationwide data collection programs: the Uniform Crime Reporting (UCR) Program and the National Incident-Based Reporting System (NIBRS). The UCR Program, which was built in 1929, collects summary incident and arrest data on 29 categories of crimes, from homicide to drunkenness. NIBRS is a newer system, which collects more information through incident and arrest data on 32 categories of crimes, from homicide to loitering. These programs collect no data on stalking and very limited data on domestic violence.

The FBI is already authorized by law to collect data on new crimes without congressional approval, and it has already done so multiple times. For example, in January 2016, the FBI began collecting NIBRS crime data on animal cruelty, with the justification that animal cruelty is an early indicator of violent crime.

The full text of the Senators' letter can be found below or by going to:

[http://www.ernst.senate.gov/public/_cache/files/2a2c7554-3bf0-404e-92dd-](http://www.ernst.senate.gov/public/_cache/files/2a2c7554-3bf0-404e-92dd-2d6585e61c2e/7E2539E2C28CCA820F77758B0B268723.ernst-gillibrand-doj-crime-data-letter.pdf)

[2d6585e61c2e/7E2539E2C28CCA820F77758B0B268723.ernst-gillibrand-doj-crime-data-letter.pdf](http://www.ernst.senate.gov/public/_cache/files/2a2c7554-3bf0-404e-92dd-2d6585e61c2e/7E2539E2C28CCA820F77758B0B268723.ernst-gillibrand-doj-crime-data-letter.pdf):

We write to request that the Federal Bureau of Investigation (FBI) begin collecting data on stalking and domestic violence crimes in the Uniform Crime Reporting (UCR) Program and the National Incident-Based Reporting System (NIBRS). As you know, the FBI's UCR Program and NIBRS are voluntary, nationwide programs used by law enforcement agencies throughout the country to collect and report crime data. The UCR Program, which was established in 1929, collects summary incident and arrest data on 29 categories of crimes, from homicide to drunkenness. NIBRS is a newer system, which collects more information through incident and arrest data on 32 categories of crimes, from homicide to loitering. Together, these two programs help to provide law enforcement, legislators, and other organizations with the data needed to help address crime at various

levels.

Despite the broad range of crimes covered by these two data collection systems, neither the UCR Program nor NIBRS collects any specific data on stalking and domestic violence. It is estimated that one in six women will experience stalking victimization during their lifetimes. Similarly, an estimated one in four women will experience domestic violence during their lifetimes - an intimate partner crime that has a substantial, destructive effect on the family unit. Domestic violence and stalking also affect men; an estimated one in 19 men have experienced stalking at some point in their lifetimes, and an estimated one in seven men have experienced severe physical violence by an intimate partner at some point in their lifetimes. Both stalking and domestic violence crimes have a high level of repeat victimizations, and many times lead to death or serious injury of the victim.

The seriousness and devastating effects of these crimes, as well as the propensity for repeat victimization, expose a dangerous gap in the FBI's crime data collection programs. Without comprehensive crime data, it is difficult for law enforcement, legislators, and researchers to determine with accuracy and precision how often certain crimes occur, the rate of reporting, or the number of prosecutions. It is also difficult to determine whether a particular crime is a gateway to other crimes - for example, the rate at which domestic violence incidents eventually lead to murder, or the rate at which stalking incidents eventually lead to assault, which one study determined is as high as 81 percent. Accordingly, the UCR Program and NIBRS should begin collecting comprehensive crime data on stalking and domestic violence as soon as possible.

The FBI has the authority to add and reclassify crimes that have data collected through the UCR Program and NIBRS. Federal law requires the Attorney General to "acquire, collect, classify, and preserve identification, criminal identification, crime, and other records." This broad authorization provides the FBI with the authority to collect and report data on new crimes without congressional approval, and the FBI has already taken advantage of this broad authority to do so. For example, in January 2016, the FBI began collecting NIBRS crime data on animal cruelty, with the justification that animal cruelty is an early indicator of violent crime. Similarly, throughout the 1960s and 1970s, the FBI expanded its collection of data about the incidents in which law enforcement officers were killed and assaulted.

As the FBI develops plans to transition the UCR Program to a NIBRS-only data collection program by January 1, 2021, we request that the FBI take three steps to improve the limited data that have been collected on stalking and domestic violence. First, in an effort to ensure the best and most comprehensive information is collected, we encourage the FBI to continue to work with state and local law enforcement agencies to help prepare them to be able to fully participate in the transition to NIBRS. Second, as the FBI works with these agencies, we urge the FBI to develop a strategy for ensuring that data on the crimes of domestic violence and stalking are reported, and that statistics on those specific crimes are readily ascertainable through NIBRS. If such information is not able to be captured by the existing crime categories available in NIBRS, we urge the FBI to expand its data collection. Lastly, until the transition to a NIBRS-only data collection program is complete, we request that the FBI take appropriate steps to ensure stalking and domestic violence crime statistics can be ascertained from the current UCR Program and NIBRS.

We appreciate your consideration and respectfully request that within six months, the FBI respond to this letter with an update detailing (1) the means by which the FBI is attempting to capture stalking and domestic violence crime statistics in advance of the 2021 transition, (2) the means by which the FBI will ensure stalking and domestic violence crime statistics are readily ascertainable after the 2021 transition to the NIBRS-only data collection program, and (3) provide a status update on the FBI's progress in moving toward a NIBRS-only data collection program at the national level, as well as what the FBI is doing to encourage state and local participation.

Read this original document at: <http://www.ernst.senate.gov/public/index.cfm/press-releases?ID=FE811C00-1C4D-4410-B46C-AB05874D1C18>

Subject: Criminal statistics; Cruelty to animals; Domestic violence; Violent crime; Law enforcement; Drunkenness; Assaults; Data collection; Stalking; Victimization;

Location: United States--US

People: Ernst, Joni

Company / organization: Name: Federal Bureau of Investigation--FBI; NAICS: 922120;

Publication title: Congressional Documents and Publications; Lanham

Publication year: 2016

Publication date: Sep 12, 2016

Year: 2016

Publisher: Federal Information & News Dispatch, Inc.

Place of publication: Lanham

Country of publication: United States

Publication subject: Law, Political Science

Source type: Reports

Language of publication: English

Document type: REPORT

ProQuest document ID: 1818725671

Document URL: <https://search.proquest.com/docview/1818725671?accountid=35812>

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Last updated: 2016-09-13

Database: ProQuest Central

Bibliography

Citation style: APA 6th - American Psychological Association, 6th Edition

Senators gillibrand and ernst urge FBI to collect crime data on stalking and domestic violence. (2016). ().

Lanham: Federal Information & News Dispatch, Inc. Retrieved from

<https://search.proquest.com/docview/1818725671?accountid=35812>

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