

NIBRS Concept of Acting in Concert



Acting in Concert requires all the offenders to actually commit or assist in the commission of all of the crimes in an incident. The offenders must be aware of, and consent to, the commission of all the offenses; or even if nonconsenting, their actions assist in the commission of all the offenses.

UCR Program defines an *incident* as one or more offenses committed by the same offender, or group of offenders acting in concert, at the same time and place.

SCENARIO 1, Acting in Concert (ONE INCIDENT)

During a robbery in a bar, one offender began to rape a victim. The other offender told the rapist to stop and only rob the victim. In this example, there was only one incident with two offenses (Robbery and Rape). Although the other robber did not consent to the Rape, by displaying a gun he prevented someone from coming to the victim's assistance and thereby assisted in the commission of the crime. The law enforcement agency should report one incident with two offenses. Both offenders are connected to the victim through the offense of Robbery and Rape.

Acting in Concert is important because NIBRS considers all of the offenders in an incident to have committed all of the offenses in an incident. The arrest of any offender will clear all of the offenses in the incident. If one or more of the offenders did not act in concert, then the LEA should report more than one incident.

SCENARIO 2, Did not Act in Concert (TWO INCIDENTS)

A domestic argument escalated from a shouting match between a husband and wife to an aggravated assault during which the husband began beating his wife. The wife, in her own defense, shot and killed her husband. The responding officer submitted one incident report. The LEA should have reported this information via NIBRS as two separate incidents because the husband could not have been acting in concert with the wife in his own killing. The LEA would submit one incident involving the aggravated assault perpetrated by the husband and a second incident involving the killing. This would allow the maintenance of the original incident number for record keeping purposes at the local level and simultaneously satisfy reporting requirements for NIBRS.

SCENARIO 3, Did not Act in Concert (TWO INCIDENTS)

Two offenders robbed a bar, forcing the bartender to surrender money from the cash register at gunpoint. The robbers also took money and jewelry from three customers. One of the robbers, in searching for more customers to rob, found a female customer in the rest room and raped her there without the knowledge of the other offender. When the rapist returned, both robbers left. In this example, there were two incidents: one involving Robbery and the other involving Rape, because the offenders were not acting in concert in both offenses. The LEA should report two incidents, each with one offense.