

# What kind of UCR sexual offense is it?

Classifying sex offenses in the Uniform Crime Reporting program

**Did everyone who participated in the sexual act consent to the act(s)?**

Consider age (**cannot consent under age 10**) and impairment due to physical or mental disability or intoxication.

**1. Were the participants blood relatives?**

To a degree within which marriage is prohibited by law: siblings, first cousins, etc. Cannot be nearer in kin than 2nd cousins.

yes

**Did intercourse occur?**

Includes intercourse as well as anal/oral sex and insertion of an object.

yes

**Incest**

Report two victims/offenders - each person is a victim and an offender.

yes

no

**2. Was anyone under age 18?**

Includes intercourse as well as anal/oral sex and insertion of an object

yes

**Statutory Rape**

Report two victims/offenders *if both* participants were under 18. Do not report consensual touching on sex offense incident form.

no

**1. Did penile-vaginal penetration occur or was it attempted?**

no

**2. Did oral or anal sex occur or was either attempted?**

yes

**Sodomy/  
Oral Sex**

no

**3. Did non-penile penetration of the anus or vagina occur or were either attempted?**

Consider: fingers, bottles, etc.

no

**4. Did the aggressor touch the victim's private parts?**

Includes breasts/chest as well as genitals and buttocks.

yes

**Fondling**

Fondling is considered "lesser-included" and should not be reported alongside any other sex offense of the same person in the same incident.

**Rape**

**Assault with  
Object**



# FBI UCR Definitions

## UCR Non-consensual Offenses

### Rape

The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. Includes male victims.

*Note: At least one of the offenders must be the opposite gender of at least one of the victims.*

### Sodomy/Oral Sex

Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age 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, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

### Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity; considered "lesser-included" with the other three non-consensual offenses.

## UCR Consensual Offenses (victim must be at least 10 years old)

### Incest

Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law (2nd cousin).

*Note: For consensual offenses, penile-vaginal intercourse is reportable as well as sodomy/oral sex and sexual assault with an object. Same-sex situations are reportable as incest.*

### Statutory Rape

Nonforcible sexual intercourse with a person who is under the statutory age of consent (under 18 in Wisconsin).

*Note: For consensual offenses, if the victim is under the age of 18 (but is capable of giving consent), penile-vaginal intercourse is reportable as well as sodomy/oral sex and sexual assault with an object. Same-sex situations are reportable as statutory rape.*

*Note: All definitions are from the FBI's 2013 UCR NIBRS User Manual, v 1.0. The manual can be found at <https://ucr.fbi.gov/>*

