

## The Hierarchy Rule

When counting multiple offenses, you must use the FBI's *UCR* Hierarchy Rule. This rule requires you to count only the most serious offense **when more than one offense was committed during a single incident**. A single incident means that the offenses were committed at the same time and place. That is, the time interval between the offenses and the distance between the locations where they occurred were insignificant. Beginning with the most serious offense, the following list shows the hierarchy for *Clery Act* reporting:

- Murder and Non-negligent Manslaughter
- Negligent Manslaughter
- Forcible Sex Offenses
- Non-forcible Sex Offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arrests
- Referrals for Disciplinary Action

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*Hierarchy rule citation*

34 CFR 668.48(c)(7)

Although arrests and referrals are technically not part of the hierarchy, they are shown here to illustrate their place in counting crimes. For example, if a student is arrested for Aggravated Assault and a Drug Abuse Violation, disclose only the Aggravated Assault.

A second example based on the hierarchy rule might be if a student is both forcibly raped and robbed during a single incident. In this case, disclose only the Forcible Sex Offense, because it is classified as the more serious crime in the hierarchy.

There are **exceptions** to using the hierarchy rule when counting offenses. They apply to Arson and Hate Crimes. (See pages 61 and 62 for the rules for counting Hate Crimes.) The rules for counting Arson are as follows:

- Always count Arson regardless of the nature of any other offenses that were committed during the same incident.
- When multiple offenses are committed during the same distinct operation as the Arson offense, report the most serious offense along with the Arson.
- Classify incidents in which persons are killed as a direct result of Arson as Murder and Non-negligent Manslaughter and Arson or Negligent Manslaughter and Arson.