



Department of Defense

DIRECTIVE

NUMBER 7730.47

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Certified Current as of December 1, 2003

USD(P&R)

SUBJECT: Defense Incident-Based Reporting System (DIBRS)

- References: (a) DoD Instruction 7730.47, "Statistical Report of Criminal Activity and Disciplinary Infractions in the Armed Forces," May 16, 1973 (hereby canceled)
- (b) Section 534 note of title 28, United States Code, "Uniform Federal Crime Reporting Act"
 - (c) Sections 10601 *et seq.* of title 42, United States Code, "Victims Rights and Restitution Act of 1990"
 - (d) Section 922 note of title 18, United States Code, "The Brady Handgun Violence Prevention Act"
 - (e) through (k), see enclosure 1

1. REISSUANCE AND PURPOSE

This Directive:

- 1.1. Reissues reference (a).
- 1.2. Establishes policy and assigns responsibilities for incident reporting.
- 1.3. Implements references (b) through (d) by providing guidance for reporting the occurrence and disposition of applicable incidents.
- 1.4. Establishes the "Defense Incident-Based Reporting Council."
- 1.5. Authorizes the publication of DoD 7730.47-M (reference (e)), in accordance with DoD 5025.1-M (reference (f)).

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments (including the Coast Guard when it is not operating as a Military Service in the Navy by agreement with the Department of Transportation), the Chairman of the Joint Chiefs of Staff, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

3. DEFINITIONS

Terms used in this Directive are defined in enclosure 2.

4. POLICY

It is DoD policy that:

4.1. The DoD Components comply with the crime reporting requirements of the Uniform Federal Crime Reporting Act of 1988 (28 U.S.C. 534 note) (reference (b)), reporting requirements for victim and witness assistance notifications of the Victim's Rights and Restitution Act of 1990 (42 U.S.C. 10601 et seq.) (reference (c)), and reporting requirements of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) (reference (d)).

4.2. Cooperation between DoD functions responsible for the enforcement of laws be enhanced through an integrated reporting system.

4.3. Commanders' administration of the military justice system be enhanced through analysis of data available through this reporting system.

4.4. A central repository of incident-based statistical data be maintained at the Defense Manpower Data Center (DMDC) to enhance DoD and Service capability to analyze trends and to respond to Executive, Legislative, and oversight requests for statistical data relating to criminal and other high-interest incidents.

4.5. The DoD Components with law enforcement, criminal investigative, military justice, and corrections functions regularly report prescribed data to the DoD central repository to achieve the purposes in paragraphs 4.1. through 4.4., above.

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Personnel and Readiness shall:

5.1.1. Develop overall policy for the DIBRS and monitor compliance with this Directive.

5.1.2. Approve procedures developed by the Secretaries of the Military Departments that implement this Directive.

5.1.3. Ensure that the DMDC formulates a data collection mechanism to track and report DIBRS information from initial contact through investigation, prosecution, confinement, and release, and to report National Incident-Based Reporting System (NIBRS) data to the Federal Bureau of Investigation (FBI).

5.1.4. Establish a cross-functional Defense Incident-Based Reporting Council to provide a forum for the exchange of information and the continuing operation of the DIBRS. The membership shall be selected from all functional areas (law enforcement, criminal investigations, judicial functions, and corrections) from each DoD Component. The chair will be assigned from the Office of the Under Secretary of Defense for Personnel and Readiness (OUSD (P&R)). The council shall meet quarterly or at the call of the chair.

5.1.5. As the Principal Staff Assistant for purposes of the DIBRS implementation, provide functional guidance to the Secretaries of the Military Departments and the Heads of the other DoD Components in the discharge of their responsibilities under this Directive.

5.1.6. Oversee the functions of the DMDC, which shall:

5.1.6.1. Operate and maintain the DIBRS central repository, to include computer support, software development, quality control, inquiry capability, and administrative support.

5.1.6.2. Provide technical assistance to the Military Departments and other DoD Components in the development of software necessary for implementation of the requirements of this Directive and DoD 7730.47-M (reference (e)).

5.1.6.3. Provide programming and analytical support to the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) for special studies requiring use of the database.

5.1.6.4. Provide access and protect contents of the database in accordance with DoD 5400.11-R (reference (g)). Access by the DoD Components and personnel to information containing personal identifiers shall be limited solely to the DMDC's use for official statistical analysis and record verification. External access to information containing personal identifiers shall be limited solely to that necessary to comply with 18 U.S.C. 922 note (reference (d)).

5.1.7. Change, reissue, or amend reference (e), as required.

5.2. The Secretaries of the Military Departments and the Heads of the Other DoD Components shall:

5.2.1. Ensure compliance with this Directive and establish policies and procedures to implement the DIBRS within their Components.

5.2.2. Designate the Component-Responsible Official for the DIBRS, who will report monthly to the DMDC under the procedures in reference (e), and a Functional-Responsible Official for each functional area (law enforcement, criminal investigation, judicial functions, and corrections) who will coordinate all reporting for the Component in the designated functional area.

5.2.3. Designate specific reporting responsibilities within their respective Components. Secretaries of the Military Departments shall assign reporting responsibilities for members of their Service who are assigned to the Combatant Commands.

5.2.4. In conjunction with the DMDC, develop software necessary for implementation of the requirements of this Directive and reference (e).

5.2.5. Provide for the assignment of personnel in sufficient numbers to enable DIBRS programs to be carried out effectively.

5.2.6. Train personnel to comply with this Directive.

5.2.7. Provide representation from each functional area in which the Component has a reporting requirement to the Defense Incident-Based Reporting Council.

5.2.8. Report as required under reference (e) on each person under their jurisdiction who is the subject of a reportable incident under this Directive. Service reporting requirements include those cases handled by a combatant command for members of their Component. This includes the active duty sponsor of Sudden Infant Death Syndrome (SIDS) victims when residing with the member.

5.2.9. Provide access and protect contents of any databases created pursuant to this Directive and reference (e) in accordance with DoD 5400.11-R (reference (g)).

5.3. The Inspector General of the Department of Defense shall:

5.3.1. Develop investigative policy and perform appropriate oversight reviews of the reporting of disciplinary incident data by the DoD criminal investigative organizations. This is not intended to substitute for the routine managerial oversight of the program provided by the DoD criminal investigative organizations, the OUSD(P&R), the Heads of the DoD Components, or the Component-Responsible Officials. This oversight shall not conflict with the authority and responsibility of the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, as defined in DoD Instruction 5240.4 (reference (h)).

5.3.2. Continue the current improvements to processes and systems begun under the Corporate Information Management initiative.

6. INFORMATION REQUIREMENTS

6.1. The information requirement identified at subparagraphs 5.2.2. and 5.2.7. has been assigned Report Control Symbol DD-P&R(M)1973 in accordance with DoD 8910.1-M (reference (i)). Reporting instructions are contained in DoD 7730.47-M (reference (e)). Initial reports will be time-phased and incremental by Service according to the following schedule:

6.1.1. The Air Force shall begin implementation 90 days after reference (e) is signed.

6.1.2. The Navy and Marines shall begin implementation 270 days after reference (e) is signed.

6.1.3. The Army shall begin implementation 360 days after reference (e) is signed.

6.1.4. The Coast Guard shall begin implementation 450 days after reference (e) is signed.

6.2. The USD(P&R) shall adjust individual dates or specific reporting requirements, as appropriate, contingent on availability of the software necessary for full implementation of the requirements of this Directive and reference (e). Reporting requirements or implementation dates shall be adjusted upon presentation of compelling reasons for such an adjustment by the DMDC or the DoD Component concerned.

6.3. The Defense Logistics Agency and the Defense Protective Service shall notify the DMDC and phase in with one of the Services when ready. The DMDC will report as required to the FBI, the Department of Justice Bureau of Justice Statistics, and the Department of Justice Office for Victims of Crime.

7. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward one copy of implementing documents to the Under Secretary of Defense for Personnel and Readiness within 120 days.

A handwritten signature in black ink, appearing to read 'John P. White', is written over a horizontal line.

John P. White

Deputy Secretary of Defense

Enclosures - 2

- E1. References, continued
- E2. Definitions

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD 7730.47-M, "Manual for the Defense Incident-Based Reporting System," authorized by this Directive
- (f) DoD 5025.1-M, "DoD Directive System Procedures," August 1994
- (g) DoD 5400.11-R, "Department of Defense Privacy Program," August 1983
- (h) DoD Instruction 5240.4, "Reporting of Counterintelligence and Criminal Violations," September 22, 1992
- (i) DoD 89101-M, "DoD Procedures for Management of Information Requirements," November 1986
- (j) Department of Justice, Federal Bureau of Investigation, Uniform Crime Reporting Handbook, NIBRS Edition, 1994 ¹
- (k) Chapter 47 of title 10, United States Code, "Uniform Code of Military Justice"

¹ Available from the Uniform Crime Reporting Section, Federal Bureau of Investigation, Washington, DC 20535.

E2. ENCLOSURE 2

DEFINITIONS

E2.1.1. Case. All criminal charges brought against a particular accused for disposition at a single forum. A case may include any number of offenses resulting from any number of incidents.

E2.1.2. Central Repository. The DoD facility designated to receive Service inputs from Functional Consolidating Activities and report data to other Federal Agencies. The DMDC is the DoD Central Repository.

E2.1.3. Component-Responsible Official. The person designated by the Head of each DoD Component primarily responsible in the Component for coordinating, implementing, and managing the reporting system established by this Directive.

E2.1.4. Functional Consolidating Activity. An activity designated by a DoD Component to receive reports from one or more functional reporting areas, consolidate them, and report to a Component Central Repository or to the DMDC.

E2.1.5. Functional-Responsible Official. The person designated by the Head of each DoD Component (or designee) who has primary responsibility for coordinating the implementation of the reporting system within the designated functional area (law enforcement, criminal investigation, judicial functions, and corrections) in the Component.

E2.1.6. Reportable Incident. An incident requiring the submission of specified data elements as set out in DoD 7730.47-M (reference (e)). Reportable incidents include:

E2.1.6.1. Disciplinary Incidents

E2.1.6.1.1. Incidents reportable by the DoD Components under the Uniform Crime Reporting Handbook (reference (j)).

E2.1.6.1.2. Criminal incidents not reportable under reference (j), but punishable under the Uniform Code of Military Justice (reference (k)). This includes such high-interest incidents as fraternization, homosexual misconduct, sexual harassment, sexual assault, and rape.

E2.1.6.1.3. Civilian criminal incidents committed by military personnel on active duty resulting in a felony conviction, as defined in the civilian jurisdiction where the offense is tried.

E2.1.6.2. Other Reportable Incidents

E2.1.6.2.1. SIDS when the victim is a dependent residing with an active duty member.

E2.1.6.2.2. Incidents involving the actual or attempted suicide of military personnel on active duty.

E2.1.6.2.3. Other incidents requiring action under 18 U.S.C. 922 note (reference (d)).

E2.1.6.3. (Incidents that are the subject of counterintelligence investigations will not trigger DIBRS reporting requirements until a NIBRS reportable arrest occurs or charges under the UCMJ are preferred.)