

Department of Corrections  
Crime Control Bureau  
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<http://dphhs.mt.gov/detd/mtap> ▪ [www.mbcc.mt.gov](http://www.mbcc.mt.gov)

## 2018 Proposed Data Collection Changes

(changes are in red)

### Existing code changes:

1. MTIBRS Code 1176  
MCA 45-6-326, Obscuring the Identity of a Machine  
UCR code 26A  
Crime against Property  
Fraud category

#### Change UCR code & offense category-

MTIBRS Code 1176  
MCA 45-6-326, Obscuring the Identity of a Machine  
UCR code 250  
Crime against Property  
Counterfeiting/Forgery category

2. MTIBRS code 1143  
MCA 45-6-332, Theft of identity  
UCR code 26C  
Crime against Property  
Fraud category

#### Change UCR code-

MTIBRS code 1143  
MCA 45-6-332, Theft of identity  
UCR code 26F - Wrongfully obtaining and using another person's personal data (e.g., name, date of birth, Social Security number, driver's license number, credit card number).  
Crime against Property  
Fraud category

### Existing Location Type code:

Cyberspace can only be used for the following offenses:  
Bribery

Counterfeiting/Forgery

Embezzlement

Extortion/Blackmail

Destruction/Damage/Vandalism of Property

Drug/Narcotic Violations

Drug Equipment Violations

Credit Card/Automated Teller Machine Fraud

False Pretenses/Swindle/Confidence Game

Identity Theft

Hacking/Computer Invasion

Impersonation

Welfare Fraud

Wire Fraud

Betting/Wagering

Gambling Equipment Violations

Operating/Promoting/Assisting Gambling

Human Trafficking, Commercial Sex Acts

Human Trafficking, Involuntary Servitude

Intimidation

Pornography/Obscene Material

Assisting or Promoting Prostitution

Prostitution

Purchasing Prostitution

Stolen Property Offenses

Weapon Law Violations

**New Codes:**

1. MTIBRS code 2178  
MCA 61-8-411, DUI, marijuana, delta-9-THC  
UCR code 90D  
Crime against Society  
DUI category
2. MTIBRS code 0442  
45-5-215, Strangulation of a partner or family member

UCR code 13A  
Crime against Person  
Assault category

3. MTIBRS code 0231  
45-5-508, Aggravated (use of force) sexual intercourse without consent  
UCR code 11A  
Crime against Person  
Sex Offenses, Forcible
4. MTIBRS code 0836  
MCA 45-5-201 (1) d, Assault non-aggravated, reasonable apprehension  
UCR code 13C  
Crime against Person  
Assault category

**Definitions:**

If any of the following are marked Yes, an explanation needs to be reflected in the narrative.

Domestic Abuse Related

The use, attempted use, or threatened use of physical force or a weapon; or the use of coercion or intimidation; or committing a crime against property by a current or former spouse, parent, or guardian of the victim; a person with whom the victim shares a child in common; a person who is or has been in a social relationship of a romantic or intimate nature with the victim; a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian; or by a person who is or has been similarly situated to a spouse, parent, or guardian of the victim.

Gang Related

A gang is an ongoing organization, association, or group of three or more persons who have a common interest and/or activity characterized by the commission of or involvement in a pattern of criminal or delinquent conduct.

Gambling Related

Gambling or gambling activity means risking any money, credit, deposit, check, property, or other thing of value for a gain that is contingent in whole or in part upon lot, chance, or the operation of a gambling device or gambling enterprise.

Mental Health Related

For OFFENDERS Only:

An offense that has been influenced by or appears to have a behavioral health factor. This might include suicide risk/completion, auditory, visual or other hallucinations, manic or

depressed state, welfare checks, or behaviors that simply seem unusual, bizarre or out of context in the opinion of the responding officer. Mental Health Related does not require a medically diagnosed condition. Rather at the officer discretion, it's a measure of individuals exhibiting symptoms of a mental disorder.

**Remove relationship code:**

HR = Homosexual Relationship needs to be deactivated & Error #553 edit check needs to be removed.

Data Element 35 (Relationship of Victim to Offender) captures the relationship of a victim to offender(s) who perpetrate a Crime against Persons or Robbery. In the past, when a crime was committed and the victim and offender were involved in a same-sex relationship, the agency had to use the data value HR = Homosexual Relationship regardless of the nature of the relationship (e.g., spouse, common-law spouse, ex-spouse, boyfriend, or girlfriend).

Because agencies are now permitted to use a more specific code to describe a homosexual relationship (e.g., spouse, common-law spouse, ex-spouse, boyfriend, or girlfriend), the HR = Homosexual Relationship as a data value needs to be deactivated.