



CRIME DATA REPORTING POLICY

1.0 POLICY

- 1.1 The intent of this policy is to use the Montana Board of Crime Control's (Board's) authority to award, deny, reduce or freeze federal grant funds to local government agencies to encourage and strengthen crime data reporting by law enforcement agencies in a manner that is consistent with the Montana Incident-Based Reporting System (MTIBRS) standards. Crime data reporting is critical to the efficient management of law enforcement resources and to the safety and well-being of Montana's citizens and communities. As the State Administrating Agency (SAA) for numerous federal grants supporting criminal justice programs in the State of Montana, the Board recognizes the collection of complete, accurate, and timely crime data is critical to the continued federal funding allocated to the state. The Board recognizes that crime data is used to calculate funding allocations and noncompliance with federal crime data reporting policies may result in reductions in awards for federal grants.

For the purposes of this policy, crime data reporting includes participation in the following data collections as defined in Section 4.1:

- 1.1.1 Federal Bureau of Investigation's Uniform Crime Reporting Program (UCR).
 - 1.1.2 Federal Bureau of Investigation's National Use-of-Force Data Collection.
 - 1.1.3 Federal Bureau of Investigation's Law Enforcement Officers Killed and Assaulted (LEOKA).
 - 1.1.4 Death in Custody Reporting Act (DCRA) of 2013.
 - 1.1.5 Federal Bureau of Investigation's Annual Law Enforcement Employees Survey.
 - 1.1.6 Law Enforcement Public Contact
- 1.2 For those grants in which it is allowable and appropriate, the Board, as part of the request for proposals process, may reserve a portion of the total funds available for subgrant awards for records management system improvements that would permit law enforcement agencies to submit accurate and timely crime data.
- 1.3 Except as provided for subsection (2.4), the Board should not award a subgrant to a local government applicant (and/or group of applicants listed within a collaborative agreement) until the law enforcement agency(ies) report accurate and timely electronic crime data in a format consistent with the MTIBRS standards.
- 1.4 The applicant's (and/or group of applicants listed within a collaborative agreement) law enforcement agency(ies) must maintain reporting crime data in a manner that is consistent with the MTIBRS standards throughout the award period.

If a law enforcement agency(ies) fails to maintain compliance in reporting their crime data, the Statistical Analysis Center (SAC) will discuss with the program manager/accountant any recommendations to deny, reduce or freeze subgrant funds

until the law enforcement agency(ies) is reporting accurate and timely electronic crime data in a format consistent with the MTIBRS standards.

If the MBCC is advised that a law enforcement agency(ies) fails to maintain compliance in reporting their crime data, the MBCC will make the final decision on how grant funds should be administered.

The Board's management and/or Executive Director may request the non-compliant applicant's law enforcement agency(ies) agree to a memorandum of understanding (MOU) as specified in subsection (2.4).

1.5 The SAC Director shall report at least semi-annually to the Board on the status of electronic crime data reporting in the state.

1.6 This policy applies to subgrant applications solicited after the effective date of this policy.

2.0 PROCEDURE

2.1 The SAC is responsible for making determinations about each law enforcement agency's reporting status, as defined in this policy, and supplying this information to program managers/accountants as requested.

2.2 In preparing subgrant award recommendations for an application review committee's (ARC) consideration, upon conferral with the program manager, the SAC should contact the law enforcement agency(ies) of the local government applicant that is not reporting accurate and timely electronic crime data to determine if it is willing to enter into a MOU as provided for in subsection (2.4) of this policy. The SAC will contact the local government applicant advising them of the status of compliance with (2.4).

2.3 Prior to the ARC meeting, the SAC is responsible for notifying the program manager/accountant as to whether the law enforcement agency(ies) of the local government applicant (and/or group of applicants listed within a collaborative agreement) is reporting accurate and timely electronic crime data.

2.4 The Board may award a subgrant to a local government applicant whose law enforcement agency(ies) is not in compliance with subsection (1.3) if the applicant's law enforcement agency(ies) agrees through an MOU developed with the SAC to meet the reporting requirements within 120 days after the subgrant is awarded. The MOU must outline the law enforcement agency's plan(s) for meeting the reporting requirements, which may include entering incident-level data into the MTIBRS via the Board's MTIBRS Online web-data entry system at no cost.

The SAC shall determine if the MOU is capable of meeting the Board's MTIBRS standards and that the timeframes for electronic crime data reporting are reasonable and make recommendations to the Executive Director regarding the MOU.

The MOU must be signed by the law enforcement agency's authorized representative and the Executive Director prior to the subgrant award.

3.0 REFERENCE AND AUTHORITIES

3.1 Not applicable.

4.0 DEFINITIONS

- 4.1 Compliant crime data – compliance with the Crime Data Reporting Policy means the following:
- Reporting of UCR crime data with a submission error rate of 4% or less. UCR data must be reported at minimum monthly. UCR data for the previous month should be submitted by the 13th day of the following month. UCR data submissions may be more frequent than monthly.
 - Reporting of officer-involved shootings (OIS) and incidents resulting in serious bodily injury as part of the FBI's National Use-of-Force Data Collection. Incidents fitting the reporting criteria will be reported to the SAC by email, fax, mail, or by phone. The SAC will confirm once the incident has been successfully added to the FBI's National Use-of-Force repository. UoF incidents should be reported in a timely manner.
 - Reporting in-custody and arrest related deaths in compliance the Death in Custody Reporting Act (DCRA) of 2013. DCRA requires the collection of deaths of “any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or State correctional facility (including any juvenile facility)” DCRA incidents may be reported by email, fax, mail, or by phone to the SAC. DCRA reports must be submitted by the 15th day of the month following the end of each quarter.
 - Reporting of sworn officer line-of-duty deaths in support of the FBI's Law Enforcement Officers Killed and Assaulted (LEOKA) Data Collection.
 - Annual reporting the number of people employed by the agency sworn and civilian in support of the FBI's Police Employment Data Collection.
 - Annual reporting of Law Enforcement Public Contact including total counts for citizen calls for service, officer-initiated contacts and court/bailiff activities.
- 4.2 Timely crime data – monthly crime data submitted electronically within 13 days of the previous month.
- 4.3 Local government – a city, county, or consolidated city-county government, including any office, department, or unit of the city, county, or consolidated city-county government.
- 4.4 Law enforcement agency – any division of State, County, or Municipal government within the State of Montana authorized by law to appoint peace officers with the power to maintain public order or make arrests. This does not include Tribal Law Enforcement agencies. While not required, Tribal Law Enforcement agencies are encouraged to submit data.
- 4.5 Local government applicant (and/or group of applicants listed within a collaborative agreement) – a specific law enforcement agency or Sheriff's office if county is specified.

Effective Date: 12/13/2018
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