

**“JUST
THE
FACTS”**



MTIBRS Training & Technical Assistance

Updating NIBRS Incidents

Updating Incidents

- ▶ It all begins with your RMS and every RMS is different
- ▶ Every agency's policies and procedures on updating an incident will differ
- ▶ Particularly in XML - updates must include a delete insert
 - ▶ For flat file submissions, agency updates overwrite previous submissions
- ▶ Check with your vendor or a fellow agency to determine how to resubmit

Why and When to Update?

- ▶ Discovery of an additional unreported offense, victim, or offender
- ▶ Subsequent arrest
- ▶ Unreported property loss, recovery of stolen property, etc.
- ▶ If a LEA made an error during the original submission
 - ▶ For example, incorrect entry of important data: offense code, victim or offender's race, sex etc.
- ▶ Infinite number of updates to an incident
- ▶ Exceptional clearance
 - ▶ LEAs cannot clear an incident exceptionally if it was previously or is concurrently cleared by arrest

- Depending on what is going on with your department, updating incidents can either be super easy or extremely difficult. While you may have a small department, you may be short handed so updating can prove difficult, time wise. And bigger agencies, even if they are fully staffed, may struggle with updating, because yes, it takes time! Law enforcement, across the country, has a lot on their plate at the moment.

Exceptional Clearance

- ▶ In NIBRS, LEAs clear incidents rather than individual offenses. This means a clearance by arrest or exceptional means of one offense in a multiple-offense incident clears the entire incident. Thus, the first Arrestee Segment reported in an incident automatically clears the incident. An agency cannot clear an incident by exceptional means if it was already cleared by arrest.
 - ▶ A = Death of Offender
 - ▶ B = Prosecution Declined
 - ▶ C = In Custody of Other Jurisdiction
 - ▶ D = Victim Refused to Cooperate (in the prosecution)
 - ▶ E = Juvenile/No Custody (handling of a juvenile without taking them into custody, but rather by oral or written notice given to the parents or legal guardian in a case involving a minor offense)
 - ▶ N = Not Applicable
 - ▶ Should be selected if at the time an initial Group A incident is submitted, and it is not cleared by arrest or exceptional means.

Exceptional Clearance Cont...

- ▶ To clear an offense by exceptional means, LEAs must meet **ALL** four of the following conditions:
 - ▶ 1. The LEA investigation must have clearly and definitely established the identity of at least one offender.
 - ▶ 2. The LEA must have sufficient probable cause to support arresting, charging, and prosecuting the offender.
 - ▶ 3. The LEA must know the exact location of the offender so they could make an arrest if circumstances did not prevent it.
 - ▶ 4. There must be a reason outside the control of the LEA preventing the arrest, charging, and turning over for prosecution. (i.e., A through E).

- Before you can select one of the six values from the previous screen, you **MUST** meet the following criteria:
- Exceptional clearances can be very confusing – do not hesitate to reach out to us for assistance

Upcoming Training

- ▶ March 15, 2023 - Warrants
- ▶ March 29, 2023 - Location Values
- ▶ <https://mbcc.mt.gov/Data/MTIBRS-Training>
- ▶ Do you have suggestions for future session topics? We'd love to hear them! Please email your ideas to MBCCdata@mt.gov

MBCC Contact Information



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