

**“JUST
THE
FACTS”**



MTIBRS Training & Technical Assistance

Victim to Offender Relationships Enhancements

MCA 45-5-206 defines family and partner as...

(a) "Family member" means mothers, fathers, children, brothers, sisters, and other past or present family members of a household. These relationships include relationships created by adoption and remarriage, including stepchildren, stepparents, in-laws, and adoptive children and parents. These relationships continue regardless of the ages of the parties and whether the parties reside in the same household.

(b) "Partners" means spouses, former spouses, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship.

- Uncles aunts cousins are not covered under the MCA. You may want to ask your vendor to add this category. We may find there is more of these incidents than we think.
- Jess – I was an officer in WY for many years and they call it “household members” – which do NOT include children under the age of 18, only ADULT children. Therefore, if a juvenile was assaulted by a family member, it was considered Child Abuse, a felony in the state of Wyoming. Every state is unique with their DV definitions.

According to FindLaw.com

Definition of Domestic Violence: victims can include anyone, regardless of socioeconomic background, education level, race, age, sexual orientation, religion, or gender. Domestic violence was formerly referred to as *wife abuse*. However, this term was abandoned when the definition of domestic violence was changed to reflect that wives are not the only ones who can fall victim to domestic violence. The definition of domestic violence now recognizes that victims can be:

- Spouses
- Sexual/Dating/Intimate partners
- Family members
- Children
- Cohabitants

- Federally, this issue has been kicked around for years. Currently, the FBI is reviewing creating a domestic violence dataset that is criterion based similar to what we are doing in MT. It will be based on relationship and offense. MT has provided consistent feedback to avoid limiting DV data collection to crimes against person as that is like saying the DV story is the last chapter.
- Jess – As an officer, especially in Livingston, I'd say many of my PFMA calls that resulted in arrests were split in regard to the sexes, as in, half of the time I was arresting a female offender and the other half, a male offender. And on occasion, both were arrested.

What's the big deal with relationships?

Year	2018	2019	2020	2021	2022
Victim was family member	8,574 36%	8,131 36%	6,791 44%	7,024 41%	6,669 39%
Victim was not a family member	11,090 47%	10,819 47%	6,527 42%	7,508 44%	7,793 46%
Other victim	4,157 17%	3,839 17%	2,247 14%	2,660 15%	2,429 14%

- When switching to XML, the relationships will play a much bigger role in identifying certain characteristics of offenses.
- Relationships will now be the primary factor in determining domestic violence crimes.
 - In the flat file, there was a domestic violence yes/no checkbox. On 35% of PFMA's, this checkbox was no.
 - While the checkbox could be checked for any offense, most often, it did not report DV even if there was a familiar relationship for offenses such as tampering with a communication device, or animal cruelty.
 - In addition, given that domestic violence escalates over time, identifying types of offenses and characteristics of the offenders and victims of those relationships is helpful in noting changes over time. If common precursor offenses such as stalking, vandalism, unlawful use of a computer are increasing significantly for familial relationships, could we expect to see increases in more serious PFMA offenses down the road?
- Sometimes falling under domestic violence but not always is Abuse in Later Life (ALL). It has long been believed that seniors are often abused by family members sharing some of the responsibility of care with healthcare providers. Given staffing shortages and inability to hire qualified staff for senior staff care positions, there is also a belief that healthcare workers may contribute to abuse, neglect or exploitation of seniors in their care.
 - The relationship field will help to better determine senior abuse by healthcare worker vs family support as well as the demographics of the victim and abuser. Are we seeing an uptick of younger offenders as grandchildren or other relatives assist with care? Is the abuse most often by the child? We have some of this data from years of gathering this data, but the addition of the new fields as well as the healthcare/educator field will add more information to the ALL.

This is what family looks like for Montana

Victim Offender Relationship	2018	2019	2020	2021	2022
Victim Was Boyfriend/Girlfriend	3,429	3,278	2,749	2,900	2,531
Victim Was Child	853	855	795	758	750
Victim Was Child of Boyfriend/Girlfriend	153	115	102	86	67
Victim Was Common-Law Spouse	181	202	161	140	104
Victim Was Ex-Relationship (Exboyfriend/ex-girlfriend)	-	-	1	11	40
Victim Was Ex-Spouse	354	302	267	230	260
Victim Was Grandchild	87	78	52	50	75
Victim Was Grandparent	79	106	43	56	72
Victim Was In-law	141	96	86	78	98
Victim Was Other Family Member	395	438	269	314	331
Victim Was Parent	779	698	606	675	644
Victim Was Sibling	552	570	455	530	435
Victim Was Spouse	1,250	1,124	957	992	1,010
Victim Was Step-child	195	129	132	113	142
Victim Was Step-parent	91	86	74	59	81
Victim Was Step-sibling	35	54	42	32	29
Total Family Victims	8,574	8,131	6,791	7,024	6,669
% of Victims that are Family Members	36%	36%	44%	41%	39%

Not Boyfriend/girlfriend shows the highest number of victims for the family victim type category.

Non-family Victims of crime

Victim Offender Relationship	2018	2019	2020	2021	2022
Relationship Unknown	3,503	3,246	1,840	2,147	1,920
Victim Was Offender	654	593	407	513	509
Victim Was Acquaintance	3,438	3,470	2,324	2,784	2,589
Victim Was Babysittee/Care of a Babysitter	31	31	29	13	17
Victim Was Employee	36	35	19	20	22
Victim Was Employer	26	27	14	23	30
Victim Was Friend	664	637	388	440	408
Victim Was Neighbor	174	222	237	218	213
Victim Was Otherwise Known	2,645	2,262	1,367	1,475	1,734
Victim Was Stranger	4,076	4,135	2,149	2,535	2,780
Total Non Family Victims	15,247	14,658	8,774	10,168	10,222
% of Victims that are Non Family Members	64%	64%	56%	59%	61%

Upcoming Training

- ▶ May 24, 2023 - Disorderly Conduct, Resisting Arrest, or Assault?
- ▶ June 7, 2023 - Elements of Identity Theft
- ▶ June 21, 2023 - Bond Books and MTIBRS

- ▶ <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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