MTIBRS Training & Technical Assistance

Victim/Offender Relationship, Hate Crimes, Cargo Theft, The New Occupation fields

Victim to Offender Relationship

- FBI expanded relationships in XML to include ex-relationship types:
  - Victim Was Ex-Spouse
  - Victim Was Ex-Relationship (Ex-boyfriend/ex-girlfriend)
- Montana added Victim refused to identify suspect (family member assumed)
- Domestic Violence (DV) indicator yes/no fields was removed – DV will now be determined by:
  - Any relationship defined as family by MCA or as defined federally if a standardized definition is provided
  - ANY offense – DV was previously limited to crimes against persons

KW – Current relationship options for flat files are from 2017. Ex's were added in 2019 but Montana is still submitting using 2017 values until we move to the XML format
- Refused to identify was added in from Jan 20 to Dec 21 the following data was reported:
  - 210 PFMAs were reported as a relationship of strangers
  - 264 PFMAs were reported as unknown relationship type
  - 241 PFMAs were reported as a relationship type of acquaintance which does not assume an intimate relationship and does not meet the PFMA definition of family
- DV indicator was removed and historically, over 30% of PFMAs had a DV indicator of NO. Given that this offense is the definition of DV, this indicator was removed. All offenses will now be reported for all Montana defined family victims including crimes against society such as trespassing, disorderly conduct or criminal endangerment incidents where there may be a victim.
- RMSs in XML will allow victims to be entered for any type of crime and those will be sent to the repository – the repository will only send crimes against society to the FBI.
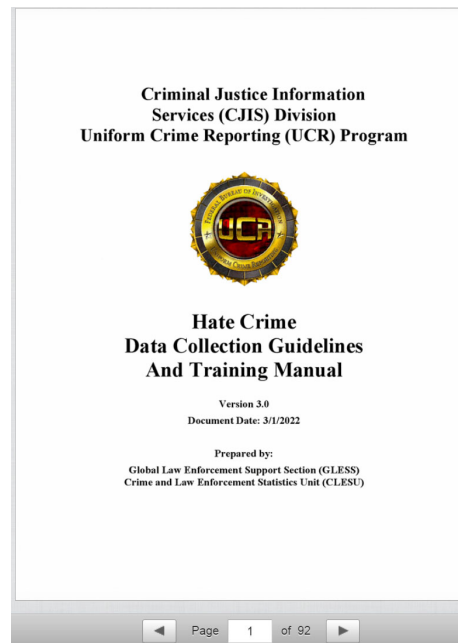
Victim to Offender Relationship – Healthcare or Education worker, or Legal Representative

- Educators – better determining who and where bullying is occurring
  - School-alternative
  - School-grade
  - School-high
  - School-middle
  - School-pre-school
  - School-College/University
- Healthcare Workers and or Legal Representatives – better determining who and where drugs are impacting violent crimes and crimes against older adults or people living with a disability
  - Residence: Assisted Living/Nursing Home
  - Residence: Apartment/Condominium
  - Drug Store
  - Emergency services mobile (EMT)
  - Hospital
  - Pharmacy/Drug Store
  - Marijuana sales/home
  - Marijuana dispensary

- MBCC gets numerous requests each year for data related to drug related assaults on healthcare workers such as EMTs, pharmacy personnel, doctor office staff, etc.

- With the recent focus on elder abuse, there is also an interest in providing information on offenders who were healthcare aides or nursing care workers, and/or for exploitation when they were a legal representative. Bullying has also raised the question about what types of crimes are being committed on or by educators.
  - We have added the ability for law enforcement to note these types of involvement but also have added additional locations to better identify where these incidents are occurring. These new location types are noted later in this presentation.
- JH: In my experience as a law enforcement officer, as well my experience helping out at our local ER, the information that we'll be gathering from this will be really beneficial – Montana currently does not have a separate statute for assault on a healthcare worker, while most states do. Professionals here in Montana have been trying to get it passed for many years without success so perhaps, this data will assist.
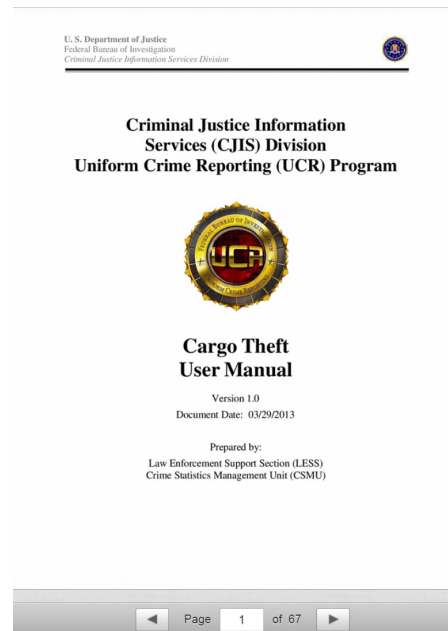
Bias Motivation/Hate Crimes – 92-page manual!?

- In XML – Hate Crime will default to "88 – none"
- If you select "99 - unknown" a narrative will be sent to MBCC and the incident will be held in MTIBRS until validated
- After reviewing the narrative, MBCC will consult with the agency and FBI if needed
- If valid the incident will be sent to the FBI
- If not, the agency will be asked to select "88 – none" and resubmit

Criminal Justice Information Services (CJIS) Division
Uniform Crime Reporting (UCR) Program

Hate Crime Data Collection Guidelines And Training Manual

Version 3.0
Document Date: 3/1/2022

Prepared by:
Global Law Enforcement Support Section (GLESS)
Crime and Law Enforcement Statistics Unit (CLESU)

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- JH: What is a Hate Crime? The UCR Program defines a hate crime as a committed criminal offense which is motivated, in whole or in part, by the offender's bias(es) against race, religion, disability, sexual orientation, ethnicity, gender and/or gender identity.

- While it used to be much more, in the past few years, over 50 hate crimes get submitted to MBCC. Currently, I reach out about every hate crime that comes through and only about 30% get validated as hate crimes. Just like Cargo theft, hate crimes will now be marked to be submitted to MBCC along with a narrative. If you have questions on whether an incident might be a hate crime, just reach out to us and we can review it. There was a criminal mischief incident recently where an individual had posted a flyer at a church that said "never go back." They assumed that the message pertained to the recent Roe V Wade ruling. While religion is protected, this just did not have the elements to deem it as a hate crime.

- So come XML, before the incident is submitted to the FBI, MBCC will read the narrative and determine if it meets the FBI criteria. If it does, MBCC staff will work with the agencies and FBI to ensure the correct information is reported before submitting the incident to the FBI. All incidents submitted to the FBI in XML format can be considered verified.

- Doing this will allow us to collect different bias categories if needed such as bias against law enforcement.

Cargo Theft - Seriously? A 67-page manual?

- In XML – Cargo Theft will default to NO
- If you select "yes" a narrative will be sent to MBCC and the incident will be held in MTIBRS until validated
- After reviewing the narrative, MBCC will consult with the agency and FBI if needed
- If a valid Cargo Theft, the incident will be sent to the FBI
- If not, the agency will be asked to deselect no on Cargo Theft and resubmit

U. S. Department of Justice
Federal Bureau of Investigation
Criminal Justice Information Services Division

**Criminal Justice Information Services (CJIS) Division
Uniform Crime Reporting (UCR) Program**

**Cargo Theft
User Manual**

Version 1.0
Document Date: 03/29/2013

Prepared by:
Law Enforcement Support Section (LESS)
Crime Statistics Management Unit (CSMU)

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- MM: How many of you have read and committed to memory the 67 pages of this cargo theft manual? For years we devoted time and brain power to training on this subject while issues that were more important to you were overlooked.

- MM: Montana averages one cargo theft every other year out of the 80,000 offenses submitted annually. Average value of property stolen is less than $20. Case of beer and a watermelon are just some of the cargo thefts we've had.

- What is a Cargo Theft?! The FBI defines as "The criminal taking of any cargo including, but not limited to, goods, chattels, money, or baggage that constitutes, in whole or in part, a commercial shipment of freight moving in commerce, from any pipeline system, railroad car, motor truck, or other vehicle, or from any tank or storage facility, station house, platform, or depot, or from any vessel or wharf, or from any aircraft, air terminal, airport, aircraft terminal or air navigation facility, or from any intermodal container, intermodal chassis, trailer, container freight station, warehouse, freight distribution facility, or freight consolidation facility. For purposes of this definition, cargo shall be deemed as moving in commerce at all points between the point of origin and the final destination, regardless of any temporary stop while awaiting transshipment or otherwise."

- JH: A little bit of history on the topic since I have been here - In 2021, 41 cargo thefts were submitted, none were legit cargo thefts with the majority being errors. This year, there have been 16 reported, with two being a confirmed cargo theft, but all others, once again were mostly errors.

What's coming up?

October 26 - Property Values, Stolen and Recovered Property

November 9 – Law Enforcement Officer Killed or Injured in the line of duty (LEOKA)

- **Go to https://mbcc.mt.gov/Data/MTIBRS-Training to register for all 2022 sessions. Make sure to bookmark this page.**
- Future Just the Facts Training:
    - LEOKA - XML additions - November 9, 2022
    - Drugs - new XML fields, measurements, drug types and more - November 23, 2022
    - Multi Jurisdiction Incidents - December 7, 2022
    - Warrants - December 21, 2022

Montana Board of Crime Control
Statistical Analysis Center Staff
5 S. Last Chance Gulch | PO Box 201408 | Helena, MT 59620 |
MBCCdata@mt.gov

Kathy Wilkins
Statistical Analysis Center Director
Office: 406-444-4298 | Email: kwilkins@mt.gov

Jess Hard
Data Integrity Analyst
Office: 406-444-2084 | Email: jess.hard@mt.gov

Megan Martin
Data Integrity Analyst
Office: 406-444-3651 | Email: megamartin@mt.gov