

**“JUST
THE
FACTS”**



MTIBRS Training & Technical Assistance

Property Values and Stolen & Recovered
Property

\$102,829,529 Stolen Property Loss for 2021



Incidents with ONLY One UCR Theft Offense <i>(this allows us to see loss per type of theft)</i>	Total 2021 Stolen Value	# Incidents	Per Incident Cost
26G - Unlawful use of a computer	\$109,370	8	\$13,671
270 - Embezzlement	\$807,463	71	\$11,373
240 - Motor Vehicle Theft	\$17,900,228	2,359	\$7,588
26C - Fraud - marijuana cardholder or provider	\$14,000	2	\$7,000
280 - Illegal handling of stolen property	\$903,603	133	\$6,794
26E - Wire fraud	\$69,064	12	\$5,755
26A - Fraud	\$3,907,786	768	\$5,088
200 - Arson	\$56,540	21	\$2,692
26F - Identity Theft	\$1,780,258	670	\$2,657
290 - Vandalism	\$3,958,910	1,500	\$2,639
23H - Theft All other	\$14,603,837	6,645	\$2,198
26B - Credit card fraud	\$533,350	261	\$2,043
26D - Welfare or Workers Comp fraud	\$9,218	5	\$1,844
250 - Counterfeiting	\$535,421	292	\$1,834
220 - Burglary	\$2,080,192	1,221	\$1,704
23D - Theft from buildings	\$779,429	786	\$992
23F - Theft of belongings from motor vehicles	\$1,531,800	1,587	\$965
23G - Theft of motor vehicles parts and accessories	\$691,529	1,017	\$680
210 - Extortion/Blackmail	\$1,576	4	\$394
23A - Pickpocket	\$3,983	12	\$332
23E - Theft from coin-operated machines	\$4,777	17	\$281
23C - Shoplifting	\$582,616	3,380	\$172
23B - Purse snatch	\$952	8	\$119

- Over 102 million dollars worth of property was reported as stolen in Montana last year!
- Since property is tied to the incident and not the offense, there is no way to determine which offenses result in the greatest loss as sometimes there are numerous thefts occurring within incidents.
- The highest loss per offense/incident is for unlawful use of a computer – yet there were only 8 offenses reported in 2021.
- “Theft all other” leads the individual offenses with over \$6,600 and almost \$15 million in loss. Over \$2000 in loss per incident and yet we really can’t tell because of this category what the makeup is of these crimes.
- The highest loss is Motor vehicle theft – with an average loss of over \$7,500 per crime.
- As you can see, we do not have a lot of purse snatching or extortion cases in the state

Property Value Guidelines

- ▶ Round values to the nearest whole dollar
- ▶ Use the fair market value for items subject to depreciation
- ▶ In most cases, you'll use a victim's valuation for items such as jewelry or watches, items that decrease in value with use or age
- ▶ Sometimes victims exaggerate value of property for insurance or other reasons
 - ▶ *Just use common sense & good judgement when reporting*
- ▶ Use the cost to the merchant (wholesale cost) as we want to report the actual cash loss to the victim without any profit added.

- As Macklemore would say....but it was 99 cents...Make that 99 cents into a buck.
- Remember to use the fair market value for items. In other words, a price that is agreed upon by objective purchasers rather than a subjective individual.
- Victims do and will exaggerate property values – in my experience as an officer, this occurred about half the time, usually not because victims were attempting to be deceitful, but it was because they really didn't know the current value. Most of my experiences involving any type of exaggeration were elderly victims. Officers simply need to utilize common sense & good judgement to determine the actual value.
- What is wholesale cost? Wholesale cost is simply what the retailer's pay manufacturers before they stock that shelf, bumping up the price to make a profit. I did not know this in my early days of patrol, nobody told me – this is a good one to pass on, especially when it comes to shoplifting cases. While we'll likely never get the numbers just right, we certainly don't want to inflate numbers either.

Property Value Guidelines Continued...

- ▶ The condition of property is often different at recovery than it was when it was stolen - the value should NOT exceed its initial stolen value
- ▶ Per the FBI, LEAs may use any type of resource to determine the value of property including the Internet, eBay, Kelley Blue Book, etc.
- ▶ Identity Theft and non-negotiable thefts always have a value of 0, property includes:
 - ▶ Credit/Debit Cards, Nonnegotiable Instruments, Personal or Business Documents, Identity Documents, etc.
- ▶ Agencies should NOT report a monetary value when they seize drugs or narcotics in connection with drug or narcotic violations.
- ▶ Criminal Mischief “Substantial Damage” value >\$1

- The condition of property is often different at recovery than it was when it was stolen. If, however, the value actually increased by the time LE recovers the item, the value should NOT exceed its initial stolen value. In these rare cases, you would NOT list the recovered value to reflect the new value, only list the value from the original stolen value. For example, if a '69 Chevy Camaro was stolen in the 70s and it was just recently discovered, in mint condition, only list the original stolen value price!
- Again, use good judgement when determining price from internet sources – because everything on the internet is right, right?
- Non-negotiable property include traveler’s checks, personal checks, money orders, stocks, bonds, food stamps, etc.
- Is your RMS able to send drug data value? Some can! If it does, you can report any value you want however the FBI will not receive a value.
- People often ask, what is Substantial damage? In my experience, I have never not reported an incident of criminal mischief. Any damage, regardless of how little it may be, was still considered damage and therefore, a reportable crime.

Stolen Property

▶ Theft 45-6-301:

- (1) A person commits the offense of theft when the person purposely or knowingly obtains or exerts unauthorized control over property of the owner and (a) has the purpose of depriving the owner of the property; (b) purposely or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or (c) uses, conceals, or abandons the property knowing that the use, concealment, or abandonment probably will deprive the owner of the property.
- (2) A person commits the offense of theft when the person purposely or knowingly obtains by threat or deception control over property of the owner and: (a) has the purpose of depriving the owner of the property; (b) purposely or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or (c) uses, conceals, or abandons the property knowing that the use, concealment, or abandonment probably will deprive the owner of the property.

- Our Theft statute is a huge umbrella for offenses in the state of Montana as it also includes Motor Vehicle Theft.

Stolen Property Continued...

▶ Unauthorized Use Of Motor Vehicle 45-6-308:

- (1) A person commits the offense of unauthorized use of motor vehicles if the person knowingly operates the automobile, airplane, motorcycle, quadricycle, motorboat, or other motor-propelled vehicle of another without the other's consent.

▶ Theft of identity 45-6-332:

- (1) A person commits the offense of theft of identity if the person purposely or knowingly obtains personal identifying information of another person and uses that information for any unlawful purpose, including to obtain or attempt to obtain credit, goods, services, financial information, or medical information in the name of the other person without the consent of the other person.

- Other theft related statutes include –
- Unauthorized Use – very common in Montana as people continue to not only leave their vehicles unlocked, they leave the keys in the car itself. Like most thefts, this is a crime of opportunity but sometimes it actually involves a sassy teenager that decides to take dad's car for a drive without consent.
- Theft of identity – also very common and usually occurs via cyberspace

Stolen Property Random Facts!

- ▶ Only report what was stolen in YOUR jurisdiction!
- ▶ Submit a property segment for each type of property loss
 - ▶ *No limit in XML*
- ▶ Motor Vehicle Parts or Accessories - includes motors, radios, hubcaps, siphoned gasoline, tires, license plates, etc.
- ▶ Sedans & SUVs listed under Automobiles
- ▶ Pickup trucks listed under Trucks
- ▶ Trailers are NOT Motor Vehicles & should not be listed as such
- ▶ Up to 99 vehicles can be reported per incident
- ▶ Montana's Theft Statute DOES include stolen boats!

- Remember to only report what was stolen in your jurisdiction! We'll get to recovering stolen property from outside jurisdictions shortly -
- Property segment for each loss – I can hear the officer's groans already! This can be a tedious process, especially when cars have been rummaged through and several different articles are stolen. Currently, under the flat file system, only 10 property items would be reported to the FBI, but come XML, you can submit as many as you want. Yay!
- Trailers are not motor vehicles – do NOT put a trailer in the stolen vehicle property segment within your RMS, if you don't get an error, I will on the backend!
- Our theft statute includes the theft of a boat whereas the FBI does not include boats in their motor vehicle definition for theft offenses. Remember the mapping is there on the backend so you don't have to think about how it relates to a NIBRS reportable offenses.

Recovered stolen property outside jurisdiction

▶ Theft 45-6-301:

(3) A person commits the offense of theft when the person purposely or knowingly obtains control over stolen property knowing the property to have been stolen by another and: (a) has the purpose of depriving the owner of the property; (b) purposely or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or (c) uses, conceals, or abandons the property knowing that the use, concealment, or abandonment probably will deprive the owner of the property.

- ▶ Property loss segment will be NONE - NOT "Recovered" or "Stolen"
- ▶ Enter recovered property outside one's jurisdiction as "evidence"
- ▶ Do NOT recover another agency's property! Only the original reporting agency should report the recovered property by updating the original report

- Stolen property is listed under our Theft statute under subsection 3, so when recovering stolen property, you would NOT select subsection 1 or 2 – as the property was not stolen in your jurisdiction.
- When entering the recovered property, you will NOT use loss code of recovered or stolen, you'll simply select "none"
- Obviously you'll need to keep an in house log of the recovered property and you can do so by entering it into the incident as evidence – if that is available in your RMS, this will not get submitted to the FBI, this is just for your agency's record
- Do NOT recover another agency's property! Only the original reporting agency should report the recovered property by updating the original report.

From Greg @ FBI: A motor vehicle theft occurred in Idaho. Idaho should've reported that motor vehicle theft. Car is recovered in Montana.

"Montana agency recovers the vehicle I'm assuming standard protocol is followed and notification by the Montana agency was made to Idaho agency to confirm the hit on the stolen vehicle. Once that notification is made and confirmed it is the stolen vehicle the Idaho agency is the ONLY agency that should be showing the 5= Recovered vehicle. The Montana agency has an offense in their jurisdiction called stolen property. They can report that stolen property offense which would be the vehicle using a type Property loss as 1=None. Why is it a type property loss of 1=None because the recovery again goes back to the Idaho agency who's vehicle was reported stolen by them. Now, I will say the Montana agency again has a Stolen Property Offense in their jurisdiction and they can show the arrest if an arrest was made and clear that incident. You absolutely should not be reporting a recovery a property that was not originally stolen from your jurisdiction."

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What's
coming
up?

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

**November 23rd - New XML Fields,
Measurements, Drug Types, Etc.**

- 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



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