

**“JUST
THE
FACTS”**



MTIBRS Training
& Technical
Assistance

NIBRS Fixable Warnings

What are Warnings?

- ▶ Warnings are four-digit numbers (errors are three!)
- ▶ Unlike errors, they do not prevent an incident from being reported to the state or the FBI
- ▶ Warnings are considered quality checks of submitted data
- ▶ Implies that the data might require further analysis
- ▶ Warnings do not mean that the data is incorrect!

- The past couple of years, warnings have been on the back burner with errors being on the forefront.
- Come January 2024, we will start sending, what we call, MTIBRS Status Reports, to every agency on a monthly basis. These reports will help agencies keep track of errors, warnings and even any outstanding cargo thefts, hate crimes, etc. We'll discuss these reports at a later date however.

Theft Related Warnings

- ▶ “1303” Larceny offense w/ Burglary offense
 - ▶ Larceny is NOT included in our Montana’s burglary statute
 - ▶ Knowingly or purposely commits *any other* offense
- ▶ “1310” Credit Card/Automatic Teller Machine Fraud
 - ▶ Montana’s Deceptive Practices (1)(d) Statute
 - ▶ Credit/Debit Cards are being reported as stolen **BUT**, Credit Cards **are** included in our statute
- ▶ “1312” Theft from Vehicle VS Theft of MV Parts/Accessories
 - ▶ Theft From Motor Vehicle is the theft of articles from within MV
 - ▶ Theft of MV Parts and Accessories is the theft of any part or accessory affixed to the interior or exterior of a motor vehicle necessary for its operation.

- 1303 - As we are all aware, larceny is not automatically included in our burglary statute like it often is in other areas. In Montana the only other criteria is that the person knowingly or purposely commits any other offense while in the structure. If you see this warning, you can obviously clear it – we are working with our repository so that these particular warnings will be suppressed and will not add to your stress level
- 1310 – most of these warnings are related to “deceptive Practices (1)(d)” Statute – when one obtains or attempts to obtain property, labor, or services by any of the following means: using a credit card that was issued to another without the other's consent; this is another where the FBI is questioning the integrity of the data since credit cards are being listed as stolen property – But in Montana the offenses of theft & deceptive practices often go hand in hand. On a side note, this particular statute is one that we’ll be revisiting to ensure that it is mapped as it should be to the FBI.
- 1312- This property type warning is very common as it is easy to get it confused as to what falls under Motor Vehicle parts & accessories. Just from my experience, the majority of articles taken from a vehicle will fall under the “theft from a motor vehicle” (such as wallets, phones, cash, CDs) as opposed to “MV parts & accessories” (built in car stereos, catalytic converter, tires, license plates, etc.)

Age & Family Warnings

▶ Age Related:

- ▶ “1441” Victim Age Over 98
- ▶ “1541” Offender Had Age Over 98
- ▶ “1501” Age of Offender Less than 3
- ▶ “1413” Child/Parent Relationships - age difference between victim & offender less than 11 years.

▶ “1401” Incest w/o Family Relationship

- ▶ FBI defines Incest as those related to one another
- ▶ Montana defines Incest as those related to one another as well as relationships of parent and child by adoption & relationships involving a stepson or stepdaughter

- Obviously, it is very possible to have a victim over the age of 98, but all the same, this is just a reminder to confirm your victim’s age. The same goes with the 1541s – while not completely impossible, just a good reminder to confirm the offender’s age.
- The 1501s are clearly an age typo – how this is just a warning and not an error is beyond me!
- The 1413s pop up when the child/parent relationship was listed as less than 11 years. Like mentioned before, when it comes to our species...so much is possible here but another reason to verify the ages and confirm the relationship. Remember, who is the victim TO the offender? This is easy to confuse – why? Because when you’re writing a PFMA report at 3AM, it is very easy for this not to make sense!
- Currently, the FBI considers Incest relationships to be those that are blood related – they do not include stepchildren, stepparents, etc., whilst Montana’s definition of incest, does. Again, another warning that may pop up for you due to Montana’s differences between the FBI – simply clear it.

Assault Related Warnings

- ▶ “1404” Agg Assault w/ Minor or No Injury & Personal or No Weapons
 - ▶ These parameters short circuit NIBRS - but they **ARE** allowed in some Montana statutes!
 - ▶ Offenses like Strangulation, Criminal Endangerment, Assault on Peace Officer & PFMA
- ▶ “1405” Simple Assault with Injury & No Weapon
 - ▶ Victims reported with minor injuries but no weapons reported
 - ▶ At the very least, weapon reported should be “40 = Personal Weapons”

- 1404 – This warning is related to offenses that are mapped to the FBI’s aggravated assault - the injury is being reported as minor or none at all **and** either the weapon is listed as personal weapons or none at all. These parameters cause the FBI to short circuit – but some of our statutes allow such parameters, such as strangulation, Criminal Endangerment, Assault on Peace Officer & PFMA. This is another error that we’re working with our repository on to try to suppress in the future. – The takeaway here is that neither Montana or the FBI are wrong!
- 1405 – This warning is also injury/weapon related but this one pertains to a simple assault offense, where minor injury **is** being reported, however NO weapon is being reported. There are A LOT of these warnings statewide, across all vendors. While there will always be those unique incidents where this might apply, I believe the reason behind most of these are a result of both officer typos/tab overs and potentially some vendor programming issues. While clearly the FBI will allow no weapon to be chosen for a victim with minor injuries, we just want to paint the incident as best as possible – while also respecting officer discretion in regard to that weapon choice.

Assault & Weapon Related Warnings

- ▶ “1409” Officer is Victim of Assault or Homicide w/o Victim Circumstances being Assault on Law Enforcement Officer
 - ▶ Agg Assault/Homicide Circumstances - Mandatory field!
 - ▶ Offenses like Assault on Peace Officer & Criminal Endangerment

- ▶ “1203” Weapons Law Violations
 - ▶ Personal Weapons and/or None are being reported as the Weapon/Force Involved
 - ▶ Possession of a Silencer, Unlawful Possession of a Firearm by a Convicted Person, etc.

- 1409 – This warning pops up when an officer is listed as a victim of an assault but since the officer is not always the target of the offense, the agg assault/homicide circumstances are not always “assault on a law enforcement officer” – which once again, doesn’t compute with the FBI’s rules. In this situation “other felony involved” or “other circumstances” are often selected. Simply choose what best suits the circumstances of the incident – we trust the discretion of the officer.

- 1203 – I would imagine that this warning is a result of officers overthinking “weapon/force” – especially if the weapon wasn’t necessarily used. A simple warning to resolve by selecting the correct firearm and resubmitting the case.

More Warnings you *Might* See:

- ▶ “1220” - Incident Reported with Bias Code as Unknown
- ▶ “1226” - Incident Reported w/ Multiple Offenses Associated with a Hate Crime
- ▶ “1607” - Offender Sequence Number with all Unknown Information
- ▶ “1407” - Unknown Victim Information

- These two pre XML Hate Crime warnings you’ll likely continue to see until your agency makes the transition to XML - Just remember, all the data from today is pre XML historical data and post XML, all hate crimes will default to NONE – so most of these warnings will go away
- The 1607 is a vendor related issue that we hope will resolve post XML and the 1407 is one where not all the victim information is being completed. There are circumstances where not all is known about the victim – especially if reports are being conducted via phone or online versus an in-the-field response.

Upcoming Training

- ▶ September 13th, 2023 - Workflow Reports & Data Submissions
- ▶ September 27th, 2023 - Quality Assurance Reviews are BACK!
- ▶ October 11th, 2023 - Victims Grants & NIBRS Data
- ▶ <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

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