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TO: Senate Judiciary Committee  
FROM: Kelsen Young  
DATE: 1/17/2010

RE: SB152

# CRIME IN MONTANA

2008-2009  
REPORT



# CRIME IN MONTANA

## 2008-2009 REPORT

PUBLISHED BY THE  
MONTANA BOARD OF CRIME CONTROL  
STATISTICAL ANALYSIS CENTER

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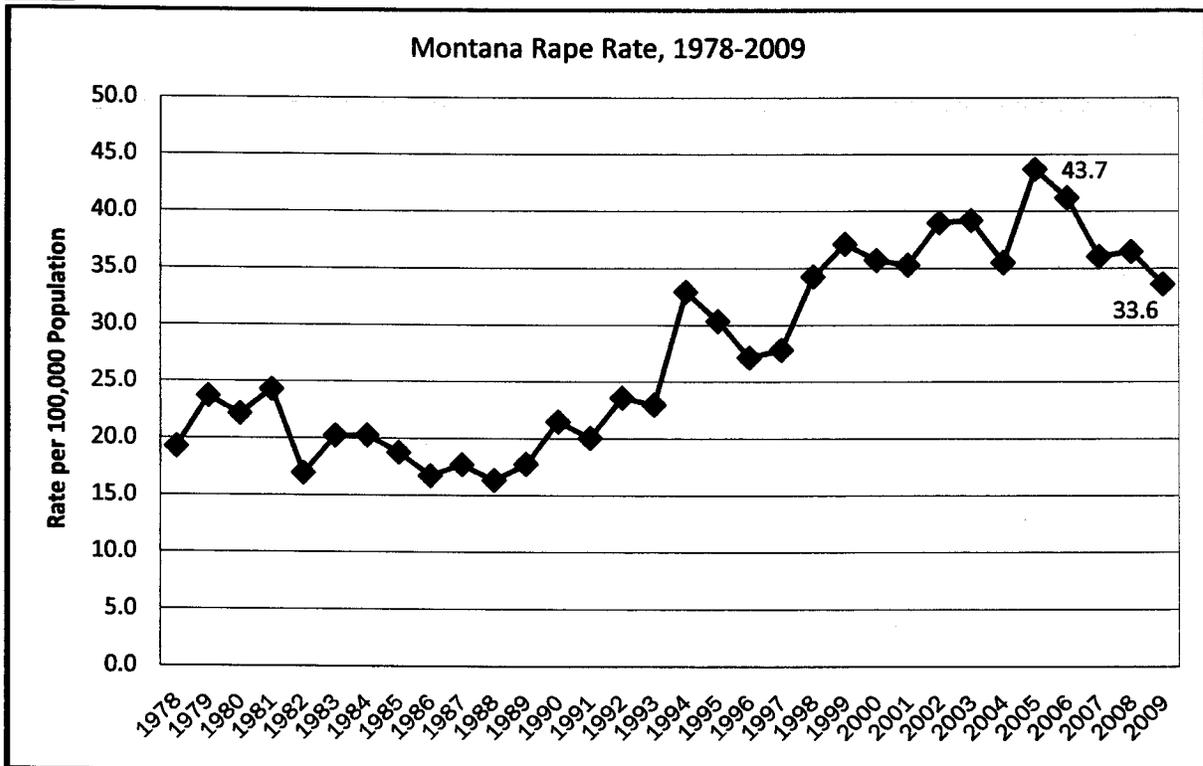
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Offense Description	2008	2009	Total
Negligent Homicide	12	7	19
Vehicular Homicide	4	1	5
Justifiable Homicide	0	1	1
<b>Total</b>	<b>16</b>	<b>9</b>	<b>25</b>

In 2009, seven persons were the victims of negligent homicide, down from 12 in 2008. Additionally, five persons were the victims of vehicular homicide as reported by Montana's non-Tribal local law enforcement agencies. This may be an undercount because the Montana

Highway Patrol does not report traffic accidents to the MBCC. Finally, one justifiable homicide was reported by Glasgow Police Department during the course of a "sniper-like" homicide incident.

**RAPE**



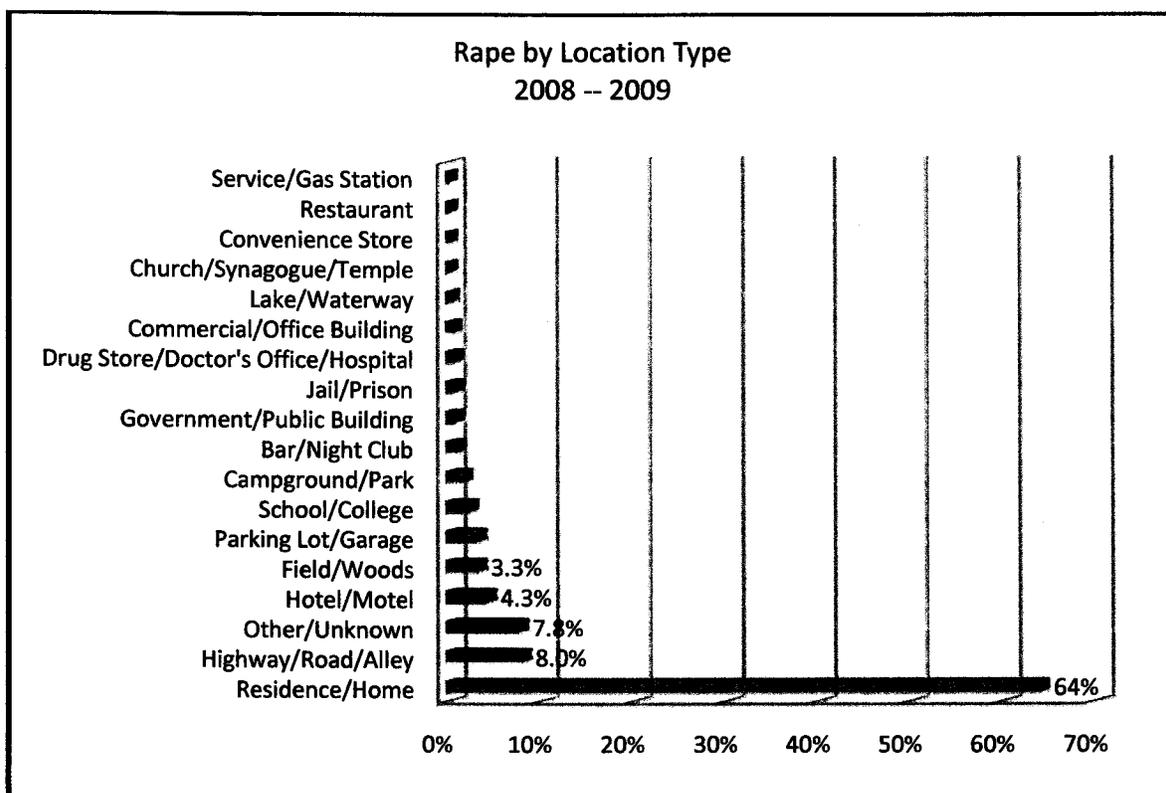
Year	Number of Offenses	Rate per 100,000
1980	166	22.1
1990	159	21.5
2005	401	43.7
2008	345	36.5
2009	325	33.6

In 2009, 325 rape incidents were reported by Montana's non-Tribal law enforcement agencies, down from 345 in 2008. The rape rate per 100,000 population was down almost 8% compared to the 2008 rate. Since 1978, 7,277 rapes have been reported to non-tribal law enforcement agencies. The mean (average) number of rapes reported per year was 227; the median was 194.5. The range was 277, with the highest reported number of rapes

at 401 and the minimum was 124. Since 1978, the rape rate tended to trend upward, reaching its peak in 2005, at about 43.7 rapes per 100,000 population. However, since 2005, the rape rate has trended downward to its current level. Since 2005, the rape rate was down about 23%.

Rape	2008	2009	Total
Incidents	345	325	670
Victims	359	347	706
Arrests	47	46	93

Multiple victims may be victimized during one rape incident. In 2009, 347 persons were reported as victims of rape, slightly down from 359 in 2008. Over the two year period, law enforcement reported 706 victims of rape over 661 incidents. Of those incidents, 93 persons were arrested for rape, 47 in 2008 and 46 in 2009. In addition, in 2008 and 2009, 30 rape incidents were "cleared exceptionally" because the prosecution was declined (10) or the victims refused to cooperate (20). The total clearance rate for rape incidents, including arrests and exceptional clearance for 2008 and 2009 was about 18%.



The most common location for rape incidents during the 2008 and 2009 time period was a residence or home at about 64% of the incidents. The distant second at about 8% was highway/road/alley followed by other/unknown. Alcohol and/or drugs were a contributing factor in about 32% of the incidents over the two year period. The offender was suspected of using alcohol either shortly before or during the commission of the crime in 28% of the

incidents; the offender was suspected of using drugs in 3% of the reported incidents; and the offender was suspected of using both drugs and alcohol in 1% of the incidents.

Type of Force/Weapon Type	N	% of Total
Personal Weapons	365	54.5%
None	190	28.4%
Unknown	66	9.9%
Other	35	5.2%
Knife/Cutting Instrument	5	0.7%
Firearm	4	0.6%
Drugs/Narcotics/Sleeping Pills	3	0.4%
Asphyxiation	2	0.3%
<b>Grand Total</b>	<b>670</b>	<b>100%</b>

Over the two year period, personal weapons (i.e., hands and feet) were reported as the type of force/weapon type most commonly reported during the commission of rape incidents. A firearm was used in less than 1% of the rape incidents.

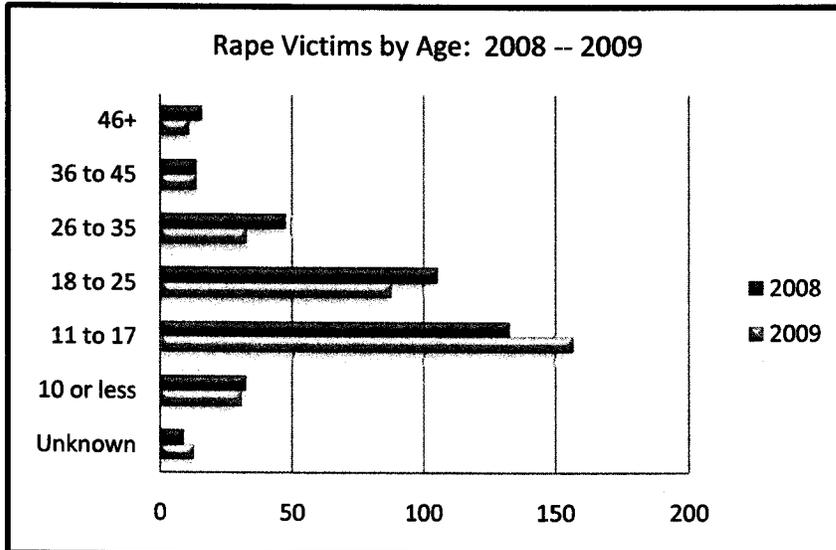
#### Rape Victims

In 2009, 96.5% of all reported rape victims were female, compared to about 95% in 2008. In total over the two year period, about 96% of all rape victims were females. In total over the two year period, about 96% of all rape victims were females, and almost 10% of all rape victims were American Indian females. Of the female victims, almost 12% were reportedly American Indian and over 80% were reportedly White females. Only nine female victims reported Hispanic ethnicity; however, another 73 were reported with an unknown ethnicity. This may be the result of some confusion in reporting the ethnicity separately from the race and may indicate an undercount of Hispanic victims.

Rape Victims	2008	2009	Total	% of Total
<b>Female</b>	<b>342</b>	<b>335</b>	<b>677</b>	<b>95.9%</b>
American Indian	33	34	67	9.5%
Asian	3	0	3	0.4%
African American	3	5	8	1.1%
Unknown	10	15	25	3.5%
White	293	281	574	81.3%
<b>Male</b>	<b>16</b>	<b>12</b>	<b>28</b>	<b>4.1%</b>
American Indian	1	1	2	0.3%
Asian	0	0	0	0.0%
Black	0	0	0	0.0%
Unknown		2	2	0.3%
White	15	9	24	3.4%
<b>Unknown</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0.1%</b>
Unknown	1	0	1	0.1%
<b>Grand Total</b>	<b>358</b>	<b>347</b>	<b>705</b>	<b>100%</b>

The mean victim age in 2008 was 20.6; in 2009, it was 19.4. The median victim age for 2008 and 2009 were 18 and 17, respectively.

The Rape Victims by Age chart shows that when compared with 2008, the 11-17 age range experienced an 18% increase in the number of persons victimized. Likewise, the 18-25 age range showed a 17% decline in the number of persons victimized, and the 26-35 age range showed a 31% decline in the number of persons victimized.

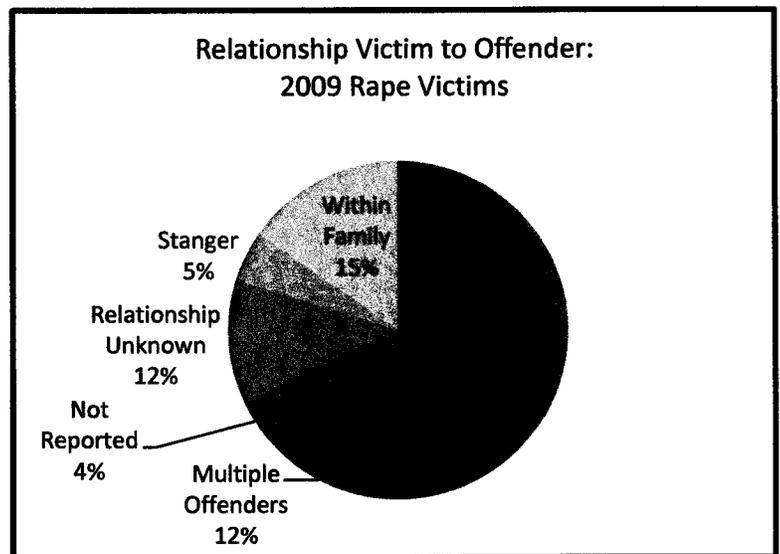


When looking at the relationship of the victim to the offender of the rape incidents, the victim was known by the offender, but outside of a familial relationship in about 52% of the incidents, relatively unchanged when compared to 2008 (55%). Multiple offenders were reported in 12% of the 2009 incidents compared with 8% in 2008. The victim and the offender shared

a familial relationship in 15% of the rapes in 2009, up from 12% in 2008. The percentage of rapes committed by strangers was relatively unchanged when compared to 2008.

**Rape Arrestees**

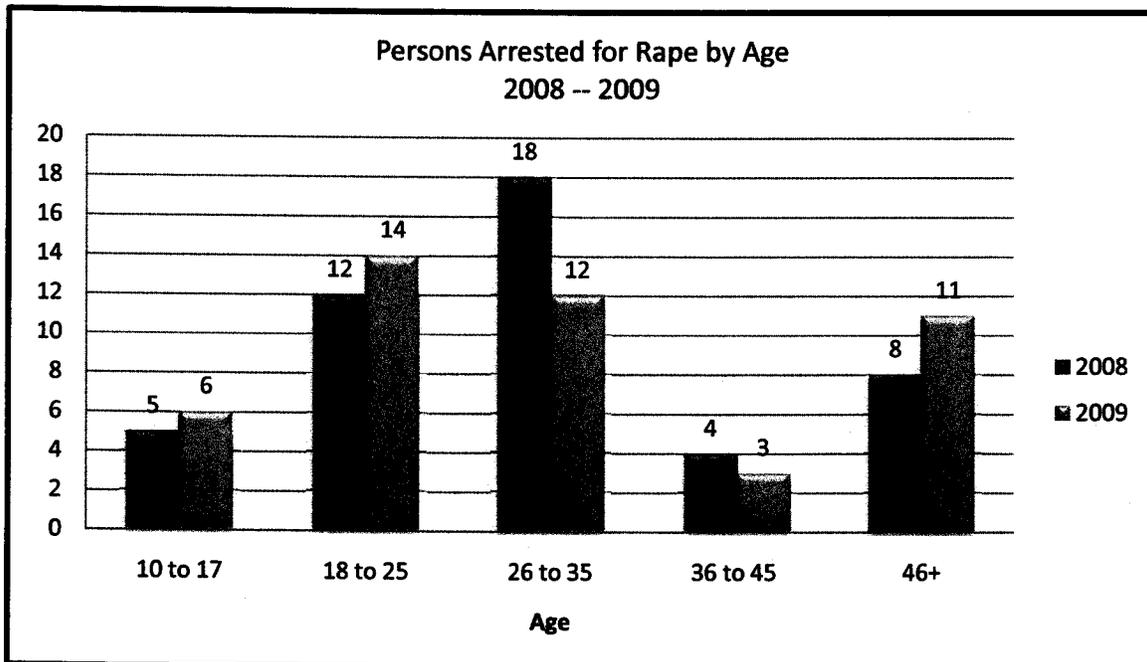
In 2009, 46 persons were arrested for a rape offense, relatively unchanged when compared to 2008. In total over the two year period, 93 persons were arrested for a rape offense. Almost all (97%) of those arrested were male and of those 81% were White males. About 12% (11) were reportedly American Indian. Only 3 of the 93 persons arrested for rape were female. One male arrestee reportedly had Hispanic ethnicity.



Rape Arrestees	2008	2009	Total	% of Total
American Indian	1	0	1	1%
White	1	1	2	2%
Asian	1	0	1	1%
African American	0	2	2	2%
American Indian	4	7	11	12%
Unknown	0	1	1	1%
White	40	35	75	81%

The mean age of persons arrested for a rape offense in 2009 was 32, slightly up from 31 in 2008. The median for 2009 was 28, down from 30 in 2008. The age range in 2009 was 65, while the age range for 2008 was 53.

Over 90% of all persons arrested were either taken into custody without a warrant or were taken into custody based on a warrant. Less than 10% of all persons arrested were "summoned/cited" and not taken into custody. This would make intuitive sense, given that 11 of the persons arrested on a rape case were under the age of 18.



#### *Other Forcible and Non-Forcible Sex Offenses*

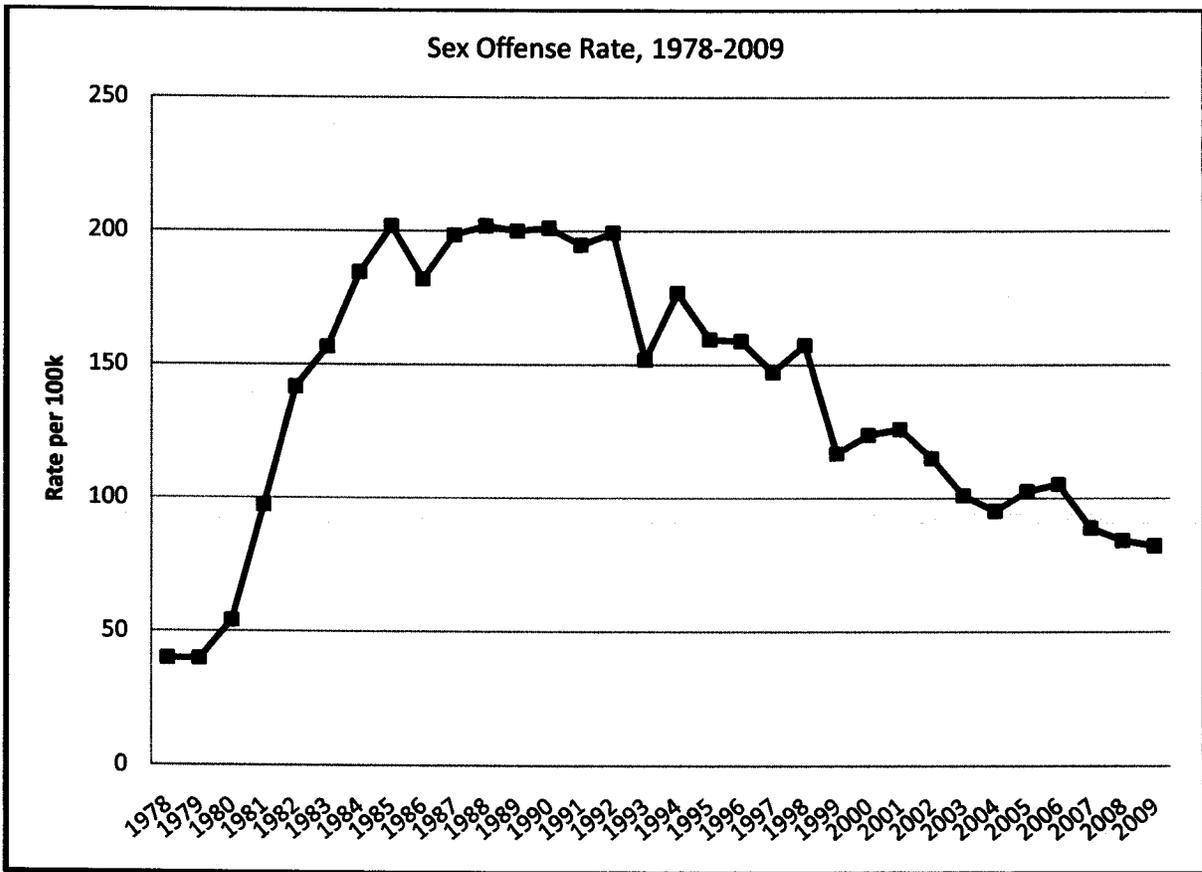
The offenses that fall under the definition of rape as defined by the FBI's UCR program are relatively narrow. The MBCC also collects information on offenses that are categorized as "Forcible Sex Offenses". These include same sex rape; sexual abuse of children; sexual assault; forcible sodomy; sexual intercourse with object without consent; incest; and statutory rape.

<b>Offense Description</b>	<b>2008</b>	<b>2009</b>	<b>% Change</b>	<b>Total</b>	<b>% of Total</b>
Sexual Assault	539	495	-8.2%	1,034	64.9%
Sexual Abuse of Children	99	154	55.6%	253	15.9%
Statutory Rape	43	51	18.6%	94	5.9%
Incest	49	40	-18.4%	89	5.6%
Sexual Intercourse (Forcible Sodomy) w/o Consent	23	19	-17.4%	42	2.6%
Rape, Same Sex	21	14	-33.3%	35	2.2%
Sexual Intercourse (With Object) w/o Consent	5	13	160.0%	18	1.1%
Sodomy, Deviate Sexual Conduct	5	6	20.0%	11	0.7%
Reported on Paper Summaries	13	3	-76.9%	16	1.0%
<b>Grand Total</b>	<b>797</b>	<b>795</b>	<b>-0.3%</b>	<b>1,592</b>	<b>100.0%</b>

The total number of forcible sex offenses reported in 2009 was statistically unchanged when compared to the total reported in 2008. The most common forcible sex offense reported over the two year period was sexual assault. The number of sexual assault offenses fell by 8% when compared to 2008. Sadly, sexual abuse of children is the second most commonly reported sex offense and accounts for almost 16% of the total. In addition, the number of the sexual abuse of children offenses increased from 99 in 2008 to 154 in 2009, a 55.6% increase. In fact, sexual abuse of children accounted for about 19% of the forcible sex offenses reported in 2009.

Of the offenses reported electronically (1,592), about 15% of the offenders were suspected of using alcohol either shortly before and/or during the incident. A little over 2% reported that the offense was committed with the assistance of a computer, such as solicitation of a juvenile over an online social network. Incidents such as these are likely underreported to law enforcement, leading to an undercount of the actual number of these crimes. A smaller percentage was reportedly using drugs either shortly before and/or during the commission of the incident.

About 65% of these incidents occurred in a residence/home, 6% occurred on highway/roadway or alley, and about 5% occurred at a school/college.



Year	Number of Offenses	Rate per 100,000
1980	406	54.1
1990	1,489	201.2
2005	942	102.6
2008	797	84.2
2009	795	82.2

The number of sex offenses in 2009, excluding rape, was relatively unchanged when compared to 2008. The sex offense rate was down four out of the last five years. The mean sex offense rate since 1978 was 137 offenses per 100,000 residents. The 2009 rate was down about 40% from the mean.