

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



MIKE COONEY
LT. GOVERNOR

April 18, 2019

The Honorable Greg Hertz
Speaker of the House
State Capitol
Helena, MT 59601

The Honorable Scott Sales
President of the Senate
State Capitol
Helena, MT 59601

Dear Speaker Hertz and President Sales:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 238 (HB 238), "AN ACT REVISING LAWS REGARDING PENALTIES FOR FALSELY REPORTING CRIMES; AND AMENDING SECTION 45-7-205, MCA."

House Bill 238 makes it a felony offense to give false information to a peace officer concerning a crime that would be a felony. Under existing law, knowingly making a false report to a law enforcement officer concerning an alleged crime is a misdemeanor offense, carrying a maximum penalty of a \$500.00 fine or up to six months confinement in jail. House Bill 238 would increase the penalty for knowingly making a false report concerning a felony crime to up to four years in state prison or a fine of up to \$10,000.00, or both.

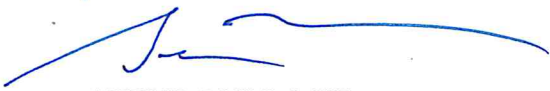
Victim advocates testified that rather than deter the false reporting of crimes, this bill would chill the reporting of actual crimes. Sexual and domestic violence crimes are already vastly under-reported for fear of reputational, legal and other repercussions. According to the Montana Coalition Against Domestic and Sexual Violence, rape is the most under-reported crime; over 60% of sexual assaults are not reported; and over 85% of child sexual abuse crimes go unreported.

House Bill 238 would make victims even less likely to step forward, and further contribute to serious crimes going unreported and unprosecuted. Montana law already has appropriate penalties for false reporting. Our criminal justice system would be better served by enacting policies to support victims of sexual and domestic violence, rather than creating additional barriers that deter victims from reporting.

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For these reasons, I veto HB 238.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Bullock", with a long horizontal flourish extending to the right.

STEVE BULLOCK
Governor

cc: Legislative Services Division
Secretary Corey Stapleton