

HANDLE WITH CARE PROGRAMS

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: In recent years, some cities and states have implemented what are known as "Handle with Care" programs for children who were present at an incident, outside of the school setting, to which law enforcement responded. The law enforcement agency provides the child's school with the child's name and a message to "handle with care." Both law enforcement and school personnel are trained in providing a trauma-informed response; in some instances, schools have a mental health professional available to provide counseling, if parents give permission. The programs have been implemented in various ways. Some communities have undertaken the program voluntarily. Some states have started – and sometimes expanded – pilot programs. Nevada in 2019 mandated that the program be implemented statewide and that the state provide training to law enforcement agencies, school boards, and school personnel. The Nevada law also provides immunity to trained school personnel in carrying out duties related to the Handle with Care program.

In Montana

Some Montana communities have instituted Handle with Care programs or similar efforts on their own. Others have declined to do so because of potential concerns that current law needs to be changed to allow for sharing of information without violating the Montana Constitution's right of individual privacy, state laws on the confidentiality of criminal justice information, or federal educational privacy laws.

Other Materials:

- News Article: [Gallatin County Sheriff's Office Handle with Care Program](#), September 28, 2022
- [Senate Bill 80](#): Nevada, 2019
- [House Bill 74](#): Delaware, 2019
- [S. 2754](#): 115th Congress, 2017-2018
- [Handle with Care Website](#): West Virginia (many other programs use this site as a template)

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- [Handle with Care Form](#): Polson (MT) School District
- News Article: [Power Schools Introduce Handle with Care Program](#), October 2, 2019

Introduced Legislation

2021

[House Bill No. 27](#) (Failed on Second Reading in the House) -- AN ACT AUTHORIZING SCHOOL DISTRICTS TO PARTNER WITH LAW ENFORCEMENT AGENCIES AND EMERGENCY SERVICES ORGANIZATIONS TO CREATE A DISTRICT "HANDLE WITH CARE" PROGRAM; REQUIRING DISTRICTS TO DESIGNATE A CONTACT PERSON; SPECIFYING THE LIMITED INFORMATION THAT MAY BE SHARED THROUGH THE PROGRAM; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2019: None

2017: None

2015: None

2013: None

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