



Memorandum

DCI

To: Law and Justice Interim Committee
From: Bryan Lockerby, Administrator
CC: Perry Johnson, POST Bureau Chief; Jesse Slaughter, POST Council Chairman
Date: 6/24/2021
Re: June 2021 status update regarding POST per MCA 2-15-2029

The 2019 Montana legislature passed HB684 which merged Public Safety Officers Standards and Training (POST) with the Montana Department of Justice, under the Division of Criminal Investigation (DCI). The bill added POST as a Bureau to DCI with a two-year sunset and required regular updates to the Law and Justice Interim Committee. Subsequently, during the 2021 legislative session, HB 693 extended the sunset an additional two years and included the same reporting requirements.

Services continued with little interruption during the COVID pandemic with staff now having returned full-time to their offices. POST staff continues to digitally archive active/inactive officer files to reduce paperwork and dry storage challenges. Because there are an estimated 25,000 officer records, this process is ongoing and challenging, but will greatly enhance efficiency and file integrity. Limited internet bandwidth challenges were rectified as part of MLEA campus infrastructure upgrades. A staff member was added for records processing and imaging.

In 2020, a Presidential Executive Order was issued requiring all state, local, and university law enforcement agencies to be certified by independent credentialing agencies. The Order required that law enforcement agencies meet two standards to be successfully certified: The agency's use of force policies prohibit chokeholds, except in situations where the use of deadly force is allowed by law; and the agency's use of force policies adhere to all applicable federal, state, and local rules.

As a result of the Presidential Executive Order, the Montana U.S. Attorney designated the POST Council as the independent certifying body for Montana agencies. POST staff, in partnership with MLEA, hosted discussions and meetings that included law enforcement statewide to produce policies enabling agencies to meet the standards set forth in the Order. POST provided model policies, information, and an application template to comply with the Order. As a result, virtually all law enforcement agencies have applied for, and obtained, POST certification under the Order.

DCI continues to support POST operations and needs, to include providing resources as needed to the team.