

HJ 31: Study of Criminal Justice System Data in Montana

Report of Statutes that Require Collection of Criminal Justice System Data

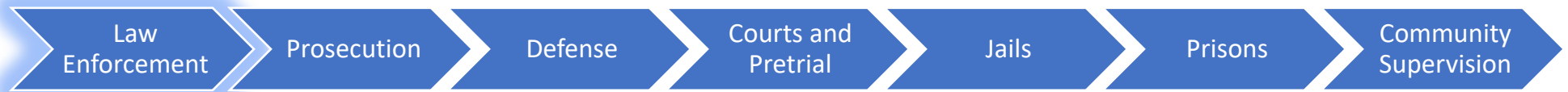
Prepared for the Law and Justice Interim Committee

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* The seven stages of the criminal justice system that are used to categorize the statutes in this report are from [a presentation on the Justice Counts coalition](#) by staff from the Council of State Governments Justice Center at an October 2021 Law and Justice Interim Committee meeting.

* This is a working document and will be updated as the 2021-2022 interim continues. Only codified statutory requirements are included. Requirements that appear only in session law are not. "Data" is defined broadly, meaning this report might list statutes that require data collection or databases that the committee members might not want to include in future reports, bill drafts, or discussions.



Law Enforcement Data Collection Statutes

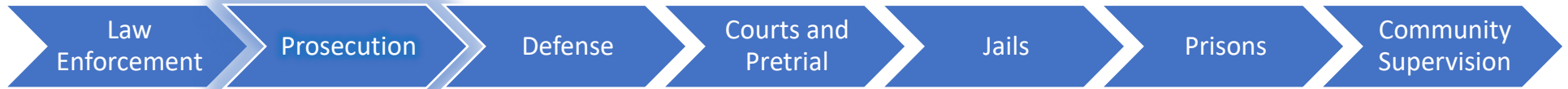
- State System of Criminal Identification – Title 44, chapter 2, part 2, MCA (see also Title 44, chapter 5)
- Criminal Justice Information Network – Title 44, chapter 2, part 2, MCA (see also Title 44, chapter 5)
- Looping In Native Communities Network – Sections 44-2-411 and 44-2-412, MCA
- Missing Children Information Program – Title 44, chapter 2, part 5, MCA
- 24/7 sobriety and drug monitoring program data – Section 44-4-1203(6) and (7), MCA
- Montana Criminal Justice Information Act of 1979 – Title 44, chapter 5, MCA
- DNA Index – Title 44, chapter 6, part 1, MCA
- Functions of the Board of Crime Control/Designation as state planning agency – Section 44-7-101, MCA
- Human death inquiry reports – Section 46-4-123, MCA
- Coroner's register – Section 46-4-207, MCA
- License plate readers and databases – Sections 46-5-117 to 46-5-119, MCA
- Statewide sexual assault evidence kit tracking system – Section 46-15-405, MCA

Information Exchange

- [Integrated Justice Information System \(IJIS\) Broker Project](#)

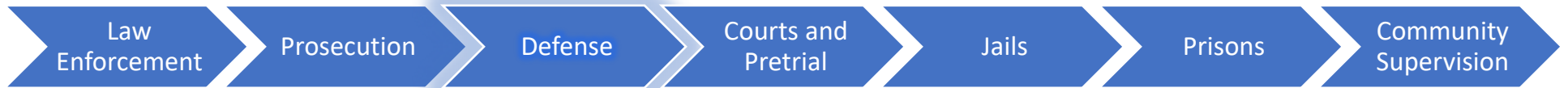
Existing Public Dashboards

- [Interactive Montana Crime Data](#) – Montana Board of Crime Control -- <https://mbcc.mt.gov/Data/Montana-Reports/>
 - Offense/crime rates and reports, law enforcement personnel trends
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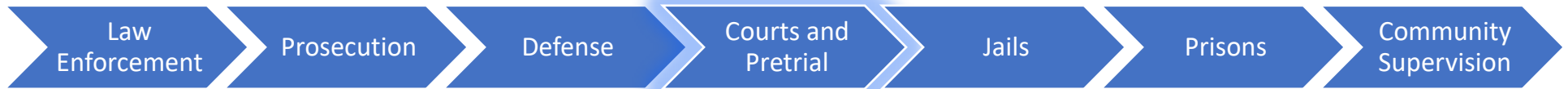
Prosecution Data Collection Statutes

- Child sexual abuse or sexual exploitation records – Section 41-3-210, MCA



Criminal Defense Data Collection Statutes

- Report of unpaid costs assessed by a court on an individual defendant (Also applies to the Office of Court Administrator and the Department of Revenue) – Section 46-8-113, MCA
- Data required for the biennial report of the Office of State Public Defender – Section 47-1-125, MCA

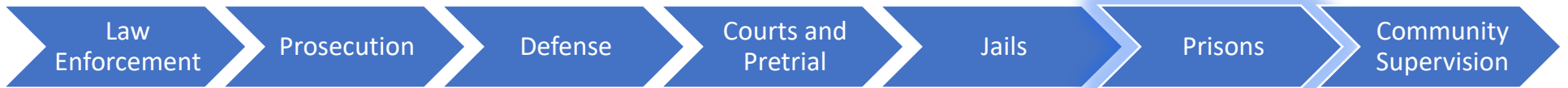


Courts and Pretrial Data Collection Requirements

- Electronic filing and storage of documents (generally) – Section 3-1-115, MCA
- Statistical and other data relating to business transacted by courts – Section 3-1-702, MCA
- Pending civil cases report – Section 3-1-713, MCA
- Electronic filing and storage of court records (Clerks of District Courts) – Section 3-5-501, MCA
- July lists/databases – Section 3-15-404, MCA
- Report of costs assessed by a court on an individual defendant (Also applies to the Office of State Public Defender and the Department of Revenue) – Section 46-8-113, MCA

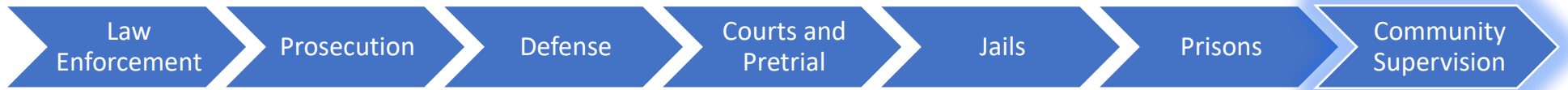


Jail Data Collection Statutes



Prison Data Collection Statutes

- Number of individuals discharged into a homeless shelter or homeless situation – Section 53-1-203(1)(h), MCA
- Placements of youth in out-of-home care facilities – Section 53-1-203(1)(k), MCA



Community Supervision (Probation and Parole) Data Collection Statutes

- Data to validate parole guidelines – Section 46-23-218, MCA
- Governor's report to legislature on clemency decisions, Section 46-23-316, MCA
- Sexual or Violent Offender Registries – Title 46, chapter 23, part 5, MCA
- Data regarding sentencing commitments to the Department of Corrections ("DOC commits") – Section 46-23-1016, MCA
- Data for supervision responses grid ("the MIIG") – Section 46-23-1028, MCA