

## MONTANA



State legislatures consider and enact laws that address the administration and use of forensic science by state justice systems. Issues addressed in these measures include the delegation of oversight responsibilities for forensic services, accreditation standards for forensic laboratories, access to post-conviction DNA testing, the collection and analysis of DNA samples from arrested and convicted individuals and procedures for eyewitness identification. Following is information on this state's legislative activity on forensic science issues. More information on forensic science policy from all 50 states and the District of Columbia is available on the NCSL [forensic science page](#).



### **Administration of State Forensic Services** ..... §§ 44-3-301, 44-6-101 through 110

The state administers its forensic services through the Montana Department of Justice.

### **State Oversight of Forensic Services**

The state's [Forensic Science Laboratory Advisory Board](#) is responsible for oversight. The primary purpose of the board is to act in an advisory capacity and provide feedback to the attorney general and crime lab administration on the work the lab produces.

### **Convicted Offender DNA Analysis** ..... § 44-6-103

People convicted of any felony must submit a DNA sample to state officials. Sample collection applies to juveniles convicted of sexual or violent offenses.

### **Post Conviction DNA Analysis** ..... §§ 46-21-110, 53-1-214

The state allows an individual convicted of a felony to apply for post-conviction DNA testing. Their application must show that the test will produce evidence material to the conviction. Montana code has specifications for the preservation of biological evidence.

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