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House

JOINT RESOLUTION NO. 5

INTRODUCED BY [Signature]

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF THE ORGANIZATION AND MANAGEMENT OF THE DIVISION OF FORENSIC SCIENCES OF THE MONTANA DEPARTMENT OF JUSTICE; AND REQUIRING A REPORT OF THE FINDINGS AND CONCLUSIONS OF THE STUDY TO THE GOVERNOR AND THE 56TH LEGISLATURE.

WHEREAS, evidence is a cornerstone of law enforcement and justice in our judicial system; and

WHEREAS, the examination and analysis of physical evidence is particularly critical in the prosecution and defense of criminal cases; and

WHEREAS, the Division of Forensic Sciences of the Montana Department of Justice is responsible for examining and analyzing a significant amount of the physical evidence that is relevant to criminal cases in Montana; and

WHEREAS, the Division of Forensic Sciences is increasingly unable to perform in a timely, efficient, and effective manner their functions of examining and analyzing physical evidence in support of local law enforcement and in support of prosecuting and defending criminal cases in Montana; and

WHEREAS, timely, efficient, and effective examination and analysis of physical evidence relevant to criminal cases are essential for the timely, efficient, and effective administration of justice.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That an appropriate interim committee be assigned:

(1) to study the organization and management of the Division of Forensic Sciences of the Montana Department of Justice, including:

- (a) the statutory and practical functions of the Division;
- (b) the historic, current, and anticipated workloads faced by the Division;
- (c) levels of personnel and other resources devoted to the functions of the Division;
- (d) procedures practiced within the Division for accomplishing its statutory and practical duties;

1 and

2 (e) other matters that reasonably relate to the organization and management of the Division;

3 (2) to investigate how other states or jurisdictions accomplish the statutory and practical functions
4 assigned to or performed by the Division, including the issues addressed in subsections (1)(a) through
5 (1)(e);

6 (3) to identify and analyze options for administrative or legislative consideration that could enhance
7 the efficiency or effectiveness of the Division; and

8 (4) to report its findings and conclusions, including recommended legislation, if appropriate, to the
9 Governor and the 56th Legislature.

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