

OFFICE OF THE GOVERNOR
STATE OF MONTANA

GREG GIANFORTE
GOVERNOR



KRISTEN JURAS
LT. GOVERNOR

May 16, 2025

The Honorable Brandon Ler
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Matt Regier
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Ler and President Regier:

I thank the bill sponsor for introducing House Bill 605 which, in its original form, would have enhanced the safety and security of inmates and hardworking staff in detention centers by intercepting and deterring the smuggling of illegal and dangerous drugs and contraband into detention facilities.

In its final form, however, House Bill 605 does not achieve its intended objectives and no longer has the broad support of Montana law enforcement officers. According to the attached letter from the Montana Sheriffs and Peace Officers Association, the organization originally advocated for House Bill 605 in its original form, but its board is now unanimously opposed to the final version as it believes the Department of Justice (DOJ) has existing resources to develop the guidelines the Legislature contemplated.

Additionally, House Bill 605 requires each county to pay a \$250 fee to the DOJ for the development of guidelines for conducting strip searches, regardless of whether a county operates a detention center or needs such assistance. As the letter from the Sheriffs and Peace Officers Association indicates, each county already has a county attorney who advises sheriffs on how to operate detention centers.



Montana's law enforcement officers already have the tools and resources necessary to achieve the goals of House Bill 605.

Therefore, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 605: "AN ACT PROVIDING THAT A PERSON WHO WILL BE HOUSED IN A JAIL OR CORRECTIONAL FACILITY FOR

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MORE THAN 12 HOURS MAY BE SUBJECT TO A STRIP SEARCH; PROVIDING FOR A FEE; AND AMENDING SECTION 46-5-105, MCA.”

Sincerely,



Greg Gianforte
Governor

Enclosure

cc: Legislative Services Division
Christi Jacobsen, Secretary of State



Montana Sheriffs & Peace Officers Association
PO Box 794 • Helena, MT 59624 • (406) 443-5669 • www.mspspoa.org

May 9, 2025

Governor Greg Gianforte
Office of the Governor
Montana State Capitol Building
P.O. Box 200801
Helena, MT 59620
Sent Via Email

RE: HB 605 Veto Request

Dear Governor Gianforte:

On behalf of the board of directors of the Montana Sheriffs and Peace Officers Association (MSPOA), I am writing to recommend and request that HB 605 be vetoed.

HB 605 was brought at the request of a particular county sheriff. In its original form, HB 605 was a good piece of legislation that was broadly supported by sheriffs and detention center commanders. The bill would have enhanced security and safety in detention centers by reducing the incidences and amount of dangerous drugs and other contraband that infiltrates into county operated detention centers across the state. In fact, MSPOA appeared at the hearing of the bill in both the House Judiciary Committee and the Senate Judiciary Committee and recommended passage of the bill.

However, the bill was amended in the Senate Judiciary Committee and the version that passed both chambers of the Legislature does more harm than good, and it should be vetoed.

Subsection (3) of the bill requires each and every county to pay \$250 to the Montana DOJ to "assist in the development of guidelines for conducting strip searches." Requiring each and every county to pay, regardless of a county's budget and regardless of whether a county operates a detention center, is arbitrary.¹

Further, if guidelines for strip searches within county detention centers were needed, such guidelines could be developed by the Montana DOJ within existing resources. There is also question as to whether this is an appropriate role to assign the DOJ. As county operated facilities, each county attorney is already tasked with providing legal guidance to the county sheriff on how to operate detention centers, including the intake and searching of detained persons. While collaboration with the Montana DOJ is always welcome, it does not make sense for each county to pay any amount to create guidance where counties already have attorneys to advise on the issue.

The MSPOA has reviewed the version of HB 605 that passed, and the board unanimously recommends that the bill be vetoed.

Thank you for your time and attention.

Sincerely,

A handwritten signature in blue ink that reads "Nanette Gilbertson".

Nanette Gilbertson, Executive Director
Montana Sheriffs and Peace Officers Association

¹ 37 of Montana's 56 counties operate detention centers. HB 605 requires those 19 that do not operate a detention center to fund the development of guidelines.