



ADMINISTRATIVE RULES OF MONTANA

20.25.103 DISSEMINATION OF INFORMATION

- (1) The department and board shall keep a record of the board's acts and decisions in accordance with 46-23-110 and 46-23-1025, MCA. A recording may not personally identify the victim without the victim's consent.
- (2) Members of the public may request a copy of the public records of the board as provided in 2-6-1003, 2-6-1006, 2-6-1007, and 46-23-110, MCA. The board may assert an individual's privacy interest on their behalf relating to content that implicates personal privacy or safety interests that clearly exceed the merits of public disclosure. The information will not be released.
- (3) The board may limit the time and place that records may be inspected or copied in accordance with 46-23-110, MCA.
- (4) The board may not withhold from public scrutiny any more information than is required to protect an individual privacy interest.
- (5) Whenever a crime victim asserts an individual privacy interest, the board may not disseminate to the public the name, address, telephone number, or place of employment of the victim or a member of the victim's family unless otherwise required by law.
- (6) The board may not disseminate to the public any information directly or indirectly identifying the victim of the following sex crimes:
 - (a) 45-5-502, MCA (Sexual Assault);
 - (b) 45-5-503, MCA (Sexual Intercourse Without Consent);
 - (c) 45-5-504, MCA (Indecent Exposure);
 - (d) 45-5-507, MCA (Incest);
 - (e) 45-5-702, MCA (Trafficking);
 - (f) 45-5-703, MCA (Involuntary Servitude);
 - (g) 45-5-704, MCA (Sexual Servitude); or
 - (h) 45-5-705, MCA (Patronizing Victim of Sexual Servitude).
- (7) When releasing board records the board chair will consult with board legal counsel as necessary.
- (8) An offender may request to view his/her individual parole file by making a request in writing. Board staff will provide the offender an opportunity to inspect the file except for information deemed confidential. An offender may not request to view his/her file any more frequently than annually unless extenuating circumstances exist. If the offender making the request has previously

reviewed his/her file, only the information added to the file since the previous review will be provided unless the offender presents circumstances that justify a complete review.

Authorizing statute(s): 46-23-218, MCA

Implementing statute(s): 2-6-1003, 2-6-1006, 2-6-1007, 44-5-311, 46-18-243, 46-23-110, 46-23-218, 46-23-1025, MCA

History: NEW, 2010 MAR p. 2816, Eff. 12/10/10; AMD, 2012 MAR p. 1619, Eff. 8/10/12; AMD, 2022 MAR p. 1194, Eff. 7/9/22.