

Montana Department of Justice

Sexual Assault Response Network

Program and Committee



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September 2025*

*A report to the Montana Legislature's
Law and Justice Interim Committee*

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Executive Summary

The 2023 Montana Legislature adopted House Bill No. 79 (HB 79) to establish the [Sexual Assault Response Network](#) (SARN) Program and Committee at the Montana Department of Justice (DOJ). SARN is housed within the Office of Victim Services, a part of the Investigations Bureau in the Division of Criminal Investigation.

This report highlights SARN Program and Committee work between September 2024 and August 2025, including:

- preparing research for and hosting six meetings of the [SARN Committee](#);
- learning about victim-centered, trauma informed sexual assault response best practices and existing sexual assault response resources, activities, and training in Montana;
- building relationships with and providing technical assistance and training for stakeholders across the state including healthcare, law enforcement, prosecutors, victim advocates, and college campus sexual assault responders, including:
 - hosting quarterly educational training forums for sexual assault forensic examiners and prosecutors;
 - supporting development and implementation of federal HRSA grant-funded training courses for sexual assault nurse examiners in collaboration with the MSU Mark and Robin Jones College of Nursing;
 - supporting development and implementation of SARN-funded training for *Strengthening Sexual Assault Prosecutions* hosted in Helena, April 23-25, 2025; and
 - helping assess scenarios for basic officer victim interview training at the Montana Law Enforcement Academy;
- assisting with construction of new [Office of Victim Services](#) and [SARN](#) webpages and an online [sexual assault response resource library](#);
- updating the contents of and paperwork for the Montana sexual assault evidence kit in conjunction with stakeholder input, including:
 - tracking existing kit (MT100A) inventory and redistributing kits to maximize their use and ensure availability while awaiting the updated kit's production by the manufacturer;
 - distributing the updated kit (MT100B) after its production in February 2025 to healthcare facilities across the state, assessing and prioritizing inventory needs;
 - creating electronic, fillable MT100B forms for ease of use by interested healthcare facilities;
 - training stakeholders on the updates to the kit as well as updates to [national protocols](#) for when a sexual assault forensic exam should be conducted and an evidence kit collected;
- administering the [Montana Sexual Assault Kit Track System](#); tracking kit collection trends to ensure sufficient statewide kit inventory; providing technical assistance to healthcare facilities, law enforcement, and the Crime Lab; auditing the status and location of collected kits reported to law enforcement to verify they are submitted to the Crime Lab in accordance with 46-15-412, Montana Code Annotated; and
- administering the [Forensic Rape Examination Payment Program](#) (FREPP), consolidating evidence storage into one centralized location and reengineering that storage for maximum efficiency, updating FREPP policies and procedures, reviewing the state's exam payment structure and rate, reimbursing healthcare facilities for the cost of sexual assault exams on behalf of victims who do not report to law enforcement, and preparing information for and testifying on two pieces of FREPP-related legislation (Senate Bills [491](#) and [537](#)) during the 2025 Legislative Session.

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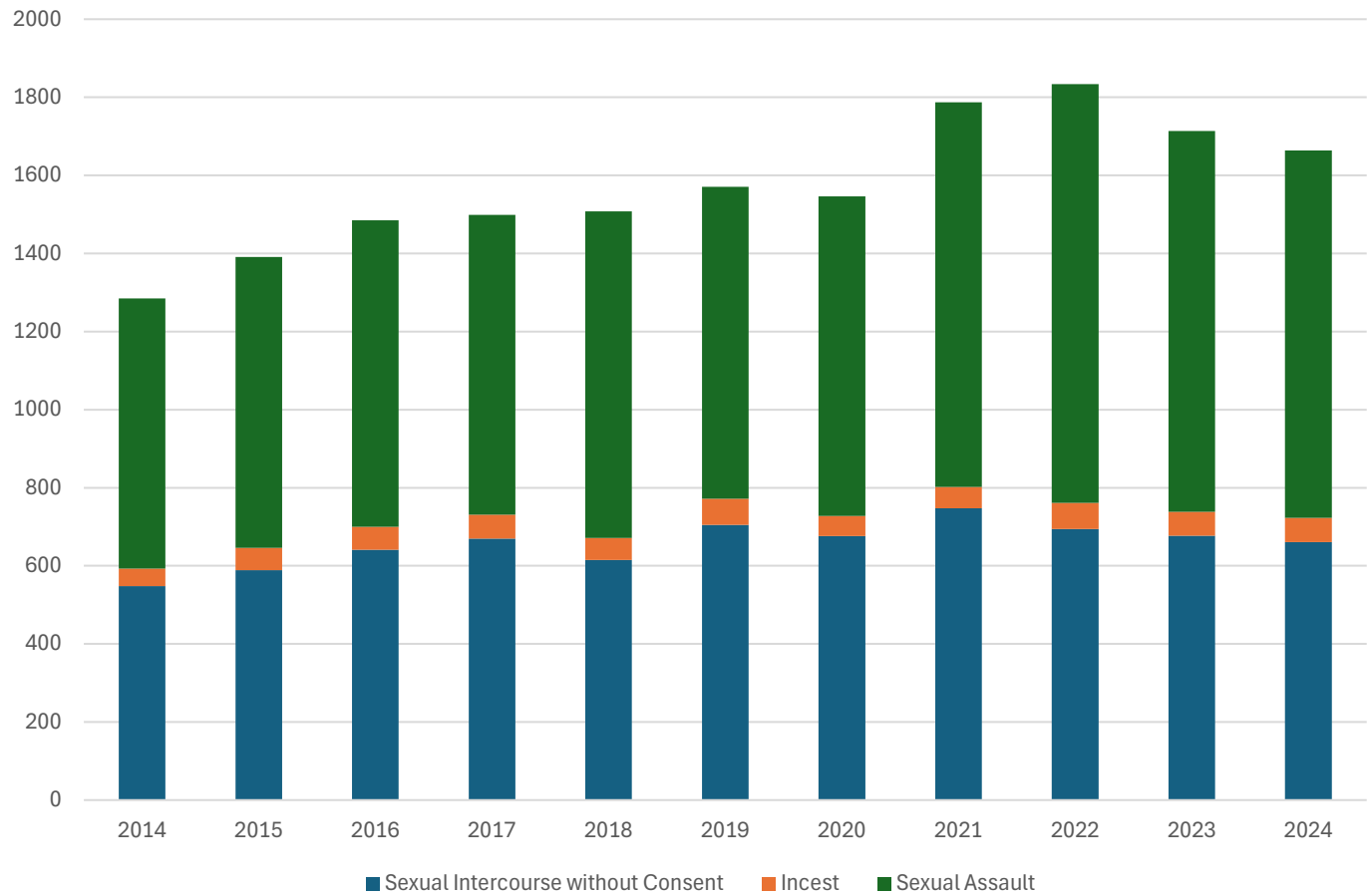
Introduction

The 2023 Montana Legislature passed HB 79 unanimously. The overwhelming support for establishing the SARN Program and Committee speaks to the state’s and the DOJ’s continued dedication to seeking justice and healing for victims of sexual violence. To better understand the incidence of sexual assault in Montana, the SARN Committee dug into all available data.

The most recent National Intimate Partner and Sexual Violence Survey conducted in 2016 and 2017, found that almost 27% of women and nearly 4% of men in the United States were raped or experienced attempted rape in their lifetime (Basile, 2022). In Montana, the survey results estimated 33% of women experienced rape in their lifetime (Smith, 2023). When considering more population-specific data, the survey found that almost 47% of American Indian and Alaska Native women were raped in their lifetime (Basile, 2022). A different study in North Carolina found women with a disability were four times more likely to be sexually assaulted than women without a disability (Office for Victims of Crime, 2024).

In 2024, more than 1,660 sex offenses were reported to the Montana Incident Based Reporting System (MTIBRS) by non-tribal law enforcement agencies in Montana; that includes sexual assault, sexual intercourse without consent, and incest.

Montana Sexual Assault Incidence Data

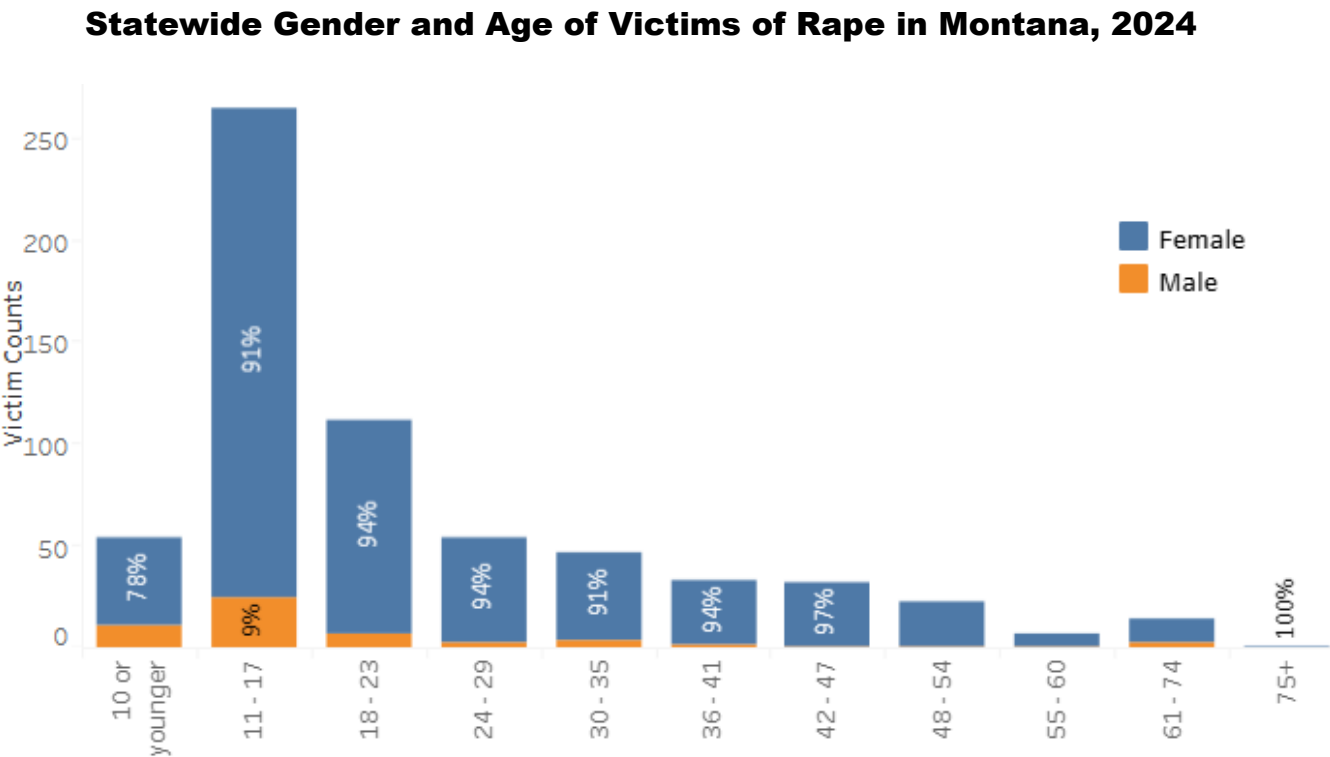


Source: Montana Board of Crime Control, based on data from the Federal Bureau of Investigation, National Incident-Based Reporting System

Sexual assault is described in 45-5-502, MCA, as any sexual contact without consent. Sexual intercourse without consent is described in 45-5-503, MCA, as knowingly having sexual intercourse with another person without consent or with a person who is incapable of consent. Incest is described in 45-5-507, MCA, as knowingly marrying, cohabitating with, having sexual intercourse with, or having sexual contact¹ with an ancestor, a descendant, a brother or sister of the whole or half blood, a nephew or niece, or any stepson or stepdaughter. This includes blood relationships without regard to legitimacy and relationships of parent and child by adoption.

- A U.S. Bureau of Justice Statistics analysis (Martin) of Montana’s 2019 crime data revealed:
- 29 percent of all violent victimizations in Montana involved sexual assault. The percentage was higher for female victims (25 percent) than for male victims (4 percent) of violence.
 - the average age of sexual assault victims in Montana was 14 years old for males and 20 years old for females; and
 - 93 percent of victims knew their perpetrator.

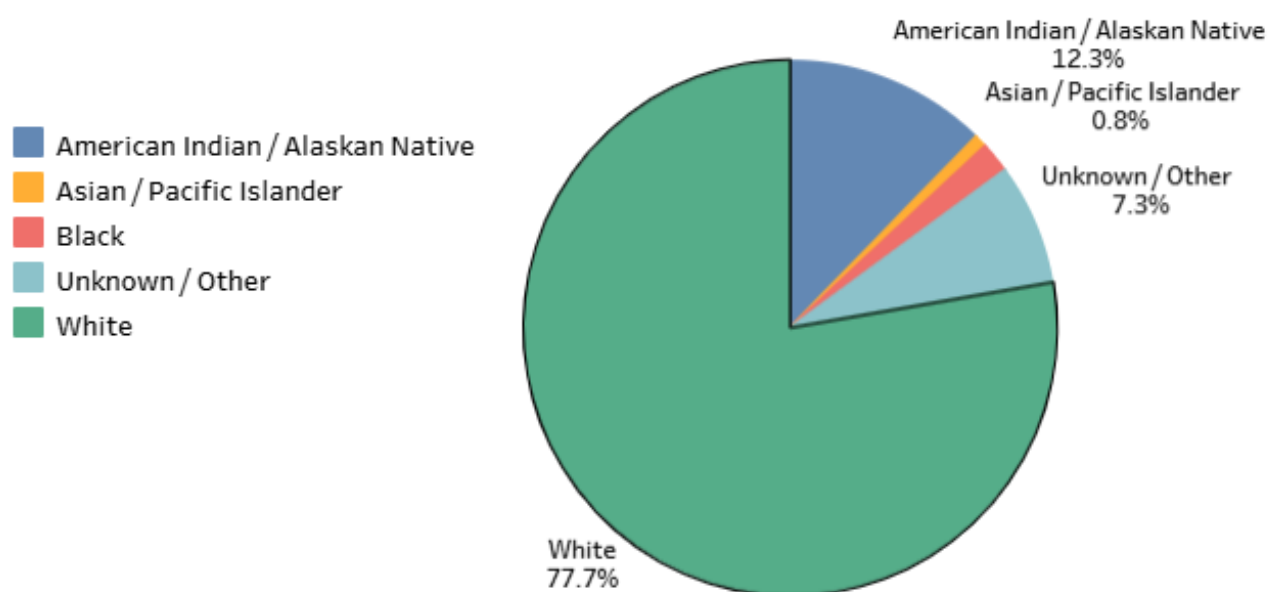
The Montana Board of Crime Control Statistical Analysis Center conducts annual demographic analysis of MTIBRS data to generate the following graphs.



Source: Montana Board of Crime Control Statistical Analysis Center

¹As defined in 45-2-101, MCA, “sexual contact” means touching of the sexual or other intimate parts of another person, directly or through clothing, in order to knowingly or purposely (a) cause bodily injury to or humiliate, harass, or degrade another; or (b) arouse or gratify the sexual response or desire of either party.

Statewide Race of Victims of Rape in Montana, 2024



Source: Montana Board of Crime Control Statistical Analysis Center

Notably, American Indians and Alaska Natives, who comprised 9.3% of Montana’s population in the 2020 Census, are overrepresented among rape victims recorded in MTIBRS, consistent with the findings of the National Intimate Partner and Sexual Violence Survey of 2016-2017.

Since the 2000s, the DOJ has enhanced its practices to assist community responders, organizations, associations, and criminal justice partners with improving overall response to sexual violence. The importance of doing so is punctuated by the National Center for Injury Prevention and Control’s declaration that sexual violence is a complex public health problem that can affect people across their lifespan. Sexual violence is associated with negative mental health outcomes, chronic health conditions, and risky health behaviors, including short- and long-term depression, anxiety, PTSD, suicidal ideation, disability, sexually transmitted diseases, and other health conditions (Basile, 2022).

According to a report published in 2017, the estimated lifetime cost of rape is \$122,461 per victim (in 2014 U.S. Dollars²) over the victim’s lifetime, including medical costs (\$48,029), lost work productivity (\$63,475), \$9,250 (criminal justice activities), and \$1,438 in other costs, including victim property loss or damage. (Peterson)

SARN recognizes the prevalence and complexities of sexual violence, the impact of trauma on victims and responders, and that lasting change takes time. SARN, even in its early years, is demonstrating success with increasing communication among criminal justice responders, increasing multi-agency collaboration, energizing stakeholders, and building relationships with our rural and frontier responders. This report provides insight into the second year of SARN program development and coordination.

² This translates to \$166,290 today when inflation is applied.

Statutory Authority

Effective July 1, 2023, the Montana Legislature established SARN (2-15-2034, MCA) at the DOJ via HB 79, sponsored by Representative Amy Regier. Subject to appropriated funds, the program consists of department agents and employees the attorney general considers necessary and appropriate, including the SARN coordinator provided under 44-4-1704, MCA.

Program duties include (44-4-1702(1) and (3), MCA):

- supporting efforts to provide uniform sexual assault evidence kit distribution and handling;
- coordinating comprehensive, trauma-informed response to sexual violence survivors;
- providing discipline-based training and technical assistance for sexual assault responders (in accordance with best practices and laws);
- advancing access to quality sexual assault forensic exams and care through teleSANE (sexual assault nurse examiner) innovations;
- coordinating with the Sexual Assault Response Network Committee;
- conducting ongoing adult, adolescent, and pediatric direct instruction and clinical SANE training for medical providers;
- recruiting/organizing SANE trainers to increase in-state training capacity;
- researching teleSANE models and technological solutions to increase access to forensic exams and SANE care;
- providing quality, accessible sexual assault response training and technical assistance for law enforcement, prosecution, victim advocates, and other relevant professionals;
- organizing the development of sexual assault response teams (SARTs);
- promoting public education and awareness of sexual violence prevention, available services, and care;
- maintaining the sexual assault evidence kit tracking system provided in 46-15-405, MCA;
- maintaining the DOJ sexual assault evidence kit hotline;
- coordinating sexual assault evidence kit inventory, materials, and distribution, including making resources available online.

DOJ rulemaking authority for the program includes authority to establish:

- minimum standards of sexual assault care;
- minimum standards for operation of a SANE program;
- the operation and designation of SANE programs.

In conjunction with the SARN Program, the 2023 Legislature also established a statewide sexual assault response team committee (2-15-2035, MCA), which is administratively attached to the DOJ and staffed by the SARN coordinator. The committee, known as the SARN Committee:

- exercises its functions independently of the department;
- submits budgetary requests and required reports through the department;
- has rulemaking authority to implement, continue, and enforce the duties listed below.

Members of the committee:

- are appointed by the Attorney General;
- serve no longer than 4 years without reappointment;
- are entitled to travel reimbursement as provided in 2-18-501 through 2-18-503;
- include but are not limited to:

- at least one sexual assault nurse examiner (SANE)
- a hospital administrator
- a registered nurse or advanced practice registered nurse
- a telehealth affiliate or provider
- representatives/designees of:
 - a victim service provider or organization
 - a law enforcement agency
 - a county attorney
 - the DOJ Forensic Sciences Division
 - the DOJ State Attorney's Office
 - the DOJ IT service desk
 - the Office of the Public defender
- a member with a tribal affiliation who has experience working with indigenous survivors

Duties of the committee include:

- adopting educational and clinical standards for SANEs and evidence-based SANE training curriculum that complies with national training standards, national protocol, guidelines from the International Association of Forensic Nurses, and state/local laws;
- adopting/implementing medical sexual assault response guidelines for Montana;
- developing statewide teleSANE partnerships, collaborations with hospital/clinic leadership, and strategies that include interoperability of health care systems, secure health information exchange, and assessment of teleSANE models of care to increase equitable access to quality sexual assault care;
- identifying/implementing a statewide platform for SANEs to engage, mentor, share, and network among colleagues;
- establishing and periodically reviewing payment amounts, standards, and processes for the sexual assault medical forensic examination in accordance with 46-15-411.

Sexual Assault Evidence Kit Distribution and Tracking

SARN significantly supports sexual assault response in Montana by dedicating a permanent, state-funded position to lead distribution and tracking of sexual assault evidence kits. The SARN coordinator ensures there is a sufficient inventory of kits and distributes them at no cost to healthcare facilities across the state for use in forensic exams when a victim chooses to have evidence collected, regardless of whether the case is reported to law enforcement at the time.

In SARN's second year, in consultation with forensic examiners, the Crime Lab, and SARN Committee members, the SARN coordinator updated the contents of and paperwork for the Montana sexual assault evidence kit to better reflect the examiners' and lab's current practices and procedures. While developing and implementing this update, the SARN coordinator also:

- tracked existing kit (MT100A) inventory and redistributed kits to maximize their use and ensure availability while awaiting the updated kit's production by the manufacturer;
- distributed the updated kit (MT100B) after its production in February 2025 to healthcare facilities across the state, assessing and prioritizing inventory needs;
- created electronic, fillable MT100B forms and posted them on the SARN and Crime Lab webpages for ease of use by interested healthcare facilities;
- trained stakeholders on the updates to the kit as well as updates to [national protocols](#)³ for when a sexual assault forensic exam should be conducted and an evidence kit collected; and
- worked with stakeholders to update DOJ's online sexual assault kit training module for healthcare workers to reflect the MT100B contents, paperwork, and collection instructions.

Generally, forensic examiners in the state use the DOJ's sexual assault evidence kit. Some facilities use a federally produced kit for cases involving matters of federal jurisdiction.⁴ Federal kits, and kits collected in other states, can be added to the Montana Sexual Assault Kit Track System and processed by the State Crime Lab.

In 2025, the SARN coordinator built relationships with forensic examiners serving eastern Montana victims at hospitals in Williston and Dickinson, North Dakota, to ensure they have Montana sexual assault evidence kits in stock, are updating kits' status in the Montana Sexual Assault Kit Track System after an exam, and are receiving routine communications from SARN. Those examiners now also participate in SARN's ongoing forensic examiner training and networking opportunities to enhance continuity of care for Montana victims.

Montana Sexual Assault Kit Track System

To prevent backlogs of unprocessed kits, the location and status of collected kits are tracked online through the [Montana Sexual Assault Kit Track System](#). Healthcare facilities start the process by marking the kit as

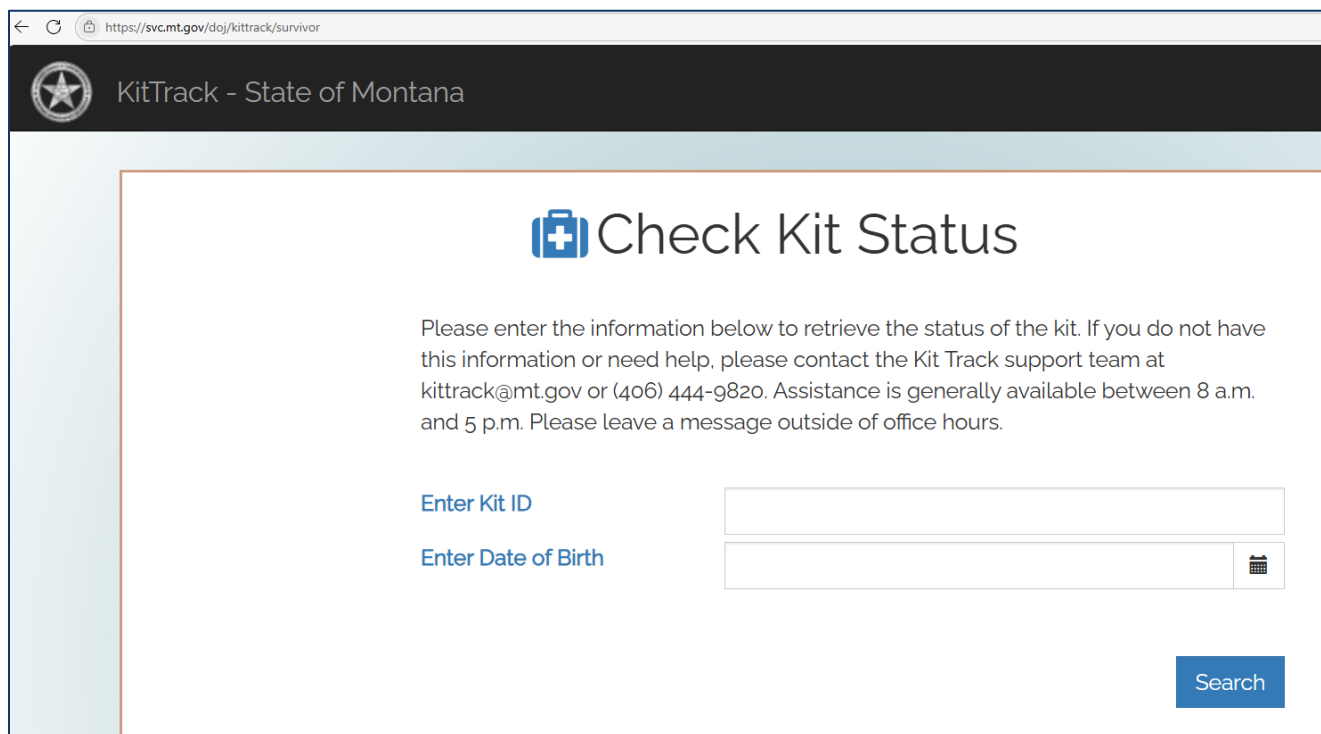
³ Ideally, evidence is collected within 120 hours of the assault, but exams may still be conducted after that depending on the needs of the patient, injuries inflicted, and assault specific information. Examiners should make decisions about whether, when, and what samples to collect on a case-by-case basis. (*U.S. Department of Justice Office on Violence Against Women, 2024*) Samples should be collected regardless of the patient's post-assault activities. Bathing, showering, eating, drinking, and using the bathroom are not reasons to exclude someone from getting an exam as recent research found full and partial DNA profiles can still be obtained. (*Valentine, 2024*)

⁴ The Indian Health Service units administered by the IHS Billings Area Office use the Montana sexual assault evidence kits in their exams.

collected and then recording its transfer to a law enforcement agency when the case is reported or to the DOJ when a case is not reported. Pursuant to 46-15-413, Montana Code Annotated (MCA), the DOJ [Forensic Rape Examination Payment Program](#) stores unreported kits for 75 years from the date of collection.

For kits that are reported, the healthcare facility must notify the investigating law enforcement agency within 24 hours of the kit's collection pursuant to 46-15-404, MCA. That agency then has 5 business days to take possession of the kit. After that, the agency must submit the kit and an accompanying police report to a crime lab for forensic analysis within 30 days and mark the kit as transferred for analysis within the Kit Track System.

The real-time updates in the Kit Track System allow survivors to easily check the status of their kit and subscribe to receive text or email alerts for any updates.

The image is a screenshot of a web browser displaying the 'KitTrack - State of Montana' website. The browser's address bar shows the URL 'https://svc.mt.gov/doj/kittrack/survivor'. The website has a dark header with a star icon and the text 'KitTrack - State of Montana'. The main content area is white and features a large heading 'Check Kit Status' with a blue medical cross icon. Below the heading, there is a paragraph of text: 'Please enter the information below to retrieve the status of the kit. If you do not have this information or need help, please contact the Kit Track support team at kittrack@mt.gov or (406) 444-9820. Assistance is generally available between 8 a.m. and 5 p.m. Please leave a message outside of office hours.' There are two input fields: 'Enter Kit ID' and 'Enter Date of Birth'. The 'Enter Date of Birth' field includes a calendar icon. A blue 'Search' button is located at the bottom right of the form area.

Log-in screen for the survivor Kit Track website, Montana Department of Justice.

In early 2025, the SARN coordinator conducted the first audit of the Kit Track System since its inception in 2019. The SARN coordinator reviewed the status and location of 2,211 kits collected and reported to law enforcement to verify they were submitted to the State Crime Lab in accordance with 46-15-412, MCA. Of those reported to non-tribal, non-federal agencies, the audit found 54 kits that were not submitted to a crime lab.⁵ The SARN coordinator conducted extensive outreach with those law enforcement agencies to confirm the location and status of the kits. Three of the kits could not be located by the law enforcement agency.

To facilitate testing of the other kits and to manage State Crime Lab workload, DOJ will submit 18 of the kits collected prior to April 2023 for testing at a third-party lab using Sexual Assault Kit Initiative (SAKI) grant funds. The rest of the kits, which are ineligible for testing through the SAKI grant due to the date they were collected, are being submitted to the State Crime Lab in staggered fashion through January 2026 to most effectively incorporate them into the lab's workflow.

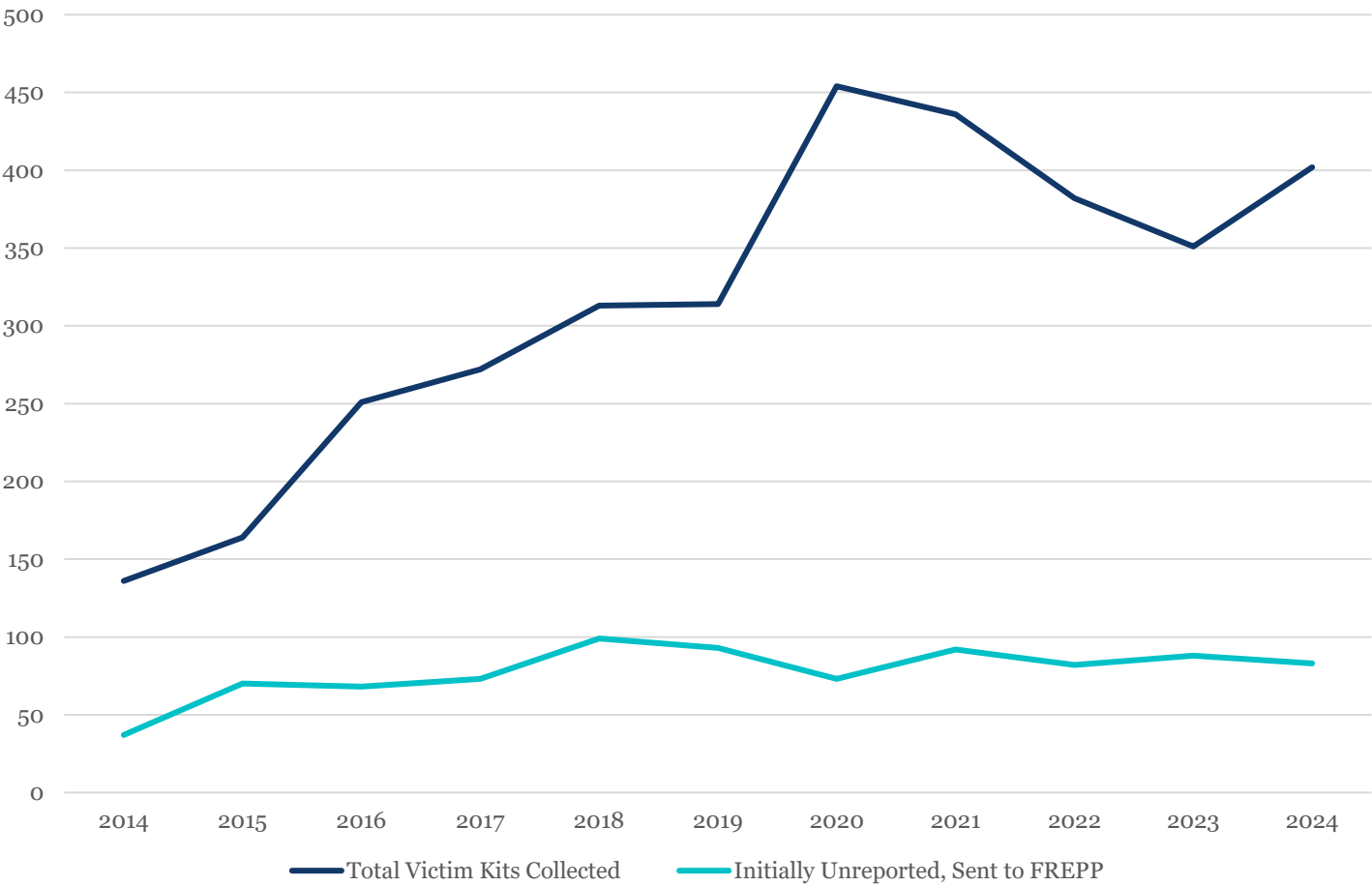
⁵ State statute cannot compel out-of-state, tribal, or federal law enforcement agencies to update the Kit Track System. Therefore, the submission status of kits transferred to those entities was not included in the audit.

The Kit Track audit results led the SARN coordinator to begin reviewing the status of collected kits monthly to ensure a backlog of untested kits is not accumulating. The SARN coordinator also conducted additional outreach with law enforcement agencies across the state regarding the statutory requirement to submit all kits reported to law enforcement to the State Crime Lab within 30 days of receipt from the healthcare facility regardless of the case’s disposition. The only exception is for kits that are not reported to law enforcement and are instead sent to the DOJ’s Forensic Rape Examination Payment Program to hold.

Sexual Assault Evidence Kit Collection

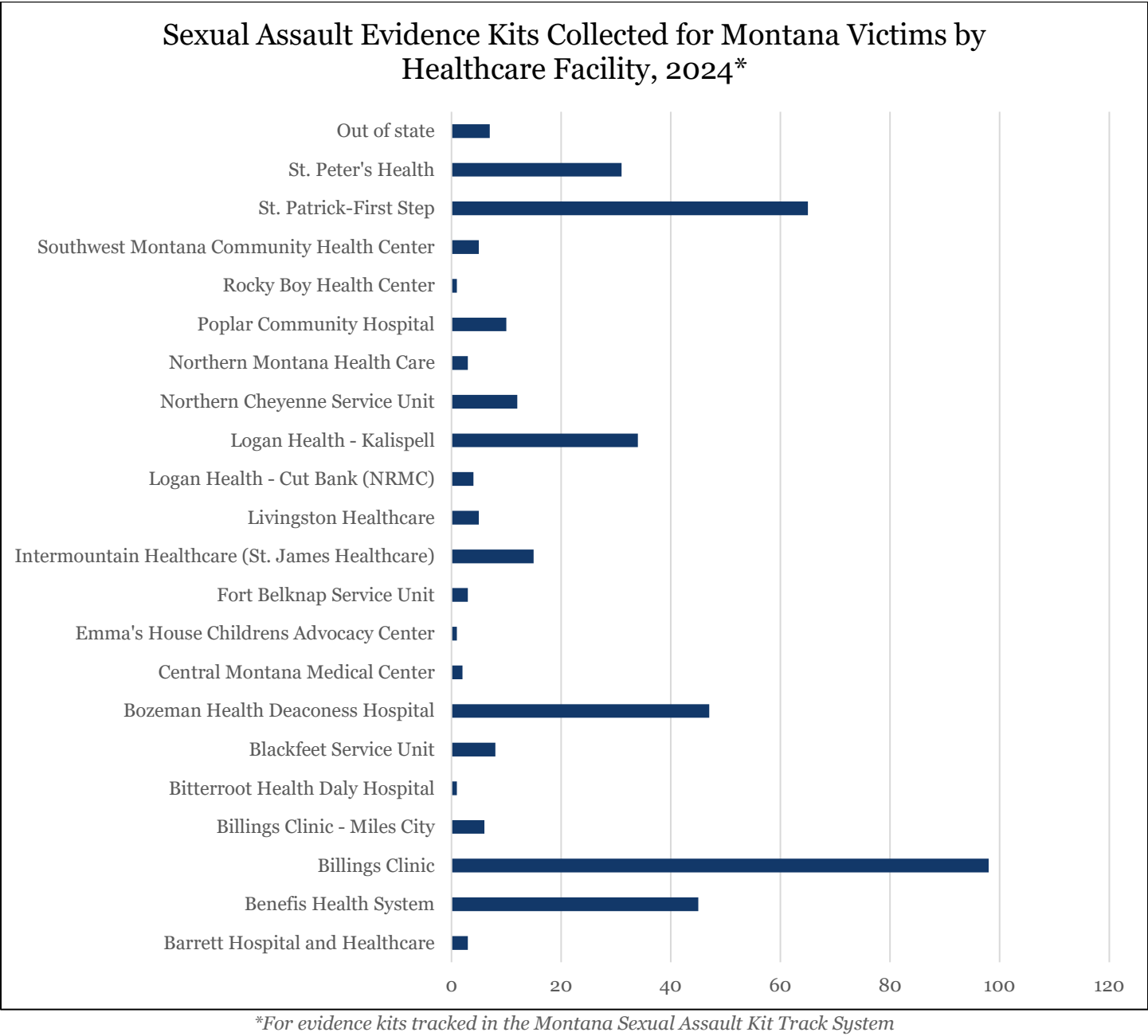
Since SARN’s inception, sexual assault evidence kit collection has significantly increased in Montana. According to Kit Track System data, healthcare facilities collected 14 percent more kits in 2024 over 2023. The number of kits reported to law enforcement at the time of collection also increased 3.4 percent during that same period.

Sexual assault evidence kits collected for victims in Montana*

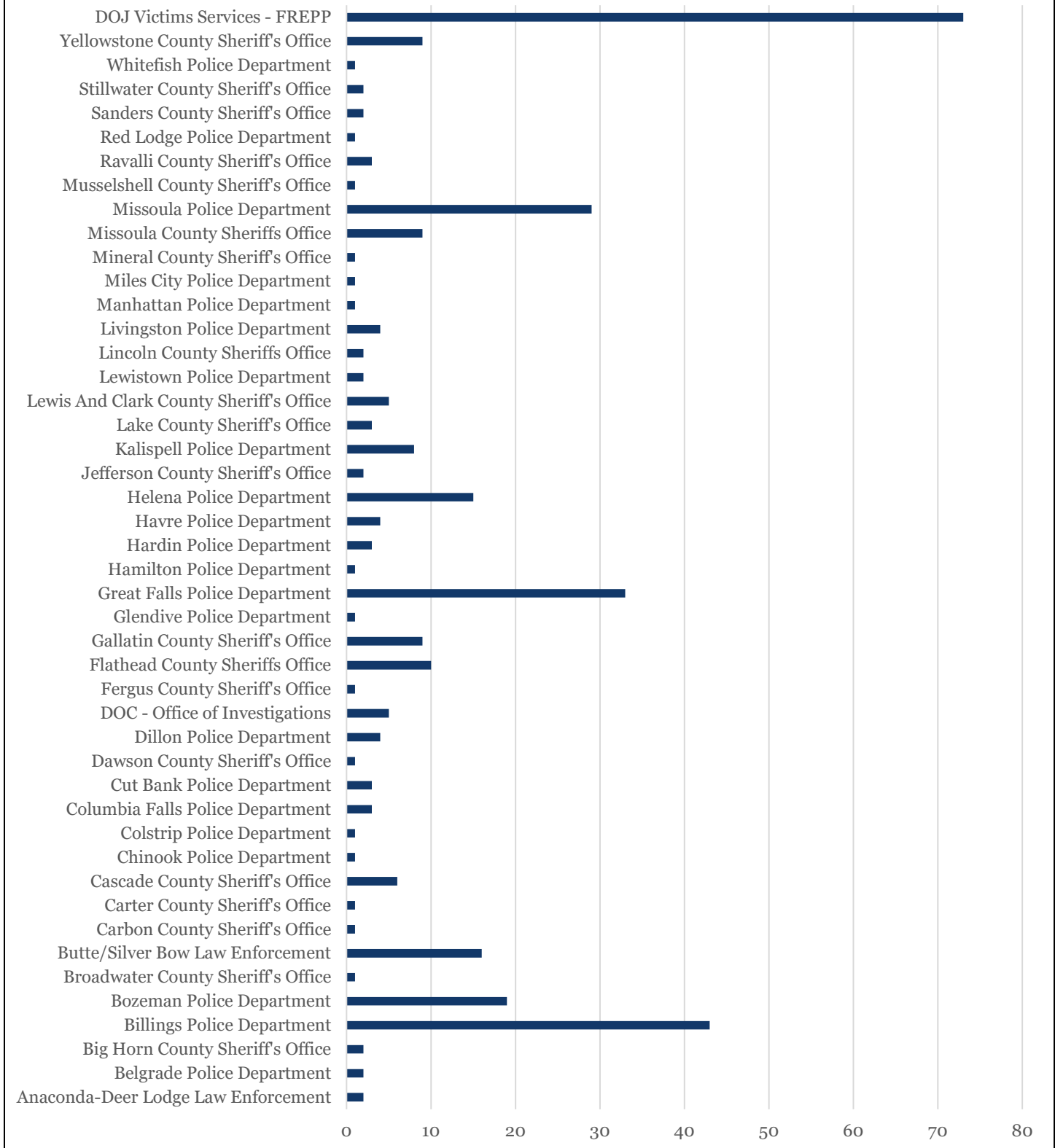


**For evidence kits tracked in the Montana Sexual Assault Kit Track System*

In 2024, kits were collected at 21 healthcare facilities in Montana and transferred to 45 city and county law enforcement agencies.



Sexual Assault Evidence Kits Collected by Primary Jurisdiction or Unreported and Held by FREPP, 2024*



*For evidence kits tracked in the Montana Sexual Assault Kit Track System and transferred to non-tribal, non-federal law enforcement agencies.

As of July 31, 2025, healthcare facilities collected 35% more kits than during the same timeframe in 2024. Examiners collected 57 kits in July 2025, the highest of any month since Kit Track was implemented as shown in the chart below.

	Sexual assault evidence kits collected by month for victims in Montana, as of July 31, 2025*												
	January	February	March	April	May	June	July	August	September	October	November	December	Total/year
2025	38	27	56	27	41	35	57						281
2024	23	21	27	36	31	41	34	33	46	38	31	41	402
2023	30	16	32	29	31	35	39	40	28	31	20	21	352
2022	26	33	37	30	36	34	41	39	21	30	30	25	382
2021	37	30	30	39	38	38	55	33	37	37	35	27	436
2020	39	47	33	37	33	54	46	48	35	35	37	32	476
2019	24	24	19	21	26	27	18	19	32	35	38	41	324
2018	18	19	16	31	34	41	37	28	29	17	21	22	313

**For evidence kits tracked in the Montana Sexual Assault Kit Track System*

Rather than a surge in sexual assaults, SARN attributes the increase in kit collection to multiple factors including increased outreach to victims at local and statewide levels and increased availability of sexual assault forensic exams resulting from revitalized trainings for forensic examiners in Montana. As a result, Montana is likely closing the gap on the number of victims who seek medical care after an assault.

In 2023, 555 individuals reported being raped to law enforcement according to MTIBRS data while only 351 victims had an evidence kit collected according to the Kit Track System. That includes 88 victims who did not initially report their kit to law enforcement and instead had their kit sent to the DOJ Forensic Rape Examination Payment Program to hold.⁶ Sexual assault incidence data for 2025 is expected to be available for comparison in Spring 2026.

Increasing Access to Forensic Care in Montana

Increasing equitable access to quality sexual assault care is a primary goal of HB 79. In Spring 2024, the DOJ used a one-time FY2020 National Sexual Assault Kit Initiative grant award to train 56 sexual assault forensic examiners via a 40-hour synchronous online didactic course and four 2-day in-person clinical skills practicums in Kalispell, Missoula, Helena, and Bozeman. Participants helped launch new sexual assault forensic exam services at Bitterroot Health Daly Hospital in Hamilton, Logan Health-Shelby, and Options Clinic in Helena and strengthened services available at Barrett Hospital in Dillon, Intermountain Health-St. James Healthcare in Butte, Livingston Healthcare, Madison Valley Medical Center in Ennis, and Poplar Community Hospital.

In October 2024, SARN began hosting quarterly training forums with the 2024 class participants to offer routine continuing education and a peer support network for examiners. The group expanded in April 2025 to include any interested examiners from across the state. Thus far, the quarterly gatherings have featured case reviews from Montana examiners and presentations on injury identification and State Crime Lab evidence collection protocols.

MSU SANE Scholars Training Program

This reporting period, SARN collaborated with the Montana State University Mark and Robyn Jones College of Nursing (MRJCON) and other partners to deploy additional sexual assault nurse examiner training using a 3-year \$1.5 million federal Health Resources and Services Administration (HRSA) grant. A particular focus of

⁶ Thus far, 14 of those victims reported their sexual assaults to law enforcement at a later date according to DOJ Forensic Rape Examination Payment Program records.

the MSU SANE Scholars Training Program in 2025 was providing in-person clinical skills practicums in eastern Montana, which was not possible for DOJ in 2024.

The MSU program offers both pediatric and adult/adolescent training tracks. Participants who complete a 40-hour didactic course and an in-person clinical skills practicum are eligible to receive a \$1,000 stipend per training track. Pediatric care is particularly sought; a 2023 survey found only 13 percent of Montana counties had a trained pediatric sexual assault forensic examiner available. (Wangerin)

In the program's first year (ending June 30, 2025), 35 MRJCON participants completed the adult/adolescent training track, attending in-person clinical skills practicums hosted in Miles City (April 14-15), Billings (April 16-17), Missoula⁷ (May 29-30), and Glasgow (June 17-18). Sixteen participants completed the pediatric training track, attending an in-person clinical skills practicum in Billings (May 5).

Billings Clinic and MSU College of Nursing train local nurses on sexual assault examinations



Source: [KTVQ Billings](#), April 2025

To assist with training quality improvement, MSU contracted with the Rural Institute at the University of Montana for a required annual evaluation of activities funded by the grant regarding participant satisfaction, learning, and confidence/commitment to sexual assault nurse examiner practice. The Year 1 Evaluation found the majority of responding trainees (89 percent) strongly agreed the training was easy to follow, relevant and

⁷ This skills lab was originally scheduled to occur at Salish Kootenai College but was moved to Missoula in response to Confederated Salish Kootenai Tribal Council concerns about the measles outbreak.

applicable to their job, and met their needs. Most (88 percent) also felt confident about applying what they learned. All agreed they would likely continue sexual assault nurse examiner training. (Rural Institute, University of Montana, 2025)

One participant of the in-person clinical skills practicums said, “I honestly was so impressed with this training. This really was one of the best learning experiences I have ever had in this profession. I felt like I really grew from this experience. I am so grateful for this opportunity.” (Rural Institute, University of Montana, 2025)

Suggestions for improving the training included training on more specific content related to Montana exam practices and resources. To that end, SARN is collaborating with MSU and trainers from five Montana healthcare facilities to provide a second edition of the Montana-led 40-hour didactic course in September/October 2025, similar to the course held in Spring 2024.

Forensic Rape Examination Payment Program

SARN also significantly supports sexual assault response in Montana by administering the Forensic Rape Examination Payment Program (FREPP). FREPP is statutorily responsible for storing kits collected in cases of sexual assault that are not reported to law enforcement and for reimbursing healthcare facilities for the cost of those exams.

Storing Unreported Kits

In 2005, in response to the federal Violence Against Women Act, the Montana Legislature designated the DOJ as the repository for sexual assault evidence kits collected in cases that are not reported to law enforcement. These are referred to as FREPP kits.

In 2023, the Montana Legislature enacted 46-15-413, MCA, to increase the amount of time the DOJ must store FREPP kits from 1 year to 75 years. This was in response to the increased statute of limitations for the prosecution of sex crimes against children and improvements in DNA analysis. As of July 31, 2025, the DOJ held 384 sexual assault evidence kits, dating back to 2018, for victims who did not report the incident to law enforcement.

On average between 2014 and 2024, nearly 12 percent of the kits sent to the DOJ to hold were ultimately reported by victims to law enforcement.

	Kits received by DOJ	Kits later reported to law enforcement	Percent of kits ultimately reported to law enforcement as of July 31, 2025
2014	37	3	8%
2015	70	9	12.8%
2016	68	3	4.4%
2017	73	5	6.8%
2018	99	11	11%
2019	93	11	11.8%
2020	73	9	12.3%
2021	92	19	20.6%
2022	82	10	12.2%
2023	88	14	16%
2024	83	12	14.4%

Source: Sexual Assault Response Network Program, Montana Department of Justice

In January 2025, the Division of Criminal Investigation (DCI) consolidated the evidence held by FREPP from two locations into one. This eliminated the \$225 monthly rental fee DCI paid at one location. DCI also reengineered the centralized location for maximum storage by repurposing a sliding shelf system from another location.

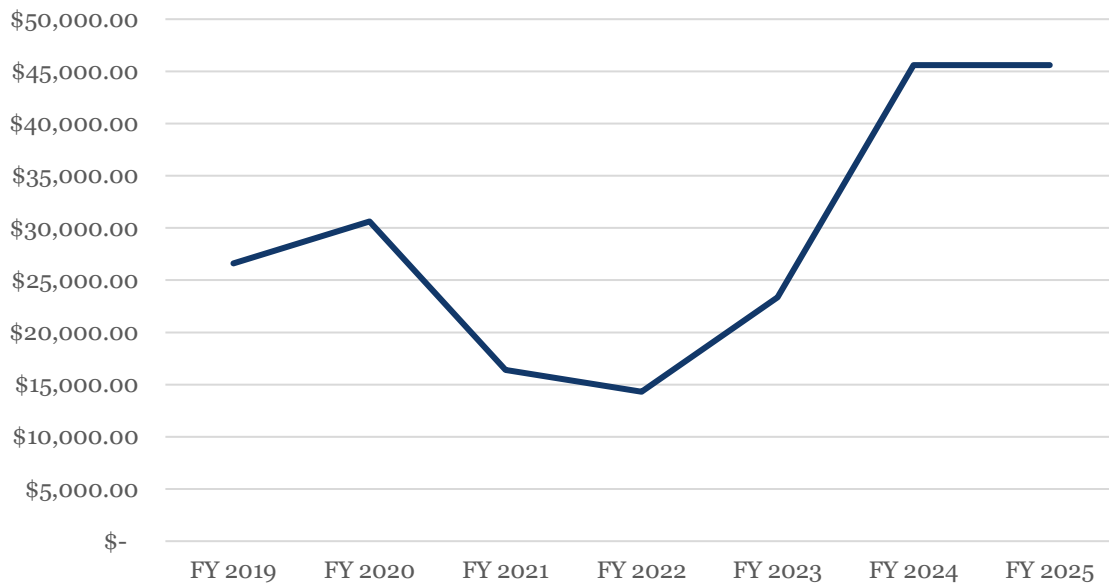
SARN overhauled FREPP policies and procedures in Spring 2025 to reflect current practices and workflow. This includes a new procedure to submit toxicology kits received with FREPP cases after May 9, 2025, to the State Crime Lab for analysis. This change was made due to limited refrigerated storage space at DCI and the easy degradation of unrefrigerated toxicology samples. FREPP will store the completed toxicology reports electronically and transfer them to law enforcement if a victim later reports a sexual assault.

Toxicology kits submitted with FREPP cases prior to May 9, 2025, will be held in refrigerated storage at DCI until a victim reports or the means to test them is secured. The State Crime Lab is currently unable to absorb the testing of the historic toxicology kits of which there are 103.

Payments to healthcare facilities

In accordance with the federal Violence Against Women Act, which prohibits victims from being charged for the cost of a sexual assault forensic exam, and pursuant to 46-15-411, MCA, FREPP reimburses healthcare facilities for the cost of forensic exams during which an evidence kit is collected but not reported to law enforcement, up to \$600 per exam. (Law enforcement pays for exams reported to them.)

FREPP Payments to Healthcare Facilities by Fiscal Year



Source: Sexual Assault Response Network Program, Montana Department of Justice

Since the Montana Legislature enacted FREPP in 2005, the DOJ has used state general funds allocated to the Office of Victim Services Crime Victim Compensation Program to pay for the exams as FREPP does not have a dedicated budget. This comes at the expense of reimbursing crime victims for eligible crime-related expenses.

The maximum amount paid per exam has not changed since the program's inception and the reimbursement rate is far lower than actual costs reported by healthcare facilities to SARN. The 2023 Montana Legislature tasked the SARN Committee with reviewing payment amounts for the program. More information is included in a review of the committee's work later in this report.

Outreach, Training, and Technical Support

The SARN Program is tasked in 44-4-1702, MCA, to provide quality, accessible sexual assault response training and technical assistance for law enforcement, prosecution, victim advocates, and other relevant professionals. To that end, the SARN coordinator shared information about the program, the Montana Kit Track System, and FREPP in a multitude of meetings and conversations with various sexual assault responders between September 1, 2024, and August 30, 2025. This included presentations for:

- the Montana Hospital Association annual conference, Billings, September 2024;
- the Montana Coalition Against Domestic and Sexual Violence, December 2024 and January 2025;
- various healthcare facilities and law enforcement agencies regarding changes to the Montana sexual assault evidence kit contents and documentation, January 2025;
- the Department of Public Health and Human Services Child and Family Services Division Sexual Violence Prevention program and college campus partners, March 2025;
- the Montana National Guard Victim Advocate Summit, April 2025;
- the Southwest Montana Health Center (Butte/Dillon), April 2025;

- various healthcare facilities regarding new FREPP toxicology kit handling procedures, May 2025; and
- Montana Forensic Interview Training attendees, June 2025.

The SARN coordinator also collaborated with the DOJ Prosecution Services Bureau (PSB) to host and present at a Strengthening Sexual Assault Prosecutions training attended by 20 city, county, state, and tribal prosecutors April 23-25, 2025, in Helena. SARN and PSB structured the training around the U.S. Department of Justice 2024 framework for strengthening sexual assault and domestic violence prosecutions. Speakers included the framework's primary author, Fara Gold, attorney advisor for the Office on Violence Against Women with the U.S. Department of Justice, and Kathleen Campbell, Deputy County Attorney and Bureau Chief in the Trial Division with the Maricopa County Attorney's Office in Phoenix.

After the April 2025 prosecutor training, SARN coordinated with PSB and other partners to begin hosting a quarterly prosecutor roundtable where prosecutors can bring case questions for review and feedback by peers. The first was held on August 8, 2025, with 25 prosecutors attending.

Since starting in January 2024, the SARN coordinator has met quarterly with the Sexual Violence Prevention and Victim Services program manager at the Department of Public Health and Human Services for awareness and coordination of public outreach and education efforts. In June 2025, this quarterly meeting was expanded to include sexual assault-related program staff across state agencies including from the Montana Board of Crime Control and the Department of Corrections to enhance collaboration across the spectrum.

The SARN coordinator also routinely communicates with law enforcement agencies across the state in support of their sexual assault investigations and use of the Montana Kit Track System, and ships FREPP kits held by the DOJ to agencies when a victim decides to report.

During the reporting period, the SARN coordinator attended the sexual assault investigation portion of cadet training at the Montana Law Enforcement Academy (MLEA) and assisted with assessing cadet performance during sexual assault training scenarios. The scenarios used forensic actors portraying victims awaiting a sexual assault exam to test the cadets' interview, investigation, personal communication, and rapport building skills.

The investigation course and training scenarios built off the textbook, *Investigating Sexual Assault: A Guide for Law Enforcement Officers*, published by the DOJ in 2020. The SARN coordinator will support a review and revision of the textbook in the coming year.

The SARN Committee

Attorney General Austin Knudsen appointed the following members to the SARN Committee in April 2024.

Terms Expire December 31, 2026

Heather Black Forensic Nurse Consultant Billings Area IHS	Whitney Brothers Forensic Nurse Coordinator St. Peter's Health, Helena	Capt. Anthony Honeycutt Lewistown Police Department
Brett Irigoin Dawson County Attorney Glendive	Jordan Kilby, Esq. Missoula	Emily Mangas Forensic Nursing Program Coordinator, Bozeman Health
Christina Powell CEO Help Center, Inc., Bozeman	Kodi Tall Bull Medical Director All Nations Clinic, Missoula	Bret Taylor Information Security Manager DOJ, Helena
Ben Uhlich Vice President, CNO and COO Intermountain, Peaks Region Miles City		

Terms Expire December 31, 2028

Eldena Bear Don't Walk Conflict Defender Div. Administrator Office of State Public Defender Missoula	Jamie Bray-Tanner Biology Section Supervisor DOJ Forensic Sciences Div. Missoula	Brenda George Executive Director Children's Alliance of Montana Billings
Det. Cara Guderian Great Falls Police Department	Mark Horn Manager Billings Clinic Telehealth Services	Selene Koepke Assistant Attorney General DOJ, Helena
Susan Parker Program/Finance Director Red Bird Woman Center, Fort Peck		

*The SARN Committee's mission is
to develop a multidisciplinary framework and
create guidelines to address sexual assault and
care for all citizens in Montana.*

The SARN Committee adopted the [SARN Committee Handbook](#) at its September 27, 2024, meeting. The committee met virtually six times between September 1, 2024, and August 31, 2025. Meeting materials are posted on the committee's [webpage](#).

In the past year, the committee focused on learning about:

- each member's role in response to sexual assault from victim advocacy to forensic care, law enforcement, prosecution, and criminal defense;
- victims' rights as defined in state law;
- incidence rates and other data related to sexual assault in Montana and other states;
- the components of the Montana sexual assault evidence kit;
- how other states structure sexual assault forensic exam programs;
- how all 50 states pay for sexual assault forensic exams;
- how Montana law enforcement agencies pay for sexual assault forensic exams; and
- the potential to use telehealth to expand availability of forensic care

Other priorities identified by the committee for its first 24 months of work include developing best practice guidelines for sexual assault response in Montana and supporting/increasing efforts to prevent and educate the public about sexual assault. In the past year, individual committee members also lent their expertise to assist the SARN coordinator with reviewing the contents and paperwork included in the sexual assault evidence kit for needed updates, developing training for sexual assault forensic examiners and prosecutors, and developing [webpage content](#) for steps victims can take after sexual assault.

Sexual Assault Forensic Exam Payment Review

The 2023 Montana Legislature tasked the SARN Committee in 44-4-1703, MCA, with reviewing payment amounts and processes for sexual assault forensic exams. The federal Violence Against Women Act (VAWA) prohibits victims from being charged for the cost of an exam. In response, the 2005 Legislature enacted 46-15-411, MCA, requiring law enforcement to pay for forensic exams when a sexual assault is reported to them and FREPP to pay when the assault is not reported.

At its February 2025 meeting, the SARN Committee reviewed Montana's payment structure and a June 2024 U.S. Government Accountability Office (GAO) report on how other states pay for sexual assault forensic exams. The report found 32 states directly pay healthcare facilities for exams and eight more states pay if the victim is uninsured or for expenses not covered by insurance. Counties pay in four states (Kansas, Arizona, Hawaii, and South Dakota). In New Jersey, Nevada, and California, counties or law enforcement pay but are reimbursed from state funds. The report revealed Montana and Colorado are the only states in which law

SARN Committee sexual assault forensic exam payment review highlights:

- In Montana, law enforcement pays for sexual assault forensic exams reported to them; the Forensic Rape Examination Payment Program (FREPP) pays for those not reported to law enforcement.
- FREPP's maximum payment of \$600/exam is among the lowest in the nation and equals less than half the average cap nationwide.
- Montana is one of only two states in which law enforcement pays without the opportunity to be reimbursed by the state.
- The FREPP program hasn't increased its \$600 exam payment cap since the program's inception in 2005.
- Adjusted for inflation, \$600 in 2005 would equal \$988 in 2025.
- The average cost of a sexual assault forensic exam in Montana is \$2,090.

enforcement pays for sexual assault forensic exams without the opportunity for reimbursement from the state. (U.S. Government Accountability Office, 2024)

The report also found that when states pay, 23 use a combination of federal and state funds while two exclusively used federal funds and 18 exclusively use state funds (including Montana). Thirty states cap the amount they pay. Colorado's is the highest at \$5,000 per exam. Nebraska and Iowa have the lowest at \$500 per exam; Montana and Alabama are next lowest at \$600 per exam. The average cap nationwide is \$1,355 and the median is \$1,030.⁸

The report attempted to determine the total costs of and payments for sexual assault forensic exams nationwide but could not due to various data gaps, including:

- when exams are paid by counties and law enforcement, no single entity is tracking the costs (including Montana);
- not all payers collect complete data about how much they pay for exams;
- some recorded payment amounts are comingled with related medical expenses;
- there is no uniform billing code associated with sexual assault forensic exams. Exams can include numerous procedures, each with their own billing code.
- some medical facilities charge exams at reduced rates or write off portions of exam costs as charity care (including in Montana).

The report also found there were promising practices nationwide for ensuring victims receive free exams in accordance with VAWA, including:

- providing state funding and reimbursement to ease budget constraints on local jurisdictions and prevent chilling effects on access to exams;
- using a single payor model to ensure consistent and prompt payment and extra protection for victims' personal information;
- establishing agreements between state and primary insurers that they will not bill victims, and the state will cover costs not paid by insurance;
- itemizing statements for exams/treatments that allow billing staff to identify charges that should not be billed to victims⁹;
- development of statewide standards for counties providing services to victims; and
- strong partnerships and coordination between payers and exam providers.

⁸ Utah and Virginia were excluded from these calculations because their exam payment caps are subdivided.

⁹ In Montana, patients may be billed for the cost of treatment of injuries during the exam.

Neither the FREPP reimbursement rate of \$600 per exam nor the program’s administrative rules have been updated since 2005. Adjusted for inflation, \$600 in 2005 would equal \$988 in 2025. A review of the still current and outdated provisions of the administrative rules is below.

FREPP Administrative Rules, adopted 2005
([23.15.401, Administrative Rules of Montana, et seq.](#))

Still current provisions	Outdated provisions:
<ul style="list-style-type: none"> • FREPP provides medical facilities with kits at no cost • Reimbursement for exams w/ MT kit collected but not reported to LEA • Maximum payment = \$600/exam • Covered exam costs (ARM 23.15.402) • FREPP payment constitutes full payment; medical provider may not bill victim for covered costs that exceed allowable payment • FREPP does not cover costs for treating injuries; those remain victim responsibility • FREPP holds evidence/information confidentially, relays to LEA if a case subsequently reported 	<ul style="list-style-type: none"> • Timeline when kit is collected to be eligible for reimbursement (now allowed past 72 hours) • Address to which collected FREPP kits and invoices are sent and shipping recommendations (tracked shipping method; overnight not required) • Forms that must be submitted (claim form and patient info form combined) • Kit retention timelines (now 75 years) • FREPP not recouping exam costs from LEA if FREPP kit later reported

In January 2025, SARN queried 12 of the highest volume healthcare facilities about how they bill Montana law enforcement agencies for sexual assault forensic examinations. Of the nine that responded, three charge \$600, one charges \$500, and two charge \$300 per exam. Only one facility reported charging more than the maximum FREPP reimbursement rate of \$600.

Two facilities said they do not charge law enforcement. When asked why a facility doesn’t seek payment, one said, “We recognize that some agencies may be less likely to refer [victims] if they are worried about the high cost of evaluations. The way law enforcement in a rural area offers the [exam] may influence whether or not the victim wants [the exam].”

One sexual assault forensic program leader advocated that DOJ cover the cost of all exams, not just those sent to FREPP, as “it is difficult for [law enforcement] to pay for these exams. The \$500 we charge. . . does not come close to covering the cost for my program.”

Another said, “in an ideal world, I wish Montana (through DOJ or FREPP) would provide reimbursement for all exams. . . I wish we weren’t invoicing individual law enforcement agencies (with the concern we might not be getting all the referrals).” A third said, “Having one source of payment would simplify the process for trying to bill for these exams and would help ensure that billing occurs appropriately and timely.”

Legislative considerations

During the 2025 Legislature, Senate Bill No. 491 (SB 491), introduced by Senator Bob Phalen at the request of a sexual assault forensic examiner in his district, sought to create a single payor system for sexual assault forensic exams. As amended by the House Judiciary Committee, the bill would have transferred \$800,000 in marijuana tax revenues to DOJ each year to pay for all exams; law enforcement would no longer be billed. The

bill passed the Senate unanimously on 3rd reading; it also passed the House unanimously on 2nd reading but was tabled by House Appropriations on a 12-11 vote after extensive debate. Some Appropriations Committee members expressed reservations because the proposal was not included in the DOJ budget review process and because lawmakers had not heard from law enforcement agencies that exam payments were a concern.

Another bill, Senate Bill No. 537 (SB 537), also proposed changing the way sexual assault forensic exams are paid for by dedicating 1.5% of all marijuana tax revenues (an estimated \$832,000 in FY 2026) to DOJ for the payment of exams. As written, SB 537 did not repeal law enforcement's requirement to pay for exams reported to them (46-15-411(1), MCA). The House Taxation Committee amended the bill to coordinate it with HB 491 so that the single payor system would be adopted if both bills were passed and approved. The governor ultimately vetoed SB 537.

In response to the questions raised by the House Appropriations Committee, SARN formally surveyed 105 non-tribal, non-federal law enforcement agencies across the state in May 2025, asking how they currently pay for sexual assault forensic exams. Of the 38 that responded, 42 percent had not paid for an exam in the preceding year. Seventy-one percent said they use general agency/organization budget funds to pay for exams. Eight have dedicated line items.

When asked what happens if exam invoices exceed the budget or available funding, most agencies reported taking the money from another area of the budget or asking municipal or county leaders for increased funding. One entity reported that as a small agency, "payment for these exams can be more than we can afford. They end up taking money from our training budget to cover these costs."

While most of the agencies reported being charged \$900 or less per exam, two said they have paid \$1,500 or more for an exam. Thirteen agencies said they pay the full cost of the exam, no matter the cost. One respondent said, "We were charged several thousand for a juvenile sex case. It was \$3,000 for a regular sexual assault kit. We simply cannot afford these charges. I do not want crucial investigative steps to be missed due to budget. . . These used to be for free, but we are now being charged for them."

Another respondent said, "I think its [*sic*] ridiculous that we have to pay for them. This is needed to collect evidence and to help the victim. If there is a small agency that doesn't have the money for one, they may not do an exam because of the money. That is not fair or right for the victim. [Our hospital] usually doesn't have a SANE nurse on so they have to call them out, that isn't an agencies [*sic*] problem."

Another agency reported the unfunded mandate hurts small police departments, prohibiting them from using the funds for additional patrols, saying "we never know how many sexual assaults may be reported and this is difficult to budget for."

Two other agencies advocated for state funding specifically and a third said they are looking for other ways to cover the cost of exams as "our budget is tight as it is."

After reviewing the agencies' responses at its June 2025 meeting, the SARN Committee again expressed support for moving toward a single payor system in which the state would be solely responsible for the cost of

sexual assault forensic exams. Committee members said a single payor system would both alleviate financial pains for law enforcement and significantly simplify billing for healthcare facilities.

The committee plans to continue discussing how Montana’s payment system might be restructured at its October 2025 meeting with an eye toward bringing potential recommendations to the 2027 Legislature.

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