



Whitefish Police Department

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Chief Bridger Kelch

HOW DO I GET A WHITEFISH POLICE DEPARTMENT REPORT?

Reports compiled by the Whitefish Police Department or other law enforcement agencies are “confidential criminal justice information” under Montana law. See Montana Code Annotated 44-5-103(3) and 103(6).

Confidential criminal justice information may be released in three ways.

If you are a defendant in the case:

The Whitefish City Attorney’s Office will provide the report to your attorney in a process called “discovery.” If you are representing yourself, the Whitefish City Attorney’s Office will provide the report after making the initial appearance and entering a plea.

If you are a victim in the case:

You must request that the Whitefish City Attorney’s Office provide you with a copy of the report. See Montana Code Annotated 44-5-303(2). A report with redactions of PPI will be provided if the City Attorney determines it will not jeopardize the active prosecution.

If you are not a defendant or a victim in the case:

You must file a Petition for Release of the desired information in the Flathead County District Court. See Montana Code Annotated 44-5-303(1). The Whitefish City Attorney’s Office cannot represent you/assist in this process. The information can be released upon written order of a District Court Judge.

Public criminal justice information includes an Initial Offense Report. See Montana Code Annotated 44-5-103(13)(e)(i). The information provided in an Initial Offense Report has been defined by the Administrative Rules of Montana 23.12.203.

The Initial may only contain: The general nature of the offense, the location and in some cases information about the accused, the victim and the witnesses. An Initial Offense Report can be requested in writing and submitted to the Whitefish Police Department’s Administrative Office. The request will be reviewed by an Administrator and produced as time permits. Production of Initial Offense Reports can take a week or more. A fee may be charged for the production of numerous records.

Motor vehicle crash reports, narratives and photos may be obtained from the investigating agency upon request.