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MONTANA SIXTH JUDICIAL DISTRICT COURT, PARK COUNTY

PARK COUNTY CLERK
SIXTH JUDICIAL DISTRICT COURT
JUNE LITTLE

2015 OCT 27 PM 12 01

THE STATE OF MONTANA,)
)
 Plaintiff,)
)
 v.)
)
 JOVANNE LEE ASHLEY,)
 Defendant.)

BY *Jane Little*
Cause No. DC 2015-49 FILED DEPUTY

ORDER RELEASING BOOKING PHOTO

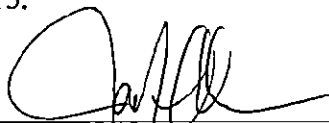
A hearing was held before the Court on October 26, 2015, on the State's motion to release the booking video for the above-named defendant. The State was represented by Bruce E. Becker, Park County Attorney. The defendant personally appeared and was represented by J. Thomas Bartleson.

On July 17, 2015, the State moved the Court for an order allowing the release of the defendant's booking photograph to the Media. As of this date, no response brief has been filed by the Defendant. The State moved the Court to deem its motion well taken. The defendant left the matter to the Court's discretion.

44-5-103(13)(e)(iv) MCA provides that the daily jail occupancy roster is public criminal justice information. 44-5-301(1) MCA provides that all public criminal justice information can be disseminated without restrictions. The booking photo has no evidentiary value. In addition, the defendant is a registered violent offender. In balancing the public's constitutional right to know with the defendant's right of privacy, the Court finds that the defendant's expectation of privacy is greatly diminished as his name appears on the daily jail occupancy roster and the violent offender registry.

IT IS HEREBY ORDERED by the Court that the booking photograph of the defendant may be released as public justice information.

DATED this 27 day of October, 2015.



HON. JON OLDENBURG
District Judge

c: Bruce E. Becker, Park County Attorney
Mary Kramer, Office of Public Defender
J. Thomas Bartleson, Office of Public Defender

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/ 10-27-15
/ JL