

## STEP THREE: ASSESS EFFECTS

### D: If Human Remains Are Discovered

Montana has a state Human Skeletal Remains and Burial Site Protection Act (22-3-801 through 22-3-811, MCA). The law applies to all private and state lands.

If human remains or a burial is suspected cease all activity at the location and immediately call the County Coroner. You should also call the State Archaeologist 406 444-7719 who usually coordinates among the tribes, coroner, land owner and other vested parties.

The coroner may remove the remains to determine if a criminal inquiry or inquest is warranted. Within 24 hours the State Archaeologist and the nearest Burial Board member will be notified by the Coroner. Montana Code Annotated Title 46 Chapter 4 (authority of coroners) does not authorized removal of human remains solely for documentation of ethnicity, age or other study (other than the question of a possible crime).



**Unless there is suspicion of a crime scene or the Burial Board has made another finding burial sites and human remains must be protected and preserved in place regardless of ethnic origin, burial context or age of the burial site.**

Removal or disturbance of human remains other than in a coroner's investigation or inquest should occur only after alternatives (primarily preservation on place) have been considered by the Burial Preservation Board.

Site location information is protected under the same law. All burial information is confidential until the Board determines otherwise. This includes previously recorded sites which may show up in your file search without any information. In that case contact the State Archaeologist who can determine what information can be shared.