



Law and Justice Interim Committee

57th Montana Legislature

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SENATE MEMBERS

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HOUSE MEMBERS

TIM CALLAHAN
GILDA CLANCY
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COMMITTEE STAFF

DAVE BOHYER, RESEARCH DIRECTOR
VALENCIA LANE, STAFF ATTORNEY
MIKO OWA, SECRETARY

AGENDA

THURSDAY, DECEMBER 6, 2001
ROOM 137, STATE CAPITOL

- 9:00 I. Call meeting to order; roll call: Rep. Gail Gutsche, Chair
- 9:05 II. Review and approve minutes of the October 12, 2001 meeting
- 9:10 III. Briefings on Mental Health and Criminal Sentencing: This item is intended to be an educational exercise for the LJIC members and the panel. As such, there will be brief, formal presentations by the panelists and both formal and informal questions and dialog among the Committee members and panelists.
- ? Ms. Bonnie Adee, State Mental Health Ombudsman: Introduce and frame principal issues and questions.
 - ? Ms. Leslie Garvin, Mental Disabilities Board of Visitors (BOV) Attorney: Legal overview and the day-to-day reality of mental health and criminal sentences
 - ? Mr. Ed Amberg, Montana State Hospital (MSH): Overview of how MSH deals with mental health and criminal sentencing issues.
 - ? Mr. Dan Anderson, Administrator, Addictive and Mental Disorders Division, Department of Public Health and Human Services (DPHHS): Expand overview to include DPHHS perspective on and involvement in mental health and criminal sentencing issues.
 - ? Ms. Sally Johnson, Administrator, Health and Treatment Division, Department of Corrections: Expand overview to include DOC perspective on and involvement in mental health and criminal sentencing issues.
 - ? Mr. Mark Murphy, Asst. Attorney General: Expand overview to include Department of Justice (DOJ) and county attorney/district court perspective on and involvement in mental health and criminal sentencing issues.
 - ? Ms. Lois Steinbeck, Senior Fiscal Analyst, LFD, and Ms. Susan B. Fox, Research Analyst, LSD: Update on related activities of the HJR 1 Subcommittee on Mental Health Managed Care.

BREAK FOR LUNCH

AGENDA (CONTINUED)

THURSDAY, DECEMBER 6, 2001

ROOM 137, STATE CAPITOL

- 1:30 IV. Update on Issues and Activities at the Montana Women's Prison (MWP): Ms. Jo Acton, Warden
- 2:30 V. Statutory requirements for expedited or time-specific proceedings: Ms. Valencia Lane, Staff Attorney, LSD. Ms. Lane will frame the issues and brief the Committee on staff findings.
- 2:45 VI. Update of the *Felony Sentencing Statutes, Analysis Tool and Reference Guide, 2001*: John MacMaster, Staff Attorney, LSD. Mr. MacMaster will present an updated *Guide* that will include all Title 45, MCA, felonies, and all felonies codified outside of Title 45. (This item relates to subsections (1) through (4) of HJR 39.)

BREAK

- 3:15 V. Committee Work Session: Review, revise, and approve of changes to the *Felony Sentencing Statutes, Analysis Tool and Reference Guide, 2001*.
- 5:00 VI. Recess until 8:30 a.m., Friday, December 7, 2001.



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AGENDA

FRIDAY, DECEMBER 7, 2001
ROOM 137, STATE CAPITOL

- 8:30 I. Call meeting to order; roll call: Rep. Gail Gutsche, Chair
- 8:35 II. Bench Remarks: The Honorable Karla M. Gray, Chief Justice
Update on pertinent matters, including activities of the District Court Council.
- 8:50 III. Matters of Justice: The Honorable Mike McGrath, Attorney General
Update on pertinent matters
- 9:15 IV. Corrections' Concerns: Mr. Bill Slaughter, Director, Department of Corrections
Update on pertinent matters
- 9:30 V. Review of HJR 39 Study Outline: Dave Bohyer, LSD
A. Rep. Jim Shockley: Priorities within HJR 39, subsection (5)
B. Committee discussion

BREAK

- 10:30 VI. Court imposed penalty for frivolous lawsuits: Sen. Jon Tester
- 11:00 VII. Public comment
- 11:30 VIII. Member issues
Senator Grimes -- Subcommittee on Intermediate Court of Appeal
- Noon IX. Adjourn or, if appropriate, recess for lunch to reconvene at the call of the chair

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