



EXHIBIT 4
DATE 3.15.05
SB 472

Gallatin County Legislative Liaison

Date: March 15, 2005

To: Chairman Noennig

From: Michael Harris, Liaison

Re: SB 472

Chairman Noennig and distinguished Representatives,

On behalf of the Gallatin County Commission I want to thank you for your consideration of this important piece of legislation. Senate Bill 472, introduced by Senator Perry, is a bill intended to add flexibility to an already effective option for Montana counties faced with dealing with local corrections issues.

This bill was brought at the request of Gallatin County in hopes that we can expand a program that has shown tremendous results. Gallatin County has been dealing with severe overcrowding in the county jail for years. We have paid thousands of dollars in fees to consultants to help us deal with the problem. This bill is a direct result of the recommendations of David Bennett, a leading jail consultant we have used through our planning process.

When the original bill was passed allowing county work programs, Gallatin County was the first County to implement the program. All other programs in Montana are modeled after our program. The reason we are asking to expand the scope of the original county work programs is to increase the available projects which can be used for community corrections. By passing this important bill we will be able to benefit a larger constituency in local communities while at the same time dealing with corrections issues.

Under the current law, individuals can only work on "County" projects. This severely limits our ability to allow people to participate. Adding the ability to assign workers to cities, counties, the state and non-profits increases dramatically the number of people that can participate in the program.

It is important to recognize that jail beds are the most expensive part of the criminal justice system. Having this type of sanction available for those inmates who are convicted and serving time in the county jail for crimes that do not warrant prison time, frees up those expensive jail beds for inmates that need to be confined. Participation in this

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program is entirely voluntary on the part of county government. If a county chooses to have a work release program this bill will allow the counties increased alternatives to manage their jail populations.

Participation in the program by the inmates is also voluntary. The incentive of receiving 2 days of credit for 1 day of work is incentive to not only participate but to participate actively and to be rewarded for that participation. In Gallatin County we have not only seen increasing voluntary participation but have also observed participants who take an interest in the projects they are working on and want to participate after they have served their time. This shows that the community work programs are not only allowing the criminals to repay their community it shows that we are instilling a sense of pride and ownership in what happens in their community.

The following comments are from David Bennett our Jail Planning Consultant.

The expansion to include agencies other than just the county is only logical. The safeguards are built into the bill to make sure that no one benefits from the work and that it doesn't supplant other employees.

The overall emphasis should be on a paradigm shift. The question is, do we punish minor offenders by locking them up in the county jail where we provide them 3 meals a day, a roof over their heads, and an opportunity to watch television and hang out at taxpayers expense (building and operating the jail) or do we put them to work, allowing them to pay back their debt to the community by performing needed public works projects in the community. Many offenders learn either specific job skills and/or the discipline to work. Overall, a more effective means of punishment.

It is also important to note that the expansion of this project to other governmental or nonprofit entities is only at the request and approval of outside entities and upon approval by the county commission. Additionally, it is important to note that the county work program can not contract their services out for hire or for any financial gain.

Again, thank you for your assistance in this important matter.