

SENATE JUDICIARY  
EXHIBIT NO. 9  
DATE 1/21/11  
BILL NO. SB114



## YELLOWSTONE COUNTY ATTORNEY

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January 20, 2011

Dear Members of the Senate Judiciary Committee:

As the lead law enforcement officers in Montana's largest county, we both strongly oppose Senate Bill 114. The claimed purpose of the bill is to encourage cooperation between local and federal law enforcement officers. Such cooperation is already occurring at a high level. Within Yellowstone County, we have several joint task forces that include federal and local law enforcement. As one example, the United States Marshals Montana Violent Offender Task Force contains members of the Sheriff's Office and Billings Police Department. Last year alone, this Task Force made 876 arrests in Yellowstone County. Of significance, 85 percent of these arrests were on local warrants, not federal warrants.

In addition, federal law enforcement working outside of joint task forces have been instrumental in arresting and taking off our streets armed drug traffickers and child sexual predators. These federal law enforcement officers are valuable members of our community who diligently serve the interests of public safety.

From a practical standpoint, the Sheriff does not have the time or resources to grant permission for the multitude of arrest and search warrants that are granted every year in this County. The bill also completely undermines the County Attorneys' and Attorney General's prosecutorial discretion fundamental to our system of justice.

Federal law enforcement performs a lot of great work in Yellowstone County. Together, we strive to achieve a common goal – protection of the public. Please kill this legislation that only serves to undermine the cooperation between federal and local authorities.

Sincerely,

Scott Twito, Yellowstone County Attorney

Mike Linder, Yellowstone County Sheriff

cc: Attorney General Steve Bullock  
U.S. Marshal, Darrell Bell  
Governor Brian D. Schweitzer