



# Law and Justice Interim Committee

## 61st Montana Legislature

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### COMMITTEE STAFF

SHERI HEFFELFINGER, Research Analyst  
VALENCIA LANE, Staff Attorney  
DAWN FIELD, Secretary

## REVISED DRAFT AGENDA

(as of 3/29/10)

Mon. & Tues, April 5-6, 2010

**Law and Justice Interim Committee: Meeting #5**

Room 137, Capitol, Helena

*Please note: all times are approximate*

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## MONDAY, APRIL 5, 2010

- 8:00 a.m. Roll Call  
Welcome  
Approve minutes from February 8-9, 2010
- 8:05 a.m. **Responses to committee information requests** - Sheri Heffelfinger and Pat Gervais
- ▶ DUI Task Forces funding and disposition of drivers' license reinstatement fee
  - ▶ DUI court funding and New Mexico "DUI Court On A Dime" program
  - ▶ Disposition of court fines and fees - DUI-related offenses
  - ▶ Assessment, course, and treatment costs and funding - Prime for Life
  - ▶ Disposition of alcohol taxes
  - ▶ Overview and history of previous legislation related to enacting a 24/7sobriety program in Montana
- 8:30 a.m. **Electronic monitoring of DUI offenders**
- ▶ Deanne Brown, Aquila Vision, electronic monitoring alternatives
- 9:00 a.m. **Blood alcohol tests**
- ▶ Questionable results, defense arguments - Mike Sherwood, criminal defense attorney, Missoula
- 9:15 a.m. **Panel - 24/7 sobriety programs to combat DUIs**
- ▶ Steve Bullock, Montana Attorney General
  - ▶ Bill Mickelson, South Dakota's program
  - ▶ Ryan Rusche, Roosevelt County Attorney (invited, not confirmed)
  - ▶ Freedom Crawford, Roosevelt County Sheriff
  - ▶ The Honorable Traci Harada, Municipal/JP Court Judge, Wolf Point (invited, not confirmed)
  - ▶ Jon Moog, Office of State Public Defender
  - ▶ Rep. Janna Taylor, HD 11, Dayton, sponsor, HB 376, 2009
- 12:00 a.m. LUNCH BREAK

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**MONDAY, APRIL 5, 2010**  
**(continued)**

- 1:00 p.m.     **Public comment** - SJR 39 DUI study
- 1:30 p.m.     **Panel - Guardian ad litem (GAL) qualifications, training, grievances**
- ▶       Rep. Betsy Hands, issue overview and introductions
  - ▶       Katie Baumler, graduate student, School of Social Work, UM
  - ▶       LaNette Diaz, Executive Director, CASA of Missoula
  - ▶       Steve Knight, L.C.S.W., psychotherapist in private practice
  - ▶       Emily Delight, parent
  - ▶       TBD
- 3:00 p.m.     BREAK
- 3:15 p.m.     **Public comment** - GAL matters and any other topic under the committee's jurisdiction
- 3:45 p.m.     **Vehicle title, registration, and dealership licensing related to MERLIN backlog**
- ▶       Mr. Tim Burton, Chief of Staff, Department of Justice
- 4:00 p.m.     **Vehicle ignition interlock devises**
- ▶       Stan Morris, President, DMB Interlock, Billings
  - ▶       Darrin Traver, Warrior Auto Works, Missoula
- 4:30 p.m.     **SJR 29 - DNA study**
- ▶       Sheri Heffelfinger - progress report on bill draft working group
- 4:45 p.m.     Recess until 8:00 a.m., Tuesday, April 6.

**REVISED DRAFT AGENDA**  
*Law and Justice Interim Committee: Meeting #5*  
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**TUESDAY, APRIL 6, 2010**

- 8:00 a.m. Roll call
- 8:05 p.m. **Rule review activities** - Valencia Lane, staff attorney
- 8:10 p.m. **Juvenile justice** - Parenting with Love and Limits model for working with justice-involved youth and their families
  - ▶ Jani McCall, Yellowstone Boys and Girls Ranch
  - ▶ Dr. Scott Sales, Ph.D.

**SJR 39 - Study of DUI laws**

- 8:45 a.m. **Shuttle service for bar patrons** - Tobias Bonfiglio, Captain Trips, LLC, Missoula
- 9:00 a.m. **Public comment** - preliminary bill draft ideas for SJR 39 DUI laws: LCJ01 through LCJ05
- 9:30 a.m. **Preliminary bill draft recommendations (DUI study)** - committee review, discussion, and actions:

Underage drinking

LCJ01 - Driver's license sanctions for youthful drug or alcohol offenders  
(Sen. Hinkle)

LCJ02 - Allow game wardens to issue drug or alcohol citations to youth  
(Sen. Shockley)

Sales and service

LCJ03 - Mandatory alcohol server and sales training  
(Sen. Juneau)

Evidence and determination of impairment

LCJ04 - On-call judge for blood alcohol test search warrant  
(Sen. Shockley)

LCJ05 - Any amount of dangerous drug is impaired driving per se  
(Rep. Peterson)

- 10:15 a.m. BREAK
- 10:30 a.m. **Public comment** - preliminary bill draft ideas SJR 39 DUI laws: LCJ06 through LCJ11
- 11:00 a.m. **Continue preliminary bill draft recommendations (DUI study)** - committee review, discussion, and actions:

Courts and sentencing alternatives

LCJ06 - Support and funding for DUI courts  
(Rep. Menahan)

LCJ07 - Provide that cities may establish courts of record  
(Sen. Shockley)

LCJ08 - Strengthen substance abuse assessment, course, and treatment  
(Sen. Laslovich)

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**TUESDAY, APRIL 6, 2010**  
**(continued)**

Courts and sentencing alternatives - continuation of committee review, discussion, and instructions to staff on preliminary bill draft recommendations, SJR 39 - DUI laws

LCIj09 - Allow more judicial discretion to mandate residential treatment  
(Rep. Peterson)

LCIj10 - Extend court jurisdiction for misdemeanor drunk driving offenses to one year  
(Sen. Laslovich)

LCIj11 - Eliminate the 5-year "look-back" for prior misdemeanor drunk driving convictions  
(Sen. Laslovich)

12:00 noon LUNCH BREAK

1:00 p.m. **Panel - sexual offenders - pre-release, community placement, and treatment**

- ▶ Pam Bunke, Community Corrections Division Administration
- ▶ Dave Armstrong, Billings Pre-release Center, Executive Director
- ▶ Sue Wilkins, Missoula Pre-release Center, Executive Director
- ▶ Mike Sullivan, Treatment provider
- ▶ Dawn Handa, Great Falls Probation/Parole Officer, sexual offender specialist
- ▶ Dawn Spencer, Dept. of Justice, sexual and violent offender registry analyst

3:00 p.m. BREAK

3:15 p.m. **Public comment** - community placements for sexual offenders and other topics under committee jurisdiction

3:45 p.m. Wrap up  
Next meeting, May 17-18  
Instructions to staff

4:00 p.m. Adjournment

*The Montana Legislative Services Division will make reasonable accommodations for people with special needs. If you plan to attend the meeting and will need special services or accommodations, please contact Sheri Heffelfinger at least 5 working days before the meeting at 406-444-3596 or by email at sheffelfinger@mt.gov.*