

Unofficial Draft Copy

As of: April 16, 2012 (3:33pm)

LC1j5C

**** Bill No. ****

Introduced By *****

By Request of the Law and Justice Interim Committee

A Bill for an Act entitled: "An Act requiring the department of corrections to make a victim impact panel a required component of cognitive-behavioral programming for inmates of specified facilities; providing an appropriation; amending section 53-30-101, MCA; and providing an effective date."

WHEREAS, the Law and Justice Interim Committee examined the efficacy of restorative justice principles and practices within the criminal justice system as requested by SJR 29; and

WHEREAS, the committee found that victim impact panels incorporated into the cognitive-behavioral treatment program for trainees in the boot camp incarceration program was considered the most powerful component of the treatment program and the most effective tool for reducing the number of offenders who re-offend; and

WHEREAS, according to the testimony of the boot camp superintendent, since the boot camp began using victim impact panels it has seen a 50% reduction in the number of boot camp graduates who have re-offended.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 53-30-101, MCA, is amended to read:

"53-30-101. Location and function of prisons --

definitions. (1) The correctional facility at Deer Lodge is the Montana state prison, and its primary function is to provide for the custody, treatment, training, and rehabilitation of adult male criminal offenders.

(2) The correctional facility located in Billings is the Montana women's prison, and its primary function is to provide for the custody, treatment, training, and rehabilitation of adult female criminal offenders.

(3) As used in this title, unless the context indicates otherwise, the following definitions apply:

(a) "Montana state prison" means the correctional facility located at Deer Lodge.

(b) "Montana women's prison" or "women's prison" means the correctional facility located at Billings.

(c) "State prison" means:

(i) the Montana state prison;

(ii) the Montana women's prison;

(iii) a state correctional facility portion of a Montana regional correctional facility;

(iv) a detention center in another jurisdiction detaining inmates from Montana pursuant to 53-30-106;

(v) a private correctional facility licensed by the department of corrections or a private correctional facility portion of a Montana regional correctional facility licensed by the department of corrections; or

(vi) a combination of the facilities listed in this

subsection (3) (c).

(4) As used in this part, unless the context indicates otherwise, the following definitions apply:

(a) "department" means the department of corrections established in 2-15-2301; and

(b) "restorative justice" has the meaning provided in 2-15-2013."

{Internal References to 53-30-101:
45-7-307 53-1-107 53-1-107 53-1-109
53-1-202 }

NEW SECTION. **Section 2. Correctional victim impact panels.**

(1) The department shall coordinate with victim services program, faith-based programs, church volunteers, and other victim advocates to make use of victim impact panels as a required component of the basic cognitive-behavioral treatment program for inmates at the Montana state prison, the Montana women's prison, the boot camp incarceration program under part 4, a regional correctional facility under part 5, and a private correctional facility under part 6.

(2) The department shall negotiate contract amendments if required.

NEW SECTION. **Section 3. Appropriation.** There is appropriated from the general fund to the department of corrections \$100,000 in each year of the 2015 biennium for the purposes of [section 2].

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NEW SECTION. **Section 4. {standard} Codification**

instruction. [Section 2] is intended to be codified as an integral part of Title 53, chapter 30, part 1, and the provisions of Title 53, chapter 30, part 1, apply to [section 2].

NEW SECTION. **Section 5. {standard} Effective date.** [This act] is effective July 1, 2013.

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