



Law and Justice Interim Committee
61st Montana Legislature

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

REVISED AGENDA

Mon. & Tues, September 28-29, 2009
Law and Justice Interim Committee: Meeting #2
Room 137, Capitol, Helena
Please note: all times are approximate

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MONDAY, SEPTEMBER 28, 2009

8:00 a.m. Roll Call
Welcome
Adopt minutes from Aug. 3, 2009

8:05 a.m. Review of agenda and meeting goals in context with the study plan, **Sheri Heffelfinger**,
Legislative Research Analyst

SJR 39 - Study of DUI Laws

8:10 a.m. Overview and inventory of existing DUI-related programs and partnerships, **Director Jim Lynch**,
Montana Department of Transportation

8:30 a.m. Panel #1: Prevention and education

*What are we doing to prevent, educate, and change the culture?
Is it working? What more can we do?*

- ▶ **Director Jim Lynch**, Department of Transportation
- ▶ **Vicki Turner**, Prevention Resource Center, Dept. of Public Health and Human Services
- ▶ **Cathy Kendall**, Safe and Drug Free Schools, Office of Public Instruction
- ▶ **Sauna Helfert**, Liquor Control Division Administrator, Dept. of Revenue - overview of liquor control activities
- ▶ **Ron Ladue** - Project Officer, Pikani Action Team, Browning - prevention and education in Indian Country
- ▶ **Trooper John Spencer**, Montana Highway Patrol - Alive at 25
- ▶ **Brenda Simmons**, Project Director, Community Change Project, Institute for Public Strategies

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- 10:45 a.m. BREAK
- 11:00 a.m. Public Comment
- 11:30 a.m. Committee work session
- ▶ *What are the legislative issues related to prevention and education that the committee wishes to further examine?*
- 12:00 p.m. LUNCH
- 1:00 p.m. DUI laws and enforcement, **Attorney General Steve Bullock**, Department of Justice
- 1:15 p.m. Panel #2 - DUI laws and enforcement
- Should DUI-related offenses be revised in statute? If so, how?*
Should enforcement be improved? If so, how?
- ▶ **Police Chief Scott Newell**, Ennis - overview of current law
 - ▶ **Col. Mike Tooley**, Montana Highway Patrol - enforcement
 - ▶ **Travis Bruyer**, Director, Alcohol Enforcement Training, American Athletic Institute and Deputy Sheriff, Flathead County
- compliance checks
 - ▶ **David Carter**, Yellowstone County, Deputy County Attorney
 - ▶ **Chris Petaja**, Public Defender, Bozeman
- 3:15 p.m. BREAK
- 3:30 p.m. Public Comment
- 4:00 p.m. Committee work session
- ▶ *What are the legislative issues related to enforcement that the committee wishes to further examine?*

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Agency Oversight

- 4:30 p.m. Update on MERLIN transition and backlog in vehicle title processing,
Brenda Nordlund, Motor Vehicle Division, Dept. of Justice
- 4:45 p.m. Public comment and committee discussion on MERLIN
- 5:15 p.m. Implementation update on mental health diversion bills, HB 130, HB 131, HB 132,
Deb Matteucci, Behavioral Health Program Facilitator, DPHHS/DOC
- 5:30 p.m. Recess

TUESDAY, SEPTEMBER 29, 2009

- 8:00 a.m. Reconvene
Roll Call

SJR 29 - Preservation and Storage of Biological Evidence

- 8:05 a.m. Review of draft survey questions about preservation and storage of biological evidence,
Sheri Heffelfinger, Legislative Research Analyst
- 8:15 a.m. Panel Presentations and Discussion
(1) *What is the current law on preservation and storage?*
(2) *What are the key challenges?*
(3) *What changes to current law should the committee further examine?*
(4) *Are the proposed survey questions on target?*
- ▶ **Sheriff Dave Castle**, Cascade County
 - ▶ **Tom Weightman**, Evidence Technician, Bozeman and Gallatin County
 - ▶ **Lt. Rob Moccasin**, Investigative Services, Great Falls Police Department
 - ▶ **Mark Murphy**, Deputy County Attorney - prosecution's use of biological evidence, storage and preservation issues
 - ▶ **Jon Moog**, Public Defender, Helena - defense's use of biological evidence, storage and preservation issues
 - ▶ **Phil Kinsey**, Supervisor, Serology and DNA Section, State Crime Lab - state's storage and preservation policies
 - ▶ **Jessie McQuillan**, Montana Innocence Project

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- 10:45 a.m. BREAK
- 11:00 a.m. Public comment
- 11:30 a.m. Committee work session
- ▶ *What legislative issues does the Committee want to further examine?*
 - ▶ *Review and approval of survey questions*
- 12:00 p.m. LUNCH

Other Study Issues: Animal Hoarding

- 1:00 p.m. Panel: Current law and recent cases - identification of legislative issues
- ▶ **Dr. Deb Sanchez**, Ph.D. - mental health issues involved in animal hoarding
 - ▶ **Mark Murphy**, Deputy County Attorney, Yellowstone County
 - ▶ **Ed Sheehy**, Public Defender, Missoula
 - ▶ **Sheriff Dave Castle**, Cascade County
 - ▶ **Dave Pauli**, Regional Director, The Humane Society of the United States
 - ▶ **Paul Babb**, Chief Executive Officer, Butte Silver-Bow County
- 3:00 p.m. BREAK
- 3:15 p.m. Public comment
- 3:45 p.m. Committee work session
- ▶ *Does the committee wish to further examine animal hoarding?*
 - ▶ *If so, what particular questions does the committee still have?*
- 4:15 p.m. Wrap-up
Rule Review
Other business
Next meeting
- 4:30 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.

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