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LAW AND JUSTICE INTERIM COMMITTEE
67th Montana Legislature

SENATE MEMBERS

Bryce Bennett
John Esp
Steve Fitzpatrick
Jen Gross
Keith Regier
Diane Sands

HOUSE MEMBERS

Robert Farris-Olsen
Frank Fleming
Kathy Kelker
Casey Knudsen
Jasmine Krotkov
Barry Usher

COMMITTEE STAFF

Julianne Burkhardt - Attorney
Veronica Sullivan- Secretary
Rachel Weiss - Research
Analyst

MINUTES LOG

June 30, 2020
8:00 AM

Video Conference Call

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Members Present:

Rep. Barry Usher, Chair (R)
Sen. Jen Gross, Vice Chair (D)
Sen. Bryce Bennett (D)
Sen. John Esp (R)
Rep. Robert Farris-Olsen (D)
Sen. Steve Fitzpatrick (R)
Rep. Frank Fleming (R)
Rep. Kathy Kelker (D)
Rep. Casey Knudsen (R)

Rep. Jasmine Krotkov (D)
Sen. Diane Sands (D)

Members Excused:

Sen. Keith Regier (R)

Staff Present:

Julianne Burkhardt, Attorney
Veronica Sullivan, Committee Secretary
Rachel Weiss, Research Analyst

Committee Business Summary

UPDATE FROM DEPARTMENT OF CORRECTIONS (DOC)

08:04:45 Director Reginald Michael, Department of Corrections (DOC), introduced the DOC staff and started the presentation (Exhibit 1) (Exhibit) (Exhibit 3).

08:21:37 Deputy Director Cynthia Wolken. DOC.

Committee Questions

08:22:35 Rep. Krotkov asked Director Michael about tele-medicine.

08:23:56 Question was redirected to Connie Winner, Clinical Services Administrator, DOC.

08:25:11 Rep. Kelker asked Director Michael about patients who have who have severe health conditions

08:28:48 Rep. Kelker asked Ms. Winner about specialized treatments for the prisoners with severe health conditions.

08:30:31 Rep. Kelker asked Ms. Winner about the specialists' locations.

08:31:19 Sen. Sands asked Director Michael what happens if the staff in the prisons test positive for COVID-19

08:35:56 Sen. Sands asked Director Michael and Ms. Winner about contract tracing.

08:37:44 Sara Boutilier, RN, DOC, further explained the answers to Sen. Sands questions.

08:43:12 Sen. Sands asked Director Michael about releasing prisoners to reduce the COVID-19 population in the prison systems.

08:48:13 Sen. Sands asked Director Michael about overcrowding in the prisons.

08:56:26 Rep. Kelker asked Director Michael about what prevents Montana from releasing more prisoners.

08:58:53 Rep. Kelker asked Director Michael about laws for release of prisoners being different than other states.

09:01:15 Rep. Usher asked Director Michael about guidelines for release.

09:03:31 Sen. Gross asked Director Michael about the locked housing unit at the Montana State Prison (MSP).

09:08:01 Sen. Gross asked Ms. Wolken about the PPE provided to prisoners and if they can get a list of supplies the prisoners are given.

09:10:00 Sen. Gross asked Ms. Winner about the mental health services in MSP.

- 09:12:14 Sen. Gross asked Ms. Winner about how inmates request mental health care at MSP.
- 09:15:54 Sen. Gross asked Ms. Winner about policy changes for monitoring prisoners in MSP.
- 09:18:34 Sen. Gross asked the panel about phone calls and video visits for the MSP prisoners.
- 09:19:20 Sen Gross asked the panel about PPE for the inmates at the Montana Women's Prison who have hearing or vision difficulties.

QUESTION AND ANSWER ROUNDTABLE WITH STAKEHOLDERS

- 09:23:20 Warden Peter Bludworth, Crossroads Correctional Center.
- 09:32:33 Dr. Keith Ivens, Corporate Medical Director, CoreCivic.
- 09:35:17 Amy Tenney, CEO, Boyd Andrew Community Services.
- 09:38:16 Dave Armstrong, CEO, Alternatives, Inc.
- 09:45:14 Sue Wilkins, Missoula Correctional Services.
- 09:46:02 Nanette Gilbertson, Executive Director, Montana Sheriffs and Peace Officers Association.

Committee Questions/Committee Discussion

- 09:53:25 Rep. Krotkov asked Mr. Bludworth about Crossroads Correctional Center.
- 09:57:38 Rep. Krotkov asked Mr. Bludworth a follow up about staffing shortages.
- 09:59:50 Rep. Krotkov asked Mr. Bludworth questions about a legislative audit report and grievance process.
- 10:05:38 Rep. Kelker asked Mr. Armstrong about empty beds.
- 10:06:56 Rep. Kelker asked Mr. Armstrong a follow up about empty beds and COVID-19 restrictions.
- 10:09:06 Rep. Kelker asked Mr. Armstrong about staffing.
- 10:09:58 Rep. Usher asked a follow up about getting a list for the assistance funding provided by DOC to the contracted facilities.
- 10:10:23 Rep. Kelker asked Mr. Armstrong about where current residents in the program came from.
- 10:12:07 Sen. Sands asked the panel about the use of technology to allow people to access programs and the funding of the programs.
- 10:16:07 Sen. Sands asked Ms. Wilkins about programming.
- 10:19:08 Mr. Armstrong followed up to Sen. Sands questions.
- 10:20:04 Sen. Sands asked Ms. Gilbertson about costs the county jails are accruing.
- 10:23:52 Sen. Sands discussed hearing from the Montana Board of Crime Control (MBCC) about the grant funding it has available.
- 10:27:36 Rep. Usher asked Director Michael to look into providing funds to the jails through the DOC money.
- 10:29:05 Sen. Sands asked Ms. Gilbertson a follow up about nonviolent offenders out of county jails.
- 10:32:22 Sen. Sands asked the panel about COVID-19 testing.

10:37:27 Rep. Fleming asked the panel about the pre-release costs paid by residents.
10:41:28 Rep. Fleming asked Ms. Wilkins about employment.
10:44:14 Sen. Gross asked Mr. Armstong and Ms. Tenney if they use a contractor to provide programs for Native Americans.
10:47:40 Sen. Gross asked Director Michael if the DOC uses a contractor to connect Native Americans with services.
10:49:08 Sen. Gross asked Director Michael about meetings for the Prison Issues Board.
10:50:25 Sen. Gross asked Ms. Weiss about getting notice of the next Prisons Issues Board meeting.
10:50:38 Sen. Gross asked Director Michael about the prison issues minutes.
10:51:42 Rep. Krotkov asked about the cost of the contracted facilities and how those are managed.

BREAK (Reconvened at 11:00).

PUBLIC COMMENT ON INFORMATIONAL BRIEFING TOPICS

11:01:40 Laurie Little Dog, Self.
11:04:47 May Simmons, Self.
11:07:46 Josh Butterfly and Marcus Bullchild, Project Open Doors.
11:12:24 SK Rossi, ACLU of Montana.
11:17:19 Daisy Chavez, Self (Exhibit 4).
11:22:18 Clemente Arciga, Welcome Back Missoula.
11:27:00 William Harvey, Self.
11:31:44 Laurel Hesse, Self (Exhibit 5).

Committee Questions/Committee Discussion

11:35:32 Sen. Sands discussed the use of masks and asked Director Michael about the use of masks by correctional staff.
11:36:42 Rep. Usher discussed a pilot pretrial release program and mask use by correctional staff (Exhibit 6).
11:39:37 Sen. Gross discussed sending questions to Ms. Weiss.

ADJOURNMENT

11:40:43 With no further business before the committee, Rep. Usher adjourned the meeting at 11:40 a.m.

Additional Handouts:

Public Comment packet 1
Public Comment packet 2
Public Comment packet 3
Public Comment Packet 4