



CRIMINAL JUSTICE OVERSIGHT COUNCIL

67th Montana Legislature

SENATE MEMBERS

Ryan Lynch
Keith Regier

HOUSE MEMBERS

Kathy Kelker
Barry Usher

COMMITTEE STAFF

Milly Allen – Lead Researcher
Daniel Collins - Secretary

PUBLIC MEMBERS

Georgette Boggio
Ross Canen
Brian Gootkin
Rachel Guernsey
Melissa Kelly
Kurt Krueger
Rhonda Lindquist
Keegan Medrano
Jimmy Patelis
Amy Tenney
Scott Twito
Cynthia Wolken

MINUTES LOG

September 29, 2021
Capitol Room 137 and Zoom
Helena, Montana

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:

Judge Krueger, Presiding Officer
Sen. Ryan Lynch (D)
Sheriff Ross Canen
Director Brian Gootkin
Council Member Rachel Guernsey
Rep. Kathy Kelker (D)
Council Member Melissa Kelly
Council Member Rhonda Lindquist
Council Member Keegan Medrano
Council Member Jimmy Patelis
Sen. Keith Regier (R)
Council Member Amy Tenney
Council Member Scott Twito
Rep. Barry Usher (R)
Deputy Director Cynthia Wolken

MEMBERS EXCUSED:

MEMBERS ABSENT:

Council Member Boggio

STAFF PRESENT:

Milly Allen, Lead Researcher

Daniel Collins, Secretary

AGENDA ([Attachment 1](#))

NO VISITORS' LIST

COMMITTEE ACTION

The committee:

- Adopted Council Operating Procedures; and
- Voted on Rep. Usher as Presiding Officer; and
- Voted on Council Member Patelis as Vice Presiding Officer.

CALL TO ORDER/ROLL CALL

09:05:22 Judge Krueger called the meeting to order at 9:05 AM. The committee secretary took roll.

09:07:15 Introductions.

09:09:13 Council Member Lindquist has arrived.

OVERVIEW OF DRAFT COUNCIL OPERATING PROCEDURES

09:13:25 Milly Allen provided the overview. ([Exhibit 1](#))

Questions/comments from the council

None

DEPARTMENT OF CORRECTIONS UPDATE: COVID AND 2021 LEGISLATION

09:24:21 Director Gootkin and Deputy Director Wolken alternated their presentation. ([Exhibit 2](#))

Questions/comments from the council

09:53:48 Judge Krueger asked about staff.

09:54:52 Council Member Patelis asked about sober living houses.

09:56:55 Rep. Kelker asked about the women's prison.

09:59:48 Council Member Guernsey asked about parenting classes in the prison.

10:03:22 Judge Krueger commended the Department of Corrections (DOC).

Questions/comments from the council

10:04:45 Rep. Usher asked what committees were assigned to the studies.

10:08:00 Director Gootkin continued presentation. (See Exhibit 2)

10:13:35 Council Member Patelis concurred with Director Gootkin.

10:14:24 Rep. Kelker asked about grievances.

10:15:08 Council Member Twito has arrived.
 10:17:23 Sheriff Canen asked about recidivism and eighty-twenty.
 10:22:27 Judge Krueger asked about statistics.
 10:23:43 Council Member Lindquist commented on a criminal justice data system.
 10:24:12 Judge Krueger asked Council Member Lindquist about her new data system.
 10:26:07 Director Gootkin and Deputy Director Wolken continued presentation.

Questions/comments from the council

10:28:06 Rep. Kelker asked about Department of Corrections ability to interface with the H-I-E system.
 10:29:37 Rep. Kelker asked about the addition of behavior health personnel.

BREAK

COUNCIL REPORT TO THE LEGISLATURE

10:50:24 Rep. Lynch. ([Exhibit 3](#))

Questions/comments from the council

None

LEGISLATIVE CHANGES

10:57:13 Rep. Usher spoke on HJ 34. ([Exhibit 4](#))

Public comment on the agenda item

10:58:26 Nanette Gilbertson, Montana County Attorneys' Association
 11:03:16 Council Member Twito offered to share his flow chart on a drug diversion program.

Questions/comments from the council

11:06:27 Sen. Lynch asked about a language change and resources needed.
 11:08:07 Rep. Kelker asked about financial alternatives.
 11:09:29 Rep. Kelker asked where money could come from.
 11:11:00 Rep. Kelker asked about pilot programs.
 11:12:30 Council Member Lindquist asked about other states as a model.
 11:13:31 Council Member Lindquist asked about adequate resources.
 11:15:51 Director Gootkin spoke on data collecting.
 11:16:25 Council Member Patelis commended Council Member Twito for his work.
 11:17:18 Rep. Usher commented on budgeting issues.
 11:18:18 Rep. Usher spoke on HB 73. ([Exhibit 5](#))

Questions/comments from the council

None

11:19:21 Sen. Lynch spoke on SB 47. ([Exhibit 6](#))
 11:20:41 Judge Krueger commented on implementation.

Questions/comments from the council

None

PUBLIC COMMENT

11:21:40 Nanette Gilbertson, Montana County Attorneys' Association and Montana Sheriffs and Peace Officers' Association. ([Exhibit 7](#))
11:25:11 May Simmons, Polson

WORK SESSION

11:28:42 Council Member Lindquist moved to adopt Council Operating Procedures.
11:29:11 Rep. Usher stated discussion should occur first.
11:29:43 Sen. Lynch stated proxies should be used.
11:30:01 Rep. Usher stated a vice chair should be appointed.
11:30:18 Sen. Regier concurred with both options.
11:31:22 Vote on Council Member Lindquist's motion.

Vote:

11:31:22 Carried unanimously by voice vote.
11:32:35 Committee discussion on future agenda items.
11:37:40 Judge Krueger opened for nominations for presiding officer.
11:37:57 Sen. Regier nominated Rep. Usher for presiding officer.
11:38:36 Vote on Sen. Regier's nomination for Rep. Usher as presiding officer.

Vote:

11:38:36 Carried unanimously by voice vote.
11:39:42 Committee discussion.
11:40:11 Rep. Usher asked for nominations for Vice Chair.
11:40:48 Sen. Ryan Lynch nominated Judge Krueger as Vice Chair.
11:41:50 Deputy Director Wolken nominated Council Member Patelis.
11:42:30 Vote on Deputy Director Wolken's nomination of Council Member Patelis for Vice Chair

Vote:

11:42:30 Carried unanimously by voice vote.
11:42:50 Rep. Usher discussed next meeting dates.
11:45:07 Rep. Usher asked for any other council business.

ADJOURNMENT

Adjournment: 11:45:32