



PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

## Law and Justice Interim Committee

67th Montana Legislature

### SENATE MEMBERS

JOHN ESP  
JEN GROSS  
RYAN LYNCH  
TOM MCGILLVRAY  
KEITH REGIER  
SUSAN WEBBER

### HOUSE MEMBERS

LAURIE BISHOP  
SHERRY ESSMANN  
DONAVON HAWK  
EMMA KERR-CARPENTER  
AMY REGIER  
BARRY USHER

### COMMITTEE STAFF

RACHEL WEISS, Lead Staff  
JULIANNE BURKHARDT, Staff Attorney  
BETHANY MCDOWELL JAMES, Secretary

## AGENDA

May 9-10, 2022

State Capitol, Room 317 and Zoom

### Please note:

- Instructions on how the public can participate in this meeting are on page 4.
- All agenda times are in Mountain Time and are tentative. Some items may take more or less time than scheduled.

### Monday, May 9, 2022

9:00 a.m. **Call to Order – Roll Call – Senator John Esp**

9:05 a.m. **HJ 31 Study of criminal justice system data**

1. Conversation with Idaho criminal justice data stakeholders

- Ashley Dowell, Executive Director, Idaho Commission of Pardons and Parole
- Monty Prow, Director, Idaho Department of Juvenile Corrections
- Questions from the committee

10:05 a.m. **Break**

10:15 a.m. **HJ 31 Study, continued**

2. Review of draft legislation and materials

- Rachel Weiss, Research Analyst, LSD
- Questions from the committee

3. Discussion with Montana criminal justice system stakeholders

- Stakeholders invited:
  - Judicial Branch – Beth McLaughlin, Court Administrator
  - Department of Justice – Anne Dormady, Section Supervisor, Montana Analysis and Technical Information Center
  - Department of Corrections – John Daugherty, Central Services Chief Executive
  - Office of State Public Defender – Brett Schandelson, Development and Operations Bureau Chief

- Board of Crime Control – Sheriff Leo Dutton, Board Presiding Officer and Natalia Bowser, Executive Director
  - Bill Fulbright, Ravalli County Attorney
  - Sheila DeVries, Yellowstone County Records Supervisor
  - *Board of Pardons and Parole (invited)*
  - Questions from the committee
- 12:15 p.m.      Lunch
- 1:30 p.m.      **HJ 31 Study, continued**
- 4. Public comment\* on the HJ 31 study and draft legislation
  - 5. Additional questions from the committee of stakeholders and commenters
- 2:00 p.m.      **HJ 40 Study of Judicial Standards Commission**
- Brittany K.T. Kauffman, Senior Director, Institute for the Advancement of the American Legal System
  - Bart Crabtree, Montana Citizens Council on Judicial Accountability
  - Questions from the committee
  - Public comment\* on the HJ 40 study
- 3:15 p.m.      **Break**
- 3:30 p.m.      **Committee Issue:** Update on HB 92 from 2021 session (Establish compensation program for wrongfully convicted individuals)
- Rachel Weiss, LSD
  - Amy Sings In The Timber, Executive Director, Montana Innocence Project
  - Questions from the committee
  - Public comment\* on the agenda item
- 3:45 p.m.      **Agency Oversight:** Department of Justice (DOJ)-- responding to crimes against children
- Dana Toole, Bureau Chief, Special Services Bureau, Division of Criminal Investigation, DOJ
  - Questions from the committee
  - Public comment\* on the agenda item
- 4:30 p.m.      **Administrative Rule Review**
- Julianne Burkhardt, Staff Attorney, LSD
  - Questions from the committee
  - Public comment\* on the agenda item
- 4:45 p.m.      **Public comment\*** on any topic within the LJIC's jurisdiction but not on this agenda

5:00 p.m.      **Recess** until Tuesday

Tuesday, May 10, 2022

8:00 a.m.      **Reconvene – Roll Call** – Senator John Esp

8:05 a.m.      **Agency Oversight:** Update on the Public Safety Officer Standards and Training Council (POST Council)

- Cascade County Sheriff Jesse Slaughter, POST Council presiding officer
- Eric Gilbertson, Executive Director, POST Council
- Questions from the committee
- Public comment\* on the agenda item

8:30 a.m.      **SB 303 Study of inmate telecommunications costs and contracts**

1. Perspective on telecommunication costs from a formerly incarcerated individual

- Gregg Trude
- Questions from the committee

2. Review of past meeting questions and draft legislation

- Travis Brown, Research Analyst, LSD
- Questions from the committee

3. Public comment\* on the SB 303 study and draft legislation

9:30 a.m.      **HJ 4 Study of criminal commitment process**

- Review of draft legislation – Rachel Weiss, LSD
- Questions from the committee
- Public comment\* on the study and draft legislation

10:15 a.m.      **Break**

10:30 a.m.      **Overview of planned afternoon visits:** Jefferson County jail and Montana Highway Patrol headquarters

- Rachel Weiss, LSD
- Public comment\* related to the visits

10:35 a.m.      **Public comment\*** on any topic within the LJIC's jurisdiction but not on this agenda

10:45 a.m.      **Work Session**

- Staff review of planned items for June meeting
- Agency Oversight – What additional updates or information would the LJIC like to request from the agencies? Are there questions the LJIC wants addressed during future agency presentations?
- LJIC Interim Studies - What additional information related to the studies would the LJIC like to receive? Are there stakeholders the LJIC would like

to invite or next steps it would like to take? Are there draft bills the LJIC wants to have staff draft?

- SB 303 study of inmate telecommunications contracts and costs
- HJ 4 study of the criminal commitment process
- HJ 31 study of criminal justice system data
- HJ 40 study of the Judicial Standards Commission

→ Committee Issues – Are there issues of interest to committee members for future research or agenda items?

→ Other directions to staff?

→ Next meeting date: June 27 -- Helena

12:00 p.m.     **Adjourn -- Lunch**

1:30 p.m.     Tour of Jefferson County Detention Center – Committee members and staff only  
110 S Washington Street, Boulder

2:30 p.m.     Tour of Montana Highway Patrol headquarters  
18 Trooper Drive, Boulder

### **Public Participation in the Committee Meeting**

The public may attend the meeting and offer public comment in the Capitol or provide public comment either remotely via Zoom or in writing. The tour of the Jefferson County Detention Center is limited to committee members and staff.

To offer public comment via Zoom during the meeting, please submit the [online form for remote participation](#) by 5 p.m. on Friday, May 6. You will receive an email with the login information by 11:59 p.m. the night before the meeting. The committee may be slightly ahead of or behind the time scheduled for public comment on the agenda.

Written public comments may be submitted either through the [online form for written comment](#) or by mailing the comments to Law and Justice Interim Committee, PO Box 201706, Helena, MT 59620. Comments provided by 5 p.m. on May 6 will be given to the LJIC at the meeting. Comments provided after that time will be given to the LJIC at the next meeting.

\* Public comment provided in person or remotely at a committee meeting is a public record that is recorded, archived, and available on the Internet. Public comment submitted in writing at a committee meeting is a public record that will be posted to the legislative Web site as part of the minutes log for the committee meeting.

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