



LAW AND JUSTICE INTERIM COMMITTEE

68th Montana Legislature

SENATE MEMBERS

John Esp
Chris Friedel
Ryan Lynch
Keith Regier
Barry Usher

HOUSE MEMBERS

Jodee Etchart
Donavon Hawk
Caleb Hinkle
Amy Regier

COMMITTEE STAFF

Ania Alduenda - Secretary
Julianne Burkhardt - Attorney
Sara Hess - Research Analyst

MINUTES LOG

May 14, 2024
Capitol Rm 137 & 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.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <https://leg.mt.gov>. From the home page, select the "Committees" drop down menu at the top, then select Administrative or Interim, and the appropriate committee. The written minutes log can be located by expanding the accordion menu for the date of the meeting. Links to the audio/video files can be located by selecting the Video/Audio button on the same page, then the "past/current recordings" button. From there, use the calendar to select the date of the meeting you wish to view/listen to. The written Minutes Log, along with links to the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed. Please contact the Legislative Services Division at 406-444-3064 for more information.

MEMBERS PRESENT:

Rep. Amy Regier, Presiding Officer (R)
Rep. Donavon Hawk, Vice Presiding Officer (D)
Rep. Jodee Etchart (R)
Sen. Chris Friedel (R)
Rep. Caleb Hinkle (R)
Sen. Keith Regier (R)
Sen. Barry Usher (R)

MEMBERS EXCUSED:

Sen. Ryan Lynch (D)

MEMBERS ABSENT:

STAFF PRESENT:

Ania Alduenda, Secretary
Julianne Burkhardt, Attorney
Sara Hess, Research Analyst

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

CALL TO ORDER/ROLL CALL

09:01:05 Presiding Officer Amy Regier called the meeting to order at 9:01 AM. The committee secretary took roll.

MEETING OVERVIEW / ADMINISTRATIVE MATTERS

09:01:47 Presiding Officer Amy Regier

09:02:33 Sara Hess, Research Analyst, Legislative Services Division (LSD)

[EXHIBIT 1](#)

[EXHIBIT 2](#)

09:07:07 Sen. Barry Usher

09:07:28 Sara Hess

AGENCY UPDATES

09:09:10 Presiding Officer Amy Regier

Montana Board of Crime Control

09:09:33 Natalia Bowser, Director, Montana Board of Crime Control

Committee Questions / Discussion

09:17:29 Sen. Keith Regier

09:17:45 Director Natalia Bowser

09:19:45 Sen. Barry Usher

09:20:35 Director Natalia Bowser

Office of the Public Defender

09:21:44 Brett Schandelson, Executive Director, Montana Office of the Public Defender

Committee Questions / Discussion

09:30:35 Sen. Keith Regier

09:30:47 Director Brett Schandelson

Department of Corrections

09:33:10 Scott Eychner, Rehabilitation and Programs Chief, Department of Corrections (DOC)

[EXHIBIT 3](#)

09:37:25 Brian Gootkin, Director, DOC

Committee Questions / Discussion

09:38:52 None

Public Comment

09:39:00 None

ADMINISTRATIVE RULE REVIEW

09:40:43 Todd Everts, Attorney, LSD
[EXHIBIT 4](#)

Public Comment

09:43:07 May Simmons, Polson

Committee Questions / Discussion

09:43:40 None

UPDATE FROM HOUSE BILL 5 SELECT COMMITTEE ON CORRECTIONS CAPACITY

09:44:04 Walker Hopkins, Fiscal Analyst, LSD
[EXHIBIT 5](#)

Committee Questions / Discussion

09:50:54 Sen. Barry Usher

09:51:35 Walker Hopkins

**UPDATE FROM HOUSE BILL 5 SELECT COMMITTEE ON CORRECTIONS CAPACITY -
Continued**

09:53:37 Walker Hopkins
[EXHIBIT 6](#)
[EXHIBIT 7](#)
[EXHIBIT 8](#)

Committee Questions / Discussion

10:05:01 Sen. Barry Usher

10:05:30 Walker Hopkins

REVIEW OF DRAFT FINAL REPORTS

10:06:44 Sara Hess

HOUSE BILL 697 DRAFT Final Report

10:07:29 Sara Hess
[EXHIBIT 9](#)

Public Comment

10:13:31 Timothy Allred, Director, Public Safety Officer Standards and Training Council
(POST)

10:14:35 May Simmons

Committee Questions / Discussion

10:15:25 Sen. Keith Regier

10:15:45 Sara Hess

10:16:10 Sen. Keith Regier

10:16:21 Timothy Allred

10:19:12 Sen. Chris Friedel

SENATE JOINT 31 DRAFT Final Report

10:20:08 Sara Hess
[EXHIBIT 10](#)
[EXHIBIT 11](#)
[EXHIBIT 12](#)

Public Comment

10:23:18 Don Cape
10:29:55 May Simmons

Committee Questions / Discussion

10:33:25 None

10:33:52 **Recessed**
11:01:34 **Reconvened**

MEMBER TOPIC: PARENTAL ALIENATION SYNDROME

11:01:40 Sara Hess
[EXHIBIT 13](#)
[EXHIBIT 14](#)
[EXHIBIT 15](#)
[EXHIBIT 16](#)
[EXHIBIT 17](#)

Committee Questions / Discussion

11:11:29 Sen. Barry Usher
11:11:41 Sara Hess

PARENTAL ALIENATION SYNDROME: JUDGES' PANEL

11:14:14 Presiding Officer Amy Regier
11:14:34 Judge Brenda Gilbert, 6th Judicial District (Park and Sweet Grass Counties)
11:15:25 Judge Rienne McElyea, 18th Judicial District (Gallatin County)
11:16:50 Judge Leslie Halligan, 4th Judicial District (Missoula and Mineral Counties)
11:49:39 Sara Hess
11:50:06 Sen Barry Usher left the meeting.

Committee Questions / Discussion

11:50:15 Rep. Caleb Hinkle
11:50:29 Judge Brenda Gilbert
11:52:50 Judge Rienne McElyea
11:53:00 Rep. Caleb Hinkle
11:53:30 Judge Leslie Halligan
11:56:37 Rep. Caleb Hinkle
11:57:51 Judge Brenda Gilbert
12:00:29 Sen. Keith Regier

Committee Questions / Discussion - Continued

12:00:47 Judge Brenda Gilbert
12:01:41 Sen. Keith Regier
12:02:05 Judge Rienne McElyea
12:04:40 Sen. Keith Regier
12:05:01 Judge Leslie Halligan

Public Comment

12:11:17 Elizabeth Peterson
[EXHIBIT 18](#)
12:13:47 Jen Brick
12:16:07 Matt Furlong
[EXHIBIT 19](#)
12:18:44 Erica Millay
[EXHIBIT 20](#)
12:20:57 Jacob Handy
12:23:13 Jody Hill
(See EXHIBIT 18)
12:26:37 Zilah Handy
12:28:28 Elliot Handy
12:29:27 Korbin Handy
12:31:05 Joy Dschaak
12:33:38 Denise Johnson, Board Member, Montana Child Protection Alliance (MCPA)
12:36:14 Scott Aspenlieder
12:38:55 Kyla Hailstone, Director, Montana Family Court Awareness Project
12:41:12 Kelli Trontel, Board Member, MCPA
12:43:28 May Simmons
12:45:39 Amanda Martin
12:47:53 Lauren Young

12:50:18 **Recessed**
14:01:16 **Reconvened**

14:01:17 Sen. Barry Usher returned
14:01:34 Sara Hess

PROBLEM-SOLVING COURTS: FIRST JUDICIAL DISTRICT BEHAVIORAL HEALTH COURT

14:02:38 Judge Michael McMahon, 1st Judicial District (Lewis & Clark and Broadwater Counties)

Public Comment

14:41:24 Dr. Gary Mihelish
14:43:45 May Simmons

Committee Questions / Discussion

14:45:50 Sen. Keith Regier
14:46:15 Judge Michael McMahon

CIVIL AND FORENSIC COMMITMENTS (HOUSE BILL 872 COMMISSION REQUEST)

14:47:28 Sara Hess
[EXHIBIT 21](#)

Work Group Report

14:54:00 Chad Parker, Deputy Chief Legal Counsel, Department of Public Health and Human Services
14:55:55 Brian Smith, Public Defender Division Administrator, Montana Office of State Public Defender
14:56:05 Laura Kirsch, PhD, ABPP, Licensed Clinical Psychologist

Public Comment

14:56:35 None

Committee Questions / Discussion

14:56:45 None

PROVISIONAL DRAFT 001

14:58:20 Sara Hess
[EXHIBIT 22](#)

Public Comment

14:59:52 None

Committee Questions / Discussion

15:00:02 Sen. Keith Regier
15:00:16 Sara Hess
15:01:55 Julie Johnson, Attorney, LSD
15:02:15 Sen. Keith Regier
15:03:00 Sara Hess

PROVISIONAL DRAFT 002

15:03:48 Sara Hess
[EXHIBIT 23](#)
[EXHIBIT 24](#)

Public Comment

15:06:33 None

Committee Questions / Discussion

15:06:42 None

PROVISIONAL DRAFT 003

15:07:10 Sara Hess
[EXHIBIT 25](#)
[EXHIBIT 26](#)

Public Comment

15:09:00 None

Committee Questions / Discussion

15:09:11 Sen. Keith Regier
15:09:46 Sara Hess
15:10:12 Vice Presiding Officer Donavon Hawk
15:10:27 Sara Hess
15:11:17 Sen. Barry Usher
15:12:00 Sara Hess
15:12:13 Presiding Officer Amy Regier
15:12:28 Sara Hess
15:12:41 Sen. Barry Usher

15:13:25 **Recessed**

15:31:33 **Reconvened**

REVIEW OF INMATE WELFARE FUND AUDIT ('22-'23 INTERIM)

15:31:43 Amber Robbins, Research and Evaluation Methodologist, Legislative Audit
Division
[EXHIBIT 27](#)
[EXHIBIT 28](#)

Public Comment

15:37:50 May Simmons

Committee Questions / Discussion

15:40:38 Sen. Keith Regier
15:41:04 Amber Robbins
15:42:28 Natalie Smitham, Chief Financial Officer, DOC

PUBLIC COMMENT ON ITEMS WITHIN LJIC'S JURISDICTION NOT ON THE AGENDA

15:43:35 May Simmons

COMMITTEE WORK SESSION

15:50:22 Presiding Officer Amy Regier
15:50:44 Sara Hess
(See EXHIBIT 1)

COMMITTEE WORK SESSION - Continued

15:52:36 Rep. Caleb Hinkle
15:53:45 Sen. Keith Regier
15:54:01 Sara Hess
15:54:31 Sen. Barry Usher
15:55:33 Sara Hess
15:58:10 Presiding Officer Amy Regier

ADJOURNMENT

Adjournment: 15:58:20