



## **LAW AND JUSTICE INTERIM COMMITTEE**

### **68th Montana Legislature**

#### **SENATE MEMBERS**

John Esp  
Chris Friedel  
Ryan Lynch  
Keith Regier

#### **HOUSE MEMBERS**

Jodee Etchart  
Donavon Hawk – Vice Chair  
Caleb Hinkle  
Amy Regier - Chair

#### **COMMITTEE STAFF**

Sara Hess - Research Analyst  
Julianne Burkhardt - Attorney  
Bethany McDowell James - Secretary

# **MINUTES LOG**

September 11, 2023  
Capitol Room 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.

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#### **MEMBERS PRESENT:**

Rep. Amy Regier, Chair (R)  
Rep. Donavon Hawk, Vice Chair (D)  
Sen. John Esp (R)  
Sen. Chris Friedel (R)  
Sen. Ryan Lynch (D)  
Sen. Keith Regier (R)

#### **MEMBERS EXCUSED:**

Rep. Jodee Etchart (R)  
Rep. Caleb Hinkle (R)

#### **STAFF PRESENT:**

Sara Hess, Research Analyst  
Julianne Burkhardt, Attorney  
Bethany McDowell James, Secretary

## **AGENDA** [\(Attachment 1\)](#)

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

### **CALL TO ORDER/ROLL CALL**

09:30:46 Chair Regier called the meeting to order at 9:30 AM. The committee secretary took roll.

### **OPENING REMARKS**

09:31:29 Chair Regier

### **MEETING OVERVIEW**

09:32:12 Sara Hess, Research Analyst and Lead Staff  
[EXHIBIT1](#)  
[EXHIBIT2](#)

### **Committee Questions/Discussion**

09:36:46 Sen. Regier

### **ADMINISTRATIVE RULE REVIEW**

09:37:53 Julianne Burkhardt  
[EXHIBIT3](#)

### **AGENCY OVERSIGHT**

#### **Board of Pardons and Parole (BOPP)**

09:39:46 Steve Hurd, Chairman, BOPP  
[EXHIBIT4](#)

### **Committee Questions/Discussion**

09:41:11 Sen. Esp  
09:43:00 Sen. Regier (See exhibit 4)  
09:44:38 Joseph McElroy, Chief of Staff, BOPP (See exhibit 4)  
09:50:29 Steve Hurd

### **OTHER AGENCY REPORTS**

09:51:54 Sara Hess  
[EXHIBIT5](#)  
[EXHIBIT6](#) and [EXHIBIT6.1](#)  
[EXHIBIT7](#)  
[EXHIBIT8](#)

### **Public Comment on Agency Oversight**

09:56:07 None

### **Committee Questions/Discussion**

09:56:13 Sen. Regier  
09:57:09 Sen. Esp  
09:59:35 Sen. Friedel

**RECESS**

10:00:28      Reconvened at 10:25:15.

**OTHER AGENCY REPORTS, Continued**

10:25:46      Sara Hess

10:28:17      Julianne Burkhardt

**HB 697 PANEL: STUDY OF PUBLIC OFFICERS STANDARDS AND TRAINING (POST)  
COUNCIL**

10:29:58      Sara Hess

[EXHIBIT9](#)

[EXHIBIT10](#)

10:37:42      The panelists introduced themselves.

10:38:45      Timothy Allred, Executive Director, POST

10:40:22      Jesse Slaughter, Chairman, POST

10:50:33      Timothy Allred

10:57:44      Jim Anderson, Board Member, POST

11:00:30      Timothy Allred

11:04:11      Katrina Bolger, Paralegal Investigator, POST

[EXHIBIT11](#)

11:19:58      Timothy Allred

**Committee Questions/Discussion**

11:24:38      Chair Regier

11:25:35      Sen. Regier

11:34:10      Sen. Friedel

11:46:30      Sen. Esp

11:47:55      Sara Hess

**Public Comment on HB 697: Study of POST Council**

11:55:40      Brian Thomson, Montana Sheriffs and Peace Officers Association (MSPOA)

11:57:43      Shelby DeMars, Montana Police Protective Association (MPPA)

12:01:44      May Simmons, Polson, MT

**RECESS for Lunch**

12:07:54      Reconvened at 13:16:00.

**HJ 17: STUDY OF FACIAL RECOGNITION TECHNOLOGY****Review of HJ 48 Final Report**

13:17:03      Erin Sullivan, Research Analyst and Lead Staff for Economic Affairs Interim  
Committee (EAIC)

[EXHIBIT12](#)

**Overview of SB 397**

13:30:31 Sen. Bogner, SB 397 Sponsor  
[EXHIBIT13](#)

**Montana Analysis and Technical Information Center (MATIC) Annual Report**

13:37:01 Anne Dormady, Bureau Chief, Department of Justice (DOJ)  
[EXHIBIT14](#)  
13:40:00 Rob Stutz, Chief Legal Council, Office of Public Instruction (OPI)

**Public Comment on HJ 17: Study of Facial Recognition Technology**

13:40:45 Steve Cape, Coalition for Safety and Justice

**Committee Questions/Discussion**

13:51:14 Sen. Regier  
13:56:15 Sen. Esp  
13:56:49 Sen. Friedel  
13:57:50 Sen. Esp

**REVIEW OF MEMO ON JUDICIAL APPOINTMENT PROCESS**

14:00:12 Julianne Burkhardt  
[EXHIBIT15](#)

**Public Comment on the agenda item**

14:04:20 None

**Committee Questions/Discussion**

14:04:30 Sen. Regier  
14:05:17 Sen. Friedel  
14:09:37 Sen. Esp

**STUDY REQUEST FROM HB 872 COMMISSION**

14:10:57 Chair Regier  
[EXHIBIT16](#)  
14:11:51 Rep. Keenan, Chair of the Behavioral Health System for Future Generations  
(BHSFG) Commission  
14:13:08 Chad Parker, Deputy Chief Legal Council, Department of Health and Human  
Services (DPHHS)  
[EXHIBIT17](#)  
[EXHIBIT18](#)  
14:27:52 Sen. Esp  
14:29:40 Julianne Burkhardt  
14:33:15 Sen. Esp

**Public Comment on Study Request from HB 872 Commission**

14:33:51 Nanette Gilbertson, Montana County Attorneys Association, Montana Sheriffs  
and Peace Officers Association (MSPOA)

14:36:43 Matt Kuntz, Executive Director, Montana National Alliance on Mental Illness (NAMI)  
14:38:47 May Simmons, Polson, MT

**Committee Questions/Discussion**

14:42:32 Rep. Hawk  
14:43:00 Sen. Regier

**RECESS**

14:45:08 Reconvened at 15:10:00.

**Public Comment on any topic within LJIC's jurisdiction**

15:11:22 Steve Cape, Coalition for Safety and Justice  
15:14:40 May Simmons, Polson, MT

**WORK SESSION**

15:23:44 Sara Hess  
[EXHIBIT 19](#)

**Committee Questions/Discussion**

15:26:42 Sen. Esp  
15:27:40 Sen. Friedel  
15:28:57 Sara Hess  
15:32:28 Sen. Esp  
15:34:07 Sen. Regier  
15:35:56 Sara Hess  
15:37:56 Sen. Friedel  
15:39:10 Sen. Esp  
15:40:51 Sara Hess  
15:41:34 Sen. Esp

**Motion**

15:42:01 Sen. Regier moved to amend the work plan (See exhibit 19).

**Vote**

15:42:30 The motion passed unanimously by voice vote. Rep Hinkle voted aye by proxy ([Attachment 3](#))

**ADJOURNMENT**

15:45:47 Chair Regier adjourned the meeting at 15:45.