



Public Safety Interim Budget Committee
68th Montana Legislature

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MICHELLE BINKLEY

JULIE JOHNSON, Staff Attorney
WALKER HOPKINS, Fiscal Analyst
BRENT DOIG, OBPP Analyst
QUINN HOLZER, Assistant Director

Interim Budget Committee – Agenda
December 13, 2023 – Room 152

8:00 Call to Order – Roll Call – Chairman Mercer

8:05 LFD Updates:

- Introduce Katelyn Flavin
- Quarterly expenditure reports/summary
- Personal services updates/summary
- State special revenue and proprietary fund green sheets

9:15 **Department of Justice** - Will Selph and Staff

Agency discussion topics and information requests:

- Responses to the September 13, Section D IBC questions
- Discussion on backlog regarding forensic cases, any uses of federal ICAC dollars, and status of use/hiring of the additional appropriations for forensic analyst for computer crime
- Discuss the department’s annual plan as required by HB 190 (section 4) of the 2023 session
- The current hiring status regarding all newly appropriated FTE for the 2025 biennium
- Does the department feel additional FTE will be requested during the 2025 Legislative session? If so, in what areas are these position needs being determined?
- For Q1 of FY 2024,
 - The number of human trafficking investigations initiated by the Department of Justice and the number of prosecutions generated from the investigations
 - The number of times that the Division of Criminal Investigation was asked to lead or participate in an investigation but could not due to resource constraints
 - The number of times that the Prosecution Services Bureau was asked to lead or participate in a prosecution but could not due to resource constraints
 - The number of investigations by the Division of Criminal Investigation that were referred to federal prosecutors and resulted in charges being filed in federal court
 - Will there be any additional FTE

- Discussion on allocation made in FY 2024 from the settlement proceeds within the abatement trust from the settlement agreements with the following:
 - McKesson corporation
 - Cardinal Health, inc.
 - Amerisource Bergen corporation
 - Janssen pharmaceuticals, inc.
 - OrthoMcNeil-Janssen pharmaceuticals, inc.
 - Janssen pharmaceutica, inc.
 - Johnson & Johnson
- MBCC – Updates regarding additional appropriations for victim’s services
- MBCC – Provide FY 2024 expenditures made, and grants provided by MBCC for crisis intervention training

OBPP Comments – Brent Doig
 Public Comment – Department of Justice Topics

10:30 BREAK

10:45 **Judicial Branch** – Beth McLaughlin and staff

Agency discussion topics and information requests:

- Responses to the September 13, Section D IBC questions
- Provide juvenile adjudication numbers (by district) for FY 2022 and FY 2023 including the crimes that were allegedly committed and the resulting dispositions
- Discussion regarding caseload data
- Discussion on the whether or not the Branch will be seeking additional district judges in the 2025 session
- Update on the ARPA funded (and legislatively expanded) Simplify Family Law Resolution family mediation project

OBPP Comments – Brent Doig
 Public Comment – Judicial Branch Topics

12:00 LUNCH BREAK

1:00 **Office of State Public Defender** – Brett Schandelson and staff

Agency discussion topics and information requests:

- Responses to the September 13, Section D IBC questions
- Discuss the department’s annual plan as required by HB 190 (section 4) of the 2023 session
- The current hiring status regarding all newly appropriated FTE for the 2025 biennium
- Does the department feel additional FTE will be requested during the 2025 Legislative session? If so, in what areas are these position needs being determined?

- FY 2024 cases in which the office of state public defender moved for waiver of the cost of counsel pursuant to 46-8-113(1) and the basis for the motion
- Current employee and contractor time for FY 2024 in cases involving defendants in capital cases
- For Q1 of FY 2024, cases in which the state has elected to seek the death penalty
- Discussion of any protocols issued/adopted pursuant to 47-1-104 in FY 2024
- FY 2024 cases in which the office of state public defender was appointed to represent defendants in each county, including a separate disclosure of the number of appointments to employees of the office of public defender compared to contract attorneys
 - regarding the number of appointments reported above, the number of appointments made in each county for cases in which the offense or offenses charged allege violations of local ordinances and not state statutes
 - regarding the number of appointments reported above, the costs incurred in each county to compensate contractors
- Current for FY 2024 budgeted vs filled FTE (attorneys, investigators, other, etc)
- Updated current caseload numbers

OBPP Comments – Brent Doig

Public Comment – Office of State Public Defender Topics

2:00 BREAK

2:15 **Department of Corrections** – Brian and staff

Agency discussion topics and information requests:

- Discuss the department’s annual plan as required by HB 190 (section 4) of the 2023 session
- Updates related to the additional capacity that would be obtained with the MSP Unit D renovation and the Flathead Pre-release center (other updates on HB 5/HB 817 projects)
- General updates on what the department plans to achieve with the OMIS replacement system that it currently cannot with OMIS and any new information regarding the RPF process
- IN Q1 FY 2024 provide updates for the following:
 - Rental Voucher Expenditures
 - Any evaluations pursuant to 53-1-211(2)(b) of programs to reduce recidivism
 - ongoing evaluations for programs pursuant to 53-1- 211(5)
 - Efficiencies in Community Corrections appropriation
 - Utilization of additional MCCA beds appropriated in the 2023 session
 - Pay increases for employees in contracted secure, treatment, pre-release, and sanction centers
 - Are steps being taken to prioritize the movement of inmates out of the Yellowstone detention facility?
 - HB 817 120 secure beds – update on RFP, including status of the use of the beds, the number of inmates moved to the Core Civic facility, the factors utilized to determine who would be transferred to it, and the impact this additional capacity

had had on detention facilities holding defendants post-sentencing pending DOC transfer

- Discussing the jail hold dashboard materials
- Discussing the department's responses to September 13, Section D IBC requests

4:00 BREAK

4:15 **Public Service Commission** – President Brown and staff

4:45 Committee Business

5:00 Adjourn