



# Public Safety Interim Budget Committee

## 68th Montana Legislature

Room 110 Capitol Building \* P.O. Box 201711 \* Helena, MT 59620-1711 \* (406) 444-2986 \* FAX (406) 444-3036

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WALKER HOPKINS, Fiscal Analyst  
BRENT DOIG, OBPP Analyst  
QUINN HOLZER, Assistant Director

### Interim Budget Committee - Public Safety & Public Service Agenda *(times and content are subject to change)* September 13, 2023 – Room 152

- 8:00 Call to Order – Roll Call – Chairman Mercer
- 8:05 Proxy Voting and Subcommittee Rules
- 8:15 Section D summary of 2023 fiscal year end spending and personal services – Walker Hopkins
- 8:45 **Office of State Public Defender** – Brett Schandelson and staff

#### **Agency discussion topics and information requests:**

- FY 2023 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
- FY 2023 employee and contractor time in cases involving defendants in capital cases
- FY 2023 (Quarter 4) 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 2023
- FY 2023 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
- FY 2023 budgeted vs filled FTE (attorneys, investigators, other, etc)
- Updated current caseload numbers

OBPP Comments – Brent Doig

Public Comment – Office of State Public Defender Topics

9:45 BREAK

10:00 **Department of Corrections** – Dir. Brian Gootkin and staff

**Agency discussion topics and information requests:**

- General discussion on what the department plans to achieve with the OMIS replacement system that it currently cannot with OMIS
- Discuss the department’s annual plan as required by HB 190 (section 4) of the 2023 session
- FY 2023 expenditures in the rental voucher program
- FY 2023 (Quarter 4) evaluations conducted pursuant to 53-1-211(2)(b) of programs to reduce recidivism
- Board of Pardons and Parole discussion
  - on its plan to comply with 46-23-218(4)
  - on all data required to be gathered, pursuant to 46-23-218(4)
- Discussion on the status of ongoing evaluations for programs pursuant to 53-1-211(5)
- Discussion on actions taken to address performance audits 20P-05 and 22P-03 completed by the legislative audit division
- Update on 50 additional community corrections beds received during the 2023 session
- Update on the status of the low side housing unit replacement project at MSP and the anticipated number of additional beds after project completion
- Update on the utilization of HB 817 appropriations to obtain 120 secure facility beds
- HB 693 Reporting:
  - FY 2023 Q4 (through June) – (1) Utilization of Drug Treatment Beds and Payments to Contractors for Failure to Operate at 75% Capacity
  - FY 2023 Q4 (through June) – (4) Felony Defendants Remaining in County Detention for More than 10 days

OBPP Comments – Brent Doig

Public Comment – Department of Corrections topics

12:00 LUNCH BREAK – FOOD TRUCKS

1:00 **Judicial Branch** – Beth McLaughlin and staff

**Agency discussion topics and information requests:**

- HB 693 (2021 session) reporting:
  - FY 2023 Q4 (through June)
- HB 709 (2023 session) reporting and dashboard demo – district course caseloads for CY 2022
- Update on implementation of ARPA Mediation project and status of implementation of new 2025 biennium HB 2 appropriations to extend the project services
- Update on 2025 biennium drug court funding
- Discussion on number of participants in treatment courts for each court, including the number of participants who successfully completed the treatment court program

- Discussion on the number of program participants in the pretrial program and related costs
- Any reports that the office of court administrator is required to provide to the office of state public defender pursuant to 46-8- 113(2)(a), with names included but all other personal identifying information redacted

OBPP Comments – Brent Doig

Public Comment – Judicial Branch Topics

2:00 BREAK

2:15 **Department of Justice** – Will Selph and staff

- CARS updates

2:30 **Agency discussion topics and information requests:**

- Discuss the department’s annual plan as required by HB 190 (section 4) of the 2023 session
- Update regarding the hiring status for new FTE appropriated during the 2023 session
- The number of human trafficking investigations in FY 2023 initiated by the department of justice and the number of prosecutions generated from the investigations
- The number of times in FY 2023 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 in FY 2023 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 in FY 2023 by the Division of Criminal Investigation that were referred to federal prosecutors and resulted in charges being filed in federal court
- Discussion on the allocation of the settlement proceeds from 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

OBPP Comments – Brent Doig

Public Comment – Department of Justice Topics

4:00 BREAK

- 4:15 **Public Service Commission** – President Brown and staff
- State Special Revenue Fund Balance - Walker Hopkins
  - FYE Agency Comments

**Agency discussion topics:**

- Discuss major cases for adjudication in FY 2024

OBPP Comments – Brent Doig

Public Comment – Public Service Commission Topics

5:00 Adjourn

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