



**Public Safety Interim Budget Committee**  
**68th Montana Legislature**

Room 110 Capitol Building \* P.O. Box 201711 \* Helena, MT 59620-1711 \* (406) 444-2986  
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JULIE JOHNSON, Staff Attorney  
WALKER HOPKINS, Fiscal Analyst  
BRENT DOIG, OBPP Analyst  
QUINN HOLZER, Assistant Director

Section D Interim Budget Committee – Agenda  
June 20, 2024 – Room 152

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

8:05 LFD/LAD Updates:

- Presentation of audit on programs and education in Montana prisons – LAD
  - How was information collected?
  - How was the audit requested?
  - Additional supporting reports
- Additional State Special Revenue Summaries - LFD

9:15 **Judicial Branch** – Beth McLaughlin and staff

- Quarterly expenditure report - LFD

**Agency discussion topics and information requests:**

- In-depth Youth Court discussion – Use CJ process map as example model and ask for a similar example for Youth Court so that the process can be understood
  - How much historical data is available?
  - For cases involving alcohol or marijuana, how have historical trends changed?
  - What are the trends seen in cases with ties to mental health issues?
- Discussion/update regarding current caseload data with additional detail including age of offender and offense type
  - Discuss current backlogs within civil and criminal case types. How is time to completion being tracked?
  - Discussion on the calculation for judicial resource needs
- Update on the ARPA funded (and legislatively expanded) Simplify Family Law Resolution family mediation project for Q3 of FY 2024
- Provide a list of court rules (article 7 section 3 review)

10:30 BREAK

10:45 **Department of Justice** – Chief of Staff Will Selph and staff

- Quarterly expenditure report - LFD

**Agency discussion topics and information requests:**

- Any discussion related to responses to the March Section D IBC questions
- What is the department recommending the legislature provide to Lake County to support their efforts pursuant to PL280?
- Comments regarding appropriations for HB 174
- Regarding the following report, provide updates for:  
[\(https://dailyinterlake.com/news/2024/feb/27/county-attorneys-office-turns-to-state-for-help-prosecuting-homicide-cases/\)](https://dailyinterlake.com/news/2024/feb/27/county-attorneys-office-turns-to-state-for-help-prosecuting-homicide-cases/)
  - 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 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 investigations by the Division of Criminal Investigation that were referred to federal prosecutors and resulted in charges being filed in federal court (including the individual charges, location of violations)
- Discussion on the application process that occurs for an entity to receive allocations from the settlement proceeds within the abatement trust from the settlement agreements with the following additional detail:
  - What is being spent or allocated out of the 70% settlement allocation provided to the Montana Abatement Trust?
- Provide the following regarding the accounting of and time spent on litigation for laws passed by the 2023 Legislature:
  - The billable time spent by state government attorneys
  - The amounts paid to contract attorneys
  - The amounts paid to consultants, expert witnesses, and other non-attorney contractors
  - How many instances in FY 2023 and 2024 has the DOJ been ordered by the courts to pay attorney fees?
  - Does the state bill other agencies for these services? If so, provide which agencies and related billable expenses
- MBCC to report on spending from two sources of funding for CIT training and program. How many people have been trained and what other function does this appropriation serve?

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

12:00 LUNCH BREAK

1:00 **Department of Corrections** – Director Brian Gootkin and staff

- Quarterly expenditure report - LFD

**Agency discussion topics and information requests:**

- Any discussion related to responses to the March Section D IBC questions
- Regarding the recently completed performance audit on education opportunities and programs in MT prisons, provide the number of applicants for each program listed and the number of completions for each one
- Comments regarding appropriations for HB 174
- Updates related to the curation of the new OMIS system to include: vendor selection, contract details, documentation referencing requirements
- Discussion regarding HB 133 of the 2017 Session. How much costs savings has the department realized due to this legislation and how does that compare to the original fiscal note?
- Updates on HB 5/HB 817 projects
  - Wendy Ware presentation
  - HB 5 project updates slides from March
- Provide applicable updates for Q3 of FY 2024 in the following areas:
  - 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)
- A brief discussion with probation and parole officers regarding their experience in the field

OBPP Comments – Brent Doig  
Public Comment – Department of Corrections

2:45 Break

3:00 **Office of State Public Defender** – Director Brett Schandelson and staff

- Quarterly expenditure report - LFD

**Agency discussion topics and information requests:**

- Any discussion related to responses to the March Section D IBC questions
- Discussion regarding HB 133 of the 2017 Session. How much costs savings has the department realized due to this legislation and how does that compare to the original fiscal note?
- Comments on appropriations for dependency and neglect / child representation legislation from the 2023 Session (HB 16, HB 555, SB 148)

- Discussion of any protocols issued/adopted pursuant to 47-1-104 in FY 2024 including updated current caseload numbers which shows the breakout of cases by those including felony and misdemeanor charges
- Are there ways to change laws related to misdemeanor cases such that the OPD would not be required to provide defense?
- FY 2024 Q3 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
- Provide/discuss metrics regarding time to completion of cases – by Judicial district
- FY 2024 Q3 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 2024 Q3 cases in which the state has elected to seek the death penalty
- FY 2024 Q3 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

OBPP Comments – Brent Doig

Public Comment – Office of State Public Defender Topics

4:00 **Public Service Commission** – President Brown and staff

- Quarterly expenditure report – LFD
- No additional requests at this time

4:30 Committee Business

4:45 Adjourn