



Public Safety Interim Budget Committee
68th Montana Legislature

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

Section D Interim Budget Committee – Agenda
March 13, 2024 – TBD

8:00 Call to Order – Roll Call – Vice Chair McGillvray

8:05 LFD Updates:

- LAD Introduction
- Quarterly expenditure reports/summary
- Personal services updates/summary

9:00 **Judicial Branch** – Beth McLaughlin and staff

Agency discussion topics and information requests:

- Discussion/update regarding current caseload data
- Revised drug court report containing additional information by individual court
- Update on the ARPA funded (and legislatively expanded) Simplify Family Law Resolution family mediation project

OBPP Comments – Brent Doig

Public Comment – Judicial Branch Topics

10:00 BREAK

10:15 **Department of Justice** – Chief of Staff Will Selph and staff

Agency discussion topics and information requests:

- Any discussion related to responses to the December Section D IBC questions
- Discuss any updates to the department’s annual plan as required by HB 190 (section 4) of the 2023 session
- Discussion with human trafficking agents about what they are experiencing in their work

- CARS process update
- For Q2 of FY 2024,
 - 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 allocations made in FY 2024 from the settlement proceeds within the abatement trust from the settlement agreements with the following Add detail:
 - McKesson corporation
 - Cardinal Health, inc.
 - Amerisource Bergen corporation
 - Janssen pharmaceuticals, inc.
 - OrthoMcNeil-Janssen pharmaceuticals, inc.
 - Janssen pharmaceutica, inc.
 - Johnson & Johnson
- An overview of the cases the department is currently involved in defending Montana legislation, the current status of each case, and the projected timeline of each case
- MBCC – Updates regarding victim service grants including programs funded and a list if current grantees

OBPP Comments – Brent Doig

Public Comment – Department of Justice Topics

12:00 LUNCH BREAK

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

Agency discussion topics and information requests:

- Any discussion related to responses to the December Section D IBC questions
- Discuss the department’s annual plan as required by HB 190 (section 4) of the 2023 session
- 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 defend these cases?
- Discussion regarding future resource needs and goals
- FY 2024 Q2 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

- FY 2024 Q2 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 Q2 cases in which the state has elected to seek the death penalty
- FY 2024 Q2 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
- Regarding the “Matters Closed and OPD Fees Ordered” document provided to the September Section D IBC, of the 855 OPD fees were ordered in FY 2023, how many of these cases saw actual collections?

OBPP Comments – Brent Doig

Public Comment – Office of State Public Defender Topics

2:00 BREAK

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

Agency discussion topics and information requests:

- Any discussion related to responses to the December Section D IBC questions
- Discuss the department’s annual plan as required by HB 190 (section 4) of the 2023 session
- More detail on what the department plans to achieve with the OMIS replacement system that it currently cannot with OMIS and any new information regarding the implementation process
- 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)
- For any maintenance issues that hindered the ability to provide heating or water in FY 2021-2023, what were the causes (external or internal), how much did they cost, and what were the resolution timelines?
- Provide the number of deaths that occurred in custody between FY 2021-2023 including the facility the death occurred, the cause of death, and the inmate’s age
- More detail regarding the factors utilized to determine who would be transferred to the Saguaro Correctional Facility and whether or not they include:
 - Custody level
 - Violent/sexual offender
 - Current DOC facility placement
 - Most recent date of entering into DOC custody
 - Total time spent in custody
 - Time remaining on current sentence
 - Volunteers

- For Q2 of 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)
 - Are steps being taken to prioritize the movement of inmates out of the Yellowstone detention facility?
- Describe the details of the placement process for individuals receiving a DOC commitment sentence
- Describe what determines where an offender goes for community supervision
- A brief discussion with probation and parole officers regarding their experience in the field and current offender/parole officer distribution numbers by sentencing region (dashboard)

4:00 BREAK

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

Agency discussion topics and information requests:

- Regarding the agency’s annual plan, the agency indicated it is has oversight of the safety and reliability of pipelines. Provide a brief discussion regarding transmission lines including any authority the department has:
 - To ensure transmission lines are being defended against natural disasters such as wildfires
 - To ensure transmission lines or substations are protected against acts of terror
 - To ensure transmission lines are protected against electromagnetic pulses either from acts of terror or naturally occurring EMPs
- With the increased use of renewables, and growing demand due to the electrification of cars, heating, etc., what is the PSC's role in assuring that there is a balance of power that does not disrupt the grid?
- Can the PSC ensure that if Colstrip 3 and 4 are decommissioned, adequate power can be supplied to Montanan's during severe weather?

4:45 Committee Business

5:00 Adjourn