



**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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**SENATE MEMBERS**

SHELLEY VANCE  
TOM MCGILVRAY, VICE-CHAIR  
RYAN LYNCH

**HOUSE MEMBERS**

EMMA KERR-CARPENTER  
BILL MERCER, CHAIR  
FIONA NAVE  
MICHELLE BINKLEY

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

December 13, 2023  
Room 152  
Helena, Montana

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**MEMBERS PRESENT:**

Rep. Bill Mercer, Chair (R)  
Sen. Tom McGillvray, Vice Chair (R)  
Sen. Shelley Vance (R)  
Sen. Ryan Lynch (D)  
Rep. Emma Kerr-Carpenter (D)  
Rep. Fiona Nave (R)

**MEMBERS EXCUSED:**

Rep. Michelle Binkley (D)

**MEMBERS ABSENT:**

**STAFF PRESENT:**

Walker Hopkins, Fiscal Analyst  
Kate Flavin, Fiscal Analyst  
Grace Gibney, Secretary

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

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

## **COMMITTEE ACTION**

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

08:01:12 Rep. Bill Mercer started the meeting.

08:01:24 Committee secretary took roll.

### **LFD UPDATES:**

08:02:38 Kate Flavin introduction to committee.

08:03:35 Walker Hopkins, Fiscal Analyst, (LFD) gave a detailed summary of quarterly expenditure reports for Department of Justice.

08:25:42 Kate Flavin, Fiscal Analyst, (LFD) gave a summary of quarterly expenditure report for the Judicial Branch.

08:54:10 Walker Hopkins, Fiscal Analyst (LFD) gave a summary of the quarterly expenditure report for Office of State Public Defender and Department of Corrections.

09:03:29 Walker Hopkins, Fiscal Analyst, (LFD) gave an overview of state special revenue accounts.

## **DEPARTMENT OF JUSTICE:**

09:25:59 Stephanie Cote, Central Services Administrator, Department of Justice (DOJ) made introductory remarks for the Department.

09:27:01 Bryan Lockerby, Administrator, Division of Criminal Investigation, (DOJ) introduced Computer Crimes Agent, Brian Cassidy.

09:27:51 Brian Cassidy, Computer Crimes Agent, Division of Criminal Investigation (DOJ) gave a report on backlog regarding forensic cases, uses of federal Internet Crimes Against Children (ICAC) dollars and status of use. Discussed additional appropriations needed to secure forensic analysts for computer crime.

09:42:18 Sen. Tom McGillvray asked how many FTE are currently assigned to ICAC.

09:42:28 Brian Cassidy, Computer Crimes Agent, (DOJ) responded that there are currently 2 FTE for ICAC cases, and 3 FTE assigned to forensics.

09:49:35 Rep. Emma Kerr-Carpenter requested that DOJ gather information for committee, technology needs, how many staff is needed to complete backlog and budget needs.

09:50:30 Brian Cassidy, Computer Crimes Agent, (DOJ) discussion on federal grant from Office of Juvenile Justice and Delinquency Prevention, (OJJDP).

09:54:07 Rep. Fiona Nave asked if there are other avenues of support for ICAC cases in the state.

- 09:54:29 Brian Cassidy, Computer Crimes Agent, (DOJ) explained that Billings FBI lab, Homeland Security Montana entry level forensics. Explained issues surrounding software and associated costs.
- 10:02:15 Stephanie Cote, Central Services Administrator, (DOJ) gave an update on current hiring status and all newly appropriated FTE for the 2025 biennium.
- 10:03:06 Bryan Lockerby, Administrator, (DOJ) gave an update on prosecutions. DCI Federal Prosecution Referrals.
- 10:17:20 Dan Guzynski, Prosecutions Bureau Chief, (DOJ) gave an update on current prosecution caseload.
- 10:28:33 Stephanie Cote, Central Services Administrator, (DOJ) gave an overview on the allocation made in FY 2024 from the settlement proceeds within the abatement trust from the collective \$75 million dollar settlement agreements made with McKesson Corporation, Cardinal Health INC, Amerisource Bergen Corporation, Janssen Pharmaceuticals INC, and Johnson & Johnson.
- 10:32:55 Nate Thomas, Chief Financial Officer, (DOJ) spoke about the MOU between DOJ and DPHHS on the allocation and use of opioid settlement funds.
- 10:42:56 Bryan Lockerby, Administrator, (DOJ) addressed questions surrounding how settlement funds are being spent.
- 10:47:32 Natalia Bowser, Director, Montana Board of Crime Control, (DOJ) Provided updates regarding additional appropriations for victim's services and provided FY 2024 expenditures made, and grants provided by Montana Board of Crime Control (MBCC) for crisis intervention training.
- 10:57:22 Stephanie Cote, Central Services Administrator, (DOJ) made closing remarks.

**PUBLIC COMMENT:**

- 10:59:00 Benjamin Halverson, Prosecutor, Billings City Attorney's Office
- 11:00:00 Lance Fourstar, Council Member, Wolf Point City Commission

**BREAK:**

- 11:05:45 Reconvened at 11:14:26

**JUDICIAL BRANCH:**

- 11:14:40 Beth McLaughlin, Court Administrator, Judicial Branch (JUD) gave an overview of Youth Court Caseloads 2022 Report, charge counts by county. Provided juvenile adjudication numbers by district for FY 2022-2023 including crimes that were committed and resulting dispositions.
- 11:39:30 Rep. Bill Mercer asked questions surrounding vacant FTE positions.
- 11:46:39 Beth McLaughlin, Court Administrator, (JUD) gave a report on District Court Caseload and Workload. Led discussion on whether the Branch will be seeking additional district judges in the 2025 session. Gave an update on the ARPA funded Simplify Family Law Resolution family mediation project.

**PUBLIC COMMENT:**

12:14:13 None was heard.

**LUNCH:**

12:14:33 Reconvened at 01:02:29

**OFFICE OF STATE PUBLIC DEFENDER:**

01:03:17 Brett Schandelson, Director, Office of State Public Defender, (OPD) gave an agency update on recent position of a new data analyst. Provided a presentation on FTE, workload, and ethical case management. Responded to committee questions relating to capital cases without reliance on the private market. Continued to discuss collection of fees by OPD.

**PUBLIC COMMENT:**

02:11:10 None was heard.

**BREAK:**

02:11:35 Reconvened at 02:18:35

**DEPARTMENT OF CORRECTIONS:**

02:19:27 Brian Gootkin, Director, Department of Corrections, (DOC) Discussed strategic outcomes and current goals to improve infrastructure at MSP.

02:27:41 Natalie Smitham, Chief Financial Officer, (DOC) discussed construction and design contracts for infrastructure projects at MSP.

02:30:30 Scott Eychner, Rehabilitation and Programs Chief, (DOC) gave an update on expanding community correction programs in relation to HB 5 and HB 817 funding.

02:39:58 John Daugherty, Chief Executive Officer, Central Services Division, (DOC) gave updates on the Offender Management System. Gave general updates on what the department plans to achieve with the OMIS replacement system. Montana Criminal Justice Data Warehouse updates.

02:58:35 Brian Gootkin, Director, Department of Corrections, (DOC) gave a report on current infrastructure projects. Announced that number of beds will not be determined until after the design is completed by the DLR Group. Described current process in current construction projects.

- 03:04:05 Scott Eychner, Rehabilitation and Programs Chief, (DOC) spoke about expanding educational programs at MSP. Explained intentions to include vocational training as well as treatment.
- 03:06:37 Brian Gootkin, Director, Department of Corrections, (DOC) reported on out of state prison beds. Awarded to CoreCivic through competitive process- Saguaro Correctional Center, Eloy Arizona. Explained 60 inmates were moved in November 2023 and additional moves are scheduled. Explained how transferred inmates are selected.
- 03:21:24 Scott Eychner, Rehabilitation and Programs Chief, (DOC) described efficiencies in community corrections. To be used to expand non-residential capacity by moving offenders that are suitable and appropriate into the community from prerelease beds. Program anticipated to be operational in January 2024.
- 03:23:45 Brian Gootkin, Director, Department of Corrections, (DOC) updated the committee on MSP correctional officer staffing levels.
- 03:28:22 Natalie Smitham, Chief Financial Officer, (DOC) spoke about employee pay increases in contract facilities. Explained that HB 2 - \$6.1 million to increase per diem rates to community corrections providers to raise employee pay.
- 03:30:27 Mark Baker, CoreCivic gave an update on staff vacancies and employee pay.
- 03:34:30 Natalie Smitham, Chief Financial Officer, (DOC) described report on rental voucher estimates divided by county.
- 03:44:51 Scott Eychner, Rehabilitation and Programs Chief, (DOC) discussed DOC Quarterly Treatment PRC Assessment Utilization Guarantee Report.
- 03:58:16 Brian Gootkin, Director, Department of Corrections, (DOC) made closing remarks.

**PUBLIC COMMENT:**

04:05:50 Alan Scanlon, Executive Director, Great Falls Pre-Release Center

**BREAK:**

04:09:15 Reconvened at 04:19:21

**PUBLIC SERVICE COMMISSION:**

04:20:07 James Brown, President, Public Service Commission, (PSC) gave an update on agency expenditures. Provided committee with annual plan for the PSC.

**PUBLIC COMMENT:**

04:31:04 None was heard.

**COMMITTEE BUSINESS:**

04:35:43 Walker Hopkins, Fiscal Analyst, (LFD) gave closing remarks relating to future committee materials.

**ADJOURNMENT:**

04:39:35 Rep. Bill Mercer adjourned the meeting.