



Commission on Sentencing

64th Montana Legislature

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LEGISLATORS

SEN. CYNTHIA WOLKEN - CHAIR
SEN. KRISTIN HANSEN - VICE CHAIR
REP. MATTHEW MONFORTON
REP. MARGARET MacDONALD

PUBLIC MEMBERS

HON. INGRID GUSTAFSON
MIKE BATISTA
DEREK GIBBS
DAN GUZYNSKI
JENNIE HANSEN
ROXANNE KLINGENSMITH

PUBLIC MEMBERS

LEANN MONTES
PETER OHMAN
MARY ANN RIES
MAJEL RUSSELL
DONNA WHITT

COMMITTEE STAFF

RACHEL WEISS, RESEARCH ANALYST
JULIANNE BURKHARDT, ATTORNEY
KATYA GROVER, SECRETARY

MINUTES

October 19, 2016
Room 152, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Please contact the Legislative Services Division at 406-444-3064 for more information.

COMMITTEE MEMBERS PRESENT

SEN. CYNTHIA WOLKEN - CHAIR
SEN. KRISTIN HANSEN - VICE CHAIR
REP. MATTHEW MONFORTON
REP. MARGARET "MARGIE" MacDONALD
HON. INGRID GUSTAFSON
MIKE BATISTA
DEREK GIBBS
DAN GUZYNSKI
JENNIE HANSEN
ROXANNE KLINGENSMITH
LEANN MONTES
PETER OHMAN
MARY ANN RIES
DONNA WHITT

COMMITTEE MEMBERS EXCUSED

MAJEL RUSSELL

STAFF PRESENT

RACHEL WEISS, Research Analyst

JULIANNE BURKHARDT, Attorney

KATYA GROVER, Committee Secretary

VISITORS' LIST (Attachment 1)

AGENDA (Attachment 2)

COMMITTEE ACTION

The commission

- Voted to amend and approve LCj002, LCj003, LCj009, LCj011, LCj013, LCj017 and LCj018 as commission bills.
- Approved LCj10B, LCj015 and LCj016 as commission bills.
- Tabled LCj007.

CALL TO ORDER and ROLL CALL

00:00:03 Sen. Wolken called the commission to order at 8:30 a.m. The commission secretary called roll. **(Attachment 3)** Commissioner Hansen was excused starting at 2:00 p.m. and left her proxy with Director Batista. **(Attachment 4)**

00:00:39 Sen. Wolken discussed the agenda items for this meeting.

DRAFT LEGISLATION REVIEW AND DISCUSSION

Bill Draft Review by Staff from the Council of State Governments Justice Center and/or the Legislative Services Division

00:01:31 Carl Reynolds, CSG, asked Sen. Wolken for clarification about the preferable order regarding bill draft review.

00:02:45 Karen Chung, CSG, asked Ms. Weiss to summarize amendments that the commission had for LCj001.

00:02:58 Rachel Weiss, Research Analyst, provided a summary of LCj001 and amendments associated with this bill draft. In her summary, Ms. Weiss referred to a document entitled "Commission on Sentencing Bill Drafts" **(Exhibit 1)** and to LCj001 draft **(Exhibit 2)**.

00:04:47 Sen. Hansen asked Deb Matteucci, Executive Director, Montana Board of Crime Control, whether she feels that this commission has addressed the point that she brought up regarding combining policy numbers 1 and 5 (see Exhibit 2 in Sept. 20, 2016, Minutes Log) with the crisis intervention team training in one package during the September 20th meeting.

Commission Bills Requiring Additional Review

LCj002: Generally Revise Criminal Justice Laws (PSI Bill with Risk Assessment Revisions from September 2016)

00:06:28 Mr. Reynolds summarized the bill draft. **(Exhibit 3)**
00:07:32 Ms. Weiss elaborated further on the changes made to LCj002.

Commission Discussion on LCj002

00:08:43 Commissioner Guzynski
00:10:28 Sen. Wolken
00:10:37 Commissioner Hansen
00:11:17 Commissioner Ries
00:12:07 Commissioner Ohman
00:13:34 Commissioner Hansen
00:14:03 Commissioner Ohman
00:14:27 Judge Gustafson
00:16:05 Commissioner Guzynski

00:17:28 Sen. Wolken spoke about how bill drafts will be handled in today's meeting.

LCj003: Generally Revise Sentencing Laws (Subcommittee Recommendations)

00:18:04 Mr. Reynolds noted that LCj003 was drafted by the commission staff. Julianne
00:18:43 Burkhardt, Staff Attorney, summarized the bill draft. **(Exhibit 4)**
(Exhibit 5) (Exhibit 6)
00:25:09 Sen. Hansen pointed out that per the subcommittee's recommendation, the fine
amount in section 4, subsection (8)(b), line four, should be \$1,500 instead of
\$5,000 (Exhibit 4).
00:25:42 Ms. Burkhardt continued her discussion of the bill draft.

Commission Discussion on LCj003

00:30:24 Commissioner Ohman
00:30:49 Commissioner Guzynski
00:32:16 Commissioner Ohman
00:33:03 Sen. Hansen
00:35:17 Judge Gustafson
00:36:52 Commissioner Guzynski
00:38:41 Sen. Wolken
00:39:30 Sen. Hansen
00:40:41 Commissioner Guzynski

BREAK: Earthquake Drill (reconvened at 10:47 a.m.)

00:41:17 The commission members and public members left the building due to the
earthquake drill.
01:08:13 The commission members and public members returned from the drill.

Commission Discussion on LCj003 - CONTINUED

01:08:13 Sen. Wolken
01:09:02 Sen. Hansen
01:09:42 Sen. Wolken
01:09:56 Ms. Burkhardt
01:12:45 Sen. Wolken
01:13:32 Ms. Burkhardt

01:16:57 Sen. Wolken

LCGUZ1: Sexual Intercourse Without Consent

01:17:34 Commissioner Guzynski summarized the amendment. **(Exhibit 7)**

01:29:11 Sen. Wolken noted that this amendment will be acted upon during the commission's work session.

LCj012: Requesting an Interim Study to Explore Increasing Access to Tribal Resources for Tribal Members Who Are Involved in the Criminal Justice System

01:29:40 Sen. Wolken

01:30:03 Ms. Weiss **(Exhibit 8)**

Preliminary Bill Drafts

LCj007 -- Generally Revising Laws Related to Community Corrections Facilities

01:31:26 Mr. Reynolds **(Exhibit 9)**

Commission Discussion on LCj007

01:32:44 Sen. Wolken

01:33:05 Commissioner Klingensmith

01:35:44 Rep. MacDonald

01:35:59 Mr. Reynolds

LCj009 -- Requiring Behavioral Health Treatment Services Provided Within Facilities Operated by or Contracting with the Department of Corrections to Be Licensed by the Department of Public Health and Human Services

01:40:39 Ms. Chung **(Exhibit 10)**

Commission Discussion on LCj009

01:42:08 Commissioner Gibbs

01:43:03 Ms. Chung

01:43:39 Commissioner Gibbs.

01:44:05 Ms. Chung

01:44:29 Rep. MacDonald

01:45:28 Ms. Chung

01:45:40 Rep. McDonald

LCj10A -- Providing for Certification of Behavioral Health Peer Support Specialists

01:45:58 Ms. Weiss summarized the bill draft and asked Sen. Hansen and Commissioner Gibbs to elaborate further on the content of the bill. **(Exhibit 11) (Exhibit 12)**

01:48:15 Sen. Hansen elaborated on the bill and introduced a suggested revision to LCj10A drafted in LCj10B. **(Exhibit 13)**

01:56:20 Commissioner Gibbs

LCj011 -- Revising Laws Related to Supervision of Probationers and of Defendants Serving a Deferred or Suspended Sentence

01:58:20 Sen. Wolken introduced discussion of LCj011.
01:58:35 Mr. Reynolds summarized the bill draft. **(Exhibit 14)**

Commission Discussion on LCj011

02:13:52 Rep. MacDonald
02:14:28 Sen. Hansen
02:15:24 Commissioner Hansen
02:16:14 Mr. Reynolds
02:16:28 Ms. Chung
02:16:43 Commissioner Hansen
02:17:16 Mr. Reynolds
02:17:21 Commissioner Hansen

LUNCH (reconvened at 1:03 p.m.)

LCj013 -- Generally Revising Laws Related to the Board of Pardons and Parole

03:25:44 Sen. Wolken called the commission back to order and introduced discussion of LCj013.
03:26:22 Mr. Reynolds summarized the bill draft. **(Exhibit 15)**
03:31:01 Ms. Weiss brought to the commissioners' attention that during the September 20th meeting, commissioners voted to apply two amendments to LCj013. The first one would amend Section 3 (in the original draft), which would put back the language about Deer Lodge being a principal location for offices. The second amendment dealt with the composition of the Board of Pardons and Parole and qualifications of its members.
03:32:05 Sen. Hansen talked about the qualification requirements for the board members. **(Exhibit 16)**
03:36:06 Ms. Weiss elaborated on the compensation of the board members.
03:37:51 Sen. Hansen continued her presentation with an amendment about a review of administrative rules by the board. **(Exhibit 17)**
03:38:38 Ms. Weiss elaborated further on the rule review activities by the board. In her discussion, Ms. Weiss referred to Exhibit 15 and to Exhibit 17.
.03:41:38 Sen. Hansen continued her presentation.

Commission Discussion on LCj013

03:42:56 Commissioner Hansen
03:43:45 Mr. Reynolds
03:44:34 Sen. Hansen
03:44:58 Mr. Reynolds
03:45:12 Sen. Hansen
03:46:00 Mr. Reynolds
03:48:00 Sen. Wolken
03:48:14 Commissioner Montes
03:48:45 Sen. Hansen

LCj015 -- Generally Revising Laws Regarding Housing Options for Offenders

- 03:49:33 Sen. Wolken introduced discussion of LCj015.
03:49:45 Ms. Weiss summarized the bill draft. **(Exhibit 18)**
- 03:54:38 Sen. Wolken asked about the fiscal note to HB 137 (2015) sponsored by Rep. Hill.

LCj016 -- Generally Revising the Crime Victims Compensation Act

- 03:55:07 Ms. Weiss summarized the bill draft. **(Exhibit 19)**
03:58:12 Grace Call, CSG, provided additional comments about LCj016.
- 03:58:41 Sen. Wolken asked Ms. Weiss whether the commission needs to take more action on this bill draft.
03:58:46 Ms. Weiss said that there needs to be an executive action taken if this bill draft is to become a commission bill.

LCj017 -- Generally Revising Laws Related to Batterer's Intervention Programs

- 03:59:26 Ms. Weiss summarized the bill draft. **(Exhibit 20)**

Commission Discussion on LCj017

- 04:02:17 Sen. Hansen
04:02:42 Ms. Weiss
04:03:08 Sen. Hansen
04:03:25 Ms. Weiss
04:03:42 Sen. Hansen
04:05:16 Judge Gustafson
04:06:25 Ms. Weiss

LCj018 -- Generally Revise Criminal Justice Laws (Draft Containing Oversight and Implementation Policy Options)

- 04:07:44 Ms. Weiss summarized the bill draft. **(Exhibit 21)**
- 04:16:00 Judge Gustafson said that she would like to amend LCj003 with LCdr01. **(Exhibit 22)**
- 04:17:04 Commissioner Ohman also said that he has an amendment that he would like to move.
- 04:17:11 Sen. Wolken noted that amendment proposed by Judge Gustafson, Commissioner Ohman and any other additional amendments can be introduced during the commission's work session. Sen. Wolken asked Ms. Chung to elaborate on the implementation part of LCj018.

04:17:29 Ms. Chung talked about resources that become available to a state if and when it enacts justice reinvestment legislation.

Further Discussion on LCj003 - Steve Allen, Senior Policy Advisor, CSG (via phone)

04:20:05 Sen. Wolken introduced Mr. Allen

04:22:47 Mr. Allen talked about LCj003 (see Exhibit 4), and specifically, about the changes to LCj003 described in LCWOL1. **(Exhibit 23)**

Commission Questions of Mr. Allen

04:26:26 Sen. Wolken asked Mr. Allen to elaborate on multi-faceted assessment.

04:28:05 Commissioner Ohman asked about the implementation of the assessment.

04:28:36 Sen. Hansen asked about speedy trial challenges.

04:29:22 Sen. Wolken asked Mr. Allen to elaborate on the draft that was worked on by Sen. Hansen and Commissioner Gibbs regarding peer support.

LCdr01 and LCdr02

04:34:12 Judge Gustafson went over amendment again (see Exhibit 22).

04:35:27 Commissioner Ohman summarized his amendment. **(Exhibit 24)**

Commission Questions

04:37:36 Commissioner Guzynski asked Commissioner Ohman about the benefits that this proposal would give to a defendant and why other existing statutes aren't sufficient in accomplishing the same goal.

04:39:11 Commissioner Ohman continued his discussion of LCdr02.

Public Comment

04:40:54 Jana Staton, Montana Association of Christians, expressed her support of LCj015. **(Exhibit 25)**

04:43:37 Shelly Johnson, Alcohol and Drug Services of Gallatin County, spoke against removing requirement for chemical dependencies courses. **(Exhibit 26)**

04:49:34 Erin McGowan, Montana Community Corrections Association, urged the commission not to move LCj007 at this time and explained the reasons. Ms. McGowan expressed her support of LCj018 and asked for commission's endorsement of two seats on the oversight committee: one seat for a treatment program representative and one seat for a prerelease representative. Ms. McGowan also referred commissioners' attention to the statistical information regarding the length of stay at the Helena Prerelease Center. **(Exhibit 27)**

04:53:42 James Gustafson, Certified Peer Support Specialist, Owner of Recovery for Montana, talked about peer support certification and about importance of standardization of certification. **(Exhibit 28)**

04:56:28 Amy Tenney, CEO, Boyd Andrew Community Services, spoke against removing requirement for chemical dependencies courses in LCj003. Ms. Tenney said that it is an evidence-based program and talked about the program's merits.

- 05:00:08 Deb Matteucci, Executive Director, Montana Board of Crime Control, noted that all of the bill drafts that this commission has been proposing align closely with the Board's priorities. Ms. Matteucci spoke about four areas that the Montana Board of Crime Control considers priorities. Ms. Matteucci also emphasized that misdemeanor probation and batterer's intervention programs need to be delivered as one package as both resources are necessary.
- 05:03:15 Mark Murphy, Montana County Attorneys' Association (MCAA), Montana Police Protective Association (MPPA), Montana Association of Chiefs of Police (MACOP), encouraged the commission to consider how the bill drafts, especially LCj003 and LCj011, would impact community safety.
- 05:09:02 Gary Mihelish, advocate for people with mental illness, NAMI, emphasized the importance of peer support specialists and of providing more and better evidence-based treatment programs.
- 05:12:42 Matt Kuntz, Executive Director, NAMI Montana, expressed his support of LCj10A.
- 05:14:30 Abbie Chermack, Education Coordinator, the Friendship Center, talked about the center, and what it does. [\(Exhibit 29\)](#)
- 05:17:27 Mike Thatcher, CFO, Community, Counseling and Correctional Services, elaborated on potential positive and negative outcomes of LCj003 and LCj007.
- 05:21:45 Shaen McElravy, Program Manager, Western Montana Addiction Services, spoke against removing educational component from the ACT program. [\(Exhibit 30\)](#)
- 05:27:10 Robin Turner, Montana Coalition Against Domestic and Sexual Violence, expressed her support of LCj016 and responded to some of the comments from the executive action on LCj016 from the Sept. 20th meeting. In regards to LCj0017, Ms. Turner reiterated the idea expressed by Ms. Matteucci that misdemeanor probation and batterer's intervention programs need to be working together to be effective. Ms. Turner also asked for commission's consideration to allow for a victim advocate to be a member of the interagency committee formed as a result of LCj018.
- 05:31:17 Sue Wilkins, Executive Director, Missoula Correctional Services, spoke against LCj007 and noted that the term "evidence-based" is loosely defined.
- 05:36:41 Steve Cape, Montana Coalition for Safety and Justice, talked about revocation hearings and working on removing those offenders who don't need to be in the system quickly. Mr. Cape also talked about pros and cons of LCj007.
- 05:40:28 Dave Armstrong, CEO, Alternatives Inc., provided general comments on renovating the correctional system. Mr. Armstrong also elaborated on certification for programming for mentally ill in prerelease centers. Mr. Armstrong

expressed his support of LCj018. With respect to LCj007, Mr. Armstrong noted that the issue is not with its content but with collecting data.

05:44:28 Kevin Olson, Administrator of Probation and Parole Division, Montana Department of Corrections, expressed his support of LCdr02 (see Exhibit 24) but said that the language in subsection 6 on page 3 needs to be worked on. Mr. Olson also pointed out that the decision as to whether probation and parole should be able to make recommendations needs to be clearly articulated in LCj002, as right now there is no provision in the existing statute for the probation and parole division to make recommendations.

BREAK (reconvened at 3:35 p.m.)

COMMISSION WORK SESSION

05:56:54 Sen. Wolken called commission back to order. Rep. Monforton and Commissioner Hansen were excused at this time.

05:59:49 Sen. Hansen asked Ms. Weiss about the procedure with executive action on LCj003 and individual commissioners bill drafts that would fit as amendments to LCj003.

Work Session on LCj003

Motion

06:02:15 Sen. Hansen moved to approve LCj003 as a commission bill.

Motion to Amend

06:02:30 Sen. Hansen moved to amend LCj003 with LCGUZ1.

Discussion on the Motion to Amend

06:03:11 Rep. MacDonald
06:04:16 Judge Gustafson
06:06:19 Commissioner Guzynski
06:09:55 Commissioner Ries
06:11:02 Commissioner Ohman
06:11:44 Sen. Wolken
06:11:50 Commissioner Guzynski
06:11:59 Commissioner Ohman
06:12:06 Sen. Wolken
06:12:21 Commissioner Ohman
06:12:38 Commissioner Guzynski
06:13:07 Rep. MacDonald
06:13:26 Commissioner Guzynski
06:14:07 Rep. MacDonald
06:14:47 Sen. Hansen

Vote on Motion to Amend

06:15:43 The motion passed on a voice vote, 11-1, with Sen. Wolken, Sen. Hansen, Rep. MacDonald, Director Batista, Judge Gustafson, Commissioner Gibbs,

Commissioner Guzynski, Commissioner Klingensmith, Commissioner Montes, Commissioner Ries, and Sheriff Whitt voting 'yes' and Commissioner Ohman voting 'no'. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Vote on Motion to Pass as Amended

06:16:10 The motion passed on a roll call vote, 13-1. ([Attachment 5](#))

Motion to Amend

06:17:18 Sen. Hansen moved to amend LCj003 with LCWOL1.

Discussion on Motion to Amend

06:17:37 Sen. Wolken
06:18:34 Commissioner Gibbs
06:19:11 Sen. Hansen
06:22:31 Sen. Wolken
06:23:18 Commissioner Gibbs

Vote on Motion to Amend

06:23:36 The motion passed unanimously on a roll call vote. ([Attachment 6](#))

Motion to Amend

06:24:39 Sen. Hansen moved to amend LCj003 with LCdr01.

Discussion on Motion to Amend

06:25:05 Sen. Hansen
06:25:28 Commissioner Gibbs
06:25:57 Judge Gustafson
06:28:18 Commissioner Gibbs
06:28:31 Judge Gustafson
06:29:01 Commissioner Gibbs
06:30:19 Judge Gustafson
06:31:39 Commissioner Ries
06:32:56 Sen. Wolken
06:33:20 Commissioner Guzynski
06:34:07 Sen. Wolken
06:34:17 Commissioner Guzynski
06:34:59 Rep. MacDonald

Vote on Motion to Amend

06:36:39 The motion passed on a roll call vote, 10-4. ([Attachment 7](#))

Motion to Amend

06:37:44 Sen. Hansen moved to amend LCj003 with LCdr02.

Discussion on Motion to Amend

06:38:02 Commissioner Ohman

Vote on Motion to Amend

06:38:41 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Motion to Pass as Amended

06:38:56 Sen. Hansen moved to approve LCj003 four times amended.

Vote on Motion to Pass as Amended

06:39:12 The motion passed on a roll call vote, 9-5. [\(Attachment 8\)](#)

Work Session on LCj002

Motion

06:41:05 Sen. Hansen moved to approve LCj002 as a commission bill.

Motion to Amend

06:41:38 Commissioner Guzynski moved to amend LCj002 to take out a provision that would prohibit a presentence investigation report from containing sentencing recommendations (as reflected on page 2 and 3 of Exhibit 3).

Discussion on Motion to Amend

06:42:05 Sen. Wolken

06:42:09 Commissioner Guzynski

06:42:30 Sen. Wolken

Vote on Motion to Amend

06:42:41 The motion passed on a voice vote, 11-1, with Sen. Wolken, Sen. Hansen, Rep. MacDonald, Director Batista, Judge Gustafson, Commissioner Gibbs, Commissioner Guzynski, Commissioner Klingensmith, Commissioner Montes, Commissioner Ries, and Sheriff Whitt voting 'yes' and Commissioner Ohman voting 'no'. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Vote on Motion to Pass as Amended

06:42:59 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Work Session on LCj007

Motion

06:43:22 Sen. Hansen moved to table LCj007.

Vote

06:44:02 The motion passed unanimously on a roll call vote. [\(Attachment 9\)](#)

Work Session on LCj009

Motion

06:44:55 Sen. Hansen moved to approve LCj009 as a commission bill.

Discussion on Motion

06:45:18 Ms. Weiss
06:45:44 Sen. Hansen
06:46:02 Sen. Wolken

Motion to Amend

06:46:21 Rep. MacDonald moved to amend LCj009 to have actual in-patient treatment facilities licensed as opposed to the prerelease centers.

Discussion on Motion to Amend

06:46:25 Sen. Wolken

Vote on Motion to Amend

06:46:41 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Vote on Motion to Pass as Amended

06:46:58 The motion passed on a voice vote, 11-1, with Sen. Wolken, Rep. MacDonald, Director Batista, Judge Gustafson, Commissioner Gibbs, Commissioner Guzynski, Commissioner Klingensmith, Commissioner Montes, Commissioner Ohman, Commissioner Ries, and Sheriff Whitt voting 'yes' and Sen. Hansen voting 'no'. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Work Session on LCj10B

Motion

06:47:19 Sen. Hansen moved to approve LCj10B as a commission bill.

Vote

06:47:39 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Work Session on LCj011

Motion

06:48:00 Sen. Hansen moved to approve LCj011 as a commission bill.

Discussion on Motion

06:48:18 Sen. Wolken
06:48:27 Mr. Reynolds

Motion to Amend

06:49:00 Commissioner Ohman moved to amend LCj011 to strike "petition" and replace it with "arrest" in section 1, subsection 4 (see page 2 of Exhibit 14).

Discussion on Motion to Amend

06:49:56 Rep. MacDonald
06:50:18 Sen. Hansen
06:50:33 Commissioner Ohman
06:51:36 Sen. Hansen
06:52:01 Commissioner Ohman

Vote on Motion to Amend

06:52:43 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Motion to Pass as Amended

06:52:54 Sen. Hansen moved to pass LCj011 as amended.

Motion to Amend

06:53:05 Director Batista moved to amend LCj011 (1) to work on the language to clarify which members of the board of pardons and parole are required to go through training and which members are not required and (2) to add another risk level that would be rated between low risk and moderate risk.
06:53:56 Sen. Wolken reiterated the motion.

Discussion on Motion to Amend

06:54:27 Director Batista
06:54:47 Ms. Weiss
06:55:22 Commissioner Ohman
06:55:30 Ms. Weiss

Vote on Motion to Amend

06:55:37 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Vote on Motion to Pass as Amended

06:55:59 The motion passed on a voice vote, 10-2, with Sen. Wolken, Rep. MacDonald, Director Batista, Judge Gustafson, Commissioner Gibbs, Commissioner Klingensmith, Commissioner Montes, Commissioner Ohman, Commissioner Ries, and Sheriff Whitt voting 'yes' and Sen. Hansen and Commissioner Guzynski voting 'no'. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Work Session on LCj013

Motion

06:56:38 Sen. Hansen moved to approve LCj013 as a commission bill.

Motion to Amend

06:56:51 Sen. Hansen moved to amend LCj013 with LCHAN1 and LCHAN2.

Vote on Motion to Amend

06:57:40 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Motion to Amend

06:57:58 Sheriff Whitt moved to amend LCj013 (1) to change the time for when the hearing must be conducted after arrest from 3 days to 5 days (see page 23 of Exhibit 15) and (2) to change the language in Section 19 (see page 28 of Exhibit 15) to reflect that January 1, 2018, would be the date by which the process must be completed instead of started.

Discussion on Motion to Amend

06:58:49 Sen. Hansen
06:59:55 Rep. MacDonald
07:00:38 Sen. Hansen
07:01:17 Sen. Wolken

One Amendment Withdrawn

07:01:21 With no objection from the commission, Sheriff Whitt withdrew the motion to change the language in Section 19 (see page 28 of Exhibit 15) to reflect that January 1, 2018, would be the date by which the process must be completed instead of started.

Further Discussion on Motion to Amend

07:01:24 Sen. Wolken
07:01:34 Ms. Weiss
07:02:00 Commissioner Ries

Vote on Motion to Amend

07:02:20 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Vote on Motion to Pass as Amended

07:02:37 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Work Session on LCj015

Motion

07:02:48 Sen. Hansen moved to approve LCj015 as a commission bill.

Vote

07:03:08 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Work Session on LCj016

Motion

07:03:17 Sen. Hansen moved to approve LCj016 as a commission bill.

Vote

07:03:32 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Work Session on LCj017

Motion

07:03:47 Sen. Hansen moved to approve LCj017 as a commission bill.

Discussion on Motion

07:03:57 Sen. Hansen

Motion to Amend

07:08:10 Sen. Hansen moved to amend LCj017 to replace the judicial branch as the operating authority with the board of crime control.

Vote on Motion to Amend

07:04:49 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Motion to Pass as Amended

07:04:59 Sen. Hansen moved to pass LCj017 as amended.

Vote on Motion to Pass as Amended

07:05:10 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Work Session on LCj018

Motion

07:05:31 Sen. Hansen moved to approve LCj018 as a commission bill.

Motion to Amend

07:05:41 Sen. Wolken moved to amend LCj018 to have the governor to appoint two additional members to the oversight committee: a victim advocate and a representative from a correctional treatment center or a prerelease center.

Vote on Motion to Amend

07:06:19 The motion passed unanimously on a voice vote. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

Motion to Pass as Amended

07:06:30 Sen. Hansen moved to pass LCj018 as amended.

Discussion on Motion to Pass as Amended

07:06:36 Ms. Weiss

07:07:22 Sen. Wolken

Vote on Motion to Pass as Amended

07:07:43 The motion passed on a voice vote, 11-1, with Sen. Wolken, Rep. MacDonald, Director Batista, Judge Gustafson, Commissioner Gibbs, Commissioner Guzynski, Commissioner Klingensmith, Commissioner Montes, Commissioner Ohman, Commissioner Ries, and Sheriff Whitt voting 'yes' and Sen. Hansen voting 'no'. Rep. Monforton, Commissioner Hansen and Commissioner Russell were excused.

07:08:08 Sen. Wolken provided closing comments on the work of the Commission on Sentencing during the 2015-2016 interim.

07:09:24 Commissioner Klingensmith also provided closing comments.

ADJOURNMENT

07:10:04 With no further business before the commission, Sen. Wolken announced adjournment at 4:48 p.m.

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