



# Commission on Sentencing

## 64th Montana Legislature

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

## AGENDA

September 20, 2016 -- 8:30 a.m.  
State Capitol, Room 152

Please note: All agenda times are approximate. Some items may take more or less time than scheduled.

8:30 a.m. Call to Order -- Roll Call -- Introductory Remarks -- Sen. Cynthia Wolken, Presiding Officer

8:35 a.m. Report on Focus Groups Held With Crime Victims and Victims Advocates  
→ Presenters TBD

9:20 a.m. Montana Justice Reinvestment Initiative Policy Options -- Discussion between commissioners and Council of State Governments Justice Center regarding policy options including: fiscal and impact projections, information requested at previous meetings, draft language for legislation (draft bill numbers are listed below the related policy option), and recommendations from the Statute Review Subcommittee.

- The presiding officer will call for breaks and a working lunch as needed. Lunch will be provided for commissioners.
  - The presiding officer may call for public comment as appropriate.
1. Establish use of pretrial risk assessment tools and supervision.
    - LCj001
  2. Revamp the presentence investigation report so that it is less time-intensive and more structured and objective and encourages the use of evidence-based practices in sentencing.
    - LCj002
  3. Eliminate mandatory minimum jail sentences for second offense driving with a suspended license and third offense petty theft.
    - Subcommittee report
  4. Reclassify traffic offenses, other than driving under the influence, as civil or citation-only offenses.
    - Subcommittee report

5. Support the creation and expansion of deferred prosecution programs.
  - LCj001
6. Expand eligibility criteria for problem-solving courts.
  - update on Drug Treatment Court Advisory Committee (Judicial Branch) -- see LCj006
7. Focus prison and community corrections space on those who are most likely to reoffend.
  - LCj007
8. Require prerelease centers to deliver more intensive evidence-based programs and treatment within a shorter time period to reduce recidivism and serve more people.
  - LCj007
9. License and adopt evidence-based standards for treatment facilities serving people in the criminal-justice system.
10. Fund access to behavioral health treatment and programs to reduce recidivism for people on community supervision.
  - LCj10A
11. Focus supervision resources on people who are most likely to reoffend.
  - LCj011
12. Explore increasing access to tribal resources for tribal members who are in the state criminal justice system.
  - LCj012
13. Modernize the parole board and the parole decision-making process to ensure that the board's decisions are informed, consistent, and sustainable.
  - LCj013
14. Limit the term of incarceration for technical violations of conditions of probation and parole.
  - LCj011 and LCj013
15. Improve access to housing for people reentering the community.
16. Expand eligibility for crime victim compensation benefits.
  - LCj016
17. Improve the quality of and access to batterer's intervention programs.
18. Create a centralized, interagency oversight body to guide and track the implementation of justice reinvestment legislation.
19. Require the Montana Department of Corrections to report annual data on the impact of implementing justice reinvestment legislation.
20. Require the Department of Corrections to regularly validate its risk assessment tool.
21. Require the Department of Corrections staff to receive ongoing training in risk assessment and evidence-based practices.
22. Establish program standards and authorize the quality assurance unit within the Department of Corrections to evaluate state-funded programs and enforce the program standards.
23. Require that the Department of Corrections' probation and parole interventions and incentives grid follow evidence-based practices.

Public comment on policy options discussion and draft language for legislation\*

- The presiding officer may set time limits, as appropriate.

Commission Work Session

- Sen. Wolken's remarks
- Commission discussion and possible action on next steps:
  - directions to staff on revisions to existing drafts?
  - requests for additional bill draft language on policy options and subcommittee recommendations?
  - other requests for draft language?
  - other requests for information?
- Next meeting: October 19

5:00 p.m. Adjourn

\*Public comment provided in person to the commission is a public record that is videotaped, archived, and available on the internet. Public comment submitted in writing at a commission meeting is a public record that will be posted to the legislative web site as part of the minutes log for the commission meeting.

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