**TO:** Members of the Law and Justice Interim Committee and Criminal Justice Oversight Council

**FROM:** Montana Department of Corrections

**SUBJECT:** HB693 Reports

**DATE:** July 16, 2024

**Pursuant to House Bill 693:**

For offenders who were under the Montana Department of Corrections' supervision or in the department's custody between July 1, 2015, and July 1, 2024, the DOC shall report to the Law and Justice Interim Committee and the Criminal Justice Oversight Council the identity, criminal history, including the crimes or violations requiring the report, and correctional institution history of individuals:

(a) who were sentenced for a felony offense between July 1, 2023, and June 30, 2024; or
(b) whose sentences were revoked for a violation of the terms and conditions of a suspended or deferred sentence between July 1, 2023, and June 30, 2024, excluding a violation that is not a compliance violation as defined in 46-18-203.

**Overview:**

1,784 offenders met the criteria outlined in HB693. Using data from the Offender Management Information System (OMIS), the department is able to provide the offender, list reason, action date, institution history and criminal history. Offenders who received a new sentence, but did not get revoked, were not reviewed to see if an ROV was filed. Given the new sentence, it is safe to assume that those 1,082 had at least a non-compliance violation if an ROV was filed.

Non-Compliance violations are defined as:

- A new criminal offense (DOC submits that being charged with a new crime is sufficient evidence of a violation of the conditions of probation)
- Possession of a firearm
- Behavior by the offender, or any person acting at the offender's direction, could be considered stalking, harassing, or threatening the victim of the offense or a member of the victim's immediate family or support network
- Absconding
- Failure to enroll in or complete a required sex offender treatment program or a treatment program designed to treat violent offenders

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Compliance violations are all other conditions of supervision. Examples of these include but are not limited to: Termination of Treatment Court, Illegal Drug Use, Alcohol Use, failure to comply with sanctions, failure to follow CD recommendations.

Respectfully submitted,

Brian Gootkin, Director

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