

CRIMINAL JUSTICE OVERSIGHT COUNCIL

DRAFT **2025 – 2026** **WORK PLAN**

***PREPARED FOR CJOC
JULY 23, 2025, MEETING***

Purpose: To help the CJOC plan and establish work priorities. When finalized, the work plan will provide guidance to the members, staff, and public on how the CJOC will conduct its business over the next 14 months.



DRAFT PREPARED FOR CJOC
Prepared by Laura Sherley, Research Analyst
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P.O. Box 201706
Helena, MT 59620-1706
Phone: (406) 444-3064
Fax: (406) 444-3971

Website: <https://committees.legmt.gov>

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INTRODUCTION

COUNCIL MEMBERSHIP AND STAFF, 2025-2026

The Criminal Justice Oversight Council includes members appointed by all three branches of government, including legislators, executive agency leadership, and other criminal justice stakeholders appointed by the Montana Supreme Court, the Attorney General, and the Governor.

Appointments are made in accordance to [53-1-216, MCA](#).

Member	Role
Rep. Amy Regier	Member of the House of Representatives
Rep. SJ Howell	Member of the House of Representatives
Sen. Barry Usher	Member of the Senate
Sen. Laura Smith	Member of the Senate
Hon. Luke Berger	District court judge
Hon. Mark Dunn	Municipal court judge
Alan Doane	Attorney General's designee
Director Brian Gootkin	Director of the Department of Corrections
Director Brett Schandelson	Director of the Office of State Public Defender
Director Charlie Brereton	Director of the Department of Public Health and Human Services
Sheriff Ross Canen	County sheriff
Scott Twito	County attorney
Eldena Bear Don't Walk	Member of a federally recognized Indian tribe located within the boundaries of the state of Montana who has expertise in criminal justice
Jimmy Patelis	Member of the Board of Pardons and Parole
Shantelle Gaynor	Representative of crime victims who also serves on the board of crime control established in 2-15-2008
Jessica Flint	Representative of civil rights advocates
David Armstrong	Representative of community corrections providers
Amy Tenney	Representative of community corrections facilities

Assigned Staff

Laura Sherley, Research Analyst
TBD, Legislative Secretary

BACKGROUND

The Montana Criminal Justice Oversight Council (the council) was created by [SB 59](#)¹ of the 65th Montana Legislature to monitor and report on the effects of criminal justice legislation. In 2021, the 67th Montana Legislature passed [HB 73](#)², which assigned Legislative Services Division staff to support the council's efforts.

The statutory duties and membership requirements of the council are codified in [MCA 53-1-216](#). The council reports to the Law and Justice Interim Committee and the Legislative Finance Committee.

COUNCIL PROCEDURES

The CJOC is subject to the [Legislative Council's Rules, Procedures, and Guidelines](#). The rules and guidelines provide structure and outline the requirements for the councils' work, including public notice and participation requirements, parliamentary procedures, and the use of staff.

A 10-day advance public notice will be given for all regular meetings and the public will be given an opportunity to comment on any matter within the council's jurisdiction during meetings. The presiding officer may establish time limits for public comment if necessary.

Meeting agendas, links, documents, and other information can be found on the [CJOC webpage](#)³. Interested persons may also sign up to receive electronic meeting notifications at <https://public.govdelivery.com/accounts/MTLSB/subscriber/new>.

ELECTION OF OFFICERS

Nominations for the presiding officer, who must be a legislator, and vice-presiding officer of the council are made during the first meeting of the council after each legislative session.

To be elected, a candidate shall obtain majority vote. Members shall vote for the presiding officer and vice-presiding officer by voice vote or a roll call vote.

PROXY VOTES

The CJOC approved the use of proxy votes at its meeting on May 28, 2025. For the exercise of a proxy to be valid, the deputized member shall hold a written proxy from the absent member. Written proxies include email communications.

When a statutorily appointed director is not available, the department's deputy director may appear at a council meeting to represent the interests of the department. The deputy director may not vote; instead, the director may designate a proxy to a standing council member in accordance with the [Legislative Council's Rules, Procedures, and Guidelines](#).

¹ Senate Bill 59 (2017) - https://bills.legmt.gov/#/bill/20171/LC0552?open_tab=bill

² House Bill 73 (2021) - https://bills.legmt.gov/#/bill/20211/LC1315?open_tab=bill

³ <https://committees.legmt.gov/#/nonStandingCommittees/1>

TRAVEL AND EXPENSE REIMBURSEMENT

The presiding officer is responsible for authorizing out-of-state travel by council members that will result in a request for reimbursement from the council's budget.

Council members shall receive salary as provided by law:

- Legislative members must be compensated as provided in [MCA 5-2-302](#).
- Members of the council who are full-time salaried officers or employees of this state or any political subdivision are entitled to their regular compensation per [MCA 53-1-216](#).

Council members shall be reimbursed for meals, lodging, mileage, and miscellaneous expenses as provided by law in [MCA 2-18-501 through 2-18-503](#), and the travel policy established by the Legislative Council.

For further information about reimbursement, please reach out to the Legislative Financial Office at LEGFinServices@legmt.gov.

CYCLE OF COUNCIL WORK

The [Legislative Council's Rules, Procedures, and Guidelines](#) provide a guideline date of September 15, 2026, for completing interim work. Completing interim work means that the council:

- adopts findings, conclusions, and recommendations, if any, with respect to an interim study assigned to it by bill, by the Legislative Council, or under its own authority;
- approves publications requested by the council or required by statute;
- if a final report is prepared, approves a draft of the report, as prepared by the council's staff;
- approves for introduction in the next legislative session all draft legislation that is prepared by the council's staff on behalf of the council;
- assigns a legislative member of the council, preferably an unopposed or holdover legislator, as the sponsor of proposed council legislation; and
- completes all other duties and responsibilities assigned to the council under [MCA 53-1-216](#), unless another date is specifically provided by law or in case of exigency.

DRAFT 2025 – 2026 WORK PLAN

WORK PLAN TOPICS

Per the Legislative Council's Rules, Procedures, and Guidelines, by the conclusion of the second regular meeting following the appointment of new members, the council shall establish a work plan for the biennium. Work plan topics include statutorily assigned responsibilities, study resolutions enacted by the 2025 Legislature and assigned to the council by the Legislative Council, and study topics suggested by council members.

COUNCIL DUTIES

53-1-216, MCA, provides for the council's duties:

(4) The council shall:

- (a) provide direction and recommendations to the board of crime control regarding data to be included in the criminal justice data warehouse established in 44-7-216, MCA, and policies to govern the use of and priorities for the criminal justice data warehouse;
- (b) study and recommend solutions to address issues facing the criminal justice system and its constituent state and local agencies;
- (c) monitor the functioning of the criminal justice system; and
- (d) make recommendations to the legislature to address system issues proactively, manage limited resources, improve workloads, make improvements to state and local criminal justice systems, meaningfully address crime, and enhance public safety.

(5) The council shall submit a report to the governor and legislature, as provided in 5-11-210. The report must include a description of the council's proceedings since the previous report.

REQUIRED REPORTS

Additionally, the council is assigned additional responsibilities from other statutory sources. This includes receiving reports required by law to be given to the CJOC. Reporting entities must submit specific reports to CJOC by September 1 of the year preceding a legislative session, unless otherwise directed in statute. CJOC may also request a presentation on a specific report from the agency. These reports are submitted in compliance with 5-11-210, MCA, which establishes the Legislative Services Division as the clearinghouse for the reports.

Reporting Entity	Description	Law and Timeline
Recovery Residence Certifying Organization	Compliance Report	Annually, MCA <u>53-24-311</u>
Department of Corrections	Offenders Under Supervision During Previous FY Convicted of New Felony Offense or Revoked Under Certain Circumstances	Annually, MCA <u>46-23-1016</u>

STUDIES ASSIGNED TO THE CJOC

The Legislative Council assigned two studies to the CJOC for the 2025-2026 interim:

- SJ 36: Interim study of dependent neglect standards for prosecutors
- HJ 45: Interim study on the impact collateral consequences have on criminal record expungement

Priorities for each study are expressed in staff hours (or FTE). Most studies have 3-4 options, ranging from a full-blown, in-depth study to no action. While the CJOC can choose its preferred level of involvement for each study, most interim studies can be broken into three main stages:

- **Stage 1: Compile Background Information** – This stage is typically the most extensive and includes several steps designed to help gather background information about a study topic. Information is typically generated from reviews of existing laws, research conducted by legislative staff, and information provided by stakeholders through panel presentations or written materials.
- **Stage 2: Identify and Research Issues** – In this stage, members identify problems that could be addressed through further study, legislation, or other action. Study activities in Stage 2 may include further research conducted by legislative staff and additional presentations from stakeholders or policy experts.
- **Stage 3: Develop/Finalize Recommendations** – After compiling background information, identifying issues, and researching options, the council can discuss and act on the recommendations it wants to make to the Legislature or others, as well as any legislation it intends to forward to the next Legislature.

If the CJOC chooses not to take action on a study, it should inform the Legislative Council of its recommendation.

SJ 36: INTERIM STUDY OF DEPENDENT NEGLECT STANDARDS FOR PROSECUTORS

SPONSOR: SEN. LENZ

Senate Joint Resolution 36 requests that the CJOC evaluate methods of standardizing prosecution of dependent neglect matters to improve outcomes for children and families, with specific consideration given to possible expansion of the Department of Justice's Child Protection Unit to handle all cases statewide.

Option A - .30 FTE	Option B - .10 FTE
All of option B Staff research or stakeholder presentation on best legal practices in child welfare matters, including efforts in other states and how they are funded Panel involving county attorneys from judicial districts of varying sizes Fiscal analysis of potential costs associated with the state assuming prosecution responsibility of DN matters, discussion of possible funding sources Additional staff paper(s)/presentation(s) at the council's request Additional panel(s) or stakeholder roundtable discussion of potential/proposed legislation, if any	Staff background paper/presentation on current statutory scheme related to dependent neglect matters Presentation from Office of State Public Defender on MT Standards of Practice for Attorneys Representing Parents and Children in Dependent Neglect Cases and Department of Justice on Child Protection Unit and capacity for expansion Stakeholder panel on how Montana might improve and standardize prosecution of DN matters in the state Final report with recommendations and draft legislation at the council's request

Option C: The council may determine not to allocate any time to this study

HJ 45: INTERIM STUDY ON THE IMPACT COLLATERAL CONSEQUENCES HAVE ON CRIMINAL RECORD EXPUNGEMENT

SPONSOR: REP. SEEKINS-CROWE

House Joint Resolution 45 requests that the CJOC study and determine the collateral consequences of criminal convictions and propose legislation to improve criminal record expungement laws, with a focus on improving the collateral consequences those with expunged criminal records face.

Option A - 0.40 FTE	Option B - 0.25 FTE	Option C - 0.10 FTE
All of option B Additional panel(s) or stakeholder roundtable discussion on employment, wage, and/or housing issues of individuals with expunged criminal records Staff analysis of other states' forensic peer support services and models of peer support integration in reentry programs	All of option C Staff summary/analysis of strengths and challenges of the current statutory organization based on stakeholder feedback Staff comparative analysis on criminal record expungement laws in surrounding states DOC and/or DOJ review of felony recidivism rates and reentry success for individuals with expunged criminal records.	Staff background paper on the current statutory scheme and legislative history of the Misdemeanor Expungement Clarification Act. DOJ presentation of the criminal record expungement process. Panel(s) or stakeholder roundtable discussion of collateral consequences associated with criminal record expungement. Final report of council's activities, findings, recommendations, and drafting of any council-requested legislation.

Option D: The council may determine not to allocate any time to this study

MEMBER SUGGESTED TOPICS

There are numerous criminal justice topics the CJOC could choose to designate council time to study. A list of the member-suggested topics is provided below. Staff created the initial topic list from subjects raised at the council's May 2025 meeting. However, the council is not limited to choices on that list. It is merely a selection of possibilities. Members should discuss and decide upon their actual priorities during the July 2025 meeting. If additional issues emerge in the coming months, the CJOC is free to revise the work plan to accommodate its changing needs.

All topics below are optional. During the July 2025 work session, the council will decide whether to study these topics and to what degree (LOW-HIGH). The council may also choose not to allocate time to these topics.

FINES, COURT FEES, AND RESTITUTION

REQUESTED BY: REP. HOWELL

Montana court fees, fines, and restitution are distinct financial obligations imposed in legal proceedings. Court fees cover administrative costs, such as filing documents. Fines are penalties paid to the government for offenses, while restitution compensates victims for harm caused by a crime.

Though the allocation of monies collected can vary depending on the jurisdiction of the sentencing court⁴, Montana law generally provides that if an offender is subjected to any combination of fines, costs, restitution, charges, interest, or other payments arising out of the same criminal proceeding, 50% of all money collected must be applied to payment of restitution and the remainder applied to other costs such as administrative fees, supervisory fees, and court-imposed fines⁵.

⁴ 46-17-402, MCA

⁵ 46-18-251, MCA

This study aims to review how court fines, fees, and restitution monies are assessed, collected, and expended, and potentially request legislation to improve efficiencies identified through the study.

MEDIUM (2-4 meetings)	LOW (1-2 meetings)
Staff FTE: 0.20	Staff FTE: 0.10
Everything in option LOW, plus: Analysis of relevant laws and policies in other states Review of any national best practices or recommendations related to financial obligations for criminal justice-involved individuals Monitor the implementation of relevant legislation from the 2025 session Roundtable discussion on possible legislation	Staff background paper on the current statutory scheme of allocation of fines, costs, restitution, interest, and other charges Review and consideration of HJ30 (2023) – Study of criminal fines, fees, and forfeitures Stakeholder panel discussion and presentation Review of relevant legislation from the 2025 session

JUVENILE JUSTICE SYSTEM

REQUESTED BY: SEN. SMITH

Young adults are often overrepresented at every stage of the criminal justice system, especially young adults with behavioral health needs. According to the U.S. DOJ Bureau of Justice Statistics, young adults (ages 18-24) represent 9.5% of the U.S. population, yet account for 23% of all arrests in 2019. Statistics from the National Institute of Mental Health show this age group also has some of the highest rates of severe mental illness,⁶ and SAMHSA reports that nearly half of young adults in 2022 had either a mental illness or a substance use disorder⁷. Moreover, statistics show young adults re-offend at a greater rate than the general population, and they are more than twice as likely to be the victim of a serious violent offense.⁸

Considering the recent increase in violent crime in Montana⁹, reports of a steady increase in juvenile crime, and the statistics surrounding young adults in the criminal justice system, this study would review and potentially request legislation to improve Montana's current front-end juvenile justice system and behavioral health services for justice-involved youth populations.

HIGH (4-6 meetings)	MEDIUM (2-4 meetings)	LOW (1-2 meetings)
Staff FTE: 0.25	Staff FTE: 0.15	Staff FTE: 0.05
Everything in option MEDIUM, plus: Multiple panel discussions with stakeholders and expert presentations at the request of the council Multiple staff papers on additional topics identified by the council Roundtable discussion on possible legislation	Everything in option LOW, plus: Review of relevant case law Monitor the implementation of relevant legislation from the 2025 session Analysis of relevant laws and policies in other states Council field trip to Pine Hills, if desired	Review of research and materials from relevant studies conducted in the last 5 years Panel discussion and presentation Review of relevant legislation from the 2025 session, if any

⁶ NIH (Sept 2024). *Mental Illness*. <https://www.nimh.nih.gov/health/statistics/mental-illness>

⁷ SAMHSA (2023) 2023 National Survey on Drug Use and Health

⁸ BJA (May 2018). *Update on Prisoner Recidivism: A 9-year Follow-up Period* and BJA (Dec 2018). *Criminal Victimization*, 2017

⁹ BJA & CSG (Dec 2023). *Montana Criminal Justice Data Snapshot*

COMMITMENTS, CONDITIONAL RELEASE, AND COMMUNITY CORRECTIONAL FACILITIES

REQUESTED BY: SEN. USHER

In Montana, the Department of Corrections (DOC) manages offenders committed to its care, which can include placement in community corrections programs and subsequent conditional release to community supervision. Conditional release allows DOC commitments to be placed in community corrections programs and released to supervision before their sentence expires, when deemed appropriate by the department.

However, Montana's correctional system, including community corrections facilities, faces significant capacity challenges. There are waitlists for some community corrections programs, and factors such as facility capacity, bed availability, and transportation scheduling can impact the timeliness of placement.

This study would review and analyze the current statutory scheme and policies governing DOC commitments and conditional release to community correctional facilities, placement and capacity issues experienced by these facilities, and potentially request legislation to address needs identified.

HIGH (4-6 meetings) Staff FTE: 0.30	MEDIUM (2-4 meetings) Staff FTE: 0.20	LOW (1-2 meetings) Staff FTE: 0.10
Everything in option MEDIUM, plus: Multiple panel discussions with stakeholders and expert presentations at the request of the council Multiple staff papers on additional topics identified by the council Roundtable discussion on possible legislation	Everything in option LOW, plus: Staff summary and analysis of strengths and challenges of the current statutory organization based on stakeholder feedback Analysis of relevant laws and policies in other states Monitor the implementation of relevant legislation from the 2025 session	Staff background paper on the current statutory scheme and agency rules governing DOC commitments and conditional release. Stakeholder panel discussion and expert presentation Review of relevant legislation from the 2025 session

RECOVERY RESIDENCES – SB94 (2023)

REQUESTED BY: SEN. USHER

Passed by the 68th Legislature and enacted October 1, 2023, [Senate Bill 94](#) establishes requirements, standards, and prohibitions for recovery residences in Montana and creates a registry maintained by the Department of Public Health and Human Services of those residences. The legislation also requires that recovery residences be certified by a certifying organization to receive rental vouchers and transitional assistance funds from the Department of Corrections. Certifying organizations are also required to submit an annual compliance report to CJOC¹⁰.

This study would follow up on the implementation of Senate Bill 94 (2023) and potentially request legislation to enhance the effectiveness of the original bill.

MEDIUM (2-4 meetings) Staff FTE: 0.15	LOW (1-3 meetings) Staff FTE: 0.05
Everything in option LOW, plus: Analysis of relevant laws and policies in other states Roundtable discussion on possible legislation Multiple panel discussions with stakeholders and expert presentations at the request of the council	DPHHS update on the implementation of SB94 Stakeholder panel discussion and presentation Review of relevant legislation from the 2025 session

¹⁰ 53-24-310 through 53-24-314, MCA

YELLOWSTONE COUNTY ARRAIGNMENT COURT

REQUESTED BY: SEN. USHER

Yellowstone County established a new court that focuses on arraignments, marking the first of its kind in the state. Operated by the county department of Justices of the Peace¹¹, the new arraignment court is part of an effort to improve and make more efficient the process of adjudicating criminals.

An arraignment is typically the first court appearance of a defendant charged with a felony or misdemeanor after arrest. During the arraignment, a defendant is formally advised of the criminal charges against them, informed of their rights, and either enters a plea, a bond is set, or the defendant is released until their next court date. The new arraignment court is held daily, Monday through Friday, to develop a more efficient and economical system of getting offenders seen more quickly.¹² This is part of a larger effort to address overcrowding at the Yellowstone County Detention Center and the Yellowstone County Jail.

This study aims to educate the council on the establishment of this new court system and identify any needs that the council can address.

MEDIUM (2-3 meetings)	LOW (1-2 meetings)
Staff FTE: 0.15	Staff FTE: 0.10
Everything in option LOW, plus: Analysis of relevant laws and policies in other states Roundtable discussion on possible legislation	Staff background and summary paper Stakeholder and expert panel discussion and presentation Council field trip to Yellowstone County Justice Court, if desired

SB84 AND SB89 (2025)

REQUESTED BY: SEN. USHER AND COUNTY ATTORNEY TWITO

In 2024, the Criminal Justice Oversight Council heard from state judges, county attorneys, and members of the Board of Pardons and Parole on issues that impact recidivism. One topic discussed was the efficiency and effectiveness of presentence investigations (PSI). The council heard how the Department of Corrections compiles PSI documents, how the reports are used at sentencing and in BOPP determinations, and how the reports follow an individual through the criminal justice system. Thoroughly discussed were the qualities, standardizations, and timeliness of PSI reports.

From this study and discussion, the council submitted two pieces of legislation to the 69th Legislature:

- [Senate Bill 84](#) – Generally revise laws related to presentence investigations
- [Senate Bill 89](#) – Establish the sexual and violent offender presentence investigation and reporting unit

Neither piece of legislation was passed and approved by the 69th Legislature. This study would continue the discussion on how to improve the quality, standardization, and timeliness of PSI and reports.

MEDIUM (2-4 meetings)	LOW (1-2 meetings)
Staff FTE: 0.10	Staff FTE: 0.05
Everything in option LOW, plus: Multiple panel discussions with stakeholders and expert presentations at the request of the council Multiple staff papers on additional topics identified by the council	Review of research and materials from 2023-2024 CJOC Panel discussion and presentation Roundtable discussion on possible legislation

¹¹ <https://www.yellowstonecountymt.gov/justicecourt/>

¹² <https://www.yellowstonecountymt.gov/justicecourt/CourtSchedule.pdf>

FEDERAL VS. STATE DEFINITION OF BODILY INJURY

REQUESTED BY: COUNTY ATTORNEY TWITO AND MS. GAYNOR

A 9th Circuit Court ruling in 2024¹³ reversed a federal conviction for gun possession after finding that domestic violence convictions under Montana statute do not qualify for the federal ban on firearm possession for persons convicted of domestic abuse. This is due to the incompatible federal and state definitions of bodily injury^{14,15}. Montana law includes emotional violence within its bodily injury definition, but this doesn't necessarily meet federal requirements of physical force. This ruling has impacted Montana domestic violence prosecutions, so that persons convicted under the state's partner or family member assault statute¹⁶ cannot be prevented from owning a firearm. This study would educate the council on the issue impacting Montana prosecutions and identify any needs that the council could address.

MEDIUM (2-4 meetings)	LOW (1-2 meetings)
Staff FTE: 0.05	Staff FTE: 0.01
Everything in option LOW, plus: Multiple panel discussions with stakeholders and expert presentations at the request of the council	Panel discussion and presentation Roundtable discussion on possible legislation or a letter to the Montana Congressional Delegation

SILOED BEHAVIORAL HEALTH AND CRIMINAL JUSTICE SYSTEMS

REQUESTED BY: MS. GAYNOR

The silo analogy has been used for years to describe the isolated parts of the criminal justice system, with each entity within the system focusing on its specific "piece" of the process. However, a significant distinction lies between behavioral health services and the criminal justice system. These can be silos of care, silos of information sharing, or silos of silence causing duplicated services and wasted fiscal spending. And these types of barriers to collaboration and success are not just particular to professional services, though; they also exist in peer-based and grassroots advocacy movements.

This study would review and analyze the behavioral health and criminal justice response systems in Montana and potentially request legislation to improve collaboration and coordination of efforts, processes, and outcomes.

HIGH (4-6 meetings)	MEDIUM (2-4 meetings)	LOW (1-2 meetings)
Staff FTE: 0.25	Staff FTE: 0.15	Staff FTE: 0.10
Everything in option MEDIUM, plus: Identification/analysis of underserved areas in the state, including barriers to adequate services. Multiple panel discussions with stakeholders and expert presentations at the request of the council Multiple staff papers on additional topics identified by the council	Everything in option LOW, plus: Staff summary and analysis of strengths and challenges of the current statutory organization based on stakeholder feedback Analysis of relevant laws and policies in other states Roundtable discussion on possible legislation	Review of research and materials from relevant studies conducted in the last 5 years Stakeholder panel discussion and/or expert presentation Joint DPHHS and DOC presentation on current community-based services

¹³ US v. DEFRANCE, No. 23-2409 (9th Cir. 2024)

¹⁴ Federal definition of Physical Force (18 U.S.C. § 922(a)(3)(A)(ii))

¹⁵ Montana definition of Bodily Injury (45-2-101, MCA)

¹⁶ 45-5-206, MCA

HUMAN TRAFFICKING OF YOUTH

REQUESTED BY: MS. GAYNOR

Federal law defines "severe forms of trafficking in persons" as: "(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or (B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery."¹⁷ The Montana Department of Justice reports that human trafficking cases in the state rose from 7 in 2015 to 143 in 2023, an increase of 1,900 percent¹⁸.

Trafficking can involve school-age youth, particularly those made vulnerable by challenging family situations, and can take a variety of forms, including forced labor, domestic servitude, and commercial sexual exploitation. In 2020, nearly 20,000 children worldwide were identified as trafficking victims globally. Over the past 15 years, the proportion of children among detected victims has tripled. And approximately one in every three trafficking victims detected is a child.¹⁹

This study would review the situation, risks, recruitment strategies, and signs of human trafficking of Montana's youth, and potentially request legislation to address the issues identified.

HIGH (4-6 meetings)	MEDIUM (2-4 meetings)	LOW (1-2 meetings)
Staff FTE: 0.25	Staff FTE: 0.15	Staff FTE: 0.05
Everything in MEDIUM, plus: Multiple panel discussions with stakeholders and expert presentations Staff research and/or papers on additional topics identified	Everything in LOW, plus: Staff summary and analysis of challenges and possible solutions based on stakeholder feedback Analysis of relevant laws and policies in other states Roundtable discussion on possible legislation	Review of relevant Montana studies conducted over the last 5 years Stakeholder panel discussion and expert presentation DOJ update on the current situation of human trafficking in Montana

VICARIOUS TRAUMA IN THE CRIMINAL JUSTICE SYSTEM

REQUESTED BY: MS. GAYNOR

The criminal justice system can cause or exacerbate trauma for all individuals involved in each channel of the system. Criminal justice professionals experience vicarious trauma through law enforcement, courts, and corrections. Vicarious trauma, defined as "the cumulative inner transformative effect of bearing witness to abuse, violence and trauma in the lives of people we care about, are open to and are committed to helping"²⁰, is an occupational challenge for people working and volunteering in the fields of victim services, law enforcement, emergency medical services, and other allied professions, due to their continuous exposure to victims of trauma and violence²¹.

This study would review and assess the state's current capacity to address vicarious trauma received by those working in the criminal justice system and potentially request legislation to improve efforts.

¹⁷ U.S.C. §7102(8)
¹⁸ <https://dojmt.gov/human-trafficking/#:~:text=Human%20trafficking%20occurs%20in%20Montana,must%20first%20know%20it%20exists.>
¹⁹ United Nations (July 2024). *Explainer: Understanding Child Trafficking*
²⁰ United Nations Office on Drugs and Crime (2022). *Vicarious trauma experienced by judges and the importance of healing*
²¹ U.S. DOJ Office for Victims of Crime – *The Vicarious Trauma Toolkit*

HIGH (4-6 meetings)	MEDIUM (2-4 meetings)	LOW (1-2 meetings)
Staff FTE: 0.30	Staff FTE: 0.20	Staff FTE: 0.10
Everything in option MEDIUM, plus: Multiple panel discussions with stakeholders and expert presentations at the request of the council Multiple staff papers on additional subtopics identified by the council Survey of criminal justice professionals on their experiences with vicarious trauma	Everything in option LOW, plus: Staff summary and analysis of expert and stakeholder feedback Analysis of relevant laws and policies in other states Roundtable discussion on possible legislation	High-level review of research and materials from relevant state or national studies conducted in the last 5 years Stakeholder panel discussion and/or expert presentation Review of relevant legislation from the 2025 session, if any

WORK TIME CREDIT

REQUESTED BY: MR. SEATON

A range of state policies exist that provide for sentence credits for individuals in prisons. These credits are often offered to incentivize good behavior while incarcerated, as well as to encourage participation in and completion of prison programming.

Though Montana does not have a current system of sentence credits for individuals to reduce their prison sentence after the elimination of good time credits in 1997²², the state has maintained parole eligibility dates²³. Individuals sentenced in Montana may receive credit for time served in jail prior to sentencing²⁴, but this is not considered an earned time credit system. With the recent passage of Senate Bill 217 (2025), starting October 1, 2025, individuals on probation or parole can have their period of supervision adjusted based on work time credits.

This study aims to review the policies of this state and other states regarding work time credits for individuals in the criminal justice system, and potentially propose legislation in response to identified needs.

MEDIUM (2-4 meetings)	LOW (1-2 meetings)
Staff FTE: 0.20	Staff FTE: 0.10
Everything in option LOW, plus: Monitor the implementation of relevant legislation from the 2025 session Staff summary and analysis on expert and stakeholder feedback Roundtable discussion on possible legislation	Analysis of relevant laws and policies in other states Stakeholder and expert panel discussion and presentation Review of relevant legislation from the 2025 and past sessions

INDIVIDUAL MEMBER RESEARCH REQUESTS

Individual members of the council may seek additional information on issues that fall under the umbrella of CJOC. These issues may be raised by constituents, may be emerging problems in Montana or other states, or may be of interest to a particular member. If the council chooses not to pursue information on a topic, the individual council member may submit a research request. Under rules adopted by the Legislative Council, a staff member may provide up to 16 hours of research for a request that is not included in a council's work plan unless the presiding officer approves additional research time.

²² S. Fox (1998) *Policies on Good Time and the Effects on Sentencing Practices: History and Survey Results*

²³ Title 46, Chapter 23, MCA

²⁴ 7-32-2225 through 7-32-2227 and 46-18-701 through 46-18-705, MCA

DRAFT MEETING DATES

The following meeting dates provide a tentative schedule for the interim. Council members may change the dates as their schedules allow to better reflect their needs for the interim and any changing priorities as the interim progresses. However, because the CJOC shares three members and staff with two other interim committees, changing or adding meeting dates after the CJOC adopts a work plan is discouraged.

July 23, 2025 (W)	<ul style="list-style-type: none">- Work plan prioritization and other organizational tasks- Selection of studies and topics- Adoption of the final work plan
September 11, 2025 (Thu)	<ul style="list-style-type: none">- Start studies
November 18, 2025 (Tue)	<ul style="list-style-type: none">- Continue studies
January 15, 2026 (Thu)	<ul style="list-style-type: none">- Continue studies
March 11, 2026 (W)	<ul style="list-style-type: none">- Continue studies- Develop topics for final reports, if any
May 6, 2026 (W)	<ul style="list-style-type: none">- Continue studies- Develop/discuss any draft recommendations
July 15, 2026 (W)	<ul style="list-style-type: none">- Continue studies- Develop/discuss any draft recommendations
September 2, 2026 (W)	<ul style="list-style-type: none">- Final approval of recommendations, reports, and proposed legislation- Select bill sponsors, as needed