



Law and Justice Interim Committee

61st Montana Legislature

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AGENDA

Mon. & Tues, February 8-9, 2010

Law and Justice Interim Committee: Meeting #4

Room 137, Capitol, Helena

Please note: all times are approximate

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MONDAY, FEBRUARY 8, 2010

8:00 a.m. Roll Call
Welcome
Approve minutes from December 17-18, 2009

SJR 39 - Study of DUI Laws

8:05 a.m. **Sheri Heffelfinger:** Legislative staff review of recommended strategies, laws in other states, available data on DUI offenses, and Montana law with respect to penalties, treatment, and community supervision

Available for questions on data about DUI offenses:

- **Karen Nelson**, Office of Court Administrator
- **Greg Noose**, Motor Vehicle Division
- **Mark Johnson and Dewey Hall**, Dept. of Corrections

8:30 a.m. **Dr. Tim Conley, Ph.D, L.C.S.W.**, Associate Professor of Social Work, University of Montana: Results of an opinion survey of WATCh participants.

9:15 a.m. More perspective on community-based treatment
Mona Sumner, Rimrock Foundation, Billings
The Honorable Mary Jane Knisely, Municipal Court Judge, Billings
Rosalee Rupp, Coordinator, Billings Adult Misdemeanor DUI Court

11:00 a.m. BREAK

11:15 a.m. Public Comment

12 noon WORKING LUNCH (catered)
Dr. Steve Seninger, University of Montana, the economic costs of alcohol abuse

1:00 p.m. **Jeff Hayes**, City DUI Prosecutor, Darby : Challenges and costs for cities in prosecuting DUI offenses, proposals for legislative action

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1:30 p.m.

Sobriety Lab

Classroom-style instruction on the effects of alcohol and field sobriety testing:

Erin Inman -Traffic Safety Resource Prosecutor, Dept. of Transportation

Sara Hansen - Forensic Toxicologist, Department of Justice, Forensic Science Division

Sgt. Steve Baiamonte - Standardized Field Sobriety Testing Instructor, Highway Patrol

Training lab - the committee will recess and volunteers who have agreed to drink in a controlled test will submit to sobriety tests:

Ben Vetter - Breath Alcohol Section, Department of Justice, Forensic Science Division

Trooper Kurt Sager - Traffic Safety Resource Officer, Highway Patrol

Trooper Alex Betz - Standardized Field Sobriety Testing Instructor, Highway Patrol

Barb Watson - SCRAM Project Manager

The committee will reconvene - continue classroom-style instruction

5:00 p.m.

Adjournment until 8:00 a.m., Tuesday, February 9, 2010.

The Montana Legislative Services Division will make reasonable accommodations for people with special needs. If you plan to attend the meeting and will need special services or accommodations, please contact Sheri Heffelfinger at least 5 working days before the meeting at 406-444-3596 or by email at sheffelfinger@mt.gov.

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TUESDAY, FEBRUARY 9, 2010

8:00 a.m. Roll Call

SJR 29 - Preservation and Storage of Biological Evidence

8:05 a.m. **Dave Bohyer**, Legislative Research Director: Report on survey findings on preservation and storage of biological evidence by local agencies

8:30 a.m. **Jessie McQuillan** - Montana Innocence Project: Other states' approaches to preservation and storage of biological evidence

9:00 a.m. **Kelsen Young** - Montana Coalition Against Domestic and Sexual Violence: Preservation of sexual assault kits

9:30 a.m. Public comment on SJR 29 study - preservation of biological evidence

SJR 39 - Study of DUI Laws

10:00 a.m. **The Honorable Mike McGrath**, Chief Justice, Montana Supreme Court: Citizen Initiative and Activities of the Coalition for Drug and Alcohol Prevention

10:30 a.m. BREAK

10:45 a.m. **Tribal leaders** invited to send representatives to comment on the SJR 39 study of DUI laws and offer any insights on tribal programs that may be a successful model for consideration by the state

Ron LaDue, Program Officer, Blackfeet Environmental Prevention Project to Reduce Binge Drinking and Drinking and Driving

11:15 a.m. Public comment on SJR 39 study of DUI laws

12:00 noon LUNCH

1:00 p.m. *Committee discussion and work session on SJR 39 study of DUI laws*
→ **possible action to request bill drafts**

Agency Oversight and Monitoring

1:45 p.m. **Lou Thompson**, Administrator, Addictive and Mental Disorders Division, DPHHS
HB 130, HB 131, HB 132 - Implementation Update

2:00 p.m. Public comment on agency oversight matters

2:30 p.m. *Committee discussion and work session - any follow-up on:*
→ *SJR 29 study on preservation of biological evidence*
→ *Agency oversight issues*

Rule Review Update
Next meeting

3:00 p.m. Adjournment

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