



Commission on Sentencing

64th Montana Legislature

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Statute Review Subcommittee

Agenda

August 29, 2016 -- 9:00 a.m.
State Capitol, Room 172

Subcommittee members: Senator Cynthia Wolken, Senator Kristin Hansen, Judge Ingrid Gustafson, Sheriff Donna Whitt, Commissioner Dan Guzynski, Commissioner Peter Ohman, and Commissioner Majel Russell

Please note: The presiding officer will call for breaks and lunch as appropriate.

1. Call to order; Roll call; Welcome and announcements -- Presiding officer
2. Subcommittee review and discussion of potential criminal and sentencing statute revisions, including:
 - Individual commissioner and Council of State Governments Justice Center (CSG) recommendations, if any
 - Sentences and mandatory minimums
 - update on any changes to sexual assault mandatory minimums and related statutes requested by the Law and Justice Interim Committee
 - Persistent felony offender statutes [Title 46, chapter 18, part 5, MCA]
 - Criminal endangerment statute [section 45-5-207, MCA]
 - CSG policy options 3 and 4 from June Commission on Sentencing meeting to eliminate mandatory jail sentences for two nonviolent crimes and to reclassify certain traffic offenses other than DUI:
 - second offense driving without valid license [section 61-5-212, MCA]
 - third offense theft [section 45-6-301(8)(a), MCA]
 - Senate Bill No. 90 (2015)
 - Statutes that require treatment or counseling as part of sentence
 - Other criminal and sentencing statutes identified by subcommittee members
- ✓ The presiding officer may call for public comment* during the discussion as appropriate.

3. Public comment* (the presiding office may set time limits, as appropriate)
4. Subcommittee work session -- discussion and possible action on subcommittee recommendations to the full commission
5. Adjourn

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* Public comment provided in person to the subcommittee is a public record that is videotaped, archived, and available on the internet. Public comment submitted in writing at a subcommittee 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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