



Law and Justice Interim Committee

60th Montana Legislature

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SHERI HEFFELFINGER, Lead Staff
VALENCIA LANE, Staff Attorney
DAWN FIELD, Secretary

AGENDA

Thursday and Friday, April 10-11, 2008
Room 137, Capitol, Helena

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THURSDAY, APRIL 10, 2008

9:30 a.m. Convene, Roll Call

In-state residential psychiatric treatment for youth

Question: Should there be dedicated state-contracted or state-operated residential psychiatric treatment beds for mentally ill youth? If so, what do you propose?

9:45 a.m. Steve Gibson, Youth Services Division Administrator, Dept. of Corrections

10:15 a.m. Mary Dalton, Department of Public Health and Human Services

10:45 a.m. Larry Noonan, CEO, AWARE Inc.

11:15 a.m. Lois Menzies, Court Administrator, Judicial Branch

11:30 a.m. Public comments from advocacy groups, families, consumers, other interested persons

12:00 noon LUNCH

1:00 p.m. Committee discussion and work session

HJR 50 - Involuntary Commitment process and costs

Question: Are changes needed to the statutory language governing the adult mental health involuntary commitment statutes? If so, what do you propose?

1:45 p.m. Sheri Heffelfinger, staff report on HJR 50 survey results, involuntary commitment statutes
Kendra's Law

2:15 p.m. Bill Kennedy, Yellowstone County Commissioner, Montana Association of Counties

2:45 p.m. Merle Ralph, Toole County Attorney, Montana County Attorney's Association

3:00 p.m. Eric Olson, Office of Public Defender

3:30 p.m. Ed Amberg, Administrator, Montana State Hospital and Joyce DeCunzo, Addictive and
Mental Disorders Division, DPHHS

DRAFT AGENDA

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- 4:00 p.m. Public comments from advocacy groups, families, consumers and other interested persons
- 4:30 p.m. Public comment
- 5:00 p.m. Committee work session on HJR 50 and involuntary commitment process and costs
- Recess

FRIDAY, APRIL 11, 2008

Jail and prison standards

Questions: Should the committee: (1) request further collection of data and information regarding prison and/or jail mental health treatment standards, including suicide prevention plans; and (2) should the committee consider legislation to clarify or enact language about constitutionally-based mental health treatment standards in prisons and/or jails.

- 8:00 a.m. Mike Ferriter, Department of Corrections
- 8:30 a.m. Department of Justice, John Connor, Chief Criminal Counsel
- 9:00 a.m. CPT Dennis McCave, Montana Sheriffs' and Peace Officers Association (MSPOA)
- 9:30 a.m. Anita Roessman, Disability Rights Montana
- 9:45 a.m. Dr. Gary Mihelish, NAMI - Montana
- 10:00 a.m. Scott Crichton, ACLU - Montana
- 10:15 a.m. BREAK
- 10:30 a.m. Public comment
- 11:00 a.m. Committee discussion and work session
- 12:00 noon LUNCH
- 1:00 p.m. Deb Matteucci, analysis of California's Prop. 36 compared to Montana practices
- 1:15 p.m. **District Judge Salaries**
- Sheri Heffelfinger, staff report on how salaries are determined for district judges and how it would be determined under Sen. Shockley's proposal, and on estimated costs
- Public comment
- 1:45 p.m. **Medical costs incurred by hospitals for county "inmates"**
- Valencia Lane, staff attorney, discussion bill draft
- Public comment

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2:15 p.m. **Other Issues: Possible legislation, action, products, or recommendations**

Suggested cleanup legislation

1. clarification/clean-up legislation to clarify of "friend of the respondent"
2. clarification/clean-up legislation to fix a reference to Judicial District 22

Juvenile Justice Working Group -- recommended youth detention legislation

3. to require that a youth be represented by an attorney at the detention hearing (unless waived after consulting an attorney prior to the hearing)
4. to increase the time limit in which a detention hearing must be held from 24 hours (current state law) to 48 hours (federal law)
5. to provide that a youth may not waive the right to an attorney without first consulting an attorney
6. staff update on status of Committee's (Youth Justice Working Group's) information request to the Children's Systems of Care Committee
7. referral of issues to other entities:
 - ▶ to Children, Families, Health and Human Services Interim Committee
 - ▶ to Education and Local Government Interim Committee
 - ▶ others?

Adult Justice Working Group

8. drug court legislation to address state-level administrative responsibilities such as coordination, data collection, reporting; grant language, clean-up of outdated language
9. mental health court legislation: some ideas identified in Brenda Desmond's presentation
 - ▶ grant program for any "treatment court" (not just drug courts)
 - ▶ grant program to require local match
 - ▶ amend section 46-18-236, MCA to allow extra charge for conviction as funding source for mental health courts

Other emerging issues

10. sex offender registration, federal deadlines related to tier classifications
11. collection of payments from convicted defendants to help pay indigent defense costs, role of public defender's office, courts, clerks, county attorneys

2:45 p.m. Public comment

3:15 p.m. Committee discussion, actions, instructions to staff

Adjournment

Note: The Montana Legislative Services Division will make reasonable accommodations for persons with disabilities who wish to participate in this public meeting. If you require an accommodation, please contact Sheri Heffelfinger at 406-444-3596 or by email, sheffelfinger@mt.gov, at least 5 days prior to the meeting date to discuss the nature of the accommodation you need.