



## Law and Justice Interim Committee

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### 62nd Montana Legislature

#### SENATE MEMBERS

SHANNON AUGARE  
STEVE GALLUS  
GREG HINKLE  
LYNDA MOSS  
TERRY MURPHY  
JIM SHOCKLEY

#### HOUSE MEMBERS

ELLIE BOLDMAN HILL  
STEVE LAVIN  
MARGARET MACDONALD  
MIKE MENAHAN  
MICHAEL MORE  
KEN PETERSON

#### COMMITTEE STAFF

SHERI SCURR, Lead Staff  
DAVID NISS, Staff Attorney  
DAWN FIELD, Secretary

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## AGENDA

(as of 12/14/11)

**Day 1 - December 15, 2011**

Room 152, Capitol Building, Helena

*Please note: all times are approximate*

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- 8:00 a.m.      1.      Roll Call  
                  2.      Welcome, Sen. Shockley, presiding officer
- 8:05 a.m.      3.      **Action item:** *Adopt minutes from September 9, 2011*
- 8:10 a.m.      4.      Review of meeting materials, Ms. Sheri Scurr, staff research analyst
- 8:15 a.m.      5.      Mr. David Niss, staff attorney  
                  a.      Any questions from the committee about agency rule review report  
                  b.      Montana Supreme Court's actions on new Rules of Civil Procedure  
                  c.      **Action item:** *Does the committee wish to hold a hearing on these?*

#### HB 142 - Review of Advisory Councils and Reports

- 8:45 a.m.      6.      a.      Sheri Scurr, staff report  
                  b.      Harry Freebourn, Office of State Public Defender  
                  c.      Tim Burton, Department of Justice  
                  d.      Beth McLaughlin, Court Administrator Judicial Branch  
                  e.      Mike Ferriter, Director, Department of Corrections
- 9:30 a.m.      7.      Public comment
- 10:00 a.m.     8.      Committee discussion and action  
                  **Action item:** *What advisory councils and reports should be retained in, eliminated from, or added to the statutes?*
- 10:15 a.m.     BREAK

#### Public Defender System

- 10:30 a.m.     9.      a.      Scott Crichton Executive Director, ACLU, public defender report  
                  b.      Richard "Fritz" Gillespie, Commission Chairman  
                  c.      Committee questions and discussion
- 12:00 noon     LUNCH

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SJR 29 - Restorative Justice Study

- 1:00 p.m. 10. Panel - Youth restorative justice programs
- a. Nick Nyman, Juvenile Probation Officer, Kalispell CRYJ
  - b. Shareen Springer, Kalispell, Center for Restorative Youth Justice (CRYJ)
  - c. Dave Bailon, volunteer, Kalispell CRYJ
  - d. Rosalie Roy, Missoula Community Restorative Justice, Inc.
  - e. Jon Flynn, Helena Youth Court Restorative Justice program
- 2:15 p.m. 11. Public comment
- 2:30 p.m. 12. Committee discussion and action  
***Action item:*** *What issue areas concerning restorative justice does the committee wish staff to gather more information on as possible options for committee recommendations?*

2:45 p.m. BREAK

Agency oversight

- 3:00 p.m. 13. Board of Pardons and Parole
- a. Sheri Scurr, agency overview review
  - b. Fern Osler, Executive Director, agency mission and conduct of hearings
  - c. Questions from the committee
- 3:15 p.m. 14. Department of Corrections
- a. Billie Reich, grievance classification officer, MSP, overview of grievance process
  - b. Director Ferriter, Pat Smith (contract placement officer), and Warden Martin Frink (CCC), complaint process and response to previous public comment on Crossroads Correctional Center in Shelby
  - c. Handout, update on situation of the inmate murder at MSP
  - d. Update on request for information on 120 secure beds
- 3:45 p.m. 15. Niki Zupanic, ACLU prison reform project
- 4:00 p.m. 16. Ross Johnson, Legislative Audit Division, update on request for an audit of contract compliance by CCC, the private prison in Shelby
- 4:15 p.m. 17. Public comment
- 4:45 p.m. 18. Committee discussion and action  
***Action item:***
- a. *What questions, if any, does the committee have concerning corrections and parole that it would like its staff to research for the next meeting?*
  - b. *Does the committee want to reschedule the tour of the Shelby prison for earlier than June next year?*
- 5:00 p.m. 19. Update on Legislative Finance Committee performance measures, Greg DeWitt, Legislative Fiscal Analyst
- 5:15 p.m. 20. Report on NCSL Fall Forum, Sheri Scurr, Research Analyst
- 5:30 p.m. 21. Recess until 8:00 a.m., Friday, December 16.

**Please Note:**

*If you plan to attend this meeting and will need services or accommodations, please contact Sheri Scurr (406-444-3596 or [sscurr@mt.gov](mailto:sscurr@mt.gov)) at least 5 working days before the meeting. Meeting materials are available on the LJIC website at <http://leg.mt.gov/ljic>*