

Sentence Review Division
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FILED
10/16/2023
SENTENCE REVIEW DIVISION
OF THE SUPREME COURT
OF THE STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,) Cause No. DC-24-2022-0000099-IN
)
Plaintiff,) Lake County District Court
)
-vs-) Montana Twentieth Judicial District
)
SHAYLYNN JAMIE REID,) **DECISION**
)
Defendant.)

On February 16, 2023, the Defendant was sentenced to ten (10) years to the Montana Women’s Prison for the offense of Count I: Exploitation of Elder/Disabled, a Felony, in violation of §45-6-333, MCA. The Defendant is not eligible for parole until she successfully attends and completes the program at Elkhorn or similar long-term secure treatment. The Court ordered the sentence to run consecutively to any other sentence which the Defendant is currently serving. The Defendant was further ordered to pay restitution of \$3,332.00 and Administrative Fee of \$333.20. The Defendant shall pay the Lake County Clerk of Court’s Office trial costs in the amount of \$2,492.82.

On September 29, 2023, the Defendant's Application for review of that sentence came on for hearing by Zoom videoconference before the Sentence Review Division of the Montana Supreme Court (hereafter “the Division”). The Defendant appeared from the Montana Women’s Prison and was represented by Tyler Dugger, Defense Counsel. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed. The Defendant gave a statement.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division concluded that the sentence imposed by the District Court is clearly excessive in its imposition of the parole restriction that would require the Defendant ineligible for parole until she successfully attends and completes the program at Elkhorn or similar long-term secure treatment.

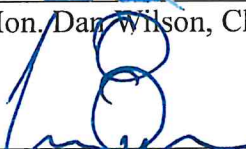
Therefore, it is the unanimous decision of the Division that the sentence is hereby **AMENDED** to remove the parole restriction in the underlying judgment. In all other respects, the sentence, terms and conditions imposed in the Judgment of February 16, 2023 are not clearly excessive and are hereby affirmed.

DATED this 16th day of October, 2023.

SENTENCE REVIEW DIVISION



Hon. Dan Wilson, Chair



Hon. Luke Berger, Member



Hon. Jessica Fehr, Member

Copies mailed or emailed this 16th day of October, 2023, to:

- Clerk of District Court – *via email*
- Shaylynn Jamie Reid #3030286, Defendant
- Hon. Deborah Kim Christopher – *via email*
- Britt Cotter, Defense Counsel – *via email*
- Benjamin Anciaux, Chief Deputy Co. Attorney – *via email*
- Board of Pardons and Parole – *via email*
- MWP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division