

Sentence Review Division  
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**FILED**

**AUG 23 2021**

SENTENCE REVIEW DIVISION  
OF THE SUPREME COURT  
STATE OF MONTANA

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,	)	Cause No. DC-16-357
	)	
Plaintiff,	)	Cascade County District Court
	)	
-vs-	)	Montana Eighth Judicial District
	)	
KAHANE THOMAS BEAVERS,	)	<b>DECISION</b>
	)	
Defendant.	)	

On March 2, 2018, the Defendant was sentenced to the Montana State Prison for sixty-five (65) years for the offense of **Count I: Sexual Intercourse Without Consent, a felony, in violation of §45-5-503, MCA**. The Defendant was designated a Tier III Sex Offender and ordered to complete all phases of the Montana State Prison sex offender treatment program prior to becoming parole eligible. The Defendant was given credit for 389 days for time already served. The Court ordered the Defendant pay restitution to the crime victims compensation fund in the amount of \$660.00.

On August 12, 2021, 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 Crossroads Correctional Center and was represented by David Maldonado, Defense Counsel. The State was represented by Amanda Lofink. The victim, Alex Strom, was present and provided a statement. The Defendant gave a statement.

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 he understood this and stated that he wished to proceed.

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 finds that the sentence imposed by the District Court shall be **CLARIFIED** that the Defendant shall complete all treatment available at the Montana State Prison prior to becoming parole eligible.

The sentence, terms and conditions imposed in the Judgment of March 2, 2018, are not clearly excessive and are affirmed.

DATED this 20 day of August, 2021.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Luke Berger, Chairperson

  
\_\_\_\_\_  
Hon. Jessica Fehl, Member

  
\_\_\_\_\_  
Hon. Dan Wilson, Member

Copies mailed or emailed this 23<sup>rd</sup> day of August, 2021, to:

Clerk of District Court – *via email*  
Kahane Thomas Beavers #3016347, Defendant (2)  
Thane Johnson, Defense Counsel – *via email*  
Amanda Lofink, Deputy County Attorney - *via email*  
Board of Pardons and Parole – *via email*  
MSP - Records Dept. – *via email*

  
\_\_\_\_\_  
Shelly Smith, Office Administrator  
Sentence Review Division