

Sentence Review Division
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SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,)	Cause No. DC-7-2022-0000688-IN
)	
Plaintiff,)	Cascade County District Court
)	
-vs-)	Montana Eighth Judicial District
)	
SONJA AGUILAR,)	DECISION
)	
Defendant.)	

On August 30, 2023, the Defendant was sentenced to seven (7) years commitment to the Department of Corrections, with three (3) years suspended, for the offense in Amended Count I: Criminal Endangerment, a Felony, in violation of §45-5-207, MCA. The Court recommended placement in a secure Department of Corrections chemical dependency facility to be followed by pre-release. The Defendant was given credit for 206 days for time already served. The Court did not impose a fine.

The Court further ordered that the Defendant pay for and complete a counseling assessment with a focus on violence, controlling behavior, dangerousness, and chemical dependency, or other similar and appropriate court-approved treatment that addresses the violent or controlling conduct of the Defendant. Defendant shall complete all recommendations for counseling, referrals, attendance at psychoeducational groups, or treatment, including any indicated chemical dependency treatment, made by the state-approved counseling provider, and complete a minimum of 40 hours of counseling § 45-5-206(4)(a), (b) and §45-5-212(3), MCA.

The Defendant was ordered to shall stay 1,500 feet away from the victims and shall not knowingly have any contact, oral, written, electronic or through a third party, with the victim(s) unless such contact is voluntarily initiated by the victim(s).

On April 5, 2024, 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 Butte Pre-Release and was represented by Teal Mittelstadt, Defense Counsel. The State was not represented. Hon. David Grubich was present and provided a statement. The Defendant provided 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 she understood this and stated that she 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 reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

DATED this 30th day of April, 2024.

SENTENCE REVIEW DIVISION



Hon. Luke Berger, Chair



Hon. Matthew Cuffe, Member



Hon. Jessica Fehr, Member

Copies mailed or emailed this 1st day of May, 2024, to:

Clerk of District Court – *via email*
Sonja Aguilar #3035148, Defendant
Teal Mittelstadt, Defense Counsel – *via email*
State Office of the Public Defender
Matthew S. Robertson, Esq. – *via email*
Hon. David Grubich – *via email*
Board of Pardons and Parole – *via email*
MWP - Records Dept. – *via email*



Shelly Smith, Office Administrator
Sentence Review Division