

MINUTES OF THE MEETING
GENERAL GOVERNMENT AND HIGHWAYS SUBCOMMITTEE
MONTANA STATE
JOINT SUBCOMMITTEE

January 11, 1985

The meeting of the General Government and Highways Subcommittee was called to order by Chairman Quilici on January 11, 1985 at 8:00 a.m. in Room 437 of the State Capitol building.

ROLL CALL: All members were present with the exception of Senator Stimatz. Also present were Cliff Roessner from the LFA office and Carolyn Doering from the Governor's office.

DEPARTMENT OF JUSTICE

Identification Bureau: Mike Miller, the Chief of the Identification Bureau, described the functions of the bureau (7;A;20). He also discussed the budget on Exhibit No. 1. He explained the importance of the latent fingerprint examiners, and stated there were only four of these examiners in the state. The department requested funds to support a latent fingerprint examiner position described on Exhibit No. 2. The other budget modification was for the operating expenses of the Missing Person Specialist found on Exhibit No. 3.

Gary Carrell, the Chief of the Criminal Investigation Bureau, explained the functions of the bureau (7;A;428). He presented a chart that compared Montana's Criminal Investigation Bureau with other surrounding states. The bureau's budget is on Exhibit No. 4.

The Criminal Investigation Coal Board was the next program discussed. Gary Carrell presented a chart that showed the Bureau Chief's current general funded FTEs, grant funded FTEs, and the requested general funded FTEs as shown on Exhibit No. 4A. The budget for this program is found on Exhibit No. 5. This program is funded by a grant from the Montana Coal Board to the Eastern Counties Task Force. The Task Force contracts with the Department of Justice for undercover criminal investigation services and has an advisory council which reviews and recommends how funds should be spent (7;B;143). Sheriff Mike Schafer from Yellowstone County, told the committee his plans to ask for additional funding from the Montana Coal Board for the program (7;B;241). He believes it is a good program. At this time, Exhibits No. 6 and No. 7 were passed out in support of this program. Included were, a letter from Harold F. Hanser, Yellowstone County Attorney, and a petition from mostly elected officials in favor of the program.

It was discussed that Billings is the hub for drug dealing affairs. Gary Carrell then went over the budget modifications. Exhibit No. 8 requested spending authority for federal funds to coordinate the activities of the Rocky Mountain Information Network in Montana (7;B;473).

GENERAL GOVERNMENT AND HIGHWAYS

January 11, 1985

Page 2

The second budget modification was discussed by Mike Greely, Attorney General, and is found on Exhibit No. 9. This modification asks for additional investigators and clerical support. Mike Greely said he had talked to 50 of the 56 sheriffs, and out of the 50, 46 supported this proposal (7;B;644). Later they contacted the other six sheriffs, and five out of the six endorsed this proposal.

Pete Dunbar, United States Attorney, went on record to say that as the United States Attorney, Chief Federal Law Enforcer, we support the program completely (8;A;157). The single most important criminal problem, without exception, is narcotics. Montana is known as a haven for the distributor of narcotics.

Bob Brooks, Assistant United States Attorney, testified for support of the Special Investigation Section program. He spoke primarily from his experience in a small county, of the need for this program.

Judy Griffith, Director of Marketing and Research for Shodair Adolescence Treatment Center, described the drug problems of Montana. They deal with people from the ages 12-18. She described various cases of drug related problems (8;A;490). She explained how dangerous drugs were for these young people and how easily influenced they could be.

Joe Lee, from Butte Silver Bow County, came to testify in support of the proposed program. He talked on suicides and the need for undercover investigation for drug offenders. He expressed that this is the number one problem around Montana.

Tom Dawson, Sheriff of Jefferson County, appeared to support the proposed program. He asked that the committee give serious thought to this proposal.

ADJOURN: The meeting was adjourned at 10:30 a.m.


Joe Quilici, Chairman

km

DAILY ROLL CALL

General Government and Highways SUB COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 11/11/85

[illegible]

DEPARTMENT OF JUSTICE
1986-87 Biennium Budget Comparison
Current Level Services

Program: 24 Identification Bureau

Exec#169
LFA #175

F. T. E. 's

PERSONAL SERVICES:

Personal Services
Vacancy Savings
Sub-total

OPERATING EXPENSES:

Contracted Services
Supplies & Materials
Communications
Travel
Rent
Utilities
Repair & Maint.
Other Expenses
Inflation
Sub-total

EQUIPMENT

TOTAL PROGRAM

FUNDING:

General Fund
other funds
TOTAL FUNDING

Fiscal Year 1986				
AGENCY REQUEST	EXECUTIVE BUDGET	L F A BUDGET	EXEC-LFA DIFFERENCE	
8.0	8.0	8.0		
178,768	178,799	173,005	(5,794)	
178,768	(7,152)	(6,884)	268	
	171,647	166,121	(5,526)	
51,979	42,638	43,003	365	
4,446	4,217	3,953	(264)	
8,801	8,755	8,801	46	
2,689	2,665	2,450	(215)	
8,728	8,352	8,728	376	
912	896	743	(153)	
355	355	355		
1,741	3,005	891	(2,114)	
79,651	70,883	68,924	(1,959)	
3,739	3,739	3,739		
262,158	246,269	238,784	(7,485)	
262,158	246,269	238,784	(7,485)	
262,158	246,269	238,784	(7,485)	

Fiscal Year 1987				
AGENCY REQUEST	EXECUTIVE BUDGET	L F A BUDGET	EXEC-LFA DIFFERENCE	
8.0	8.0	8.0		
179,242	179,210	173,442	(5,768)	
179,242	(7,168)	(6,887)	281	
	172,042	166,555	(5,487)	
51,992	42,651	43,016	365	
4,446	3,937	3,953	16	
8,801	8,755	8,801	46	
2,689	2,665	2,450	(215)	
8,728	8,431	8,728	297	
928	896	743	(153)	
355	355	355		
2,358	3,608	2,151	(1,457)	
80,297	71,298	70,197	(1,101)	
908	908	908		
260,447	244,248	237,660	(6,588)	
260,447	244,248	237,660	(6,588)	
260,447	244,248	237,660	(6,588)	

REQUESTED ADJUSTMENTS

CATEGORY	Amount FY '86	Amount FY '87	COMMENTS
Personal Serv	4,722	4,719	Recommended vacancy savings would require a 10% decrease in operating expenses. The Department of Justice requests vacancy savings of 1.25%. Adjustment made to position control and not included in LFA figures. (ID Bureau Chief budgeted at grade 17, step 2, hired at grade 17, step 10) LFA did not make this adjustment.
Personal Serv	5,974	5,768	
Total Adjust	10,516	10,487	
LFA Budget	238,784	237,660	
Total Agency Req	249,300	248,147	

Exhibit
#1
11/11/85

BUDGET MODIFICATION

Department of Justice
1986-87 BienniumProgram: Identification - 24
Executive Page Number: 169TITLE: LATENT FINGERPRINT EXAMINERREQUEST: The Department requests funds to support a latent fingerprint examiner position.

JUSTIFICATION: A latent fingerprint examiner processes items of evidence for latent prints; evaluates latent prints to determine quality and identity; compares known prints of suspects with latent prints to make positive identification; serves as an expert witness in court; assists local law enforcement agencies in crime scene processing and related duties. An increase in the workload for the one latent examiner in the Identification Bureau requires that an additional examiner be added to the staff. In 1980 the latent examiner handled 390 cases and in 1983 the examiner handled 637 cases. A national average for the processing of latent cases is 360 per year.

Latent print technology is changing at a rapid rate. New techniques are constantly being developed. These new advancements produce better results but take the examiner longer to produce. A significant portion of a latent examiner's duties are research and experimentation with latent prints. Since the examiner testifies as an expert witness he must be able to document his analysis.

Average turnaround time for processing latent print cases is 17 days, however the Bureau strives for a five-day turnaround because of the importance of their work in law enforcement investigations.

<u>FISCAL DATA:</u>	<u>FY 1986</u>	<u>FY 1987</u>
F. T. E.'s	1.0	1.0
<u>Personal Services</u>	<u>\$23,008</u>	<u>\$23,017</u>
<u>Operating Expenses:</u>		
Contracted Services		
Supplies & Materials	312	
Communications		
Travel		
Rent		
Utilities		
Repair & Maintenance		
Other Expenses		
Subtotal	<u>312</u>	<u> </u>
<u>Equipment</u>	<u>610</u>	
<u>Total Request</u>	<u>\$23,930</u>	<u>\$23,017</u>
<u>Funding:</u>		
General Fund	<u>23,930</u>	<u>23,017</u>
Other Funds		
Total Funds	<u>\$23,930</u>	<u>\$23,017</u>

TITLE: MISSING PERSON SPECIALIST SUPPORT

REQUEST: The Department requests funds to support the functions of the Missing Person Specialist.

JUSTIFICATION: The 48th Legislative Assembly enacted legislation requiring the Department of Justice to establish a system for maintaining files on missing persons and unidentified bodies. The Legislature did not provide funds to support these new duties. The Department transferred the criminal records coordinator FTE from Central Services Program to the ID program to perform these functions. However, operating expenses must be provided.

In Montana in 1983 there were seven unidentified bodies. The number of missing persons reported in Montana in one year are approximately 650.

<u>FISCAL DATA:</u>	<u>FY 1986</u>	<u>FY 1987</u>
<u>F. T. E.'s</u>		
<u>Personal Services</u>		
<u>Operating Expenses:</u>		
Contracted Services	1,500	500
Supplies & Materials	1,872	1,872
Communications	2,285	2,428
Travel	1,519	476
Rent		
Utilities		
Repair & Maintenance		
Other Expenses		
Subtotal	<u>7,176</u>	<u>5,276</u>
<u>Equipment</u>	<u>1,522</u>	
<u>Total Request</u>	<u>\$8,698</u>	<u>\$5,276</u>
<u>Funding:</u>		
General Fund	<u>8,698</u>	<u>5,276</u>
Other Funds		
Total Funds	<u>\$8,698</u>	<u>\$5,276</u>

DEPARTMENT OF JUSTICE
1986-87 Biennium Budget Comparison
Current Level Services

Program: 25 Criminal Investigation

Exec #171
LFA #177

F. T. E. 's

PERSONAL SERVICES:

Personal Services
Vacancy Savings
Sub-total

OPERATING EXPENSES:

Contracted Services
Supplies & Materials
Communications
Travel
Rent
Utilities
Repair & Maint.
Other Expenses
Inflation
Sub-total

EQUIPMENT

TOTAL PROGRAM

FUNDING:

General Fund
other funds
TOTAL FUNDING

Fiscal Year 1986			
AGENCY REQUEST	EXECUTIVE BUDGET	L F A BUDGET	EXEC-LFA DIFFERENCE
4.0	4.0	4.0	
133,657	133,657 (5,346)	133,657 (5,333)	13
133,657	128,311	128,324	13
844	844	844	
5,676	5,613	5,676	63
4,780	4,743	4,780	37
19,187	12,000	9,534	(2,466)
5,915	5,659	4,144	(1,515)
2,683	2,465	2,225	(240)
1,363	1,363	1,363	
1,950	1,274	308	(966)
42,398	33,961	28,874	(5,087)
32,808	33,320		(33,320)
208,863	195,592	157,198	(38,394)
208,863	195,592	157,198	(38,394)
208,863	195,592	157,198	(38,394)

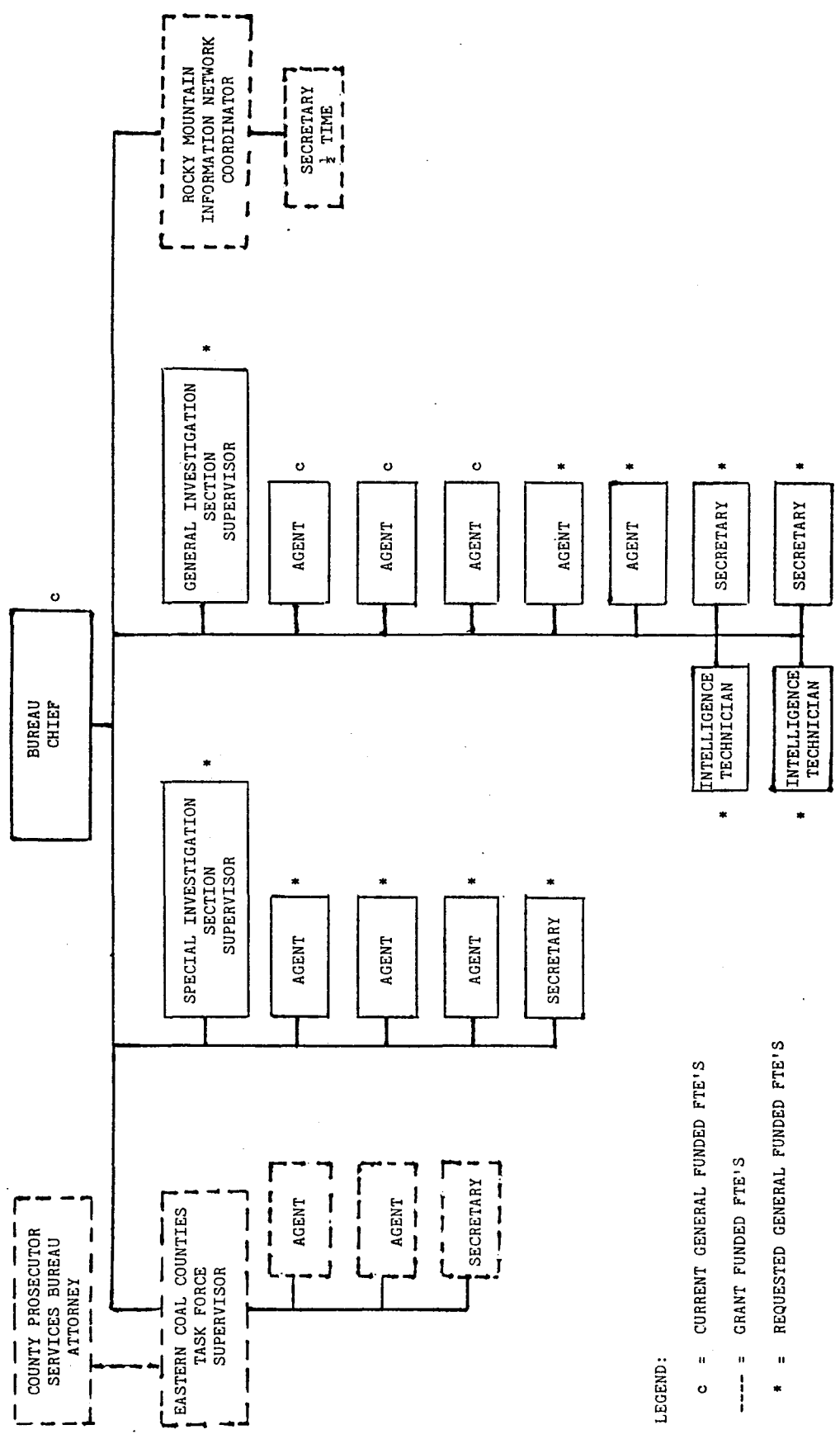
Fiscal Year 1987			
AGENCY REQUEST	EXECUTIVE BUDGET	L F A BUDGET	EXEC-LFA DIFFERENCE
4.0	4.0	4.0	
134,146	134,146 (5,366)	134,146 (5,338)	28
134,146	128,780	128,808	28
885	885	885	
5,676	5,613	5,676	63
4,780	4,743	4,780	37
19,187	12,000	9,534	(2,466)
5,915	5,714	4,144	(1,570)
2,700	2,465	2,242	(223)
1,363	1,363	1,363	
2,284	1,605	1,162	(443)
42,790	34,388	29,786	(4,602)
9,798	9,798		(9,798)
186,734	172,966	158,594	(14,372)
186,734	172,966	158,594	(14,372)
186,734	172,966	158,594	(14,372)

REQUESTED ADJUSTMENTS			COMMENTS
CATEGORY	Amount FY '86	Amount FY '87	
Personal Serv	3,662	3,662	Recommended vacancy savings would require a 9% decrease in operating expenses.
Travel	13,374 3,840	13,374 3,840	The Department of Justice requests vacancy savings of 1.25%.
Rent	1,771	1,771	Provide \$10,000 per year for case related travel and \$3,374 per year for training travel to allow two agents to attend one school each per year.
Equipment	33,320	9,798	Program picked up additional space that previously was paid by a federal grant.
Total adjust	52,127	28,605	To purchase two replacement vehicles and one replacement surveillance van in FY 1986 and one replacement vehicle in FY 1987.
LFA Budget	157,198	158,594	
Total Agency Req	209,325	187,199	
	199,791	179,665	

Exhibit #4
11/1/85

Exhibit 4A
1/11/85

MONTANA DEPARTMENT OF JUSTICE
CRIMINAL INVESTIGATION BUREAU



LEGEND:
C = CURRENT GENERAL FUNDED FTE'S
---- = GRANT FUNDED FTE'S
* = REQUESTED GENERAL FUNDED FTE'S

DEPARTMENT OF JUSTICE
1986-87 Biennium Budget Comparison
Current Level Services

Program: 26 Criminal Investigation/CB

Exec#173
LFA #179

F. T. E. 's

PERSONAL SERVICES:

Personal Services
Vacancy Savings
Sub-total

OPERATING EXPENSES:

Contracted Services
Supplies & Materials
Communications
Travel
Rent
Utilities
Repair & Maint.
Other Expenses
Inflation
Sub-total

EQUIPMENT

TOTAL PROGRAM

FUNDING:

General Fund
other funds
TOTAL FUNDING

Fiscal Year 1986			
AGENCY REQUEST	EXECUTIVE BUDGET	L F A BUDGET	EXEC-LFA DIFFERENCE
5.0	5.0	5.0	
145,647	145,649	140,281 (5,614)	(5,368) (5,611)
145,647	145,649	134,670	(10,979)
40,302	40,302	16,302	(24,000)
11,722	11,722	8,833	(2,889)
8,429	8,429	8,429	
20,250	20,250	12,271	(7,979)
9,034	9,034	34	(9,000)
4,842	4,842	2,600	(2,242)
1,713	1,713	1,405	(308)
4,526	3,297	1,763	(1,534)
100,818	99,589	51,637	(47,952)
246,465	245,238	186,307	(58,931)
246,465	245,238	186,307	(58,931)

Fiscal Year 1987			
AGENCY REQUEST	EXECUTIVE BUDGET	L F A BUDGET	EXEC-LFA DIFFERENCE
5.0	5.0	5.0	
145,709	145,710	140,341 (5,613)	(5,369) (5,613)
145,709	145,710	134,728	(10,982)
40,302	40,302	16,302	(24,000)
11,722	11,722	8,833	(2,889)
8,429	8,429	8,429	
20,250	20,250	12,271	(7,979)
9,034	9,034	34	(9,000)
4,842	4,842	2,600	(2,242)
1,713	1,713	1,405	(308)
5,117	3,886	3,341	(545)
101,409	100,178	53,215	(46,963)
247,118	245,888	187,943	(57,945)
247,118	245,888	187,943	(57,945)

REQUESTED ADJUSTMENTS

CATEGORY	Amount FY '86	Amount FY '87	COMMENTS
Total Adjust	60,158	59,175	This program is funded by a grant from the Montana Coal Board to the Eastern Counties Task Force. The Task Force contracts with the Department of Justice for undercover criminal investigation services and has an advisory council which reviews and recommends how funds should be spent.
LFA Budget	186,307	187,943	
Total Agency Req	246,465	247,118	

Exhibit #5
11/11/85

#6
1/11/85

11 January 1985

The Honorable Joe Quilici, Chairman
Appropriations Subcommittee on
Elected Officials
State Capitol
Helena MT 59620

Dear Mr. Chairman:

I am taking this opportunity to communicate with you on the matter of the Attorney General's proposal to establish a statewide investigative program to combat trafficking in illegal drugs and stolen property. I respectfully request that you include this statement as part of your subcommittee's record.

The state of Montana desperately needs the program that the Attorney General has proposed. Local law enforcement agencies simply cannot afford to maintain ongoing undercover criminal investigations. We need a statewide investigative team, supported by criminal intelligence specialists and by overt investigators who can develop conspiracy cases, to carry out ongoing undercover investigations against traffickers in illegal drugs and stolen property at the request of local agencies. We know from experience that this approach is the only one that works well.

We also know that Montana has a severe illegal drug problem. Enforcement agencies in surrounding states have told us repeatedly that lack of statewide enforcement in Montana is having a negative effect on their own enforcement programs. We have received similar warnings from the Federal Bureau of Investigation and the Drug Enforcement Administration. We also have the record of the Coal Counties Investigative Task Force that operates in our own five-county region. An undercover operation directed by the Attorney General's office under contract with the five counties, the Task Force has brought nearly 200 felony cases in less than three years of operation. Information gathered by the Task Force has revealed networks of illegal drug traffickers throughout the whole state.

The Honorable Joe Quilici, Chairman
Page 2
11 January 1985

The law enforcement community strongly supports the Attorney General's proposal. A few months ago the Montana Association of Chiefs of Police endorsed it unanimously. The Montana Board of Crime Control endorsed it unanimously. I am advised that the Attorney General--within the last eight weeks--has met with 50 of the 56 county sheriffs to discuss the proposal. Of the 50 sheriffs he consulted, 46 expressed enthusiastic support of the plan. And I know that I represent the vast majority of county attorneys in voicing my enthusiastic support.

The only criticism I have heard is that the Attorney General's plan is not big enough. Many criminal justice professionals believe, as I do, that the need for the program far exceeds the Attorney General's proposal. Yet, I appreciate Mr. Greely's wish to keep the program small enough to be attainable, to treat it as a trial program to be expanded later if it succeeds. Nevertheless, I hope that the Legislature will give serious thought to enlarging the program beyond the Attorney General's request.

In closing, let me express my strong belief--based on years of experience as a prosecutor--that the time has come for the Legislature to declare war on illegal drugs in Montana. Our problem is indeed serious. It threatens our young people, and it threatens the unique tranquility for which our Big Sky Country is known. Our citizens are entitled to our best effort against this serious problem.

With best wishes, I am

Very truly yours,

HAROLD F. HANSER
Yellowstone County Attorney

11/11/85

TO: Montana State Legislators
 Montana State Capitol
 Helena, Montana 59601

We, the undersigned, are mostly elected officials involved with the Eastern Montana Coal Counties Task Force. Based on our experience in managing a regional, undercover crime task force, we recognize the need for such a task force operating throughout the State of Montana. We have met with Attorney General Mike Greely and support his proposal to fund such a crime task force.

John L. Lantry
Don A. Guder
Don L. Lantry
Gary D. Fjelstad
W. L. Lantry
Robert F. Ash
Daniel L. Schwany
Mike Schaper

Rosebud Co. Atty.
Treasure Co. Atty
Powder River Co. Sheriff
Sheriff Treasure Co.
Sheriff Big Horn County
Sheriff Rosebud County
Powder River County Attorney
Yellowstone Co. S.O.

1/11/85

BUDGET MODIFICATION

Department of Justice
1986-87 Biennium

Program: Criminal Investigation - 25
Executive Page Number: 171

TITLE: ROCKY MOUNTAIN INFORMATION NETWORK

REQUEST: The Department requests spending authority to continue to spend federal funds to coordinate the activities of the Rocky Mountain Information Network (RMIN) in Montana.

JUSTIFICATION: RMIN is an eight state regional intelligence sharing network comprised of local, state and federal law enforcement agencies. RMIN's goal is to provide member law enforcement agencies with support in the detection, enforcement and prosecution of criminal activities that cross jurisdictional boundaries. 41 Montana law enforcement agencies participate in RMIN.

<u>FISCAL DATA:</u>	<u>FY 1986</u>	<u>FY 1987</u>
<u>F. T. E.'s</u>	2.0	2.0
<u>Personal Services</u>	<u>\$45,246</u>	<u>\$46,176</u>
<u>Operating Expenses:</u>		
Contracted Services	1,061	1,061
Supplies & Materials	2,486	2,486
Communications	2,106	2,237
Travel	15,702	15,702
Rent	1,958	1,958
Utilities		
Repair & Maintenance	460	460
Other Expenses	212	212
Subtotal	<u>23,985</u>	<u>24,116</u>
<u>Equipment</u>		
<u>Total Request</u>	<u>\$69,231</u>	<u>\$70,292</u>
<u>Funding:</u>		
General Fund		
Other Funds (fed. special)	<u>69,231</u>	<u>70,292</u>
<u>Total Funds</u>	<u>\$69,231</u>	<u>\$70,292</u>

1/11/85

BUDGET MODIFICATION

Department of Justice
1986-87 Biennium

Program: Criminal Investigators - 25
Executive Page Number: 171

TITLE: ADDITIONAL INVESTIGATORS AND CLERICAL SUPPORT

REQUEST: The Department requests funds to support three general criminal investigator positions, four undercover criminal investigator positions, three secretarial positions and two intelligence clerks.

JUSTIFICATION: This modification would add an additional supervisor investigator, a general criminal investigator and two secretaries to the General Investigation Section (GIS). The GIS currently has three agents, a bureau chief and no secretarial support. Clerical support for the four agents is provided by the secretary for the Law Enforcement Services Division. The lack of clerical help has resulted in extensive delays in transcribing interviews with suspects and delayed the issuance of reports.

This modification would establish a Special Investigation Section (SIS) to provide undercover criminal investigations at the request of local authorities. These investigations would be primarily in the areas of illegal drugs and stolen property. The SIS would consist of one supervisor investigator, three agents and one secretary. The modification would also provide for two intelligence clerks to handle the increased flow of information and to analyze the data collected.

<u>FISCAL DATA:</u>	<u>FY 1986</u>	<u>FY 1987</u>
F. T. E.'s	12.0	12.0
<u>Personal Services</u>	<u>\$309,665</u>	<u>\$311,148</u>
<u>Operating Expenses:</u>		
Contracted Services	18,020	18,020
Supplies & Materials	19,432	19,432
Communications	28,143	26,680
Travel	36,318	36,318
Rent	22,929	22,929
Utilities		
Repair & Maintenance	5,993	8,401
Other Expenses	51,820	51,820
Subtotal	182,655	183,600
<u>Equipment</u>	207,075	
<u>Total Request</u>	<u>\$699,395</u>	<u>\$494,748</u>
<u>Funding:</u>		
General Fund	\$699,395	\$494,748
Other Funds		
Total Funds	<u>\$699,395</u>	<u>\$494,748</u>

VISITORS' REGISTER

GEN GOVT & HIGHWAYS

COMMITTEE

BILL NO. _____

DATE

1/11/85

SPONSOR _____

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
MIKE GREENY	AG		
Susan Hansen	AG OFFICE		
Fritz Behr	✓ ✓		
Bob Kuchembrod	✓ ✓		
MIKE MILLER	ID BUREAU		
PAT DROSCOW	AG OFFICE		
LONN HOKLIN	" "		
GARY CARREN	CJ BUREAU		
Tom ADAMO	QIB. BUREAU		
Judy Griffith	SHODAIR ADGL TRT CTR		
Tom Dawson	Sheriff Jess Co.		
DeTe Dunbar	United States Attorney		
Robert Ash	Sheriff Rosebud Co.	✓	
Danny Fjellstad	sheriff Treasure co.	✓	
Mike Schaffer	sheriff Yellowstone Co.	-	
FRITZ O. BEHR	MT. DEPT. OF JUSTICE		
MIKE MILLER	" " " "		
BOB BROOKS	ASST U.S. ATTORNEY		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.