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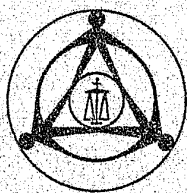
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THE AMERICAN UNIVERSITY
Criminal Courts Technical Assistance Project
Institute for Studies in Justice and Social Behavior
The American University Law School
Washington, D.C.

REPORT ON CONSULTATION TO THE
STATE OF MONTANA
GOVERNOR'S JUVENILE JUSTICE COMMITTEE

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This report was prepared in conjunction with the Institute's Criminal Courts Technical Assistance Project, under a contract with the Law Enforcement Assistance Administration of the U.S. Department of Justice.

Organizations undertaking such projects under Federal Government sponsorship are encouraged to express their own judgement freely. Therefore, points of view or opinions stated in this report do not necessarily represent the official position of the Department of Justice. The contractor is solely responsible for the factual accuracy of all material presented in this publication.

I. BACKGROUND

Montana's juvenile code has not been substantially amended in many years. More significantly, no changes have been made in the code to bring it into conformance with Kent, Gault, and other U.S. Supreme Court decisions. No rules of juvenile procedure have been promulgated, so there is no written direction to Montana juvenile judges to follow Gault and other decisions.¹

While the juvenile code needs overhauling, the delinquency problem in Montana, as reflected in juvenile court statistics gathered by the Montana Crime Control Commission, does not appear to be one of major proportion when compared with other jurisdictions.² The state has a small (700,000) and relatively stable population with only two population centers of more than 100,000 (Billings and Great Falls).

In August, 1972, the Governor of Montana appointed a Juvenile Justice Committee to examine the state's juvenile laws and submit recommendations on both the substance and process of revision.³ The Committee of ten members is chaired by Judge Frank Haswell of the Montana Supreme Court, and staff services are being provided by the Montana Crime Control Commission.⁴ At

¹ There may be some case law on this point, but time precluded an examination of Montana Supreme Court opinions.

² The validity of these data, however, is questionable because they show that most male juvenile offenders are 16 or 17 (51%); live with both parents (68%); have no school adjustment problems (90%); and have no prior delinquencies (57%). This just doesn't square with data from other states where more offenders are much younger, do badly in school, have prior records, and come from broken homes. I hasten to add that the Crime Control Commission staff also questions some of this information. Of course, Montana may be that different. The statistics are attached as Appendix A of this report.

³ The Governor's letter to Judge Haswell is attached as Appendix B. of this

⁴ A list of Committee members and a chart depicting the Governmental Position of the Juvenile Justice Advisory Council are attached as Appendix C.

the Committee's first meeting on September 6, 1972, it was decided to obtain the services of consultants from states that had modernized their juvenile codes.

Subsequently, Mr. Harry Lawson, State Court Administrator of Colorado, and Mr. David Schmidt, State Director of the New Mexico Council of the National Council on Crime and Delinquency, attended a meeting of the Juvenile Justice Committee, held October 2-3, 1972. At that meeting, Mr. Lawson focused on the issues and philosophies involved in juvenile code promulgation, and made some comparisons between Montana's existing laws and possible models of progressive juvenile code legislation. Mr. Schmidt discussed the process of preparing and presenting legislation of this nature and means of guiding it through the State Legislature.

Specific topics covered at the October meeting of the Committee included:

- deficiencies in present juvenile laws;
- the experiences of Colorado and New Mexico in developing new juvenile codes and strategies used in getting them adopted;
- the experiences in the two states operating under their respective codes;
- recommendations for procedures to be followed by the Governor's Juvenile Justice Committee in carrying out its assignment.

II. THE PRESENT MONTANA JUVENILE CODE

A: Deficiencies and Problems

The following deficiencies and problems were identified as existing within the present Montana Juvenile Code.

1. No provision for appointment of counsel, either for the juvenile, or separate counsel for the juvenile and his parents.
2. No provision concerning quantum of proof.
3. No provision for explaining his rights to a juvenile, including the right to remain silent, right of cross examination, etc.
4. An archaic definition of delinquency which includes truancy and incorrigibility and related non-adult offenses most often segregated in modern codes in a separate category such as children in need of supervision, unruly child, or person in need of supervision.
5. Retention by the court of jurisdiction until the juvenile is 21, while most modern codes place a lower age limit on the length of time a youngster may be under the court's jurisdiction or institutionalized.
6. A provision of dubious constitutional validity which makes it possible for a judge to commit a child for evaluation or diagnosis prior to adjudication.
7. No provision for committing a child under mental health procedures should this appear to be the best way to proceed at the adjudicatory hearing.
8. No provision for deferred prosecution.
9. No provision for bifurcated hearings -- separating the adjudicatory and dispositional hearings.
10. No provision allowing cross examination on the social history at disposition, and no bar to the admittance of the social history at adjudication.
11. No provision for detention hearings, either within a stated period or at all.

12. Questionable whether provisions for transfer to criminal division comply with Kent.
13. Conflicting provision on institutional commitment -- not clear whether to separate juvenile institutions, central institutions department, either, or both.
14. Archaic and unprecise provisions on contributing to delinquency.
15. No provision for probation revocation or modification hearings.
16. No expungement provisions.
17. Archaic and unprecise provisions on contributing to dependency, better handled under a separate statute.
18. No provisions governing institutional transfer.
19. Question concerning scope of court services, such as involvement with foster homes.
20. Inadequate procedures for determination of parole (aftercare) release of juveniles from institutions.
21. Archaic provision for placement of dependent child, permitting indenture.
22. No provision that social history accompany youngster when committed to an institution.

B. Recommendation for Complete Revision

The recommendation of the consultants is that the staff of the Juvenile Justice Committee immediately begin drafting a completely revised juvenile code for Montana.⁵ They advise this approach, as opposed to attempts

⁵ A letter from Mr. Steve Nelsen, Juvenile Programs Advisor on the State Board of Crime Control, received since the October meeting, indicates that the Committee decided to have the staff prepare a draft of a new code. This preliminary draft will be sent to the consultants for comment, and they may be asked to return to Montana when the code is in its final draft stages.

at piecemeal and limited revision, for the following reasons:

- o there are too many changes required to be able to handle revision on a patchwork basis;
- o it is harder to mesh old and new provisions by piecemeal revision than by a complete rewrite and codification;
- o the present arrangement of statutes should be reorganized into a more logical and cohesive compilation, and this cannot be done without comprehensive revision.

A major reason for recommending immediate preparation of a draft of the revised code is that the Committee needs to get something concrete before it, so as to define and limit the scope of the committee discussion. Without a draft, much time would be spent in discussion of philosophy without relating it to anything specific. While there is value in such discussion, it doesn't really aid the Committee in achieving its objectives, unless it is related to a specific proposal.

There is much reference material which can be used in the preparation of the initial draft. In addition to the Colorado and New Mexico codes (which were discussed in some length at the October meeting), there are also relatively new codes in California, Hawaii, Illinois, New York, North Dakota, Oklahoma, and Utah. There are also the model juvenile and family court acts, recently revised, and the Uniform Juvenile Code on which the North Dakota act is based.

III. RECOMMENDATIONS ON THE REVISION PROCESS

At the October meeting, the Juvenile Justice Committee expressed that it was their intention to develop a comprehensive juvenile code for submission to the forthcoming session of the State Legislature. In view of this

commitment the following procedure was recommended by the consultants.

1. The concept of a completely revised code should be endorsed by the Governor as well as the two men that are presently seeking the office of governor.
2. Legislative endorsement through capable and influential legislators should be secured. One of the major problems in gaining legislative acceptance is that no member of the legislature is serving on the Governor's Juvenile Justice Committee. This deficiency can be overcome in part by involving key members of the legislature on an ad hoc basis as soon as possible. Liaison should also be established with the staff of the Legislative Council. If some key legislators are involved with and support the project, there is less likelihood of either rejection by the legislature, or postponement of consideration while the legislature makes its own study through an interim committee created for this purpose.
3. It is evident that the Committee's staff has completed extensive preparation and study of the possibility of developing a revised juvenile code for Montana. This knowledge should be fully utilized in all phases of the revision process.
4. Assistance might be given by the bar association legislative committee. This would require some official support at least "in principle" from the governing body of the bar. A first step in seeking such support would be to ascertain whether the Montana Bar Association has a family law committee or section. If so, effort should be made to get the committee or representatives

thereof involved in the development of the new juvenile code at an early date.

5. After the Committee has developed a workable draft, it should be reduced in content and sent for review, response, and criticism and/or endorsement, to the following groups:
 - all levels of the judiciary;
 - law enforcement chiefs;
 - district attorneys;
 - probation staffs;
 - district judges associations;
 - child welfare institution staffs;
 - news media;
 - such organizations as are either involved with youth projects, or might carry some weight with the legislature should they endorse the code (e.g., the League of Women Voters, the American Association of University Women; Parent Teacher Associations).
6. Following the receipt of criticism and suggestions on the code, a compromise committee composed of members of the Juvenile Justice Committee and representatives of the above-named groups should develop, perhaps in a series of regional meetings with staff assistance, a final draft.
7. The Committee should meet with those legislators they have chosen to sponsor the bill and request the services of the Legislative Council to prepare it in final draft and legal form.
8. Either this Committee, or a concerned organization experienced in lobbying, should assume the responsibility for guiding the bill's

passage through the legislative process. This includes interpreting the code to as many legislators as possible and soliciting proponents of the bill to appear at all committee hearings. It is desirable to keep the news media informed as to progress and the need for passage of a new code.

IV. IDENTIFICATION OF POTENTIAL PROBLEM AREAS

The Colorado Juvenile Justice Code has been in effect for almost six years, and on the basis of this experience several potential problem areas can be identified.

There have been a number of amendments passed, and even more proposed that have been rejected by the General Assembly. In general, juvenile judges, probation counselors, and institutional officials have found the code satisfactory, but have offered some remedial amendments, as experience showed some procedural defects. These, by and large, have been adopted.

Law enforcement officials and prosecutors have attacked some portions of the code as contributing to an increase in juvenile crime, presumably because it allows too much latitude in the handling of repeat juvenile violators. Some of the provisions objected to (such as the one concerning the transfer hearing provisions and the one relating to the admissibility of statements) conform with U.S. Supreme Court decisions.

Other objections concern:

- provisions for informal adjustment which are considered by some to be too lenient;
- provision for second expungement after a specified number of

years of good behavior;

- the definition of juveniles as being under 18 (some would like to lower it to 17 or 16); and
- expansion of alleged offenses which would require direct filing in the criminal division.

Not all law enforcement officials and prosecutors support this position, but it is more than likely that amendments on these points will be offered again in 1973. Major opposition to these changes will come from the juvenile judges, League of Women Voters, Family Law Section on the Colorado Bar Association, public defenders, and legal aid attorneys, with possible opposition as well from the Governor's Commission on Children and Youth.

The consultant's wish to express their gratitude to the staff and Committee members for the many courtesies extended to them during their brief consultancy. The services of both consultants can be secured by the American University Technical Assistance contract if desired at later stages in the development on the Montana Juvenile Justice Code.

V.

APPENDIX A

CRIME CONTROL COMMISSION
MONTANA JUVENILE COURT STATISTICS

COLLECT PERIOD-JAN - DEC 1971

SEX- MALE

CODE NO	OFFENSE LISTING OFFENSE TITLE	TOTAL	PER CENT	AGE											18 & OVER
				0-8	9	10	11	12	13	14	15	16	17		
0120	ARSON	10					2	2	3	2				1	
0130	ASSAULT	56	1	1	2	1		1	3	6	11	17	14		
0140	AUTO THEFT	94	2				1	4	8	15	23	23	19		
0220	BURGLARY	302	7	4	2	3	12	22	28	62	64	56	40	2	
0300	CHECK CHARGES	4				1					1				
0401	DEL. CURFEW VIOLATION	488	12		2	2	5	6	25	41	92	153	156	6	
0402	DEL. UNGOVERNABLE	92	2		1	1	1	4	6	19	21	21	18		
0403	DEL. PROB. VIOLATION	7									2	2	3		
0404	DEL. LOCAL RUNAWAY	181	4	1	1	1	2	8	19	49	40	41	19		
0405	DEL. NON-LOCAL RUNAWAY	80	2	1			1	1	18	8	23	19	9		
0406	DEL. TRUANCY	93	2		1	1	4	6	7	34	35	4	1		
0407	DEL. UNSUPERVISED	13					1	4		3	2	3			
0408	DEL. HEALTH & MORALS	21	1				1		4	8		2	4		
0409	DEL. DEPEND & NEGLECT	2									1	1			
0410	DISTURBING THE PEACE	120	3	1	1	3	2	6	7	15	10	35	40		
0420	DANGEROUS DRUGS	31	1						1		8	6	16		
0500	ESCAPES	4						1			1	1	1		
0510	EXPLOSIVES	6			2	1			1		2				
0610	FISH & GAME	65	2			1		2	4	6	13	21	18		
0620	FORGERY	27	1							3	2	9	13		
0630	FRAUD	5									1	3			1
0801	MANSLAUGHTER VOL.									1		2			
0802	MANSLAUGHTER INVOL.	3													
0803	MANSLAUGHTER MOTOR VEH.														
0804	MURDER 1ST DEGREE														
0805	MURDER 2ND DEGREE														
1201	LARCENY GRAND	128	3	1	2	1	1	6	16	23	22	29	27		
1202	LARCENY PETIT	263	6	2	8	3	16	19	31	37	56	47	44		
1203	LARCENY PUSS. STO. PROP.	23	1						1	6	10	6	5		
1204	LARCENY SHOPLIFTING	211	5	3	3	10	23	12	11	35	38	27	24		
1210	LIQUOR VIOLATION	1112	24			3	2	4	23	86	168	239	421	6	
1300	MALICIOUS MISCHIEF	355	8	17	13	18	23	38	45	53	34	57	56	1	
1320	MISCELLANEDUS	19					2		2	1	6				
1500	RAPE	4										2	2		
1830	ROBBERY	1											1		
1910	SEX CRIMES	12				1		1	1	3	1	2	3		
2010	TRAFFIC	416	10	1	1	1	3	10	25	34	96	129	115	1	
2300	WEAPONS	25	1			1		4	1	6	5	8			
	OTHER	22	1					1	3	2	4	2	9	1	
	TOTAL BY AGE	4200	1	34	42	53	102	162	313	558	794	1031	1093	18	
	AGE PER CENT			1	1	1	2	4	7	13	19	25	26		

CRIME CONTROL COMMISSION
MONTANA JUVENILE COURT STATISTICS

COLLECT PERIOD-JAN - DEC 1971

SEX- MALE

CATEGORY	ITEM	AMT	PER CENT	CATEGORY	ITEM	AMT	PER CENT
RACE	1-CAUCASION	3667	87	EMPLOYMENT	5-NOT EMPLOYED	3375	80
	2-INDIAN	501	12		6-WORKING FULL-TIME	76	2
	5-OTHER	32	1		7-WORKING PART-TIME	103	2
REFERRED BY	1-L.E. AGENCY	3886	93	SCHOOL GRADE	1-BELOW NORMAL	649	11
	2-SCHOOL	99	2	ATTAINMENT	2-NORMAL	2712	56
	5-PARENT	70	2		3-ACCELERATED	18	
	7-OTHER	145	3	SCHOOL ADJUST	1-SERIOUS PROBLEMS	434	10
PRIOR	1-YES	1821	43		2-NO PROBLEMS	2715	90
DELINQUENCY	2-NO	2379	57	MARITAL	1-MARRIED AND TOGETHER	2637	68
	3-TOTAL OFFENSES	7484		STATUS OF	2-BOTH DEAD	23	1
CASE PENDING	1-NO DETENTION	3280	78	PARENTS	3-FATHER DEAD	281	6
DISPOSITION	2-OVERNIGHT JAIL	787	19		4-MOTHER DEAD	68	2
	5-OTHER	133	3		5-SEPARATED OR DIVORCED	947	23
MANNER	1-INFORMALLY	4024	96		6-FATHER DESERTED	23	1
HANDLED	2-FORMALLY	176	4		7-MOTHER DESERTED	11	
DISPOSITION	00-VAIVED TO CRIMINAL COURT	7			8-OTHER	35	1
	01-DISMISSSED	100	2	LIVING	1-WITH BOTH PARENTS	2702	64
	11-EARNED	1957	47	ARRANGEMENT	2-MOTHER AND STEP-FATHER	327	8
	12-HELD OPEN OR PENDING	466	11	OF OFFENDER	3-FATHER AND STEP-MOTHER	58	2
	13-INF. PROB.	749	18		4-MOTHER ONLY	631	15
	14-REFERRED OR RETURN RUNAWAY	223	5		5-FATHER ONLY	131	3
	15-TEMP. CUST.	21	1		6-RELATIVE S HOME	111	3
	16-OTHER INFORMAL	555	13		7-FOSTER HOME	42	1
	21-COMMITTED PUB. J. D. INSTIT.	62	1		8-INSTITUTION	40	1
	22-COURT CUSTODY FORMAL PROB.	36	1		9-ALONE	41	1
	23-PRIVATE AGENCY OR HOME	2			10-OTHER	105	3
	24-DEF. COMMITMENT OR SUSPENDED	16		FAMILY	1-PUB. ASSISTANCE	405	10
	25-OTHER FORMAL	3		INCOME	2-UNDER \$3,000	91	2
DIAGNOSTIC	A.MENTAL				3-\$3,000 - \$5,000	383	9
SERVICES	1-AVAILABLE	105	3		4-\$5,000 - \$10,000	2057	49
NEEDED	2-NOT AVAILABLE	20			5-OVER \$10,000	639	15
	3-NOT INDICATED	4075	97		6-UNKNOWN	51	1
	B.MEDICAL			RELIGIOUS	1-VERY ACTIVE	190	5
	1-AVAILABLE	57	1	ACTIVITY	2-MODERATELY ACTIVE	1233	31
	2-NOT AVAILABLE	7			3-NON-PARTICIPATING	2727	65
	3-NOT INDICATED	4136	98	RESIDENT	1-NOT CURRENTLY A RESIDENT	322	8
	C.SOCIAL			LENGTH	2-UNDER ONE YEAR	253	6
	1-AVAILABLE	95	2		3-UNDER FIVE YEARS	437	10
	2-NOT AVAILABLE	51	1		4-FIVE YEARS OR MORE	3176	75
	3-NOT INDICATED	4054	97	RESIDENCE	1-RURAL	1256	30
EMPLOYMENT	OUT OF SCHOOL	9		LOCATION	2-URBAN WITHIN CITY LIMITS	2944	70
	1-NOT EMPLOYED	462	11	NUMBER OF DAYS DETAINED		2326	
	2-WORKING FULL-TIME	121	3	AVERAGE DAYS BETWEEN REFERRAL AND DISPOSITION		16	
	3-WORKING PART-TIME	52	1				
	4-N/A PRE SCHOOL	2					

CRIME CONTROL COMMISSION
MONTANA JUVENILE COURT STATISTICS

COLLECT PERIOD-JAN - DEC 1971

SEX- FEMALE

CODE NO	OFFENSE LISTING	TOTAL	PER CENT	AGE												
				0-8	9	10	11	12	13	14	15	16	17	18 & OVER		
0120	ARSON															
0130	ASSAULT	8	1	1				1			3		1	2		
0140	AUTO THEFT	12	1					1	4	2	4	1				
0220	BURGLARY	21	1				2	3	5	4	2	1	3			
0300	CHECK CHARGES	3							1			2				
0401	DEL. CURFEW VIOLATION	222	15				1	4	11	43	54	57	52			
0402	DEL. UNGOVERNABLE	101	7				1	1	12	23	27	23	14			
0403	DEL. PROB. VIOLATION	1							1							
0404	DEL. LOCAL RUNAWAY	246	17	1		2	1	11	33	77	53	50	18			
0405	DEL. NON-LOCAL RUNAWAY	66	5					2	7	10	19	16	12			
0406	DEL. TRUANCY	60	4	1			1	4	11	19	22	2				
0407	DEL. UNSUPERVISED	11	1							5	2	2	2			
0408	DEL. HEALTH & MORALS	16	1						2	4	3	2	5			
0409	DEL. DEPEND & NEGLECT	5					1		1	1	1		1			
0410	DISTURBING THE PEACE	20	1				2	4	4	1	1	4	4			
0430	DANGEROUS DRUGS	17	1							1	3	2	5	6		
0500	ESCAPES															
0510	EXPLOSIVES															
0610	FISH & GAME	2											1	1		
0620	FORGERY	7						2	1	1	1	1	1			
0630	FRAUD	2									2					
0801	MANSLAUGHTER VOL.															
0802	MANSLAUGHTER INVOL.															
0803	MANSLAUGHTER MOTOR VEH.															
0804	MURDER 1ST DEGREE															
0805	MURDER 2ND DEGREE															
1201	LARCENY GRAND	11	1					1	1	3	3	3				
1202	LARCENY PETIT	57	4		1	1	7	9	6	13	7	4	9			
1203	LARCENY POSS. STD. PROP.															
1204	LARCENY SHOPLIFTING	101	7		2	5	13	9	21	14	11	16	10			
1210	LIQUOR VIOLATION	354	25					5	27	41	28	22	28	5		
1300	MALICIOUS MISCHIEF	32	2	1		4	1		2	5	2	6	11			
1320	MISCELLANEDUS	5						1				1	1	2		
1800	RAPE															
1830	ROBBERY															
1910	SEX CRIMES	10	1							3	2	3	2			
2010	TRAFFIC	46	3	1				3	4	2	9	14	13			
2310	REVENUES	3											2	1		

CRIME CONTROL COMMISSION
MONTANA JUVENILE COURT STATISTICS

COLLECT PERIOD-JAN - DEC 1971

SEX- FEMALE

CATEGORY	ITEM	AMT	PER CENT	CATEGORY	ITEM	AMT	PER CENT
RACE	1-CAUCASION	1227	85	EMPLOYMENT	5-NOT EMPLOYED	1161	91
	2-INDIAN	201	14		6-WORKING FULL-TIME	27	2
	5-OTHER	11	1		7-WORKING PART-TIME	12	1
REFERRED BY	1-L.E. AGENCY	1278	89	SCHOOL GRADE	1-BELOW NORMAL	119	8
	2-SCHOOL	37	3	ATTAINMENT	2-NORMAL	1314	91
	5-PARENT	67	6		3-ACCELERATED	6	0
	7-OTHER	37	3	SCHOOL ADJUST	1-SERIOUS PROBLEMS	174	11
PRIOR DELINQUENCY	1-YES	519	36		2-NO PROBLEMS	1235	89
	2-NO	920	64	MARITAL STATUS OF PARENTS	1-MARRIED AND TOGETHER	830	50
CARE PENDING DISPOSITION	3-TOTAL OFFENSES	2211			2-BOTH DEAD	16	1
	1-NO DETENTION	1025	71		3-FATHER DEAD	75	5
	2-OVERNIGHT JAIL	253	18		4-MOTHER DEAD	21	1
	5-OTHER	161	11		5-SEPARATED OR DIVORCED	472	33
MANNER HANDLED DISPOSITION	1-INFORMALLY	1385	96		6-FATHER DESERTED	4	0
	2-FORMALLY	54	4		7-MOTHER DESERTED	1	0
	00-WAIVED TO CRIMINAL COURT	3	0		8-OTHER	12	1
	01-DISMISSED	23	2	LIVING ARRANGEMENT OF OFFENDER	1-WITH BOTH PARENTS	813	56
	11-EARNED	740	51		2-MOTHER AND STEP-FATHER	153	11
	12-HELD OPEN OR PENDING	146	10		3-FATHER AND STEP-MOTHER	26	2
	13- INF. PROB.	186	13		4-MOTHER ONLY	271	19
	14-REFERRED OR RETURN RUNAWAY	133	9		5-FATHER ONLY	38	3
	15-TEMP. CUST.	24	2		6-RELATIVE S HOME	61	4
	16-OTHER INFORMAL	131	9		7-FOSTER HOME	37	3
	21-COMMITTED PUB. J. D. INSTIT.	41	3		8-INSTITUTION	13	1
	22-COURT CUSTODY FORMAL PROB.	6	0		9-ALONE	9	1
	23-PRIVATE AGENCY OR HOME				10-OTHER	13	1
	24-DEF. COMMITMENT OR SUSPENDED	4	0	FAMILY INCOME	1-PUB. ASSISTANCE	171	12
	25-OTHER FORMAL	2	0		2-UNDER \$3,000	22	2
DIAGNOSTIC SERVICES NEEDED	A.MENTAL				3-\$3,000 - \$5,000	150	10
	1-AVAILABLE	31	2		4-\$5,000 - \$10,000	700	49
	2-NOT AVAILABLE	5	0		5-OVER \$10,000	200	14
	3-NOT INDICATED	1403	97		6-UNKNOWN	176	12
	B.MEDICAL			RELIGIOUS ACTIVITY	1-VERY ACTIVE	75	5
	1-AVAILABLE	28	2		2-MODERATELY ACTIVE	430	30
	2-NOT AVAILABLE	4	0		3-NON-PARTICIPATING	934	65
	3-NOT INDICATED	1407	98	RESIDENT LENGTH	1-NOT CURRENTLY A RESIDENT	115	8
	C.SOCIAL				2-UNDER ONE YEAR	115	8
	1-AVAILABLE	41	3		3-UNDER FIVE YEARS	170	12
	2-NOT AVAILABLE	16	1		4-FIVE YEARS OR MORE	1035	72
	3-NOT INDICATED	1382	96	RESIDENCE LOCATION	1-RURAL	378	26
EMPLOYMENT	OUT OF SCHOOL	1	0		2-URBAN WITHIN CITY LIMITS	1031	74
	1-NOT EMPLOYED	164	11	NUMBER OF DAYS DETAINED		1111	
	2-WORKING FULL-TIME	61	4	AVERAGE DAYS BETWEEN REFERRAL AND DISPOSITION		19	
	3-WORKING PART-TIME	13	1				
	4-N/A PRE SCHOOL						

VI.

APPENDIX B

State of Montana
Office of The Governor
Helena 59601

FORREST H. ANDERSON
GOVERNOR

RECEIVED
AUG 15 1972

August 14, 1972

Honorable Frank Haswell
Associate Justice
Montana Supreme Court
Helena, Montana 59601

CRIME CONTROL
COMMISSION

Dear Justice Haswell:

Throughout my career as a County Attorney, Attorney General, Supreme Court Justice and Governor, I have been increasingly concerned about the need to develop a modern, comprehensive juvenile justice system for Montana.

Until recently, the financial resources for the necessary research and study associated with the project were not available. However, the Governor's Crime Control Commission has sufficient funds to underwrite staff and travel costs.

Therefore, I am creating a Governor's Juvenile Justice Committee which will review our existing legislation and offer recommendations to the 1973 Legislature.

By means of this letter, I am asking if you will serve as a member of the Committee.

In my view, the Committee should immediately examine the laws and the justice system as each affects our young people who must be adjudicated delinquent, who have committed serious offenses, or who must be formally processed by our police, courts and corrections systems. The Committee should study existing institutional facilities and the incarceration facilities throughout the state. The matter of the Constitutional rights of juveniles and their proper legal defense should also be examined.

The Governor's Crime Control Commission has a lawyer and a professional planner who will be assigned to the work of the Committee.

I am hopeful that the Committee will have a report ready in October and that any legislation can be in final form in November.

Your work in the efforts of the Committee will be most valuable to the cause of juvenile justice in Montana. I trust you will find it possible to serve.

Sincerely,

cc: Brinton Markle

FORREST H. ANDERSON
Governor

VII.

APPENDIX C

STATE OF MONTANA

GOVERNOR'S JUVENILE JUSTICE COMMITTEE

Hon. Frank Haswell, Chairman
Hon Paul G. Hatfield
Hon. Robert Wilson
Mr. Frank Sennett
Mr. Jeremiah Johnson
Mr. Harold F. Hanser
Mr. John Thomas
Mrs. Frank Kampfe
Mr. Mike McLean
Mr. Doug Chase

Staff:

Mr. Steve Nelson
Mr. Terry Wallace

END