



PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

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69th Montana Legislature

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July 13, 2026

TO: Law and Justice Interim Committee
FROM: Julianne Burkhardt, Staff Attorney
RE: Rule Review Memo

Board of Pardons and Parole (BOPP)

MAR 2026 Issue No. 11, (June 6, 2026): The BOPP issued a Notice of Adoption concerning the amendment of ARM No.20.25.507 pertaining to parole guidelines. After consideration of public comment, the rule was amended as proposed. Public commenters argued that scoring revocations created a fifth negative scoring factor that increased the likelihood that a parole applicant would be denied the opportunity for reentry and thus contribute to prison overcrowding and taxpayer expense. The BOPP responded that while a fifth factor (revocation of prior community supervision) is created by the revised guidelines, prior performance of a parole applicant on community supervision is already considered in the parole criteria and thus the addition of a fifth factor does not in fact add an additional consideration for release on parole. The BOPP further notes that the claim that the scoring is biased appears unsupported by evidence.