

HOUSE JOINT RESOLUTION NO. 41

INTRODUCED BY K. KELKER

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO EXAMINE EXISTING DEPARTMENT OF CORRECTIONS FACILITIES AND COMMUNITY CORRECTIONS OR TREATMENT PROGRAMS TO DETERMINE BEST USES FOR EXISTING FACILITIES AND PROGRAMS AND ANY NEEDS FOR ADDITIONAL FACILITIES OR PROGRAMS.

WHEREAS, the 65th Legislature considered but ultimately rejected at least three bills that would have revised the functions of state-operated correctional and treatment facilities; and

WHEREAS, the 65th Legislature also considered multiple bills requested by the Commission on Sentencing that suggested substantial changes to Montana's sentencing laws and correctional practices and are projected to impact long-term correctional offender population numbers; and

WHEREAS, those changes make it an ideal time for a legislative interim committee to review the existing correctional populations and projected populations to determine if the existing state-owned buildings and facilities as well as the community corrections services available will continue to meet the needs of an evolving correctional system.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to examine:

- (1) the number and functions of existing state-owned correctional facilities to determine the best uses for the facilities;
- (2) the number and functions of community-based corrections or treatment programs under contract with the Department of Corrections to determine if the programs are meeting the correctional needs of the state;
- (3) the placement of offenders in prison, treatment facilities, and pre-release or community facilities;
- (4) existing populations served by the corrections system and how any legislation enacted during the 65th legislative session might affect those population numbers and projected numbers; and

1 (5) any statutory limitations on the number or use of state-owned correctional facilities.

2 BE IT FURTHER RESOLVED, that the study determine how the state could best allocate existing
3 resources to its advantage and if it needs additional facilities or community-based programs.

4 BE IT FURTHER RESOLVED, that if the study recommends closure or repurposing of a state-owned
5 facility that the study examine possible transition challenges and opportunities that could be posed to local
6 communities and the state by an elimination or change in the use of a state-owned facility.

7 BE IT FURTHER RESOLVED, that the study involve input from stakeholders including the Department
8 of Corrections, community corrections providers and treatment providers, representatives of crime victims and
9 their families, representatives of offenders and their families, and other interested stakeholders.

10 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
11 presented to and reviewed by an appropriate committee designated by the Legislative Council.

12 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
13 requirements, be concluded prior to September 15, 2018.

14 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
15 comments, or recommendations of the appropriate committee, be reported to the 66th Legislature.

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