



1 functioning, insomnia, nightmares, and many other symptoms related to severe depression and anxiety"; and

2 WHEREAS, a federal judge in the Third Circuit Court of Appeals explained that "there is not a single  
3 study of solitary confinement wherein nonvoluntary confinement that lasted for longer than 10 days failed to  
4 result in negative psychological effects"; and

5 WHEREAS, in February 2021, a federal judge in the Second Circuit Court of Appeals stated that  
6 "[p]rolonged solitary confinement is one of the true horrors of the modern-day penal system"; and

7 WHEREAS, correctional systems must not engage in practices that alter offenders' mental health to  
8 make it more difficult for them to integrate successfully into law-abiding individuals on their release from jail or  
9 prison.

10

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

13 That the Legislative Council be requested to designate an appropriate interim committee or statutory  
14 committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to examine alternatives to the  
15 use of solitary confinement in state and county institutions in Montana.

16 BE IT FURTHER RESOLVED, that the study review:

17 (1) existing solitary confinement practices in Montana jails, prisons, and juvenile detention facilities;

18 (2) the reasons that solitary confinement is utilized in each institution;

19 (3) facility, state, or county policies in place regarding the use of solitary confinement for juveniles and  
20 individuals with mental illness;

21 (4) changes that can be made to reduce or eliminate the use of solitary confinement for juveniles and  
22 individuals with mental illness;

23 (5) methods used in other states that have effectively reduced or eliminated the use of solitary  
24 confinement for juveniles, individuals with mental illness, and all adults; and

25 (6) methods used in other countries that have effectively reduced or eliminated the use of solitary  
26 confinement for juveniles, individuals with mental illness, and all adults; and

27 (7) the recidivism rates of those placed in solitary confinement in Montana jails, prisons, and juvenile  
28 detention facilities as opposed to those who have not been placed in solitary confinement;

