

SENATE JOINT RESOLUTION NO. 24
INTRODUCED BY J. LASLOVICH
BY REQUEST OF THE SENATE JUDICIARY STANDING COMMITTEE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO ASSESS PRISON POPULATION GROWTH AND NONPRISON TREATMENT ALTERNATIVES FOR CERTAIN NONVIOLENT OFFENDERS.

WHEREAS, Montana experienced a growth of 920% in its incarceration rate from 1970 to 2003, the largest rate of growth in incarceration of any state for that period; and

WHEREAS, Montana's adult correctional population grew by an estimated 10.2% in 2005, the second highest increase nationally, and 5.7% faster than the national average; and

WHEREAS, the Executive Budget for the 2009 biennium proposes a spending increase of 38% for the Montana Department of Corrections; and

WHEREAS, the 60th Legislature may be the first Legislature in Montana history to appropriate more general fund dollars to corrections than to higher education; and

WHEREAS, a recent report of the University of Montana School of Social Work found that 92.4% of offenders assigned to prerelease facilities have been diagnosed with chemical dependency or substance abuse issues, mental illness, or both; and

WHEREAS, treatment is an effective and necessary tool for the successful rehabilitation of offenders with drug and alcohol addictions; and

WHEREAS, other states have found treatment for certain convicted nonviolent offenders with substance abuse addictions to be a cost-effective alternative to secure care, while reducing prison population overcrowding and providing an overall cost savings to the taxpayers.

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 5-5-217, MCA, to study secure care diversion alternatives for certain nonviolent offenders convicted of a first or second offense of simple drug possession.

BE IT FURTHER RESOLVED, that the committee make recommendations to the criminal justice and

corrections systems and the judiciary to alleviate Montana's prison population growth.

BE IT FURTHER RESOLVED, that the study:

(1) examine the impacts of diversion and treatment alternatives for certain nonviolent offenders on Montana's current and future corrections population;

(2) estimate the overall effects to the state budget provided by nonsecure care treatment alternatives for certain nonviolent offenders;

(3) propose revisions to laws related to secure care placement guidelines and treatment availability; and

(4) work collaboratively with the Corrections Advisory Council established by Executive Order No. 20-2005;

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2008.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 61st Montana Legislature, to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe, and to the Governor.

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