

HOUSE JOINT RESOLUTION NO. 57

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 OF BEST PRACTICES FOR BALANCING PUBLIC SAFETY AND LAW ENFORCEMENT WITH PROVIDING SERVICES FOR INDIVIDUALS WITH SUBSTANCE USE DISORDER OR MENTAL HEALTH DISORDERS OR BOTH; AND REQUIRING THE FINAL RESULTS OF THE STUDY TO BE REPORTED TO THE 67TH LEGISLATURE.

WHEREAS, in Montana's cities, main street business owners complain of vagrants trespassing on or vandalizing their property, littering, and breaking into outbuildings when seeking shelter; and

WHEREAS, hospitals are receiving complaints from staff of violence in their emergency rooms due to the number of patients with addiction problems whose behavior is difficult to control; and

WHEREAS, law enforcement officers encounter individuals with substance use disorder or mental illness and have to make difficult decisions about what to do with these people who may be acting inappropriately in public and may be so incapacitated that they cannot help themselves; and

WHEREAS, sheriffs find that their county jails are overwhelmed with prisoners who have addictions and mental health disorders, or both; and

WHEREAS, the first-ever statewide Montana conference on homelessness showed a slow decline in the homeless population, but there is still a shocking number--more than 1,400 people--without regular shelter;

WHEREAS, a comprehensive study by the Montana Department of Justice concluded in 2017 that 90% of Montanans with a substance use disorder are not receiving treatment; and

WHEREAS, the Department of Justice study noted that addiction and mental health services are limited in many areas of Montana; and

WHEREAS, people with untreated substance use and mental health disorders are more likely to become unemployed; and

WHEREAS, individuals who have been involved with the criminal justice system may, without access to appropriate treatment, reoffend and return to the criminal justice system; and

WHEREAS, the costs for emergency room visits, justice system interventions, and individuals reoffending is growing beyond the resources of local communities.



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

3 That the Legislative Council be requested to designate an appropriate interim committee, pursuant to
4 section 5-5-217, MCA, to examine policies that address public safety and social justice concerns about
5 homelessness and alcohol and drug addiction and their effects on the safety and well-being of communities.

6 BE IT FURTHER RESOLVED, that the study review:

7 (1) the adequacy of statutes in Title 53, chapter 24;

8 (2) ways to eliminate street camping, panhandling, trespassing, and property crimes;

9 (3) cleaning up public places, moving homeless people into shelters, and maintaining public order;

10 (4) promising practices to increase access to drug and alcohol treatment, including but not limited to, dual
11 diagnosis treatment, co-location of physical and behavioral health services, telemedicine consults and treatment,
12 culturally appropriate treatment, coordinated treatment teams, sobering centers, emergency shelters, sponsors
13 and peer mentors, and mobile crisis intervention teams;

14 (5) ways to create pyramids of service providers, including community-based health assistants, peer
15 support specialists, local mobile crisis teams, substance use disorder therapists, primary care physicians,
16 pharmacists, physician assistants, nurse practitioners, and specialists like psychiatrists, psychologists, and
17 doctors of pharmacy;

18 (6) ways to provide substance use and mental disorder treatment services in tribal, rural, and urban
19 locations;

20 (7) programs in Montana and in other states that have successfully focused on treatment as a way to
21 prevent homelessness and criminal justice involvement by individuals in need of services; and

22 (8) funding sources to include but not limited to Medicare and Medicaid demonstration programs and
23 waivers, development and capacity-building grants, and private foundation grants.

24 BE IT FURTHER RESOLVED, that the study determine whether:

25 (1) government officials and the private sector working together can collaborate on implementing high
26 standards for public safety while offering appropriate services for individuals with mental illness, substance use
27 disorder, or both;

28 (2) coordinated approaches to behavioral health services and delivering those services could increase
29 access to treatment; and

30 (3) whether provision of levels of care and greater access to treatment has potential to reduce the costs

1 related to untreated substance use and mental health disorders.

2 BE IT FURTHER RESOLVED, that the study focus on recommendations related to:

3 (1) improving coordination and communication among health care providers, mental health providers,
4 human services providers, and law enforcement and criminal justice entities;

5 (2) strengthening of partnerships at the local levels and between centers of treatment expertise and local
6 communities;

7 (3) discontinuing ineffective practices; and

8 (4) collecting and sharing data across agencies that serve the same person or family.

9 BE IT FURTHER RESOLVED, that the study include representatives of the Department of Public Health
10 and Human Services, Department of Corrections, Department of Justice, law enforcement, business owners,
11 tribal governments, local governments, community-based service providers, and advocates or organizations
12 representing people who are experiencing homelessness, people who have untreated substance use and mental
13 health disorders, and people who are reentering the community after incarceration.

14 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
15 requirements, be concluded prior to September 15, 2020.

16 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
17 comments, or recommendations of the appropriate committee, be reported to the 67th Legislature.

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