

1 on the Montana State Hospital to accommodate not only individuals placed at the facility through the civil
2 commitment process but also those committed to the facility through the criminal justice system; and

3 WHEREAS, in 2016 the Department of Public Health and Human Services created a 54-bed Forensic
4 Mental Health Facility at Galen for people who have been criminally committed to the department; and

5 WHEREAS, the Legislature has not closely examined the Forensic Mental Health Facility's role in
6 Montana's mental health and criminal justice system.

7
8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
9 THE STATE OF MONTANA:

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

12 (1) analyze the legal framework around the statutes involving the determination of criminality for
13 defendants with mental illness and the criminal commitment and other processes involving trial disposition,
14 treatment, sentencing, and conditional release and monitoring;

15 (2) examine the use of the Forensic Mental Health Facility, including criteria for admission to the
16 facility, the number of people placed at the facility for pretrial evaluations, the number placed at the facility on
17 sentencing, and the number transferred to the facility from the Montana State Prison or other correctional
18 facilities;

19 (3) review the availability of the Forensic Mental Health Facility for people being held in local
20 correctional facilities;

21 (4) the costs of operating the facility; and

22 (5) the optimal role of the facility in Montana's mental health and criminal justice systems.

23 BE IT FURTHER RESOLVED, that the study include input from appropriate stakeholders, including but
24 not limited to county attorneys, district court judges, law enforcement organizations, mental health
25 professionals, the Department of Public Health and Human Services, and representatives of organizations
26 serving and advocating for people with mental illness.

27 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
28 requirements, be concluded prior to September 15, 2022.

