

HOUSE JOINT RESOLUTION 34

Introduced by Smith

4/17	Introduced
4/17	Referred to Appropriations
4/17	First Reading
4/22	Hearing
	Died in Committee

1 House JOINT RESOLUTION NO. 34
 2 INTRODUCTION BY Smith
 3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
 6 INTERIM STUDY TO REVIEW THE STATE'S CORRECTIONAL SYSTEM AND
 7 THE ADMINISTRATION OF THE DEPARTMENT OF CORRECTIONS AND
 8 HUMAN SERVICES; AND REQUIRING A REPORT OF THE FINDINGS OF
 9 THE STUDY TO THE 54TH LEGISLATURE.

10
 11 WHEREAS, nationwide, the policy on corrections is moving
 12 in the direction of providing alternatives to incarceration
 13 and, when possible, a less restrictive environment for
 14 inmates; and

15 WHEREAS, civil rights and constitutional issues with
 16 regard to inmates demand more humane treatment and
 17 rehabilitation of inmates, and the public demands protection
 18 and safety from convicted felons and punishment and
 19 restitution for wrongs committed against society; and

20 WHEREAS, there needs to be a balance built into the
 21 correctional system to provide for these elements of public
 22 safety, punishment and restitution, and rehabilitation of
 23 inmates to prepare them for the return to society; and

24 WHEREAS, the personnel whose job it is to supervise,
 25 educate, and rehabilitate inmates needs training in order to

1 effectively deliver services to inmates, to ensure the
 2 personnel's and the public's safety, and to protect the
 3 constitutional rights of the inmates; and

4 WHEREAS, rehabilitation of inmates includes counseling
 5 and employment training, and prerelease centers in Montana
 6 have provided these services as an alternative to
 7 incarceration; and

8 WHEREAS, currently, there exist both state and nonprofit
 9 prerelease centers, and proposals to allow for-profit
 10 prerelease centers have been made; and

11 WHEREAS, the Department of Corrections and Human
 12 Services' organizational structure needs review because of
 13 the impending reduction in and closure of many state
 14 institutions; and

15 WHEREAS, the State of Montana needs a more efficient and
 16 effective correctional system.

17
 18 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 19 OF REPRESENTATIVES OF THE STATE OF MONTANA:

20 That the Legislative Council assign an appropriate
 21 interim study committee to review the state's correctional
 22 system and its administration and that the review include:

23 (1) the organizational structure of the Department of
 24 Corrections and Human Services and the effects of downsizing
 25 and closing many state institutions on the administration of



1 the Department and its respective divisions;

2 (2) a comparison of the staff-to-inmate ratio and
3 classification system that currently exist at Montana State
4 Prison with the staff-to-inmate ratio and classification
5 system that would exist with the downsizing of Montana State
6 Prison and its effect on the security of inmates, personnel,
7 and the public;

8 (3) the effect of downsizing of institutions before
9 community programs are in place and operating;

10 (4) the community corrections programs that involve
11 prerelease centers and the cost-effectiveness of the
12 state-run, nonprofit and proposed for-profit centers versus
13 institutional-based work programs and the effectiveness and
14 cost-effectiveness of electronic monitoring and home arrest;

15 (5) community acceptance of prerelease and other
16 community programs and whether the fact that they are
17 state-run, nonprofit, or for-profit affects public
18 acceptance and involvement; and

19 (6) the training of correctional personnel and its
20 effect on the operation and effectiveness of institutional
21 and alternative correctional programs.

22 BE IT FURTHER RESOLVED, that the committee report the
23 findings of the study, conclusions, and options for
24 legislative consideration to the 54th Legislature.

-End-