



A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING A STUDY ON THE EXTENT OF THE USE OF SOLITARY CONFINEMENT IN STATE AND COUNTY INSTITUTIONS IN MONTANA.

WHEREAS, solitary confinement means to house an adult or juvenile with minimal or rare meaningful contact with other individuals; and

WHEREAS, solitary confinement is referred to in a variety of ways, including administrative, protective, or disciplinary segregation, lockdown, and secure housing; and

WHEREAS, there has been increased controversy about the use of solitary confinement in the nation's jails, prisons, and juvenile detention centers; and

WHEREAS, the National Commission on Correctional Health Care found that "it is well established that persons with mental illness are particularly vulnerable to the harms of solitary confinement"; and

WHEREAS, a task force appointed by the U.S. Attorney General found in 2012 that solitary confinement of juveniles produces symptoms of "paranoia, anxiety and depression even after very short periods of isolation" and that these youth who spend extended time in isolation are most likely to attempt or actually commit suicide; and

WHEREAS, the National Commission on Correctional Health Care has found that solitary confinement that lasts more than 15 days is cruel, inhuman, and degrading treatment and harmful to an individual's health and recommends that solitary confinement be eliminated for juveniles and the mentally ill; and

WHEREAS, solitary confinement is a practice that is currently used in Montana with individuals who are detained by the state for various offenses; and

WHEREAS, the extent of the use of this practice in Montana with juveniles and adults with mental health diagnoses is not fully known.

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 section 5-5-217, MCA, or direct sufficient staff resources to examine the extent of the use of solitary confinement in state and county institutions in Montana.

BE IT FURTHER RESOLVED, that the study review:

- (1) existing solitary confinement practices in Montana jails, prisons, and juvenile detention facilities;
- (2) the reasons that solitary confinement is utilized in each institution;
- (3) facility, state, or county policies in place regarding the use of solitary confinement for juveniles and individuals with mental illness;
- (4) changes that can be made to reduce or eliminate the use of solitary confinement for juveniles and individuals with mental illness;
- (5) methods used in other states that have effectively reduced or eliminated the use of solitary confinement for juveniles and individuals with mental illness; and
- (6) other related topics that the committee considers relevant to a better understanding of the topic.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2018.

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 66th Legislature.

- END -

I hereby certify that the within joint resolution,
SJ 0025, originated in the Senate.

President of the Senate

Signed this _____ day
of _____, 2017.

Secretary of the Senate

Speaker of the House

Signed this _____ day
of _____, 2017.

SENATE JOINT RESOLUTION NO. 25

INTRODUCED BY R. WEBB, K. ABBOTT, D. BARRETT, M. BLASDEL, C. BOLAND, R. BRODEHL,
E. BUTTREY, M. CAFERRO, J. COHENOUR, K. DUDIK, J. ECK, R. EHLI, T. FACEY, T. GAUTHIER,
E. GREEF, J. GROSS, M. HOPKINS, G. KIPP, D. LENZ, M. MACDONALD, T. MANZELLA, K. MCCARTHY,
W. MCKAMEY, M. MCNALLY, S. MORIGEAU, D. MORTENSEN, A. OLSZEWSKI, R. OSMUNDSON,
M. PHILLIPS, G. PIERSON, J. POMNICHOWSKI, J. PRICE, V. RICCI, T. RICHMOND, M. RYAN, D. SANDS,
D. SKEES, C. SMITH, F. SMITH, S. STEWART-PEREGOY, N. SWANDAL, F. THOMAS, G. VUCKOVICH,
C. WOLKEN, T. WOODS

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