

**** Joint Resolution No. ****

Introduced By *****

By Request of the *****

A Joint Resolution of the Senate and the House of Representatives of the State of Montana to study the Crossroads Correctional Center in Shelby and the Department of Corrections' oversight of the facility.

WHEREAS, Montana law allows the Department of Corrections to contract with private corporations for the construction, operation, and maintenance of private prisons; and

WHEREAS, the Department contracts with the Corrections Corporation of America to operate and manage the Crossroads Correctional Center in Shelby; and

WHEREAS, the Law and Justice Interim Committee heard testimony during two interims about concerns members of the public have about staffing levels at the Shelby prison, the treatment and safety of prisoners in the facility, and the Department's oversight of the Corrections Corporation of America's compliance with the contract between the two entities; and

WHEREAS, the Law and Justice Interim Committee also heard testimony from local government officials about the economic benefits the Crossroads Correctional Center brings to the Shelby area; and

WHEREAS, the State-Tribal Relations Interim Committee visited the Crossroads Correctional Center in 2014 and retain a strong interest in Indian incarceration, including American Indians housed

at the Shelby facility; and

WHEREAS, the contract between the Department and the Corrections Corporation of America for the operation of the Crossroads Correctional Center expires in 2019 and may be renewed; and

WHEREAS, The 2017 and 2019 Legislatures could benefit from the information gathered and expertise gained during the course of an interim study of the Crossroads Correctional Center and the Department's contract monitoring process.

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, to study the operation of the Crossroads Correctional Center in Shelby and the Department of Corrections' oversight of the facility to determine if changes should be made to laws governing private prisons and the oversight of contracts with private prison contractors.

BE IT FURTHER RESOLVED, that the study review:

(1) the statutes, administrative rules, and Department of Corrections' policies and procedures that govern the establishment and operation of private prisons in Montana, as well as any relevant best practices or national standards that are set for the operation of prisons;

(2) how contracts for private prisons in Montana are established, revised, and monitored, including an in-depth review of the current licensing instrument and the contract oversight

instrument used by the Department to license private prisons and to evaluate the compliance of the Corrections Corporation of America with the contract provisions;

(3) how Crossroads Correctional Center's policies and procedures compare to those at the state-operated Montana State Prison;

(4) any history of any contract violations and fines imposed by the Department;

(5) issues that have been raised in public comment, including:

(a) how inmates are placed at the facility;

(b) how medical care is provided to inmates;

(c) the operation and oversight of the inmate welfare fund; and

(d) the vocational, educational, recreational, and treatment opportunities available to inmates.

(6) other items identified by the interim committee.

BE IT FURTHER RESOLVED, that the committee evaluate the costs, benefits, and challenges of operating and overseeing private prisons compared to the cost, benefits, and challenges of operating state-run prisons.

BE IT FURTHER RESOLVED, that the interim committee visit the Crossroads Correctional Center as part of the study.

BE IT FURTHER RESOLVED, that the study involve stakeholders, including the Department of Corrections, Corrections Corporation of America officials, representatives of local communities, representatives of crime victims and their families, representatives of offenders and their families, and other interested parties.

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BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2016.

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 65th Legislature.

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