



## PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 150-7	Subject: <b>EMPLOYER NOTIFICATION</b>
Reference: 46-23-1004 (9), MCA	Page 1 of 2
Effective Date: 06/01/00	Revision Dates: 10/23/01; 04/01/04; 02/15/06; 10/27/06; 10/06/08
Signature / Title: /s/ Ron Alsbury	

### I. BUREAU DIRECTIVE:

Probation & Parole Bureau employees will follow Montana statutes and established procedures for notifying employers who hire offenders.

### II. DEFINITIONS:

Self-employment – An offender working as an independent contractor.

### III. PROCEDURES:

The following requirements apply to all offenders, including those received on transfer, conditional release or parole, unless otherwise ordered by a district court judge.

#### A. Notification to employer of Theft from an Employer:

46-23-1004(9), MCA, mandates that offenders convicted of Theft from an Employer will be informed by the Probation & Parole Officer (Officer) of the statutory requirement to provide written notice to the offender's employer. This advisement will be documented in the chronological notes.

For these offenders, Officers are to complete *P&P 150-7(A) Employer Notification Letter* at sign-up and mail or personally deliver the *Letter* to the offender's employer or appropriate party. A copy of the *Letter* will be placed in offender's file.

*P&P 150-7(A) Employer Notification Letter* contains the following information:

- \* The name of the offender;
- \* Status of the offender, such as probationer, parolee, conditional release offender, or ISP inmate;
- \* The name, address and work telephone number of the Officer sending the notification; and
- \* A statement that the offender was convicted of an offense involving Theft from an Employer.

Officers are required to complete an *Employer Notification Letter* any time the offender changes employment or those persons with whom they are working for as an independent contractor.

#### B. Employer Notification

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All other offenders under the supervision of the Probation & Parole Bureau are required by the conditions of probation and parole to notify the employer of their status on probation, parole or conditional release.

1. The Officer may give the offender one week in which to give such notification to their employer or appropriate parties.
2. Officers are required to verify that the employer is aware of the offender's status on supervision. This can be accomplished by letter or phone contact.
3. Officer will document employer verification in offender's chronological notes.
4. If an offender is self-employed or works for an independent contractor, the Officer will determine whether or not there are appropriate parties that need to be notified. An offender who conducts work in an area other than a central work location, including but not limited to, people's homes or businesses, will inform such people of the offender's status on supervision. The Officer needs to be cognizant of the offender's criminal history, history on supervision and the nature of the work to be able to validate whether or not the individual parties need to be notified. Some offenders may not be appropriate for self employment, i.e. sexual or violent offender, offenders with a history of burglaries, etc.
5. When an offender changes employment, the Officer is required to verify with new employers that they have been advised of offender's status on supervision.

#### **IV. Closing:**

Questions concerning this procedure shall be directed to the Regional Administrator.

#### **Form**

P&P 150-7(A)

Employer Notification Letter