



**PROBATION AND PAROLE BUREAU
STANDARD OPERATING PROCEDURES**

Procedure No.: P&P 60-1	Subject: INITIAL SIGN-UP TO PROBATION, PAROLE AND CONDITIONAL RELEASE SUPERVISION	
Reference: 20.7.1101, ARM 2-15-112, MCA; 46-18-244, MCA; 46-23-1004, MCA; 46-23-1011, MCA; 46-23-1021, MCA; 53-1-201, MCA; 53-1-203, MCA		Page 1 of 10
Effective Date: 10/01/01	Revision Dates: 12/03/01; 6/17/02; 03/14/03; 03/06/04; 03/01/05; 8/01/05; 02/15/06; 10/27/06; 06/14/10	
Signature / Title: /s/ Ron Alsbury		

I. BUREAU DIRECTIVE:

The Probation & Parole Bureau staff will use consistent procedures and forms to ensure offenders are advised of the sentencing order of the court or Board of Pardons and Parole and the legal force and effect, the conditions of their supervision, and their responsibilities while on probation, parole or conditional release supervision.

II. DEFINITIONS:

Adult Community Corrections Division (ACCD) Program/Facility – The Division includes Probation & Parole, Interstate Compact, and the following programs and facilities: Day Reporting Program (DRP); Prerelease Centers (PRC); Enhanced Supervision Program; Sanction Treatment Assessment Revocation & Transition (START); WATCH Program (WATCH); Connections Corrections Program (CCP); Passages Alcohol and Drug Treatment (Passages ADT); Intensive Supervision Programs (ISP); Missoula Assessment and Sanction Center (MASC); Passages Assessment, Sanction & Revocation Center (Passages ASRC); NEXUS Correctional Treatment Center (NEXUS); Elkhorn Treatment Center (Elkhorn); and Treasure State Correctional Training Center (TSCTC).

Prison – Montana State Prison (MSP), Montana Women’s Prison (MWP), Great Falls Regional Prison, Dawson County Correctional Facility, and Crossroads Correctional Center.

Registration Agency – The police department of the city or town in which an offender resides; or the sheriff’s office of the county in which an offender resides, if the residence is in a place other than a city or town.

III. PROCEDURES:

Probation & Parole (P&P) Officers are required to perform a variety of functions during an initial sign-up with offenders. The following steps will be completed to ensure that sign-up procedures are consistently applied and comply with statutes.

Probation, parole, and conditional release offenders are received into the community in the following ways:

Probation Offenders

- The district court judge sentences the offender to serve a period of probation or suspended commitment time and imposes conditions of said term of probation.

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- When an offender’s prison sentence expires and there is suspended time (probation) to follow. Offender may also discharge a sentence with probation time to follow from an ACCD program/facility or other community programs that inmates are placed in from the prison.
- When an offender’s parole status expires and there is suspended time to serve.
- When an offender on conditional release status goes to probation while in the community.

Parole Offenders

- When offenders are sentenced and placed in prison or Department of Corrections (Department or DOC) and become parole eligible and the Board of Pardons and Parole (BOPP) approves a parole, the BOPP will submit the parole plan to the appropriate program/P&P Office for screening/investigation. See *P&P 120-1 Parole Placement Investigation Procedures*. Offenders on parole may be placed in an ACCD program/facility or into the community on parole status.

Conditional Release Offenders

- Offenders who are committed to the DOC and have completed a placement in an ACCD program/facility may be released on conditional release status. Initially, offenders in prison were considered for conditional release placement. This procedure ceased February 1, 2003; however, there remain some offenders who were approved pending certain stipulations and may have been released from the prison setting and serving on conditional release status. (See *P&P 150-6 Conditional Release of DOC Offenders*.)

PROCEDURE:

RESPONSIBILITY:

Use <http://mycor.cor.mt.gov/HPIS/IT/Desktop/UserGuides/CCDOMISQuickReferenceGuide.pdf>, OMIS Quick Reference Guide, for information on entries to be made in Offender Management Information System (OMIS). Some P&P forms are generated by OMIS. Medical, psychological, and pharmaceutical information entries (including note entries) should be placed only in areas specifically designed for this kind of information (e.g. medical records).

A. Conditions of probation, parole or conditional release are imposed from the following: Standard per 20.7.1101, ARM; Statutory per §44-6-103, MCA, and §46-23-Part 5, MCA; and Special as ordered by the court, BOPP or DOC.

District Judge/BOPP/ DOC

As directed by the P&P Bureau Chief, the standard condition of 20.7.1101(5), ARM, “weapon” includes that equipment used for archery.

B. When an offender’s parole or conditional release expires or a custody term is discharged and there is probation time to follow, the assigned supervising Officer will sign offender to new probation rules and conditions. The potential location of these offenders and the staff responsible for sign-up are as follows:

- Offenders discharging prison sentence in a secure correctional facility with probation to follow.
- Offenders discharging parole in the community with probation time to follow.
- Offenders discharging prison sentence in prerelease with probation time to follow.

IPPO

P&P/ISP Officer

POII or designee

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- Offenders discharging parole or prison terms from ISP with probation time to follow. P&P/ISP Officer
- Offenders discharging prison term from TSCTC, or female equivalent program, with probation time to follow. IPPO
- Offenders being conditionally released from MASC, Passages ASRC, TSCTC, CCP. Respective Program IPPO
- Offenders being conditionally released from prerelease. Prerelease Liaison (POII)
- Offenders being conditionally released from ISP. ISP Officer
- Offenders discharging from conditional release status onto probation supervision. Supervising Officer

C. PROBATION – The following procedures occur if an offender is discharging their sentence from prison, or an ACCD program/facility with suspended time to follow:

(Use <http://mycor.cor.mt.gov/HPIS/IT/Desktop/UserGuides/CCDOMISQuickReferenceGuide.pdf> , OMIS Quick Reference Guide, for entries to be made in OMIS. Some P&P forms are generated by OMIS.)

The **IPPO/POII or designee** completes the following:

1. Ensures that a NCIC/CJIN check for warrants on offender has been completed by institution or other means prior to release. IPPO/POII or designee
2. Coordinates with the P&P Officer in the community to schedule reporting instructions for the probation offender.
3. Notifies any victims who have registered with the Department for notification of offender status.
4. Completes *P&P 60-1(E&F) Conditions of Probation & Parole*. Meets with offender and reads and explains each condition. Has offender initial to acknowledge understanding of each condition and sign the form. If applicable, completes *P&P 60-1(H) Wage Garnishment Statement* and forwards to the DOC Restitution Unit with a copy placed in the offender's file.
5. Provides and reviews DOC policies and *P&P 60-10 Offender Grievance System* with corresponding forms included in *Prison Rape Elimination Act of 2003 Offender Sign-up Packet*. Offender signs *Acknowledgment of Receipt* documenting receipt and review of information.
6. Verifies offender convicted of a sexual or violent offense has complied with statutory obligation to register with local registration agency and records the offender's intended address. (See *P&P 60-12 Registration of Sexual and Violent Offenders*.) If applicable, completes *Sexual/Violent Offender Registration* forms per *P&P 60-12* and provides offender with *P&P 60-12(A) Duty to Register Letter*. Places copy of registration in field file and sends file to P&P

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Officer/ISP Officer in the field. A copy of the *Duty to Register Letter* is kept in the prison file and IPPO's file.

7. Confirms whether or not the offender has been convicted of a felony or otherwise is ordered to provide a biological sample for DNA sampling in the community per *P&P 60-13 DNA Testing-Collection of Biological Sample*. If the offender has not provided the sample but is required to, complete *P&P 60-13(B) Requirement to Provide Biological Sample Letter* and have offender sign. Works with the program/facility staff to obtain a DNA sample prior to the offender's release from the program/facility. IPPO/POII or designee
8. Issues offender *P&P 80-1(A) Travel Permit*. **(Go to Page 6, "G" to continue.)**

D. PAROLE – The following procedures occur for parole offenders:

(Use <http://mycor.cor.mt.gov/HPIS/IT/Desktop/UserGuides/CCDOMISQuickReferenceGuide.pdf>, OMIS Quick Reference Guide, for entries to be made in OMIS. Some P&P forms are generated by OMIS.)

1. The BOPP forwards the field file to the Officer in the field. Officer investigates offender's parole plan within thirty (30) days per *P&P 120-1 Parole Placement Investigation Procedures*. BOPP
P&P/ISP Officer
2. If parole plan is approved, prepares *P&P 60-1(E&F) Conditions of Probation & Parole* or *P&P 150-1.1(A&B) Conditions of ISP*. P&P/ISP Officer

To request additional conditions, the Officer completes *BOPP Waiver of Appearance for Special Conditions*. The *Conditions* and/or *Waiver* are sent to the BOPP.
3. Additional special conditions are entered into the parole conditions. Finalized parole *Conditions* and *Waiver* are sent to the IPPO. BOPP must also provide the IPPO/POII a signed Parole Certificate. P&P/ISP Officer
BOPP
4. The **IPPO/POII or designee** completes the following: IPPO/POII or designee
 - a. Ensures that a NCIC/CJIN check for warrants on offender has been completed by institution or other means prior to release.
 - b. Notifies any victims who have registered with the Department for notification of offender status.
 - c. Meets with offender and reads and explains each condition given in *P&P 60-1(E&F)* or *P&P 150-1.1 (A&B)*. Has the offender initial to acknowledge understanding of each condition and sign the form. If applicable, completes *P&P 60-1(H) Wage Garnishment Statement* and forwards to the DOC Restitution Unit with a copy placed in the offender's file.

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- d. Provides and reviews DOC policies and *P&P 60-10 Offender Grievance System* with corresponding forms included in *Prison Rape Elimination Act of 2003 Offender Sign-up Packet*. Offender signs *Acknowledgment of Receipt* documenting receipt and review of information. IPPO/POII or designee
- e. Coordinates with the P&P/ISP Officer in the community to schedule reporting instructions for the parole offender.
- f. Sexual/Violent Offender Registration – See Page 3, C-6.
- g. DNA Testing – See Page 4, C-7.
- h. Issues offender *P&P 80-1(A) Travel Permit*. (**Go to Page 6, “G” to continue.**)

E. ISP OFFENDER – *P&P 150-1.1(A&B) Conditions of ISP* is used for DOC commitments placed on ISP on conditional release status. The following will be completed for parolees placed on ISP:

(Use <http://mycor.cor.mt.gov/HPIS/IT/Desktop/UserGuides/CCDOMISQuickReferenceGuide.pdf> OMIS Quick Reference Guide, for entries to be made in OMIS. Some P&P forms are generated by OMIS.)

- 1. Ensures that a NCIC/CJIN check for warrants on offender has been completed by institution or other means prior to release. ISP Officer/IPPO
- 2. Coordinates with the P&P/ISP Officer in the community to schedule reporting instructions for the parole offender. IPPO
- 3. The **ISP Officer/IPPO** completes the following: ISP Officer/IPPO
 - a. Notifies any victims who have registered with the Department for notification of offender status.
 - b. Meets with offender and reads and explains each condition given in *P&P 150-1.1(A&B)*. Has the offender initial to acknowledge understanding of each condition and sign the form. If applicable, completes *P&P 60-1(H) Wage Garnishment Statement* and forwards to the DOC Restitution Unit with a copy placed in the offender’s file.
 - c. Provides and reviews DOC policies and *P&P 60-10 Offender Grievance System* with corresponding forms included in *Prison Rape Elimination Act of 2003 Offender Sign-up Packet*. Offender signs *Acknowledgment of Receipt* documenting receipt and review of information.
 - d. Sexual/Violent Offender Registration – See Page 3, C-6.
 - e. DNA Testing – See Page 4, C-7.

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f. Issues offender *P&P 80-1(A) Travel Permit*. (Go to Page 6, “G” to continue.) ISP Officer/IPPO

F. CONDITIONAL RELEASE OFFENDER – Once IPPO/POII or designee has received a *P&P 150-6(C) DOC Transfer Form* approved and signed by the Department Director and ACCD Administrator or designee, with an approval of the placement investigation, *P&P 150-6(A&B) Conditions of Conditional Release* is prepared:

(Use <http://mycor.cor.mt.gov/HPIS/IT/Desktop/UserGuides/CCDOMISQuickReferenceGuide.pdf> OMIS Quick Reference Guide, for entries to be made in OMIS. Some P&P forms are generated by OMIS.)

The **IPPO/POII or designee/ISP Officer** completes the following: IPPO/POII/ISP Officer

1. Coordinates with the P&P Officer in the community to schedule reporting instructions for the conditional release offender.
2. Notifies any victims who have registered with the Department for notification of offender status.
3. Meets with offender and reads and explains each condition given in *P&P 150-6(A&B)*. Has the offender initial to acknowledge understanding of each condition and sign the form. If applicable, completes *P&P 60-1(H) Wage Garnishment Statement* and forwards to the DOC Restitution Unit with a copy placed in the offender’s file.
4. Provides and reviews DOC policies and *P&P 60-10 Offender Grievance System* with corresponding forms included in *Prison Rape Elimination Act of 2003 Offender Sign-up Packet*. Offender signs *Acknowledgment of Receipt* documenting receipt and review of information.
5. Sexual/Violent Offender Registration – See Page 3, C-6.
6. DNA Testing – See Page 4, C-7.
7. Issues offender *P&P 80-1(A) Travel Permit*.

G. *P&P 60-1(B) Firearm Regulations Form* is reviewed and signed by the offender. Form is retained in the field file. P&P/ISP Officer

H. Reviews *P&P 60-1(A) Notification to Search Form* with the offender. May also meet with the other residents of offender’s home to discuss the form, if applicable. P&P/ISP Officer

I. Provides a copy of *P&P 60-9(A) Supervision Fee Offender Rights & Responsibilities* to the offender. The Officer may indicate on this form the monthly supervision fee amount to be paid. P&P/ISP Officer

J. Reviews *P&P 60-1(G) Monthly Report* with offender and provides forms for the offender to complete on a monthly basis. P&P/ISP Officer

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- K.** Directs offender to notify his/her employer of his/her status on DOC supervision, including crimes. Officer will verify with employer by phone, mail, or visit, that notification of offender's status on supervision was given and document contact in OMIS chronological notes. Anytime an offender changes employment, verification of notification to new employer must be made and noted in OMIS.
- Offender
P&P/ISP Officer
- If offender's offense is theft from employer, Officer will hand-deliver or mail *P&P 150-7(A) Employer Notification Letter* to the employer and note delivery in OMIS chronological notes. Anytime an offender changes employment, a new notification letter will be forwarded to the new employer and note made in OMIS. (See *P&P 150-7 Employer Notification.*)
- P&P/ISP Officer
- L.** Admissions, Risk, Needs and other data is entered into OMIS. (See *P&P 60-2 Supervision Strategies & Compliance Monitoring.*)
- P&P/ISP Officer/POT
Administrative Support
- M.** Reviews court order and Needs Assessment. Completes *P&P 60-2(A) Supervision Strategies and Compliance Form*. Officers may opt to use *P&P 60-2(B) Supervision Compliance Log* to assist in tracking individual offender supervision requirements, however, the *Compliance Log* is not a substitute for OMIS chronological entries.
- P&P/ISP Officer
- N.** If a pre-sentence investigation (PSI) was not completed on the offender, Officer provides the offender with *P&P 30-1(D) PSI Questionnaire and Medical Screening* to complete for the post-sentence investigation. (See *P&P 60-2 Supervision Strategies & Compliance Monitoring* and *P&P 30-1 Pre-Sentence Investigation & Guide/Post Sentence Investigation.*) Officer will conduct post-sentence investigation and complete *P&P 30-1(F) Post-Sentence Investigation* within thirty (30) days of assignment of the case. The post-sentence investigation serves as a resource to other Officers and entities within the DOC and should detail all pertinent information. (Officers must complete the first two pages of the post-sentence form. If additional sections under family, restitution, etc., are completed, full PSI points on the monthly workload report will be received.) If an offender coming in on an interstate transfer does not have a PSI in their file, the Officer is not required to complete a post-sentence investigation; however, the offender should complete *P&P 30-1(D) Pre-Sentence Investigation Questionnaire* for placement in the offender's field file.
- P&P/ISP Officer
- O.** Photographs both a frontal view and a profile view (right view) of the offender (no smiling) using the following guidelines:
- P&P/ISP Officer/POT
Administrative Support
- ◆ Make sure there is adequate lighting and use the background provided by DOC which is 18% gray with a smooth flat surface.
 - ◆ There should be NO paneling, desks, height bar, bulletin boards, etc., in the background of the photo.

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- ◆ There should be NO hats, uniform logos or name badges showing. Do NOT include the name of the offender or any dates in the picture.
- ◆ Always capture the full-face or frontal view and use this view as the main photo in Main Offender Listing Screen in OMIS. Offender should not be smiling. The camera should be focused from the nose to the ears with the nose as center.
- ◆ For offenders who normally wear eyeglasses, the frontal view should be captured of the offender without glasses. An additional view should be captured of the offender wearing the eyeglasses and uploaded into the Other Photo section of the Profile Listing. Offender should not be smiling.
- ◆ Profile view should be of the right side with the entire body turned to the left, not just the head. (The left side profile is taken for DOC employee photos). This view should be uploaded into the Other Photo section of the Profile Listing.
- ◆ Ensure that the camera is the same distance from the offender for both the frontal view and the profile. (It may be helpful to put tape on the floor where the client photo will be taken so that they will stand in the same spot for all photos.)
- ◆ Photos must be saved as “.jpg” format and 640x480 in size, or multiples thereof. Changing the extension of a photo to “.jpg” after it has been saved will not work. Photos do not need to be kept on the I:\Photos drive once entered into OMIS.
- ◆ The frontal view used as the main photo, and the profile view in Other Photo section, should be updated each time an offender’s appearance changes.

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| <p>P. Completes information in OMIS for <i>P&P 60-1(C) Adult Chronological Face Sheet</i>, which is generated by OMIS. <i>Face Sheet</i> may be printed and placed in offender’s field file (see #S below).</p> | <p>P&P/ISP Officer/POT
Administrative Support</p> |
| <p>Q. Sexual offenders who have been ordered to have no contact with the victim and/or any persons under the age of 18, must complete <i>P&P 60-1(I) What Does “No Contact” Mean?</i></p> | <p>P&P/ISP Officer/POT
Administrative Support</p> |
| <p>R. Makes OMIS entry in <i>Adult Chronological History</i> documenting initial contact with the offender. All contact and changes pertaining to offender should be documented in <i>History</i> on an ongoing basis throughout offender’s supervision.</p> | <p>P&P/ISP Officer</p> |
| <p>S. Develops an offender field file or enters additional information to the existing file.</p> | <p>P&P/ISP Officer/POT
Administrative Support</p> |

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T. Offenders convicted of felony drug offenses are eligible to receive food stamps and public assistance as of July 1, 2005, if actively complying with the conditions of supervision. The offender will be responsible to submit a *Request and Verification to Remove Disqualification for Benefits* form to the Officer to complete the appropriate section. (If the form is not available, verification of compliance with the requirements may be accomplished by telephone or letter.) A copy is made for the offender's file and the original returned to the offender who is responsible to submit form to the Department of Public Health and Human Services (DPHHS).

P&P/ISP Officer/POT
Administrative Support

The offender is deemed not to be following the conditions of supervision if *P&P 100-1(A) Report of Violation* is filed, or, in cases of a conditional release offender, when *P&P 140-1(C) Statement of Charges-Notice of Disciplinary Hearing* is submitted. Officer will follow up with DPHHS regarding such non-compliance. (See *P&P 100-1 Report of Violation* and *P&P 140-1 Adult Offender Discipline & Disciplinary Hearings*.) Officer will secure a copy of the *Request and Verification to Remove Disqualification for Benefits* form from the file and fill out the relevant part, notifying DPHHS of the offender's non-compliance with the conditions of supervision and mail the form to DPHHS, c/o TANF Participation Specialist, HCSD-PAB, PO Box 202925, Helena, MT 59620-2925.

An offender who has previously been ineligible for public assistance because of noncompliance with conditions of supervision may reapply for such benefits upon becoming compliant.

U. Any time an offender transfers to a different jurisdiction, the new supervising Officer should review the offender's file. The conditions of supervision are to be reviewed with the offender, with focus on the change in travel district. The offender should re-sign and date somewhere on the form or a new form may be generated. This documents and supports that the conditions were reviewed should the offender have to answer to violations of supervision. If the offender transfers to a new Officer in the same office, the new Officer should review the conditions of supervision with the offender and have the offender re-sign and date the current form.

New Supervising Officer

V. A sexual/violent offender must register a change in residence, name, student or employment status or transient status with the registration agency last registered with, in person, within three (3) business days. Officer must contact the registration agency to verify the offender has registered these changes.

Offender
P&P/ISP Officer/POT
Administrative Support

The offender must also complete the *SVOR-Change of Address Form* and Officer will forward a copy to the Department of Justice or e-mail to dojsvor@mt.gov. The Officer should maintain documentation that this DOJ notification was completed.

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W. Retain the offender's file in field office.

P&P/ISP Officer/POT
Administrative Support

IV. CLOSING:

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

Forms

P&P 30-1(F)	Post Sentence Investigation
P&P 60-1(A)	Notification of Search
P&P 60-1(B)	Firearms Regulations
P&P 60-1(C)	Adult Chronological Face Sheet – OMIS
P&P 60-1(D)	Adult Chronological History Form – OMIS
P&P 60-1(E&F)	Conditions of Probation and Parole
P&P 60-1(G)	Monthly Report
P&P 60-1(H)	Wage Garnishment Statement
P&P 60-1(I)	What Does “No Contact” Mean?
P&P 60-2(A)	Supervision Strategy & Compliance Form
P&P 60-2(B)	Supervision Compliance Log (optional use)
P&P 60-9(A)	Supervision Fee-Offender Rights & Responsibilities
P&P 60-12(A)	Duty to Register Letter
P&P 60-13(B)	Requirement to Provide Biological Sample Letter
P&P 80-1(A)	Travel Permit
P&P 150-1.1(A&B)	Conditions of ISP
P&P 150-6(A&B)	Conditions of Conditional Release
P&P 150-6(C)	DOC Transfer Form
P&P 150-7(A)	Employer Notification Letter – OMIS
BOPP	Waiver of Appearance for Additional Conditions
DOJ	Sexual-Violent Offender Registration Form
DPHHS	<i>Request and Verification to Remove Disqualification for Benefits</i> (this form is to be submitted to the P&P Officer by the offender through DPHHS)