



ADULT COMMUNITY CORRECTIONS DIVISION STANDARD OPERATING PROCEDURES

Procedure No.: ACCD 3.1.800	Subject: USE OF FORCE AND RESTRAINTS
Reference: DOC 3.1.8; 53-1-203, MCA	Page 1 of 2
Effective Date: 05/15/14	Revision Dates: 08/28/14
Signature / Title: /s/ Kelly Speer, Acting ACCD Administrator	

This procedure is referenced as ACCD 3.1.800 Use of Force in Section 1.F.4. Standard Contract Terms; Emergency Preparedness; Use of force, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.

I. DIVISION DIRECTIVE:

The Adult Community Corrections Division will provide guidance on use of force to ensure force is used only when reasonable and essential to the degree necessary to control offenders, protect offenders, staff or the public, or to restore order. These measures are not intended, and will not be used, as a means of punishment.

II. DEFINITIONS:

ACCD-Adult Community Corrections Division Program/Facility – The Division includes the Adult Interstate Bureau; the Probation and Parole Bureau; and the Facilities Program Bureau which includes the Missoula Assessment and Sanction Center (MASC), Treasure State Correctional Training Center (TSCTC), and the contracted facilities of Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment and Change Program (WATCH), Connections Corrections Program (CCP), Passages Alcohol and Drug Treatment (Passages ADT), Passages Assessment Sanction & Revocation Center (Passages ASRC), NEXUS Correctional Treatment Center (NEXUS), and Elkhorn Treatment Center (Elkhorn).

Department or DOC – The Montana Department of Corrections.

Prerelease Facility Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreements between the Department and prerelease centers: Alpha House PRC, Gallatin County Re-entry Program, Butte PRC, Great Falls Transition Center, Helena PRC, and Missoula PRC.

Treatment Facility Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreement between the Department and ACCD contract treatment facilities: START, CCP, Passages, Elkhorn, Nexus, and WATCH.

III. PROCEDURES:

A. General Requirements:

Administrators will ensure that operational procedures are consistent with the guidelines established within this procedure and related Department policies such as *DOC Policy 3.1.8 Use of Force and Restraints* and *DOC Policy 3.1.17 Searches and Contraband Control*.

Procedure No.: 3.1.800	Chapter: Facility/Program Operations	Page 2 of 2
Subject: USE OF FORCE AND RESTRAINTS		

1. Use of force may be necessary:
 - a. in self-defense;
 - b. in defense of others;
 - c. for enforcement of Department policy and operational procedure;
 - d. to prevent self-harm;
 - e. to prevent criminal activity;
 - f. to prevent destruction of public property; and
 - g. to prevent an escape or abscond.
2. Staff that are trained in the use of force based on job responsibilities are expected to recognize and be able to apply the proper level and type of force needed.
3. Force will not be used to punish, harass, coerce, or abuse offenders.

B. Probation & Parole Bureau

The Probation & Parole Bureau will follow the directives and procedures given in *P&P 200-1 RD Use of Force and Restraints*.

C. Treasure State Correctional Training Center (TSCTC)

TSCTC will follow the directives and procedures given in *DOC Policy 3.1.8, Use of Force and Restraints*.

D. ACCD Contracted Facilities

1. All contracted facilities will comply with the directives given in *DOC Policy 3.1.8, Use of Force and Restraints*.
2. All contracted facilities will comply with the procedures given in *ACCD 1.1.600 RD Priority Incident Reporting* regarding the reporting of use of force incidents.
3. The use or possession of firearms or gases for control of offenders will be consistent with state law and DOC policies and procedures.
4. All firearms will be prohibited at ACCD contract facilities except by local law enforcement, Probation & Parole Officers, and other DOC officials and except in emergencies or situations approved by the Facility or ACCD Administrator or incident commander, and as provided by emergency operation plans. Facilities will have appropriate storage for firearms, etc., that may be brought on-site by local law enforcement or other personnel for transport purposes.

IV. CLOSING:

Questions regarding this procedure should be directed to the Facility Administrator or Prerelease Facility or Treatment Facility Contract Manager.