



**DEPARTMENT OF CORRECTIONS  
PROBATION AND PAROLE DIVISION  
OPERATIONAL PROCEDURE**

Procedure No.: PPD 1.1.600	Subject: <b>PRIORITY INCIDENT REPORTING FOR PROBATION &amp; PAROLE FIELD</b>
Reference: DOC 1.1.6; 2-15-112, MCA; 53-1-203, MCA	Page 1 of 6
Effective Date: 12/19/16	Revised: 12/26/17
Signature / Title: /s/ Kevin Olson, Probation and Parole Division Administrator	

**I. PURPOSE:**

Employees of the Probation and Parole Division will follow established procedures when reporting and reviewing incidents that jeopardize, or have the potential to jeopardize staff, offenders, visitors, the security of division property, or the safety of the community at large.

**II. DEFINITIONS:**

**Absconding** – When an offender deliberately makes the offender’s whereabouts unknown to a probation and parole officer or fails to report for the purposes of avoiding supervision and reasonable efforts by the probation and parole officer to locate the offender have been unsuccessful.

**Automated Notification System** – An automated computer alert system with a set of standards and protocols used by Department of Corrections to report incidents that occur within applicable divisions, facilities, and programs.

**First Responder** – A person, such as a law enforcement officer, firefighter, or an EMT, who is among those responsible for going immediately to the scene of an incident or emergency to provide assistance.

**Incident Review Committee** – The committee designated by the PPD Administrator to review and investigate reported incidents involving PPD staff. The review includes evaluating staff safety, overall security, liability, damage to property, monetary loss, public impact, and media involvement.

**MSP Command Post** – The location at Montana State Prison to which all Department divisions, facilities, and programs report Priority I incidents.

**Office of Investigations** – The office that oversees all criminal investigations for the Department.

**PPD-Probation and Parole Division** – The Division oversees the Probation & Parole regional offices, interstate transfers, and the facilities providing assessments and sanctions, prerelease, and treatment services.

**Physical Use of Force** – The use of physical techniques by a staff member to control resistive behavior. This includes non-deadly techniques and deadly use of force.

**Service Providers** – This term includes contracted persons or other vendors providing service whose assignment is primarily on Department premises, e.g. facility or program office.

**Unauthorized Release** – Occurs when an offender has been released from jail without authorization from the Department or a PPD facility.

**VINE-Victim Information and Notification Everyday** – An automated telephone, email, and text notification system that the Department purchases on contract from Appriss, Inc., which provides location and custody status updates about adult offenders under Department supervision.

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### III. PROCEDURES:

#### A. GENERAL INFORMATION

1. Incidents will be designated as Priority I or Priority II by considering the following:
  - a. seriousness of the incident by evaluating safety, security, liability, damage to property, and monetary loss;
  - b. need for Department-specialized response;
  - c. public impact of the incident; and/or
  - d. media involvement.
2. For on-the-job staff injuries see *DOC 1.3.3 Workers' Compensation* for procedures and forms. **DO NOT** use *DOC 1.1.6 (Attachment) Incident Report Form* or *PPD 1.1.600(A) Incident Report Form* for workers' compensation.
3. **Incident Reviews:**
  - a. Incident reviews will be completed pursuant to *DOC Policy 1.1.6, Priority Incident Reporting and Incident Reviews*.
  - b. The Incident Review Committee reviews all submitted documentation regarding a reported incident involving the Probation & Parole (P&P) Bureaus. Upon review, committee will:
    - i. complete *PPD 1.1.600 (D) Incident Review Committee Report*;
    - ii. make recommendation for further review and/or investigation;
    - iii. determine any training and staff development needs;
    - iv. recommend possible changes in operational procedures and/or forms; and
    - v. provide an annual report to the PPD Administrator summarizing reported incidents.

#### B. P&P OFFENDERS IN JAIL

1. **Incident While in Jail:**
  - a. A supervising P&P Officer notified by jail staff of an incident involving a P&P offender will:
    - i. staff the incident with his/her supervisor to determine if the incident affects the subsequent placement of the offender and make appropriate notifications;
    - ii. contact CORMED regarding injury if applicable; and
    - iii. enter a chronological note in offender's OMIS file noting the incident and staffing outcome.
  - b. *PPD 1.1.600 (A) Incident Report Form* is not required unless directed by the supervisor.
2. **Unauthorized Releases:**
  - a. Upon an offender's unauthorized release, the OMIS Location entry as shown below must be completed by the appropriate PPD staff once notified about the release.
    - i. Changes in the offender's OMIS Location will initiate VINE notifications.
    - ii. If the offender has been convicted of any of the following, PPD staff will notify the Department's Victims Program Manager at (406) 459-9376, or designee, who will also contact the victim:
 

1) a sex offense;	4) stalking;
2) negligent or deliberate homicide;	5) kidnapping; or
3) felony partner member assault;	6) assault with a weapon.

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- b. An unauthorized release will not be classified as absconding until circumstances show otherwise, but will be entered as follows into the offender's OMIS Location as an "Unauthorized Release:"
  - i. Location Type: UNAUTHORIZED RELEASE
  - ii. Location Description: UNAUTHORIZED RELEASE FROM (choose appropriate county jail from dropdown)
  - iii. Reason: UNAUTHORIZED RELEASE FROM FACILITY
  - iv. Enter: Assignment Date and Time
- c. Field warrant is issued and attempts are made to locate offender.
- d. If offender cannot be located and it is determined he/she has absconded, PPD staff will update OMIS entry and follow Priority I reporting procedures outlined below. If a parolee or conditional release offender cannot be located, the Interstate Compact Section may be contacted for the issuance of an administrative warrant that is entered nationwide.
- e. Offender's OMIS Location is updated and a chronological entry is made to show that offender has been located or has absconded.

### C. PRIORITY I INCIDENTS

1. Priority I incidents are those that pose the highest risk to the Department and/or PPD. Examples of Priority I incidents may include, but are not limited to:
  - a. use of force incidents resulting in discharge of a firearm or death or injury to employees, service providers, or offenders;
  - b. discharge of a Department-issued firearm not in the line of duty with injury or death;
  - c. escape, or serious escape attempt from a county jail or furlough, and all unauthorized releases from county jail resulting in offender absconding;
  - d. death of offender in PPD custody or in the presence of a PPD staff member or service-related death of employee, volunteer, or visitor;
  - e. serious injury, life-threatening accident, or life-threatening illness requiring transportation off facility grounds;
  - f. actual, suspected, or attempted hostage action;
  - g. on-site violent act committed by an employee, on-site volunteer or visitor that may result in criminal charges;
  - h. serious assaults either offender on offender or offender on staff resulting in injury;
  - i. a confirmed sexual assault by staff or offender – see *PPD 1.1.1700 Prison Rape Elimination Act of 2003 (PREA)* for reporting procedures;
  - j. significant property damage resulting from man-made or natural, public or offender action;
  - k. evacuation of a building that is not a drill or exercise;
  - l. equipment, communication system or security system malfunction resulting in disruption to facility or office operation;
  - m. any event deemed an emergency by the Deputy Chief (DC) or designee and requiring an emergency response from non-Department first responders.
  - n. major or prolonged disruption of operations due to power outages, riot or disturbance, arson, or sabotage;
  - o. medically advised reported or suspected illness from highly contagious diseases; and
  - p. any occurrence the DC believes may result in an unusual level of public attention.
2. **Priority I incidents are reported as follows:**
  - a. **Initial notification to supervising POII;**
  - b. **If POII is unavailable, contact Deputy Chief (DC);**

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- c. **POII or DC will immediately report incident to MSP Command Post at (406) 846-6059;**
  - i. However, email notification is made to MSP Command Post within eight (8) hours regarding any discharge of a Department-issued firearm by a P&P employee not in the line of duty with no injury or death.
- d. Any discharge of a Department-issued firearm by a P&P employee, other than in training/practice, also requires the notification of local law enforcement.
- e. The chain of command is as follows:
  - i. POII contacts DC;
  - ii. DC contacts P&P Bureau Chief; and
  - iii. P&P Bureau Chief contacts PPD Administrator.
- f. All staff involved in or witnessing a Priority I incident will complete Section A of *PPD 1.1.600(A) Incident Report Form* immediately after the incident is under control, but no later than the end of their shift, and submit the *Report* to their supervisor.
- g. Supervisors are responsible to review *Incident Reports* for accuracy, completeness, and clarity and will return any insufficient reports to the reporting employee with correction instructions and guidance.
- h. **Within one (1) hour** of receiving the initial *Incident Report*, the supervisor will:
  - i. **fax *Report* to the MSP Command Post at (406) 846-2953;**
  - ii. **email *Report* to the Office of Investigations at [corie@mt.gov](mailto:corie@mt.gov);**
  - iii. **email *Report* to the Incident Review Committee at [CORIncidentReview@mt.gov](mailto:CORIncidentReview@mt.gov);**
  - iv. **email *Report* to the Department Director and Deputy Director.**
- i. Within 72 hours of the incident, Supervisor will:
  - i. collect a final *Incident Report* from involved staff and any available and applicable supplemental information including, but not limited to, law enforcement reports, witness statements, and medical reports (staff will submit any subsequent information when available);
  - ii. review all documentation and ensure accuracy before completing Section B of each *Report* and signing *Report*.
  - iii. determine and note on the *Report* if the Priority I incident is a “use of force” or “other” type of incident.
  - iv. also complete *PPD 1.1.600(B) Use of Force Incident Information Sheet* for use of force incident types.
  - v. forward all documents to the DC.
- j. DC reviews all documentation, makes any recommendation for further review/investigation in Section C of *Incident Report*, and submits all documentation to the Incident Review Committee and the Office of Investigations. For use of force incidents, DC also completes *PPD 1.1.600(C) Use of Force Incident Evaluation Report* and includes in submission to committee;
- k. DC reports incidents that may bring media attention, public safety concerns, or involves significant Department liability because of the nature of the incident, parties involved, or other circumstances to the Department’s Legal Office and Public Information Officer.
- l. DC maintains an electronic file of all incidents for the region to help determine training and equipment needs.

## D. PRIORITY II INCIDENTS

### 1. Priority II Incidents:

- a. Incidents not listed as Priority I may be categorized as Priority II and are reported through the established internal chain of command process and to the appropriate supervisor.

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- b. Designated authority within the chain of command will analyze the incident and, if it meets the criteria, may reclassify it as Priority I accordingly.
- c. Examples of Priority II incidents include but are not limited to the following:
  - i. any physical use of force on an offender or other persons by a P&P employee in the performance of official duties not resulting in discharge of Department-issued firearm. This includes pointing a drawn Department-issued firearm at a person to gain compliance;
  - ii. any forced entry into a building or vehicle by a P&P employee in the performance of official duties and incident report must include any property damage;
  - iii. suspected or reported offender abuse by P&P employee;
  - iv. physical confrontations between staff;
  - v. physical altercations between offenders witnessed by P&P employees in the performance of official duties;
  - vi. possession of firearms or other lethal weapons by an offender; or
  - vii. any incident or event an P&P employee feels should be reported. If the employee is in doubt concerning whether an incident should be reported, he/she will contact supervisor for direction.

**2. Priority II incidents are reported as follows:**

- a. All staff involved in or witnessing a Priority II incident will complete Section A of *PPD 1.1.600(A) Incident Report Form* and submit *Report* to their immediate supervisor immediately after the incident is under control, but no later than the end of their shift.
- b. Supervisors are responsible to review *Incident Report* for accuracy, completeness, and clarity and will return any insufficient reports to the reporting employee with correction instructions and guidance.
- c. Within 72 hours of the incident, Supervisor will:
  - i. collect a final *Incident Report* from involved staff and any available and applicable supplemental information including, but not limited to, law enforcement reports, witness statements, and medical reports (staff will submit any subsequent information when available);
  - ii. review all documentation and ensure accuracy before completing Section B of each *Report* and signing *Report*;
  - iii. determine and note on the *Report* if the Priority II incident is a “use of force” or “other” type of incident;
  - iv. also complete *PPD 1.1.600(B) Use of Force Incident Information Sheet* for use of force incident types; and
  - v. forward all documents to the DC.
- d. DC reviews all documentation, makes any recommendation for further review/ investigation in Section C of each *Incident Report*, and submits all documentation to the Incident Review Committee. For use of force incidents, DC also completes *PPD 1.1.600(C) Use of Force Incident Evaluation Report* and includes *Evaluation* in submission to the committee.

**E. ALLEGATIONS OF IMPROPER USE OF FORCE BY STAFF**

- 1. The PPD Administrator or designee will direct an investigation and response on all offender allegations of improper use of force.
- 2. If it is determined when reviewing incidents that excessive force may have been used, the PPD Administrator or designee will submit a written request for an investigation to the Office of Investigations pursuant to *DOC Policy 3.1.19, Investigations*.

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**IV. CLOSING:**

Questions regarding this procedure should be directed to the POII, Deputy Chief, P&P Bureau Chief, or Operations Program Specialist.

**V. FORMS:**

- |                 |                                  |
|-----------------|----------------------------------|
| PPD 1.1.600 (A) | Incident Report Form (P&P)       |
| PPD 1.1.600 (B) | Use of Force Information Sheet   |
| PPD 1.1.600 (C) | Use of Force Evaluation Report   |
| PPD 1.1.600 (D) | Incident Review Committee Report |