



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

Procedure No.: PPD 4.6.200	<b>Subject: ADMINISTRATIVE TRANSFERS</b>
Reference: P&P 150-1; DOC 1.5.4; 53-1-203, MCA; Memo of Understanding-DOC/BOPP	Page 1 of 5 (plus attachment)
Effective Date: 11/03/15	Revision Dates: 10/17/16
Signature / Title: /s/ Kevin Olson, Probation and Parole Division Administrator	

**This procedure is referenced as ACCD 4.6.200 Administrative Transfers/Overrides in Section 3.G. Offender Management; Administrative Transfer/Overrides in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, Connections Corrections Program (CCP), START, and WATCH Contract.**

### **I. PURPOSE:**

The Probation and Parole Division programs/facilities will follow established procedures when administratively transferring an offender from the community or a facility to an assessment/sanction facility, Montana State Prison, or Montana Women's Prison.

### **II. DEFINITIONS:**

Administrative Transfer – A management decision whereby an offender is moved from one correctional facility to another of equal or greater level of custody for non-disciplinary or behavioral reasons. Transfer is usually a temporary move, but may become permanent due to other circumstances.

CSD-Clinical Services Division – The division within the Department responsible for the overall health care functions of medical, mental health, dental and vision for all programs and facilities.

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

Relevant Medical and/or Mental Health Information – Circumstances or situations regarding an offender's medical and/or mental health needs that impacts the placement of the offender in a PPD facility.

### **III. PROCEDURES:**

#### **A. ADMINISTRATIVE TRANSFERS**

##### **1. General Information**

- a. When an offender placed at a PPD facility is not be able to complete the facility's program for non-disciplinary reasons, he/she may be removed from the facility through an administrative transfer. These reasons may include:
  - i. Needed medical assessment/stabilization
  - ii. Need for mental health assessment/stabilization
  - iii. Separation needs
- b. Probation & Parole (P&P) Officers may request an administrative transfer of an offender on probation, parole, or conditional release for medical or mental health stabilization; however, probationers cannot be sent to Montana State Prison (MSP)/Montana Women's Prison (MWP)

Procedure No.: 4.6.200	Chapter: Facility/Program Services	Page 2 of 7
Subject: ADMINISTRATIVE TRANSFERS		

unless their probation is first revoked by the court and a prison sentence or DOC commitment is given.

c. The BOPP must be notified prior to any parolee being returned to MSP or MWP.

**2. Mental Health Stabilization Transfer to Assessment Center**

a. Facilities may request an administrative transfer of an offender to an assessment center facility for mental health stabilization.

b. P&P Officers may request administrative transfers to an assessment center for the following offenders:

i. parolees or conditional release offenders for mental health stabilization up to 90 days, not including jail time; and

ii. probation offenders may be transferred for mental health stabilization for up to 30 days, which includes any jail time.

**3. Transfers to MSP/MWP**

a. Facilities and P&P may request an administrative transfer of a DOC/MSP inmate from a facility, parolee, or conditional release offender to MSP/MWP for medical or mental health stabilization for up to 90 days.

b. This transfer will be administered under the Memo of Understanding between the Department of Corrections and the BOPP (attached).

c. In some cases, an offender who has been administratively transferred to an assessment center may need further stabilization and can be administratively transferred to MSP/MWP for up to 90 additional days, following applicable procedures.

**B. PROCEDURES AND RESPONSIBILITY**

- |  |   |
|--|---|
| 1. Discuss possible administrative transfer of offender with supervisor and review circumstances regarding offender.   | Sending Facility Staff/<br>P&P Officer  |
| 2. Contact the Programs and Facilities Bureau Chief (Bureau Chief) or designee to discuss and review the offender’s circumstances and all information regarding the reason for the transfer, including all relevant medical and/or mental health information.  | Sending Facility Staff/<br>DC or POII   |
| 3. If transfer to assessment center is deemed necessary, Bureau Chief or designee will staff with assessment center administrator, mental health professional, and IPPO.   | Bureau Chief/designee                   |
| 4. If transfer to MSP/MWP is deemed appropriate, Bureau Chief or designee will:<br>a. verify that the offender is not a probationer;<br>b. confer with the following:<br>i. for male offenders: CSD, MSP Command Post (for potential admission), and MDIU Admissions (for potential admission and bed availability); or<br>ii. for female offenders: CSD, MWP Treatment and Reentry Program Manager, and MWP Admissions Officer. | Bureau Chief/designee                   |
| 5. <i>PPD 4.6.200(A) Request for Administrative Transfer</i> is completed and must include the offender’s circumstances and all information  | Sending IPPO/PRC<br>Liaison/P&P Officer |

Procedure No.: 4.6.200	Chapter: Facility/Program Services	Page 3 of 7
Subject: ADMINISTRATIVE TRANSFERS		

regarding the reason for the transfer, including a contact person for relevant medical and/or mental health information. *Request* is forwarded to Facility Administrator/Deputy Chief (DC) or designee for signature.

Sending Facility  
Administrator/DC/designee

6. **Offender will not be transported to MSP/MWP until *Request for Administrative Transfer* has been approved and paperwork is forwarded IMMEDIATELY to CSD Administrator and MDIU/MWP Admissions.**

7. *Request* is submitted electronically to [corao@mt.gov](mailto:corao@mt.gov).

Sending Facility  
Administrator/DC

a. Document must be named as follows:

Offender last name, first name: Facility/P&P: Admin Transfer

b. Email subject line must read as follows:

Offender last name, first name, DOC#: Facility/P&P: Admin Transfer

8. If there is relevant medical and/or mental health information regarding the offender, *Form* will be forwarded to [cornmedical@mt.gov](mailto:cornmedical@mt.gov) for the CSD Administrator's or designee's review and signature.

PPD Administrative  
Assistant

a. For medical/mental health, CSD will include a medical and/or mental health plan for the offender on the *Form*;

CSD Administrator or  
designee

b. CSD Administrator or designee will return *Form* to [corao@mt.gov](mailto:corao@mt.gov).

9. *Request* is reviewed and returned to sending IPPO/PRC Liaison or DC. If approved, include copies to:

PPD Administrative  
Assistant

a. Facility Administrator;

b. Assessment center facility administrator, mental health professional and IPPO;

c. Onsite medical and mental health supervisors;

d. Programs and Facilities Bureau Chief or designee;

e. MSP Admissions Manager/MWP Lieutenant on Duty;

f. MSP Command Post;

g. MSP/MWP Records:

i. [CORVerificationMSP@mt.gov](mailto:CORVerificationMSP@mt.gov) for males; or

ii. [CORVerificationMWPPASRC@mt.gov](mailto:CORVerificationMWPPASRC@mt.gov) for females;

h. Other appropriate persons.

10. If transfer to assessment center is approved:

Sending Facility Staff

a. Sending staff will make contact with receiving facility staff to confirm transfer and transport of offender as soon as possible.

b. Offender paperwork is transferred with the offender:

i. approved *PPD 4.6.200(A) Request for Transfer*;

ii. certified court order or *P&P 150-1 (D) Verification of Commitment*, if applicable;

iii. *PPD 1.5.506(B) Pre-Sentence Investigation*;

iv. medical/mental health/medication records; and

Procedure No.: 4.6.200	Chapter: Facility/Program Services	Page 4 of 7
Subject: ADMINISTRATIVE TRANSFERS		

- v. whether offender will return to sending facility, if known at time of transfer.
- c. Receiving staff will ensure all appropriate persons are notified of the offender’s transfer. Receiving Facility Staff
- d. If the offender is transferred to a mental health pod, receiving assessment/sanction facility will notify the following persons:
  - i. Programs and Facilities Bureau Chief or designee;
  - ii. CSD ([cornmedical@mt.gov](mailto:cornmedical@mt.gov)); and
  - iii. MSP/MWP Mental Health Director.
- 11. If transfer to MSP/MWP is approved:
  - a. Paperwork is forwarded prior to transfer of offender. IPPO/PRC Liaison/DC
  - b. Sending facility staff will make contact with MSP Admissions Manager/MWP Lieutenant on Duty to confirm transfer and transport of offender as soon as possible. Offender paperwork is transferred with offender: START/Passages or Sending Facility Administrator
    - i. approved *PPD 4.6.200(A) Request for Administrative Transfer*;
    - ii. certified court order or *P&P 150-1 (D) Verification of Commitment*, if applicable;
    - iii. *PPD 1.5.506(B) Pre-Sentence Investigation*;
    - iv. clinical treatment/medical; and
    - v. whether offender will return to sending facility, if known at time of transfer.
  - c. P&P Officer will use arrangements determined by regional practices. P&P Officer
- 12. Staff will meet with offender and document progress every 15 days in offender’s OMIS chronologicals and communicate to DC and/or Bureau Chief or designees throughout offender’s stay. MSP/MWP/Facility IPPO
- 13. Medical and/or mental health progress will be monitored and communicated weekly to CSD ([cornmedical@mt.gov](mailto:cornmedical@mt.gov)) by the receiving facility’s onsite medical and/or mental health staff. Receiving Facility Medical/Mental Health Staff
- 14. Offender’s bed will be held as an “off-site” count for up to 30 days, at which time an assessment for further needs will be made by PPD. Sending Facility
- 15. Onsite medical and/or mental health staff will report when stabilization has occurred and the offender is able to return to the sending facility or to the community. MSP/MWP/Facility Medical/Mental Health Staff
- 16. To return offender back to the sending facility or to community:
  - a. From the assessment center:
    - i. *PPD 4.6.200(B) Authorization to Return Offender* must be completed. Receiving Facility Staff
    - ii. Offender is transported back to the facility or to community.
  - b. From MSP/MWP:
    - i. *PPD 4.6.200(B) Authorization to Return Offender* must be completed. MSP/MWP IPPO

Procedure No.: 4.6.200	Chapter: Facility/Program Services	Page 5 of 7
Subject: ADMINISTRATIVE TRANSFERS		

- ii. Paperwork must be sent to MSP/MWP Records:
  - 1) CORVerificationMSP@mt.gov for males; or
  - 2) [CORVerificationMWPPASRC@mt.gov](mailto:CORVerificationMWPPASRC@mt.gov) for females;
- iii. Offender is transported back to the facility or to community.

Sending Facility  
Administrator/P&P Officer

17. For the DOC/MSP inmate from a facility, parolee, or conditional release offender whose needs are too excessive and cannot be met at receiving assessment center, and he/she cannot be returned to the sending facility, IPPO will consult with the Bureau Chief, CSD ([cormedical@mt.gov](mailto:cormedical@mt.gov)), MSP/MWP medical/mental health, and the Warden or designee if necessary to determine if the offender may be administratively transferred to MSP/MWP.

IPPO or designee

a. Once deemed stable, MSP/MWP and CSD will coordinate with the IPPO or designee for an administrative transfer back to the assessment center, the original placement, or other placement if appropriate.

CSD/IPPO or designees

b. If the offender needs to remain at MSP/MWP, the procedures in *PPD 4.6.202 Secure Placements* will be followed by the DC or sending facility.

IPPO or designee

#### IV. CLOSING:

Questions regarding this procedure should be directed to the Deputy Chief, P&P Bureau Chief, or Programs and Facilities Bureau Chief.

#### V. FORMS:

- PPD 4.6.200 (A) Request for Administrative Transfer
- PPD 4.6.200 (B) Authorization for Return of Offender
- P&P 150-1 (F) Where Files Go
- Memo of Understanding – DOC/BOPP (attached)

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
MONTANA DEPARTMENT OF CORRECTIONS AND  
MONTANA BOARD OF PARDONS AND PAROLE**

The Montana Department of Corrections (DOC) and the Montana Board of Pardons and Parole (BOPP) hereby enter into this Memorandum of Understanding (MOU). The purpose of this MOU is to reflect the agreement of the parties as to how they will manage offenders who are committed to the Department of Corrections (DOC Commits) and who the DOC places in prison.

The parties agree that the BOPP will have jurisdiction over DOC commits that the DOC has placed in prison. DOC will not remove DOC Commits from the prisons except under the following circumstances:


1. DOC Commits that the DOC places in prison temporarily for medical treatment, such placement not to exceed 90 days;
2. DOC Commits that the DOC places in prison temporarily, that have been screened and accepted by a community corrections program, but need to await such placement, not to exceed 45 days (they will be designated as such by the Offender Management Information System (OMIS) as a MASC/ASRC Hold);

Weekly, the DOC will provide the BOPP with a listing of the offenders who meet the exceptions listed above including their commitment status, length of stay, and, for offenders in prison for medical care, a summary of their medical status.

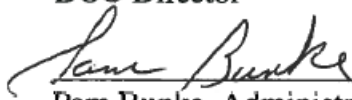
The parties agree that if a disagreement arises regarding the terms and conditions of this MOU or in its execution, they will attempt to resolve the issue informally. The Board of Pardons and Parole designates the Executive Director, currently Fern Osler Johnson, or her designee as the initial contact for dispute resolution for disputes relating to the jurisdiction of the Board of Pardons and Parole. The DOC designates Pam Bunke, Adult Community Corrections Division Administrator, or her designee, as its initial contact for disputes relating to DOC Commits identified in this MOU. The parties intend to attempt to resolve any dispute informally.

**Amendment or Termination:** This MOU may be amended by written agreement signed by the Director of DOC and the Executive Director of BOPP.

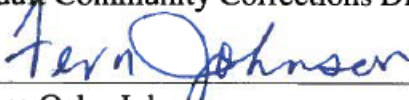
This Memorandum of Understanding replaces all other Memorandums between the BOPP and DOC that deal with DOC commits and is effective upon receipt of MOU final signature. Any party may withdraw from the agreement upon written notice. The parties will meet to revise the MOU as appropriate.

  
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Mike Batista  
DOC Director

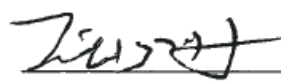
DATE: 10/10/13

  
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Pam Bunke, Administrator  
Adult Community Corrections Division

DATE: 10-10-13

  
\_\_\_\_\_  
Fern Osler Johnson  
BOPP Executive Director

DATE: 10-10-13

  
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Michael E. McKee  
BOPP Chairman

DATE: 10-10-2013