



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

Procedure No.: PPD 4.6.203	Subject: ADULT INTERSTATE COMMISSION PROCEDURES	
Reference: 46-23-1031, MCA; 46-23-1115, MCA	Page 1 of 14	
Effective Date: 03/21/16	Revised: 06/20/18	
Signature / Title: /s/ Kevin Olson, Probation and Parole Division Administrator		

I. PURPOSE:

Probation and Parole Division employees shall be familiar with the interstate transfer process and follow established procedures concerning the transfer of offender supervision between Montana and other states.

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.

Behavior Requiring Retaking – An act or pattern of non-compliance with conditions of supervision that could not be successfully addressed through the use of documented corrective action or graduated responses and would result in a request for revocation of supervision in the receiving state.

Compliance Violation – A violation of the conditions of supervision that is not a non-compliance violation.

The Interstate Commission for Adult Offender Supervision (ICAOS) – The commission that is responsible for the day-to-day oversight of the compact between the states and ensures interstate transfers are processed per federal law and state statute.

Non-Compliance Violation – A violation of the conditions of supervision that is:

- a new criminal offense:
 - an interstate offender must be convicted of the new crime.
- possession of a firearm in violation of a condition of supervision;
- behavior by the offender or any person acting at the offender’s direction that could be considered stalking, harassing, or threatening the victim of the offense or a member of the victim’s immediate family or support network;
- absconding; or
- failure to enroll in or complete a required sex offender treatment program or a treatment program designed to treat violent offenders.

OOS – Out-of-state.

Receiving State – The state assuming supervision of an offender at another state’s request.

Registered Victim – A person registered with an automated notification system (e.g., VINE) used by the Department and/or who is identified in OMIS as registered with the Department to receive location and custody status updates about adult offenders under Department supervision.

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Reporting Instructions – The orders given to an offender by a sending or receiving state directing the offender to report to a designated person or place, at a specified date and time, in another state.

Resident – A person who has continuously inhabited a state for at least one year prior to the commission of the offense for which the offender is under supervision, and who intends that such state shall be the person’s principle place of residence and has not, unless incarcerated, relocated to another state or states for a continuous period of six months or more with the intent to establish a new principle place of residence.

Resident Family – A parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian, or step-parent who 1) has resided in the receiving state for 180 days or longer as of the date of the transfer request; and 2) indicates willingness and ability to assist the offender as specified in the plan of supervision.

Retake Offender – An offender physically detained and removed from receiving state.

Return Offender – An offender who has requested or been ordered to return to the sending state for supervision.

Sending State – The state requesting the transfer of an offender’s supervision.

Sex Offender – An adult who is required to register as a sexual offender either in the sending or receiving state and who is required to request transfer of supervision under the provisions of ICAOS.

Subsequent Receiving (Third) State – The state to which an offender is transferred that is not the sending state or the original receiving state.

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.

III. INTERSTATE TRANSFERS PROCEDURES:

A. GENERAL ELIGIBILITY REQUIREMENTS:

1. An offender must meet the following criteria for a mandatory transfer of his/her supervision:
 - a. has 90 days or an indefinite period of supervision at the time the sending state transmits the transfer request;
 - b. is substantially in compliance with the terms of supervision in the sending state and no revocation proceedings have been initiated by the sending state; and
 - c. is a resident of receiving state; or
 - d. has resident family in the receiving state who have indicated a willingness and ability to assist as specified in the plan of supervision, and can obtain employment or has means of support; and
 - e. has a valid plan of supervision.

2. A receiving state may request the discretionary transfer of supervision of an offender who does not meet the eligibility requirements of A.1. above, where acceptance in the receiving state would support successful completion of supervision, rehabilitation of the offender, promote public safety, and protect the rights of victims. Sufficient documentation must be provided to justify the transfer.

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3. **Military Members:** An offender meeting the criteria who is a member of the military and has been deployed to another state shall be eligible for reporting instructions and transfer of supervision. Military orders for offender must be provided.
4. **Offenders who Live with Family who are Members of the Military:** An offender meeting the criteria and living with a family member who has been deployed to another state, shall be eligible for reporting instructions and transfer of supervision provided the offender will live with the military member in the receiving state. Military orders for family member must be provided.
5. **Employment Transfer of Family Member to Another State:** An offender meeting the criteria and living with a family member who has been transferred to another state by his/her employer, shall be eligible for reporting instructions and transfer of supervision provided the offender will live with the family member in the receiving state. Employment letter for family member must be provided.
6. **Employment Transfer of Offender:** An offender meeting the criteria and being transferred to another state by an employer at the direction of the employer and as a condition of maintaining employment, shall be eligible for reporting instructions and transfer of supervision. Employment letter for offender must be provided.
7. **Veterans for Medical or Mental Health Services:** An offender meeting the criteria, who is a veteran of the United States military services, eligible to receive health care through the U.S. Department of Veterans Affairs, Veterans Health Administration (VA), and is referred for medical and/or mental health services by the VA to a regional VA facility in the receiving state, shall be eligible for reporting instructions and transfer of supervision if the sending state provides documentation to the receiving state of both the **medical and/or mental health referral and documentation of acceptance** to the VA facility.
8. **Sexual Offender Transfers:**
 - a. **Eligibility for Transfer:** A sexual offender meeting the criteria shall be eligible for transfer to a receiving state. The offender shall not be allowed to leave the sending state until the sending state's request for transfer of supervision has been approved, or reporting instructions have been issued, by the receiving state.
 - b. **Application for Transfer:** In an application for transfer of supervision of a sexual offender, the sending state shall provide all information, if available, to assist the receiving state in supervising the offender:
 - i. assessment information, including sexual offender specific assessments;
 - ii. social history;
 - iii. information relevant to the offender's criminal sexual behavior;
 - iv. law enforcement report that provides specific details of sex offense;
 - v. the sending state's current or recommended supervision and treatment plan; and
 - vi. victim information:
 - 1) the name, sex, age, and relationship to offender; and
 - 2) statement of the victim or victim's representative.
 - c. **Reporting Instructions for sexual offenders:**
 - i. The receiving state shall have five (5) business days to review the proposed residence to ensure compliance with local policies or laws prior to issuing reporting instructions. If the proposed residence is invalid due to existing state law or policy, the receiving state may deny reporting instructions.

- ii. No travel permit shall be granted by the sending state until the receiving state issues reporting instructions. **Offender must remain in Montana pending reporting instructions.**

B. MONTANA OFFENDER’S TRANSFER APPLICATION:

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| <p>1. A residence and employment plan are submitted to the supervising P&P Officer/IPPO/Facility Staff when an offender requests a transfer from Montana to another state. Plan will be verified by P&P Officer/IPPO/Facility Staff according to #5 below.</p> | Offender |
| <p>2. When applicable, P&P Officer/IPPO/PRC Liaison will make, and document in OMIS, a notification to registered victim and provide the following information:</p> <ul style="list-style-type: none"> a. change in location; b. date of interstate transfer; c. community in which the offender will reside; d. conditions of supervision; e. victim has opportunity to respond within 10 days with written or oral input. Provide the name of the Officer to whom the victim should respond, including Officer’s address and phone number; and f. that the victim may register with IVINS, an automated notification system, through www.interstatecompact.org if offender’s transfer is approved. | P&P Officer or IPPO or PRC Liaison |
| <p>3. Offender is informed of the interstate transfer application fee and waiver procedure.</p> <ul style="list-style-type: none"> a. An offender sentenced in the state of Montana is required to pay an interstate transfer application fee of \$50 to the Montana Interstate Compact Section (MT Interstate). However, if the fee may result in a significant financial hardship to the offender, a request for a reduced fee, a deferred payment, or waiver of the fee may be made: <ul style="list-style-type: none"> i. A request is emailed to the Compact Administrator (CA) that must include detailed financial information for the offender. ii. CA will consider the information provided and approve or deny the request. iii. Any failure to pay the application fee without an approved hardship request will result in the application being returned. b. If fee is required, application will not be processed without the fee. The two acceptable forms of payment are money orders or cashier’s checks made out to the DOC. Offenders incarcerated in a correctional facility may have an inmate account check issued to the DOC. The fee is paid for each application submitted. c. All subsequent receiving (third) state transfers are required to pay the \$50 interstate transfer application fee to MT Interstate and may also be required to pay an interstate transfer application fee to the sending state. | <p>P&P Officer or IPPO or Facility Staff</p> <p>CA</p> <p>Offender</p> <p>Offender</p> |

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obtained from the receiving state. Officer then emails MT Interstate providing the date offender is leaving; when he/she is expected to arrive in receiving state; and the mode of travel.

10. *Transfer Request Excel Sheet* must be submitted to MT Interstate electronically. The *Request* shall include:
 - a. *Transfer Request Excel Sheet*;
 - b. *Offender's Application for Interstate Compact Transfer*;
 - c. If required, \$50 money order for interstate transfer application fee, original (include whether hardship request was approved);
 - d. Judgment or Court Minutes (original sentences and all revocations);
 - e. Affidavit and/or Leave to File Information or Police Report;
 - f. *PPD 1.5.200(B) Pre-Sentence Investigation Report*;
 - g. Psychological reports, if available;
 - h. Medical documentation for serious conditions and any prescribed medication;
 - i. Narrative of current supervision history, if on supervision more than 30 days; include completed conditions, not completed conditions, and any concerns;
 - j. **Signed** conditions of supervision;
 - k. Sexual/Violent offender registration information;
 - l. Victim Information: include registered victims, any victim input received, and any orders restricting contact;
 - m. Investigation reports (i.e., conditional release; Progress/ Summary Report; parole); and
 - n. Summary of prison discipline and mental health history during last two (2) years, if available.
 - o. If offender is currently under active supervision in another state, provide the supervising officer's name, phone number, county, and offender's crime.

11. **OMIS moves** shall be completed when the receiving state has approved offender's transfer request. MT Interstate

12. Forward field file of parolee, conditional release offender, or offender discharging balance suspended from prison or facility to the MT Interstate when offender is officially accepted by receiving state. P&P Officer or IPPO
or Facility Staff

13. **Subsequent Receiving (Third) State Transfers for OOS Offenders:** P&P Officer or IPPO
or Facility Staff
 - a. Complete the following and submit to MT Interstate (copies for field file):
 - i. *Reporting Instructions*: if needed for immediate/expedited leave, send email with information regarding where offender wants to reside, who he/she wishes to reside with, and the relationship to that person;
 - ii. *Offender's Application for Interstate Compact Transfer*;
 - iii. *Current Progress Report*;
 - iv. Any victim input if received; and

- v. \$50 interstate transfer application fee in the form of a money order or cashier's check made out to DOC.
- b. Once approved and a date has been established for departure, email MT Interstate with the date offender is leaving; when he/she is expected to arrive in receiving state; and mode of travel. *Travel Permit-OMIS* will be generated, saved, and issued.
- c. MT Interstate will close the case. Changes in OMIS will initiate victim notification if applicable. MT Interstate

C. TRANSFER REQUEST TO MONTANA:

- 1. *Transfer Request* on out-of-state offender is forwarded to the field office. If the offender's offense is equivalent to a Montana offense that requires registration, or if the offender is required to register as a sexual and/or violent offender in another state, he/she will be required to register as a sexual and/or violent offender in Montana. MT Interstate
- 2. Case is assigned to P&P Officer for investigation. If an interstate request is received, the Officer will count the request on the end of month statistics as a "Placement Investigation." Once the offender reports for supervision, the Officer will classify offender as "New" on the end of month statistics. DC or POII
P&P Officer
- 3. **Offender information WILL NOT be entered into OMIS unless the offender is physically reporting to office.** P&P Officer
- 4. P&P Officer will have 30 days from assignment to investigate the request. P&P Officer
- 5. Send email to MT Interstate regarding investigation results and include any victim input if received. P&P Officer
 - a. If approval is recommended by P&P Officer, request is submitted to the sending state; or MT Interstate
 - b. If denial is recommended by P&P Officer, specific reasons must be detailed in the email. All denials are reviewed by the CA for validity. If found not to be valid, CA and P&P Officer will staff case. CA makes all final decisions on denials. CA/P&P Officer
- 6. All Montana standard conditions are mandated on all transfers. Special conditions should be limited and not more restrictive than sending state's judgment. Special conditions can be imposed if deemed appropriate by MT Interstate for public safety reasons. Suggested special conditions need to be included in the email. The Intensive Supervision Program (ISP) cannot be used as a level of supervision upon accepting offenders; however, ISP can be used as an intervention and level of supervision for transferred offenders who commit violations. P&P Officer
MT Interstate
- 7. If a transferred offender does not have a pre-sentence investigation report in his/her file, the P&P Officer will have offender complete P&P Officer

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PPD 1.5.200(C) Pre-Sentence Investigation Questionnaire for placement in the offender's OMIS record.

8. **Reporting Instructions prior to transfer approval/denial:** When an interstate applicant has been given reporting instructions and physically reports to the P&P office, the following will be completed: P&P Officer
- a. Email containing date offender reported is immediately sent to MT Interstate.
 - b. OMIS entries completed:
 - i. *Basic information* – Use the ADD OFFENDER function of OMIS;
 - ii. *Correctional Status* – Select a correctional status of ISC PENDING with a change reason of PENDING INTERSTATE COMPACT APPROVAL and using the reporting date as the BEGIN DATE;
 - iii. *Officer Assigned* – Use INTERSTATE COMPACT PENDING as the Supervision Level with reporting date as the START DATE;
 - iv. NO *Location* entry is made at this time.
9. **** Approved Reporting Instructions does not mean the *Transfer Request* has been approved. DO NOT sign up to conditions of supervision until offender has been officially accepted.** P&P Officer
10. **Approved Transfer Requests:**
- a. When transfer is approved **and offender is in Montana**, the following OMIS entries will be completed: P&P Officer
 - i. *Correctional Status* – Select new correctional status of PAROLE or PROBATION with a change reason of INTERSTATE COMPACT - SUPERVISION FROM OTHER STATE and using MT Interstate's approval date as the BEGIN DATE;
 - ii. *Location* – Enter appropriate location with a reason of INTERSTATE COMPACT - SUPERVISION FROM OTHER STATE AND using MT Interstate's approval date as the BEGIN DATE;
 - iii. *Assigned Officer* – Make new entry selecting appropriate Supervision Level and using MT Interstate's approval date as the START DATE.
 - b. A MORRA CST (male) or WRNA PPA (female) interview/ assessment must be completed within 45 days of the *acceptance* of the out-of-state offender (see *PPD 1.5.1200 Risk and Needs Assessments for Adult Case Management*).
 - c. Intake and sign-up procedures are completed pursuant to *P&P 60-1 Initial Sign-Up to Probation, Parole and Conditional Release Supervision*.
 - d. **Transfer Approved, but arrival of offender is pending: OMIS entries and sign-up procedures will not be completed**

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until offender has physically reported to office. Notification is made to MT Interstate once the offender reports.

- e. MT Interstate will enter legal sentencing information and expiration date into OMIS. MT Interstate
- f. If the offender fails to arrive within five (5) days of the departure date, notify MT Interstate immediately by email noting offender's failure to report. MT Interstate will submit a failure to report to the sending state. P&P Officer
MT Interstate

11. Denied Transfer Requests:

- a. If the transfer is denied, pertinent information gathered on the offender during the investigation should be included in the email to MT Interstate. If there is confidential information that cannot be included in the denial, this information should be labeled as such in denial email. All collected information on offender will be maintained in the MT Interstate's database. P&P Officer
- b. If Montana denies the transfer request, MT Interstate will submit the denial and a request for reporting instructions to return offender to the sending state. P&P Officer will provide MT Interstate the necessary leave date information, including when and how the offender is returning, and to what plan he/she is returning. MT Interstate
- c. When transfer is denied, **and offender is in Montana on approved reporting instructions**, supervising P&P Officer will continue supervision of the offender until reporting instructions from the sending state to return have been received:
 - i. obtain a return address from offender and include with email to MT Interstate denying transfer; P&P Officer
 - ii. reporting instructions are requested from sending state and sending state will have two (2) days to respond. When received, reporting instructions will be forwarded to supervising Officer. MT Interstate
 - iii. notification is made to MT Interstate when travel permit is issued to offender to return; and P&P Officer
 - iv. departure Notice is submitted to sending state. MT Interstate

D. REPORTS/CORRESPONDENCE

- 1. All communication regarding interstate offenders, oral and written, must go through MT Interstate. P&P Officers shall not contact other officers, courts, county attorneys, other state(s), etc., but will email MT Interstate to request information needed from the sending state (e.g., restitution). P&P Officer
- 2. **Progress Reports for Offender Compliance and Noncompliance:**
 - a. *Progress Reports* are submitted to MT Interstate when there are significant changes to report that may or may not affect the status of the offender regarding the following: P&P Officer
 - i. Programming or treatment completed; completion of conditions. Document incentives given.

- ii. Transfer to a subsequent receiving state.
- iii. Brief summary of offender’s conduct, progress, attitude, and compliance (due to ICAOS restraints, must be concise).
- iv. Notification of an intervention hearing and all applicable interventions from *PPD 6.3.101 (A) Montana Incentives/Interventions Grid for Adult Probation & Parole (MIIG-P&P)* were imposed and documented. P&P Officer
- v. Request for early discharge by P&P Officer or MT Interstate when conditions are completed.
- b. Attachments giving pertinent information can be provided.
- c. MT Interstate forwards the *Progress Reports* to the sending state. MT Interstate
- d. When requested by sending state, P&P Officer will have five (5) business days to submit a Progress Report to MT Interstate. P&P Officer
- e. Information regarding supervision fees and restitution does not need to be included because compact rules dictate the other states are responsible for monitoring payments.

IV. REPORTS OF VIOLATION PROCEDURES AND RESPONSIBILITIES

A. OOS OFFENDERS SUPERVISED IN MONTANA

1. Violations Requiring Retaking:

- a. The offender’s status is determined and alleged violations are thoroughly investigated. Prior to requesting revocation from the sending state, the supervising P&P Officer must use and document all appropriate interventions from *PPD 6.3.101 (A) Montana Incentives/Interventions Grid for Adult Probation & Parole (MIIG-P&P)* to address violations as they would any Montana offender in the appropriate manner deemed necessary to gain offender’s compliance. P&P Officer
- b. If offender continues to violate or has severe compliance violations, P&P Officer should staff the compliance violations with his/her supervisor to determine if an intervention hearing is appropriate. If the offender is going to receive interventions and remain in Montana on supervision, then an intervention hearing can be held to address the violations pursuant to *PPD 6.4.206 Adult Probation & Parole Field Hearings*. Officer may complete a *Progress Report* and submit it to MT Interstate within 30 days of the violation, along with documentation of all incentives/interventions used. P&P Officer
DC or POII
- c. When P&P Officer believes revocation is appropriate, he/she will contact the out-of-state MT Interstate Agent or Compact Administrator (CA) to staff the case. P&P Officer
- d. If it is determined to proceed with requesting revocation and return of the offender to the sending state, the *Offender Violation Report (OVR)* is completed within 30 days of the violation. If Montana accepted the offender under special added conditions, these conditions can be used as violations. All violations must be P&P Officer

substantiated with no previous sanctions/interventions applied to address them.

- i. Due to ICAOS restraints, wording in the *OVR* must be as concise as possible. **Examples:**
 - 1) *Residence:* On 10/15/04, Smith moved to a new apartment without the permission of his PO.
 - 2) *Offender will not be allowed to own, possess, or have access to computers:* On 10/15/04 a home check was conducted at the reported residence. A computer was confiscated on this date.
 - 3) *Illegal Drug Use:* On (date) tested positive for THC.
- ii. *OVR* will contain the following:
 - 1) date(s) and description of the behavior requiring retaking;
 - 2) dates, descriptions, and documentation regarding the use of *MIIG-P&P* incentives used to address the behavior requiring retaking in the receiving state, and the offender's response to the interventions;
 - 3) dates, descriptions and documentation regarding the status and disposition, if any, of offense(s) or behavior requiring retaking;
 - 4) if the offender has absconded, the offender's last known address and telephone number, name and address of the offender's employer, and the date of the offender's last personal contact with the supervising P&P Officer and details regarding how the officer determined the offender to be an absconder; and
 - 5) supporting documentation regarding the violation.
- e. If *OVR* is appropriate, an initial on-site hearing (probable cause) will be conducted as soon as possible if the offender did not waive the hearing. P&P Officer will prepare *PPD 6.4.206(H) Notice/Waiver of On-Site Hearing for Interstate Offender* and present to offender with *OVR*. P&P Hearings Officer
P&P Officer
- f. The *OVR* and *PPD 6.4.206(H) Notice/Waiver* with admission and/or the signed *PPD 6.4.206(I) Summary of On-Site Hearing* are submitted electronically to MT Interstate. P&P Officer
- g. These documents are reviewed and edited prior to submitting to the sending state requesting a response of what action will be taken. Sending state shall respond to the *Offender Violation Report* within 10 business days by utilizing the *Response to Violation Report*. MT Interstate
- h. If the offender is determined to be a risk to the community or risk to abscond supervision, a field warrant may be issued by the Montana P&P Officer after staffing with supervisor. P&P Officer
****An interstate offender shall not be admitted to bail if retaking procedures have been instituted by the sending or receiving state (Montana).**
- i. If offender is ordered to return, Montana P&P Officer will submit P&P Officer

- a request for reporting instructions to MT Interstate to submit to sending state and provide departure details upon receipt.
- j. is retaken by the sending state, MT Interstate will close the case and complete OMIS entries. MT Interstate
- k. If the sending state does not return or retake the offender, Montana will continue supervision of the offender as directed by the sending state. P&P Officer
MT Interstate

2. New Charges:

- a. Montana may initially detain an out-of-state offender who has committed a crime against the laws in Montana if deemed necessary after staffing with supervisor. P&P Officer
- b. Officer may hold the offender on a field warrant until new charges are processed and bail/bond is set. Once held on new charges, field warrant will be cancelled. If offender bonds or is released, Officer continues to supervise until charges are disposed of. If offender poses security risk, the Officer will staff case with CA to discuss further jail hold. P&P Officer
- c. No hearing is required upon disposition of the new charges. P&P Officer
- d. MT Interstate reviews, edits, and submits information to sending state to determine what action the sending state will take. MT Interstate
 - i. Sending state shall respond to the *OVR* within 10 business days by utilizing the *Response to Violation Report*.
 - ii. ****An interstate offender shall not be admitted to bail if retaking procedures have been instituted by the sending or receiving state (Montana).** P&P Officer
- e. If not returned to the sending state, supervision of the offender is continued at the direction of the sending state. P&P Officer
- f. If offender is ordered to return, Montana P&P Officer will submit a request for reporting instructions to MT Interstate to submit to sending state and provide departure details upon receipt. MT Interstate
- g. If offender is retaken by the sending state, MT Interstate will close the case and complete OMIS entries.

3. Absconders:

- a. If there is reason to believe that an offender has absconded, the receiving state shall attempt to locate the offender. Such attempts are documented in OMIS and on the OVR and should include dates of attempts, who was contacted and how. Attempts shall include, but are not limited to: P&P Officer
 - i. calling offender's last known phone number;
 - ii. conducting a field contact at the last known place of residence;
 - iii. contacting the last known place of employment, if applicable; and
 - iv. contacting known family members and collateral contacts.
- b. If offender is not located, P&P Officer will immediately:
 - i. make status and location change in the offender's OMIS file as absconded;

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- ii. notify the Victim Programs Manager (VPM) or designee if the offender’s current sentence is for a registerable offense under §46-23-502, MCA, or stalking or negligent homicide. VPM will also contact victims; and P&P Officer
- iii. complete the *OVR* and email it to MT Interstate. The *OVR* must include detailed information regarding steps 3.a. above.
- c. MT Interstate will close case. MT Interstate

B. MONTANA OFFENDERS SUPERVISED IN OTHER STATE

- 1. The *OVR* is forwarded by receiving state to MT Interstate advising of pending violation(s) within 30 days of the violation. If the offender is in custody on new charges, all other pertinent documents are included. MT Interstate
- 2. A probable cause hearing may be conducted by receiving state on violation reports requesting retake unless the offender has waived the hearing and admitted to at least one violation: OOS Interstate Unit
 - a. the hearing report or waiver of hearing is forwarded to MT Interstate requesting a response.
 - b. if there are new charges, copies of the disposition are forwarded to MT Interstate.
- 3. MT Interstate will make a determination on the *OVR* and respond to the request within 10 business days utilizing the *Response to Violation Report*. MT Interstate
- 4. If the offender is not returned, the receiving state will maintain supervision. OOS P&P Officer
- 5. Offenders ordered to return to Montana by the CA will be placed back on supervision in Montana as a sanction for violations.** MT Interstate
- 6. If a revocation is to be requested from the court, the *OVR* with attached *Notice of Violation* is forwarded to the sentencing district office for submission to the District Court. MT Interstate
- 7. If a parole offender is retaken by Montana and returned to custody for revocation proceedings, *OVR* is filed with the BOPP. Conditional release offenders will be transported to START/jail (males) or jail (females) for custody unless another placement is determined. Files are sent to the respective IPPO/BOPP, and OMIS moves are entered. MT Interstate
- 8. **Pursuant to Section 5.111 of Compact, an interstate offender who has been arrested in any state shall not be admitted to bail while Montana is in the process of retaking the offender.**

V. CLOSURE NOTICE PROCEDURES AND RESPONSIBILITIES

A. OFFENDER REQUEST TO RETURN TO THE SENDING STATE

- 1. Submit an email requesting reporting instructions to MT Interstate and include the address of residence, phone number, name, and MT Interstate

relationship of the person offender wishes to reside with. Offender must remain in Montana until reporting instructions are approved.

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| 2. Upon receiving reporting instructions, email MT Interstate including the date offender is leaving, when he/she is expected to arrive in sending state, and mode of travel. MT Interstate will complete OMIS moves releasing offender. | P&P Officer |
| 3. A MORRA CST (male) or WRNA PPA (female) interview/ assessment must be completed within 45 days of the <i>return</i> of the Montana offender (see <i>PPD 1.5.1200 Risk and Needs Assessments for Adult Case Management</i>). | P&P Officer |

B. OTHER CASE CLOSURES

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|---|-------------------------------|
| 1. P&P Officer will email MT Interstate with information needed to close a case in most of the following circumstances:
a. Discharging Supervision or Receiving Early Discharge: If offender receives early discharge, notifies MT Interstate immediately upon notice of release.
b. Notification of Death: Email MT Interstate with proof of the offender’s death attached, such as the death certificate, obituary from a newspaper, police report or a statement from a coroner.
c. Offender Incarcerated for 180 Days or Longer in Receiving State: Email MT Interstate with information regarding offender’s location with copies of the Judgment and Sentencing documents attached. | P&P Officer |
| 2. MT Interstate Section shall review, verify, and approve the reason for closing the case and, if approved, will close the case. | MT Interstate |
| 3. Upon verification, OMIS release moves and chronological entries will be completed. | P&P Officer/
MT Interstate |

VI. CLOSING:

Questions regarding this procedure shall be directed to the Deputy Chief or Compact Administrator.

VII. FORMS:

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|-----------------|--|
| MT Interstate | Transfer Request Excel Sheet |
| ICAOS | Offender’s Application for Interstate Compact Transfer |
| ICAOS | Progress Report |
| ICAOS | Notice of Violation (Only used by Interstate Compact Section) |
| ICAOS | Offender Violation Report |
| ICAOS | Response to Violation Report (Only used by Interstate Compact Section) |
| PPD 6.4.206 (H) | Notice/Waiver of On-Site Hearing for Interstate Offender |
| PPD 6.4.206 (I) | Summary of On-Site Hearing |