



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

Procedure No.: PPD 4.6.300	Subject: DOC COMMITMENTS AND CONDITIONAL RELEASES	
Reference: DOC 1.5.11; DOC 1.8.1; DOC 4.6.3; 2-15-112, MCA; 41-5-206, MCA; 41-5-2503, MCA; 41-5-2510, MCA; 46-18-201, MCA; 46-23-1004, MCA; 46-23-1023, MCA; 46-23-1115, MCA; 46-24-203, MCA; 53-1-201, MCA; 61-8-731, MCA	Page 1 of 10	
Effective Date: 01/09/17	Revised: 10/24/17	
Signature / Title: /s/ Kevin Olson, Probation and Parole Division Administrator		

I. PURPOSE:

Probation and Parole Division employees will follow established procedures for the placement of felony offenders committed to the Department of Corrections by a District Court and for the appropriate release and/or supervision of these offenders.

II. DEFINITIONS:

CR-Conditional Release – A status that applies to DOC commitments placed in a community corrections program and released to community supervision prior to the expiration of their sentence when determined appropriate by the Department.

Criminally Convicted Youth – Any youth convicted in adult court pursuant to §41-5-206, MCA, except a youth convicted of a crime that carries a possible punishment of life, death, or 100 years in prison is a criminally convicted youth.

DOC Commitment – A commitment by the District Court of an adult offender or criminally convicted youth to the authority of the Department for the determination of offender’s appropriate placement; or the Court may require the offender be released to community supervision upon sentencing or disposition. §46-18-201, MCA

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.

Secure Placement – A management decision to place an offender at a secure facility when it has been determined the offender is inappropriate for community placement for objective reasons.

Self-Surrender – A DOC commitment approved for placement in an approved PPD facility and released from incarceration, but who remains in the custody and control of the PPD while waiting for an available bed in the 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. DOC COMMITMENTS:

A. PROCEDURES

1. When an offender under the age of 18 has been committed to the Department, the directives given in *DOC Policy 4.6.9, Placement & Reporting of Youth with Adult Sentences* are followed for the offender's placement, transfer and removal, and reporting requirements for criminally convicted youth. Supervising Probation & Parole (P&P) Officers will generate the required report in OMIS for criminally convicted youths.
2. Adult offenders sentenced to the Department (DOC commits) will be immediately placed in the county jail except under the following circumstances:
 - a. Offender was court-ordered to be released to community supervision upon sentencing or disposition (see *P&P 60-1 Initial Sign-Up to Probation, Parole and Conditional Release Supervision*);
 - b. Offender has been approved for conditional release prior to or upon sentencing (see Section IV below).
 - c. Prior screening has been completed and offender is placed on self-surrender status (see *PPD 4.6.301 Offender Self-Surrender*); or
 - d. Offender's sentence has been stayed pending placement.
3. Offender's case is properly reviewed, assessed, and classified by the Deputy Chief (DC) and/or POII and a P&P Officer for appropriate placement in an PPD program/facility.
 - a. Placement options include PPD community-based programs, contract facilities, or another approved or contracted program (see *PPD 4.6.300(C) Offender Sentences & Placement Options*).
 - b. P&P Officer will recommend the appropriate placement to the DC/POII after:
 - i. interviewing the offender;
 - ii. discussing case with the PSI writer or last supervising P&P Officer;
 - iii. reviewing appropriate paperwork, which may include pre-sentence investigation; report of violation; evaluations; police/jail reports; risk and needs assessments; and
 - iv. notifying victims registered in VINE about the opportunity to respond with written or oral input; providing name, address, and phone number to whom the victim should respond; and documenting notification and victim response.
 - c. In the event an appropriate placement option cannot be determined, a DOC commit will be placed at an assessment center for further evaluation to aid in determining the appropriate placement.
 - d. When a secure placement has been deemed necessary, the procedures of *PPD 4.6.202 Secure Placements* are followed.
 - e. PPD HOLDS – A DOC commit may or may not remain in jail based on the following circumstances:
 - i. pending placement when a bed date has been established in a PPD program/facility other than an assessment and sanction center within a reasonable amount of time;
 - ii. when the local P&P office will be handling transport; or
 - iii. the offender is placed on self-surrender status.
4. P&P Officer or designee will ensure the following offender information is available in OMIS:
 - a. *PPD 1.5.200(B) Pre-Sentence Investigation*;
 - b. Certified judgement or *PPD 4.6.300(B) Verification of Commitment* including all deferred or suspended judgments pertaining to the cause number (contact jcorlegal@mt.gov for status of

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- signed judgement);
 - c. *PPD 3.4.102(A) Report(s) of Violation* (if applicable);
 - d. Information; and
 - e. Current photograph.
5. Once placement has been determined, P&P Officer will:
 - a. Complete *PPD 4.6.300(A) Notification and Placement Warrant* within five (5) working days and forward it to:
 - i. the detention facility housing the offender; and
 - ii. the specific email distribution group given on the bottom of the form.
 - b. Create an offender file with all relevant documents, and forward to the appropriate location (see *PPD 4.6.300(D) Where Files Go*).

IV. CONDITIONAL RELEASE OF DOC COMMITMENTS

A. GENERAL REQUIREMENTS:

1. If the DOC commit has a victim registered in VINE, the CR plan cannot be approved any sooner than five (5) calendar days after victim notification is made.
2. DOC commits ordered by the court to be released to community supervision upon sentencing or disposition are NOT on conditional release status.
3. DOC commits screened and accepted into an ISP program prior to sentencing or revocation will be conditionally released to the ISP program.
4. DOC commits in jail may be released to P&P supervision on CR status.
5. DOC commits completing a placement in a PPD facility may be released to P&P supervision on CR status.
 - a. Offender should have at least 30 days of conduct without a major disciplinary infraction; however, this may be waived on a case-by-case basis.
 - b. DOC commits who will be conditionally released directly from the Connections Corrections Program (CCP) or Passages Alcohol and Drug Treatment (ADT) program must have the CR approved prior to their placement at CCP.
6. DOC commits who enter an assessment/sanction center and will be transferred to a PPD program/facility can only be conditionally released.
7. A request for CR may be submitted as soon as the DOC commit's plan has been confirmed and there is an estimated release date, but at least 30 days prior to the release date.
8. The person referring an offender for CR, if given appropriate OMIS access, must ensure that all documents needed for a complete review of the offender's case, including the Pre-Sentence Investigation, any report(s) of violation, and the most current assessment results, have been uploaded into OMIS.
9. If the person referring an offender for CR does not have appropriate OMIS access and the documents needed for a complete review of the offender's case are not available in OMIS, the documents must be attached to the CR request submission.

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10. Entries into the offender's chronological history should be made continuously noting the progression of the CR request.
11. DOC commits determined inappropriate for community placement or placed in a PPD program and terminated from the program, and sent to prison through the procedures of *PPD 4.6.202 Secure Placements*, are not eligible for CR.
12. A CR offender who receives a new felony conviction may be placed in an appropriate PPD program/facility; however, in some cases, and after the supervising P&P Officer has staffed the case with the Deputy Chief (DC), the offender may receive a secure placement through the procedures of *PPD 4.6.202 Secure Placements*.

B. REQUEST FOR CONDITIONAL RELEASE:

1. **NCIC/CJIN Check:** An NCIC/CJIN is completed as follows to confirm there are no outstanding detainees or warrants on eligible offender and results are given on *PPD 4.6.300(E) Request for Conditional Release*:
 - a. by the P&P Officer completing a placement investigation;
 - b. by the supervising P&P Officer or PSI writer for DOC commit seeking CR upon sentencing or revocation;
 - c. for DOC commit seeking CR and interstate transfer:
 - i. by the referring IPPO or P&P Officer; or
 - ii. referring prerelease facility staff will contact nearest regional P&P office noted below and request check:

1) Missoula – Region I	4) Billings – Region IV
2) Helena, Bozeman – Region II	5) Kalispell – Region V
3) Great Falls – Regions III and VI	
2. **Victim Notifications:**
 - a. The person making notification to registered person(s) in VINE will provide the following information and document that notification was made:
 - i. change in offender's location and/or custody status;
 - ii. date of conditional release;
 - iii. community in which the offender will reside;
 - iv. conditions of conditional release; and
 - v. victim has opportunity to respond with written or oral input. Provide the name of the P&P Officer to whom the victim should respond, including Officer's address and phone number.
 - b. **Section F. VICTIM INFORMATION** on the *Request for Conditional Release* must be completed by the notifying person.
 - c. **Section H.** of *Request for Conditional Release* – Deputy Chief will review victim input if noted.
3. When *Request for Conditional Release* is submitted to the appropriate email address, email subject line must read as follows: **Offender last name, first name, DOC #: Facility or P&P: CR.**

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C. PROCEDURES AND RESPONSIBILITIES FOR CR:

1. CR Request for DOC Commit Screened and Accepted by ISP Team Prior to Sentencing or Revocation:

- | | |
|--|---------------------------------------|
| a. Complete sections A-E of <i>PPD 4.6.300(E) Request for Conditional Release</i> . | Supervising P&P Officer or PSI Writer |
| b. Make victim notifications providing information given in section B.2. above and show notification date on <i>Request</i> . Any victim response will be documented and provided with the <i>Request</i> when submitting it for final review | Supervising P&P Officer or PSI Writer |
| c. Placement investigation is not required ; therefore, using appropriate email subject line, submit <i>Request</i> with PSI/ROV to the DC/POII supervising the ISP Team for review and authorizing signature in section H. of the <i>Request</i> . | Supervising P&P Officer or PSI Writer |
| d. After review and signature, DC/POII will forward <i>Request</i> and necessary documents to P&P Bureau Chief (as PPD Administrator's designee) for final review and to COR Conditional Release for tracking purposes. | DC/POII
PPD Admin. Assistant |
| e. Upon receiving an approved and signed <i>Request</i> following the final review(s) and prior to release: | Supervising P&P Officer |
| i. complete release and sign-up procedures given in Section C.9. below; | |
| ii. offender is placed on ISP. | |
| f. ISP Officer completes sign-up procedures for ISP. | ISP Officer |

2. CR Request for DOC Commit Seeking Interstate Transfer:

- | | |
|--|--|
| a. An offender seeking a conditional release may request to relocate to another state to reside and work by following the procedures of <i>PPD 4.6.203 Interstate Commission Procedures</i> . | Offender |
| b. If the offender is in a PPD facility, the CR and interstate transfer process should begin at least 120 days prior to the date of release. | Referring IPPO or Facility Staff |
| c. To request a CR, sections A-E of <i>PPD 4.6.300(E) Request for Conditional Release</i> are completed. Other documents that are required depend on the offender's location (see sections below). | Referring IPPO, P&P Officer, or Facility Staff |
| d. Make victim notifications providing information given in section B.2. above and show notification date on <i>Request</i> . Any victim response will be documented and provided with the <i>Request</i> when submitting it for final review. | IPPO, PRC Liaison, or P&P Officer |
| e. Placement investigation is not required ; therefore, the <i>Request for Conditional Release</i> and necessary documents are submitted to the DC or designee for review and authorizing signature in section H. of the <i>Request</i> . | Referring IPPO, P&P Officer, or Facility Staff |
| f. After review and signature, DC or designee will forward <i>Request</i> and attached documents to P&P Bureau Chief (as PPD Administrator's designee) for final review and to COR Conditional Release for tracking purposes. | DC or designee
PPD Admin. Assistant |

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- g. Upon receiving an approved and signed *Request* following the final reviews and prior to release, see Section C.9. below for completing the CR. Send offender’s field file to Interstate Compact Section. Referring IPPO, P&P Officer, or Facility Staff
 - h. Upon receiving the approved and signed *Request* following the final reviews, and offender’s file, the interstate transfer request is processed. Interstate Compact
- 3. CR Request for DOC Commit in Jail:**
- a. Complete sections A-E of *PPD 4.6.300(E) Request for Conditional Release* and staff with DC/POII. Supervising P&P Officer or PSI Writer
 - b. If decision is to proceed with CR, use appropriate email subject line and submit *Request* to all POIIs in the P&P office that will be supervising the offender for placement investigation and to [COR Conditional Release](#) for tracking purposes. See **Section C.2. above for procedures for interstate offender.** Supervising P&P Officer or PSI Writer
PPD Admin. Assistant
 - c. Send offender’s field file to appropriate P&P office. If interstate offender, send field file to Interstate Compact Section. Supervising P&P Officer or PSI Writer
 - d. Upon receiving an approved and signed *Request* following the placement investigation and final reviews, and prior to release, complete release and sign-up procedures in Section C.9. below. Supervising P&P Officer
- 4. CR request for DOC Commit at MASC/Pine Hills/Riverside:**
- a. Complete sections A-E of *PPD 4.6.300(E) Request for Conditional Release* and submit *Request* and other necessary documents to the facility administrator or designee for review and authorizing signature in section E. IPPO or Facility Staff
 - b. Using appropriate email subject line, submit *Request* and attached documents to all POIIs in the P&P office that will be supervising the offender for placement investigation and to [COR Conditional Release](#) for tracking purposes. See **Section C.2. above for procedures for interstate offender.** IPPO or Facility Staff
PPD Admin. Assistant
 - b. Send offender’s field file to appropriate P&P office. If interstate offender, send field file to Interstate Compact Section. IPPO or Facility Staff
 - c. Upon receiving an approved and signed *Request* following the placement investigation and final reviews, and prior to release, complete release and sign-up procedures in Section C.9. below. IPPO
- 5. CR request from DOC Commit at other PPD Facility:**
- a. Request updated *PPD 4.1.100(F) Progress/Summary Report* from the facility for offender: Referring IPPO, PRC Liaison, or Facility Staff
 - i. START and Passages ASRC – Complete Sections I, II, V, and VI of *Progress/Summary Report*;
 - ii. Other facilities – Complete Sections I, III or IV, V, and VI.
 - b. Complete sections A-E of *PPD 4.6.300(E) Request for Conditional Release*. Referring IPPO, PRC Liaison, or Facility Staff

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- c. Using appropriate email subject line, submit *Request, Progress/Summary Report* and other necessary documents to all POIIs in the P&P office that will be supervising the offender for placement investigation and to [COR Conditional Release](#) for tracking purposes. **See Section C.2. above for procedures for interstate offender.** Referring IPPO, PRC Liaison, or Facility Staff
PPD Admin. Assistant
- d. Send offender's field file to appropriate P&P office. If interstate offender, send filed file to Interstate Compact Section. IPPO or PRC Liaison
- e. Upon receiving an approved and signed *Request* following the placement investigation and final reviews, and prior to release, complete release and sign-up procedures in Section C.9. below. IPPO, PRC Liaison, or Facility Staff

6. Placement Investigation:

- a. *PPD 4.6.300(E) Request for Conditional Release* and all attached documents are received by the POIIs in the P&P office that will be supervising the offender: POIIs
 - i. Make victim notifications providing information given in section B.2. above, asking victim to provide any response within five (5) calendar days.
 - 1) document notification;
 - 2) show notification date on *Request*; and
 - 3) complete **Section F. VICTIM INFORMATION** on *Request*.
 - ii. Assign a P&P Officer to complete the investigation and make a chronological entry into offender's OMIS record noting assignment.
- b. Investigation will be completed within 14 days of assignment. If offender is a sexual or violent offender, or other extenuating circumstances exist, and additional time is needed, the DC or designee may approve an extension. P&P Officer
DC or designee
- c. Within the first seven (7) days after assignment, investigating P&P Officer will schedule a case planning team meeting with offender's case manager or IPPO and the offender to discuss offender's release plan and continuum of care for the offender: P&P Officer
 - i. meeting will be face-to-face if facility is in the P&P Officer's city, otherwise meeting will occur by phone; or
 - ii. no case planning team is required if offender is in jail.
- d. Using *PPD 4.6.300(F) Placement Investigation*, the following will be discussed: P&P Officer, Case Manager or IPPO, and Offender
 - i. review of offender's performance in the program, including challenges and strengths;
 - ii. Section D. Conditional Release Plan, of *PPD 4.6.300(E) Request for Conditional Release* (residence, household, employment, travel, and noted comments);
 - iii. offender goals;
 - iv. aftercare plan (what is left to accomplish and what assistance is needed, including referral for services); and
 - v. additional special conditions needed prior to release into the community;

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- vi. note if there are registered victims and if victim response was provided.
 - e. P&P Officer will staff with supervisor when he/she believes the release plan is inappropriate. Officer should continue to work with case manager or IPPO and offender to identify an alternate release plan. P&P Officer and POII
 - f. P&P Officer will indicate investigation results and recommended special conditions in section G. on *PPD 4.6.300(E) Request for Conditional Release*: P&P Officer
 - i. conditions already in offender’s judgement do not need to be recommended again on the *Request* form.
 - ii. all court-ordered and recommended special conditions are entered into offender’s OMIS record.
 - iii. *Request, Placement Investigation* and attached documents are forwarded to DC or designee for review.
 - iv. Return offender’s field file.
- 7. Final Reviews:** *Request for Conditional Release* should be reviewed for completeness.
- a. DC or designee will review victim input if noted in Section H. of the *Request*. After review and signature, DC or designee will forward *Request* and attached documents to P&P Bureau Chief (as PPD Administrator’s designee) for review and signature and to [COR Conditional Release](#) for tracking purposes. DC or designee
PPD Admin. Assistant
 - b. Final *Request* and attached documents are returned to [COR Conditional Release](#). PPD Administrator or designee
 - c. *Request* will have a final review by the Department Director or designee if offender’s current sentence is for a registerable offense (see §46-23-502, MCA). PPD Admin. Assistant
 - d. Once *Request* and attached documents are returned to [COR Conditional Release](#), they are then forwarded to the referring IPPO, PRC Liaison, ISP or P&P Officer, or Facility Staff, and the Interstate Compact Section for offenders requesting an interstate transfer. PPD Admin. Assistant
- 8. Changes to CR Plan:**
- a. The original *PPD 4.6.300(E) Request for Conditional Release* is revised by striking out the initial plan details and adding the new plan details. Referring IPPO, PRC Liaison, P&P Officer, or Facility Staff
 - b. As applicable, victim notification is required if the changes affect information provided in earlier notification. Document notification and show notification date on *Request*. Any victim response will be documented and provided with the *Request* when submitting it for final review. IPPO, PRC Liaison, or P&P Officer
 - c. Using appropriate email subject line, *Request* and attached documents are submitted to [COR Conditional Release](#). Referring IPPO, PRC Liaison, P&P Officer, or Facility Staff
 - d. *Request* and attached documents are forwarded to P&P Bureau Chief (as PPD Administrator’s designee) for review and signature. PPD Admin. Assistant

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- e. Once *Request* and attached documents are returned to [COR Conditional Release](#), they are then forwarded to the referring IPPO, PRC Liaison, ISP or P&P Officer, or Facility Staff, and the Interstate Compact Section for offenders requesting an interstate transfer. PPD Administrator or designee
PPD Admin. Assistant
- f. Upon receiving an approved revised *Request*, and prior to release, complete release and sign-up procedures in Section C.9. below. Referring IPPO, PRC Liaison, P&P Officer, or Facility Staff

9. Release and Sign-Up to CR:

- a. When approved conditional release is received:
 - i. coordinate the date of release and/or reporting instructions with supervising P&P Officer and case manager/facility staff; Referring IPPO, PRC Liaison, P&P Officer, or Facility Staff
 - ii. travel permit is issued from OMIS pursuant to *PPD 5.1.103 Offender Travel*; and
 - iii. email notification of CR to MSP or MWP Records Department. Person Issuing Travel Permit
- b. Prior to release, complete *PPD 4.6.300(G&H) Conditions of Conditional Release* and other sign-up procedures pursuant to *P&P 60-1 Initial Sign-Up to Probation, Parole, and Conditional Release Supervision*. Referring IPPO, PRC Liaison, or P&P Officer
- c. Send offender's field file to appropriate P&P office unless offender is interstate offender. Referring IPPO, PRC Liaison, or P&P Officer
- d. When releasing from a facility: Facility Staff
 - i. a check for the balance in offender's facility account will be available for offender upon release; and
 - ii. a temporary supply of critical prescription medication will be provided on a case-by-case basis.
- e. Assistance established by applicable policy and procedures may be requested on behalf of the CR offender by using the following forms:
 - i. *DOC 4.5.29 (Attachment) Mental Health Needs Medication Request* must be submitted electronically to [COR Mental Health](#). Email subject line must read: Facility/P&P: MH Meds: offender last name, first name: DOC#. Referring IPPO, PRC Liaison, P&P Officer, or Facility Staff
 - ii. *PPD 5.1.202(A) Transitional Assistance Request* is submitted electronically to [COR Requests](#). Email subject line must read: Facility name/P&P: Transitional Assistance: offender last name, first name: DOC #. Referring IPPO, PRC Liaison, P&P Officer, or Facility Staff
 - iii. *PPD 5.1.202(B) Request for P&P Treatment Funds* is submitted to the DC. Referring ISP or P&P Officer
- f. A change in the offender's OMIS Location and Status will initiate VINE notification. Supervising P&P Officer
Interstate Section

10. CR Discharges:

- a. The MSP or MWP Records Department will notify the P&P offices of upcoming discharges by emailing a copy of the Discharge List each month. All P&P Officers are responsible for reviewing this list to determine if an offender on conditional release has an upcoming discharge date. If offender is flat discharging, Officer will:

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- i. make notification 10 days prior to discharge to registered person(s) in VINE and provide the following information:
 - 1) change in location and custody status;
 - 2) date of discharge; and
 - 3) community in which the offender will reside;
- ii. discharge offender accordingly.
- b. The Records Department will forward a *Discharge Certificate* to the supervising Officer to provide to offenders who are flat discharging.
- c. When there is probation time to follow after an offender's CR expires or a custody term is discharged, the offender will be signed to new probation conditions and other sign-up procedures pursuant to *P&P 60-1 Initial Sign-up to Probation, Parole and Conditional Release Supervision*.

V. CLOSING:

Questions concerning this procedure should be directed to the Deputy Chief, P&P Bureau Chief, Programs and Facilities Bureau Chief, Facility Administrator, or designees.

VI. FORMS:

PPD 4.6.300 (A)	Notification and Placement Warrant
PPD 4.6.300 (B)	Verification of Commitment
PPD 4.6.300 (C)	Offender Sentences and Placement Options
PPD 4.6.300 (D)	Where Files Go
PPD 4.6.300 (E)	Request for Conditional Release
PPD 4.6.300 (F)	Placement Investigation
PPD 4.6.300 (G&H)	Conditions of Conditional Release-OMIS
PPD 4.6.300 (I)	Prerelease Liaison Conditional Release Procedures and Checklist
PPD 4.6.300 (J)	MASC Treatment Discharge Summary
PPD 4.1.100 (F)	Progress/Summary Report