



**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 4.6.3; 2-15-112, MCA; 41-5-206, MCA; 41-5-2503, MCA; 41-5-2510, MCA; 45-7-306, MCA; 46-18-201, MCA; 46-23-201, MCA; 46-23-1004, MCA; 46-23-1023, MCA; 46-23-1031(1)(a), MCA; 46-23-1115, MCA; 46-24-203, MCA; 53-1-201, MCA; 53-1-203, MCA; 53-30-111, MCA; 53-30-302, MCA; 53-30-326, MCA; 53-30-403, MCA; 61-8-731, MCA	Page 1 of 6	
Effective Date: 01/09/17	Revised:	
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 by a District Court and for the appropriate release and/or supervision of DOC commitments.

II. DEFINITIONS:

CR-Conditional Release – A status that applies to offenders committed to the Department of Corrections, placed in a community corrections program, and may be released to community supervision prior to the expiration of his/her sentence.

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 for placement in a state correctional facility or program operated by the Department or under the authority of the Department pursuant to §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, training, 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 custody, but who will be in the community under supervision while waiting for an available bed in the facility.

III. PROCEDURES:

A. DOC COMMITMENTS

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

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offender's placement, transfer and removal, and reporting requirements for criminally convicted youth. Supervising Probation & Parole (P&P) Officers will generate the required report for criminally convicted youths in OMIS.

2. Unless prior screening has been completed and offender is placed on self-surrender status (see *PPD 4.6.301 Offender Self-Surrender*), or if the sentence has been stayed pending placement, adult offenders sentenced to the Department (DOC commits) will be immediately placed in the county jail until the 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*). 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; and
 - iii. reviewing appropriate paperwork, which may include pre-sentence investigation; report of violation; evaluations; police/jail reports; risk and needs assessments.
 - b. 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.
 - c. When a secure placement has been deemed necessary, the procedures of *PPD 4.6.202 Secure Placements* are followed.
 - d. 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.
3. P&P Officer or designee will ensure the following offender information is available in OMIS:
 - a. *PPD 1.5.506(B) Pre-Sentence Investigation*;
 - b. *PPD 4.6.300(B) Verification of Commitment* or certified judgement, including all deferred or suspended judgments pertaining to the cause number (jcorlegal@mt.gov may be contacted on status of signed judgement);
 - c. *PPD 3.4.102(A) Report(s) of Violation* (if applicable);
 - d. Information; and
 - e. Current photograph.
4. Once placement has been determined, P&P Officer will complete *PPD 4.6.300(A) Notification and Placement Warrant* within five (5) working days and forward it to:
 - a. the detention facility housing the offender; and
 - b. the specific email distribution group given on the bottom of the form. A note of the status of the uploaded documents will be included on the form.
5. Once placement has been determined and an offender file has been created with all relevant documents, the file will be forwarded to the appropriate location (see *PPD 4.6.300(D) Where Files Go*).

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B. CONDITIONAL RELEASE OF DOC COMMITMENTS

1. General Requirements:

- a. DOC commits completing a placement in a PPD facility may be released to P&P supervision on CR status. 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 enter an assessment/sanction center and will be transferred to a PPD program/facility can only be conditionally released.
- c. DOC commits screened and accepted into an ISP program prior to sentencing or revocation will be conditionally released to the ISP program.
- d. DOC commits who will be conditionally released directly from Connections Corrections Program (CCP) must have the CR approved prior to their placement at CCP.
- e. A request for CR may be submitted as soon as a DOC commit's plan has been confirmed and there is an estimated release date, but at least 30 days prior to the release date.
- f. 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.
- g. 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 DC, the offender may receive a secure placement through the procedures of *PPD 4.6.202 Secure Placements*.

2. Request for Conditional Release - Procedures and Responsibilities:

- a. An NCIC/CJIN check should be completed on eligible offenders to confirm there are no outstanding detainers or warrants. (The local P&P Office may run the check if it has capability to do so.) IPPO/PRC Liaison/
ISP Team
- b. When conditional release conditions are being determined, any condition already in offender's judgement does not need to be recommended on the request form. IPPO/PRC Liaison/
ISP Team
- c. When requests are submitted to appropriate email address, email subject line must read as follows: Offender last name, first name, DOC ID#: Facility/P&P: CR. IPPO/PRC Liaison/
ISP Team
- d. **CR request from MASC:**
 - i. Complete sections A-E of *PPD 4.6.300(E) Request for Conditional Release* and submit to MASC Administrator or designee for review and authorizing signature in section E. MASC IPPO
 - ii. Using appropriate email subject line, submit *Request* for placement investigation to all POIIs in the P&P office that will be supervising the offender and to [COR Conditional Release](#) for tracking purposes. MASC IPPO
PPD Administrative Assistant
 - iii. Send offender's field file to appropriate P&P office. MASC IPPO
 - iv. Upon receipt of approved and signed *Request*, see Section 4 below. MASC IPPO
- e. **CR request for DOC Commit Screened and Accepted by ISP Team Prior to Sentencing or Revocation:**
 - i. Complete sections A-E of *PPD 4.6.300(E) Request for Conditional Release* and submit with PSI/ROV to the Supervising P&P Officer or PSI Writer

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- DC/POII supervising the ISP Team for review and authorizing signature in section G.
- ii. Upon review, *Request* is returned to Supervising P&P Officer.
 - iii. Placement investigation is not required; therefore, using appropriate email subject line, submit *Request* electronically to P&P Bureau Chief (as PPD Administrator’s designee) for final review and to [COR Conditional Release](#) for tracking purposes.
 - iv. Upon receipt of approved and signed *Request*, offender is placed on ISP.
 - v. ISP Officer completes steps beginning in Section 4 below.
- f. CR request from PPD Facility (other than MASC):**
- i. Request *PPD 4.1.100(F) Progress/Summary Report* from the facility for offender:
 - 1) START/ Passages ASRC – Complete Sections I, II, V, and VI;
 - 2) Other facilities – Complete Sections I, III or IV, V, and VI.
 - ii. Complete sections A-E of *PPD 4.6.300(E) Request for Conditional Release*.
 - iii. Using appropriate email subject line, submit both *Progress/Summary Report* and *Request* for placement investigation to all POIIs in the P&P office that will be supervising the offender and to [COR Conditional Release](#) for tracking purposes.
 - iv. Send offender’s field file to appropriate P&P office.
 - v. Upon receipt of approved and signed *Request*, see Section 4 below.
- 3. Placement Investigation and Final Reviews:**
- a. *PPD 4.6.300(E) Request for Conditional Release*, and *PPD 4.1.100(F) Progress/Summary Report* (when required), is received by all POIIs in the P&P office that will be supervising the offender, and a P&P Officer is assigned to complete the investigation.
 - b. Investigation will be completed within 14 days of assignment. If offender is a sexual or violent offender or other compelling reasons exist and additional time is needed, the DC may approve an extension.
 - 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.
 - i. Meeting will be face-to-face if facility is in the P&P Officer’s city, otherwise meeting will occur by phone.
 - ii. No treatment team is required if offender is in jail.
 - d. Using *PPD 4.6.300(F) Placement Investigation*, case planning team will discuss:

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- i. review of offender’s performance in the program, including challenges and strengths;
 - ii. Conditional Release Plan, section D, 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;
- 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/POII
 - f. P&P Officer will indicate investigation results and recommended special conditions in section F on *PPD 4.6.300(E) Request for Conditional Release. Request, Progress/Summary Report* (when required) and *Placement Investigation* are forwarded to DC or designee for review and signature in section G. P&P Officer
 - g. After review, DC or designee will forward *Request, Progress/Summary Report* (when required) and *Placement Investigation* to P&P Bureau Chief (as PPD Administrator’s designee) for review and signature and to [COR Conditional Release](#) for tracking purposes. DC/designee
PPD Administrative Assistant
Department Director
 - h. *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).
 - i. Final *Request, Progress/Summary Report* (when required) and *Placement Investigation* are returned to [COR Conditional Release](#) and then to referring IPPO/PRC Liaison/P&P Officer. PPD Administrator/designee
PPD Administrative Assistant

4. Completing CR

- a. Upon approved conditional release, coordinate the date of release and/or reporting instructions with supervising P&P Officer and case manager/facility staff. Travel permit is issued from OMIS pursuant to *PPD 5.1.103 Offender Travel*. IPPO/PRC Liaison/
ISP Officer
- b. Email notification of CR to MSP/MWP Records Department for victim notifications and other notifications as required by statute. IPPO/PRC Liaison/
P&P or ISP Officer
- c. A check for the balance in offender’s facility account will be available for offender upon release. Facility Staff
- d. A temporary supply of critical prescription medication will be provided on a case-by-case basis. Facility Staff
- e. Assistance established by *DOC Policy 4.5.29, Prescription Medication for Offenders with Mental Health Needs* and *PPD 5.1.202 Financial Resourced for Offenders* may be requested on behalf of the CR offender:

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- 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#.
- 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 #.
- iii. *PPD 5.1.202(B) Request for P&P Treatment Funds* is submitted to the DC.
- f. 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*.

IPPO/PRC Liaison/
Facility Staff/ISP or
P&P Officer

IPPO/PRC Liaison/
Facility Staff/ISP or
P&P Officer

ISP or P&P Officer

IPPO/PRC Liaison/ISP
or P&P Officer

5. Interstate Transfers for CR Offenders:

- a. CR offender may request to relocate to another state to reside and work by following the procedures of *PPD 4.6.1200 Interstate Commission Procedures*.
- b. The offender can only leave the state if he/she is on P&P supervision and is granted reporting instructions.

6. CR Discharges:

- a. The MSP/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 and will discharge accordingly.
- b. The Records Department will forward a *Discharge Certificate* to the supervising Officer to provide to offenders who are flat discharging.
- c. The Records Department will make applicable notifications, including victims.
- d. 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 pursuant to *P&P 60-1 Initial Sign-up to Probation, Parole and Conditional Release Supervision*.

IV. CLOSING:

Questions concerning this procedure should be directed to the Deputy Chief, Bureau Chief, MASC Administrator, PPD Administrator, or designees.

V. 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
- 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