



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

Procedure No.: PPD 4.6.301	Subject: OFFENDER SELF-SURRENDER
Reference: P&P 60-1; PPD 4.6.300; PPD 4.6.500	Page 1 of 2
Effective Date: 12/19/16	Revised: 10/24/17; 04/23/18
Signature / Title: /s/ Kevin Olson, Probation and Parole Division Administrator	

I. PURPOSE:

Probation and Parole Division employees will follow established procedures for offenders on self-surrender status.

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.

Disciplinary Hearing – A formal hearing that provides applicable due process requirements to confront violations of PPD facility rules, or conditional release or furlough conditions of supervision.

DOC Commitment – A commitment by the District Court of an adult offender or criminally convicted youth to the authority of the Department for placement in a state correctional facility or community corrections program. §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.

Self-Surrender – Release of an incarcerated DOC commitment who 1) has a conditional release pending or 2) is approved for placement in an approved PPD facility and waiting for an available bed in the facility. The offender must meet established criteria and remains in the custody and control of the PPD.

III. PROCEDURES:

A. GENERAL REQUIREMENTS

1. An eligible DOC commitment may be placed on self-surrender status if determined appropriate upon staffing with the Deputy Chief (DC) or designee, and if offender meets the following criteria:
 - a. low risk on appropriate risk assessment;
 - b. moderate risk on appropriate risk assessment with P&P Bureau Chief approval;
 - c. no history of escape, bail jumping, or absconding;
 - d. first time as DOC commitment or significant period of time between previous convictions;
 - e. if history of PFMA, residence approved by supervising Probation & Parole (P&P) Officer;
 - f. has the means to self-pay for 24/7 and/or GPS monitoring if determined to be necessary;
 - g. has the means to report to supervising P&P Officer and travel to the PPD facility (when applicable);

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- h. has a stable residence; and
 - i. agrees to possible curfew, if imposed.
2. OMIS chronological entry is made to document staffing and offender's eligibility.
 3. Once the determination for self-surrender has been made, Offender will be assigned a supervising P&P Officer who will:
 - a. When applicable, make notification to registered person(s) in VINE and provide the following information, and document that notification was made:
 - i. change in offender's location and/or custody status;
 - ii. date of self-surrender;
 - iii. community in which the offender will reside;
 - iv. conditions of self-surrender; 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. 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.
 - c. Create an offender file with all relevant documents and forward it to the appropriate location (see *PPD 4.6.300(D) Where Files Go* for offenders going to a facility).
 4. Unless a date is specified in court, the designated facility should notify the offender waiting for an available bed, and the supervising P&P Officer, the date and where the offender is to surrender for service of the sentence.

B. SUPERVISION OF OFFENDER

1. Offender will report to the supervising P&P Officer as directed.
2. P&P Officer will follow the procedures of *P&P 60-1 Initial Sign-Up to Probation, Parole and Conditional Release Supervision*.
 - a. Standard and special conditions of supervision will reflect court-ordered conditions;
 - b. When applicable, condition of reporting to the specified facility on the specified date (if given) will be added;
 - c. Special conditions may include a 24/7 program, GPS monitoring, or Enhanced Supervision Program, if available. If programs are not available, P&P Officer will staff with supervisor to determine continued, regular drug testing of offender.
 - d. Offender will complete all applicable sign-up forms.
3. Offender must agree to abide by all conditions of the self-surrender.
4. P&P Officer will provide a travel permit for offender to travel to the facility when applicable.
5. Upon approval of conditional release request, procedures of *PPD 4.6.300 DOC Commitments and Conditional Releases*, section IV. C. 9 will be followed for offender's release and sign-up to conditional release.
6. If the offender violates the conditions of supervision prior to placement, a Disciplinary hearing is held to determine whether the self-surrender will be revoked:

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- a. Offender may be placed in jail and:
 - i. the request for conditional release may be rescinded and new placement determined; or
 - ii. offender remains in jail pending bed date at facility.
- b. Offender may be sent to Montana State Prison/Montana Women's Prison following the procedures of *PPD 4.6.202 Secure Placements*.
- c. Offender unaccounted for will be considered an absconder and appropriate procedures are followed.

IV. CLOSING:

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