



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

Procedure No.: PPD 4.6.600	Subject: FURLOUGH PROGRAM
Reference: DOC 1.8.1; DOC 4.6.6; 2-15-112, MCA; 45-7-306, MCA; 46-23-215, MCA; 46-23-218, MCA; 46-23-1023, MCA	Page 1 of
Effective Date: 10/24/17	Revised:
Signature / Title: /s/ Kevin Olson, Probation and Parole Division Administrator	

I. PURPOSE:

Probation and Parole Division employees will follow established procedures for supervision of adult offenders who have been granted a furlough by the Board of Pardons and Parole to obtain a condition that is difficult to fulfill due to incarceration, such as living arrangements and/or employment.

II. DEFINITIONS:

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.

Parole – Status of an offender who is sentenced to a prison term and is released by the Board of Pardons and Parole prior to his/her prison discharge date and supervised by the Probation & Parole Bureau.

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. PROCEDURES:

A. GENERAL INFORMATION AND REQUIREMENTS

1. To receive a furlough, the Board of Pardons and Parole (BOPP) must have approved the offender for parole contingent on the offender obtaining or securing suitable living arrangements, verified employment, and/or another requirement determined necessary by the BOPP.
2. Offenders must meet the parole eligibility dates required by §46-23-201, MCA.
3. During the furlough, the offender is not on parole, remains in the legal custody of the Department, and is subject to all rules and conditions imposed by statute, the BOPP, or Department.
4. An offender being furloughed is not eligible for gate money, but may be eligible for financial assistance if he/she meets the criteria and follows the procedures outlined in *DOC 1.2.12(A) Global Fund Release Assistance Operations Procedure Guide* (see also *PPD 5.1.202 Financial Resources for Offenders*).
5. Any violation of a rule or condition of furlough may result in the immediate termination of the furlough.

B. PROCEDURES AND RESPONSIBILITIES

1. **Furlough Application and Release:** A furlough is only appropriate for offenders releasing directly from a secure facility.

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- a. When a furlough is deemed appropriate, IPPO will look in VINE for registered persons and make notification at least 10 calendar days prior to furlough date, providing the following information. Notification is documented:
 - i. change in location and/or custody status;
 - ii. dates of furlough;
 - iii. community in which the offender will reside;
 - iv. conditions of furlough;
 - v. offender may parole from furlough; and
 - vi. victim has opportunity to respond with written or oral input; provide name, address, and phone number of the person to whom the victim should respond.
- b. To request a furlough, a completed *BOPP Request for Investigation* requesting a furlough and *PPD 4.6.600(A) Furlough Request & Permit* is submitted to the BOPP. IPPO
- c. If approved, the *BOPP Request for Investigation, PPD 4.6.600(A)*, and offender's file is forwarded to all POIIs in the Probation & Parole (P&P) office that will be supervising the offender. IPPO
- d. Request is assigned to P&P Officer. A chronological entry in offender's OMIS record is made noting assignment. POII
- e. Assigned P&P Officer must review all documents and offender file within 5 business days. The furlough request plan must include living arrangements during the furlough. P&P Officer
- f. Upon plan approval, *PPD 4.6.600(B) Furlough Program Rules* is completed with the offender. Offender's initials and signature on the *Rules* indicates agreement to comply with all rules and any special conditions imposed by the BOPP. IPPO
 - i. Submits *PPD 4.6.600(B) Furlough Program Rules* to BOPP for approval.
 - ii. After receiving BOPP approval, contact supervising P&P Officer to set date for furlough to begin, considering the 10-day notification requirement for sexual/violent offender registration if applicable. The IPPO determines when and under what circumstances the offender leaves the facility. Prior to release:
 - 1) Complete appropriate paperwork for *DOC 1.5.13 DNA Testing/Collection of Biological Sample* and/or *PPD 1.5.1000 Sexual and Violent Offender Registration and Level Designation*, when applicable.
 - 2) Notify MSP/MWP Records Department and Accounting Office of the approved furlough and scheduled date of departure.
 - 3) Complete *Travel Permit-OMIS*. The offender is responsible for transportation arrangements as noted on the *Furlough Request & Permit*, including the cost of a bus ticket. Arrangements with family or friends may be made.
 - iii. Make appropriate OMIS entries.

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- 2. Escape:** If the offender fails to report as ordered to the supervising P&P Officer, or fails to return to the facility as ordered in the furlough permit, the offender may be charged with escape pursuant to §45-7-306, MCA, and §46-23-215, MCA. P&P Officer/IPPO
- a. Pursuant to *PPD 1.1.600 Priority Incident Reporting*, escape or a serious attempt to escape is a Priority I incident and requires notification as follows below:
 - i. Immediate verbal notification of a confirmed escape or attempted escape will be made within one (1) hour to the following:
 - 1) The appropriate PPD Bureau Chief;
 - 2) MSP Command Post at **406-846-6059**; and
 - 3) Local law enforcement agency.
 - ii. A change in the offender's OMIS Location screen will be made showing the escape.
 - 1) this will initiate VINE notifications.
 - 2) if the offender has been convicted of any of the following, PPD staff will immediately notify the Department's Victims Program Manager or designee who will also contact the victim:
 - a) a sex offense;
 - b) negligent or deliberate homicide;
 - c) felony partner member assault;
 - d) stalking;
 - e) kidnapping; or
 - f) assault with a weapon.
 - iii. If possible, initial written reports completed on *ACCD 3.2.100(C) Escape Incident Report* will be emailed to corescapes@mt.gov within one (1) hour of verbally reporting the incident to the MSP Command Post.
 - iv. The *Escape Incident Report* should include the following information:
 - 1) name and DOC number;
 - 2) how, when and where the escape was discovered;
 - 3) circumstance surrounding the escape;
 - 4) when offender was expected to report;
 - 5) if offender did not follow agenda;
 - 6) probable companions;
 - 7) suspected destination and mode of transportation;
 - 8) personal and clothing description; and
 - 9) efforts made to locate offender, including agencies and persons who were notified.
 - v. A copy of the offender's entire file will be sent to the Powell County Attorney's Office within 10 days of the escape (409 Missouri Ave., Ste. 301, Deer Lodge, MT, 59722). Chronological entry is made noting when the copy was sent.
 - vi. If the offender returns or has been found after the escape warrant has been issued, contact must be made with

supervisory staff. The Programs and Facilities Bureau Chief will make a request to have the warrant cancelled through the Powell County Attorney's Office.

- vii. Offender field files will be sent to the Board of Pardons and Parole.

3. Violations:

- a. If the furloughed offender violates any rule or condition of the furlough, the supervising P&P Officer may immediately arrest the offender or have the offender arrested pursuant to §46-23-1023, MCA. P&P Officer
- b. A change in the offender's OMIS Location will initiate VINE notification.
- c. Prior to the offender's return to the facility, a disciplinary hearing will be conducted pursuant to *P&P 140-1 Adult Offender Discipline and Disciplinary Hearings*.
 - i. all paperwork associated with the hearing will be uploaded into the offender's file as OMIS Hearing documents; and
 - ii. appropriate notifications to the Institutional Hearings Officer, the BOPP, and the Institutional Classification Officer will be made.
- d. The offender is subject to prosecution for any criminal offense committed while on furlough.
- e. The BOPP may proceed in any way deemed appropriate including rescission of the parole decision. BOPP

4. Extension of Furlough: If offender is unable to secure the BOPP requirement during the furlough, he/she may request an extension for the number of days required to complete the requirement; however, the extension will not exceed 10 days under any circumstances.

- a. Submit a completed *PPD 4.6.600(C) Furlough Extension Request* to supervising P&P Officer. Offender
- b. If approved, P&P Officer will obtain an approval from the BOPP/Deputy Chief. *Extension Request* will be faxed/scanned to BOPP. P&P Officer and Deputy Chief
- c. MSP/MWP Records and Count Office are notified of the extension. BOPP
- d. Victim notification is made and documented regarding the extension. P&P Officer

5. Parole from the Furlough: A furloughed offender who secures the requirements of the BOPP that have been approved by the supervising P&P Officer, is eligible for parole without returning to the facility.

- a. Notify the BOPP that the offender has secured the requirements of the BOPP. P&P Officer
- b. Victim notification is made providing the following information. P&P Officer
 Notification is documented:
 - i. change custody status;
 - ii. date of parole;
 - iii. community in which the offender will reside; and

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- iv. conditions of parole.
 - c. Complete *P&P 60-1(E&F) Conditions of Probation & Parole*: P&P Officer
 - i. offender must initial and sign *Conditions*;
 - ii. scan/fax copy of *Conditions* to the BOPP and verify *Conditions* were received.
 - d. MSP/MWP Records will determine the final sentence expiration date (discharge date) and enter OMIS data, releasing offender to parole. MSP/MWP Records
 - e. BOPP will issue a Parole Certificate effective the date *Conditions of Probation & Parole* is signed. BOPP
 - f. P&P Officer will: P&P Officer
 - i. complete remaining sign-up procedures pursuant to *P&P 60-1 Initial Sign-Up to Probation, Parole and Conditional Release*; and
 - ii. give offender original Parole Certificate and place copy in field file.
 - g. A change in the offender's OMIS Location will initiate VINE notification. P&P Officer
- 6. Return to Facility:** An offender who cannot meet the requirements of the BOPP during the furlough must be returned to a secure facility.
- a. Offender is placed into custody using a field warrant. P&P Officer
 - b. Complete *PPD 4.6.300(A) Notification and Placement Warrant* and contact MSP/MWP Transportation to facilitate transportation arrangements. P&P Officer
 - c. A change in the offender's OMIS Location will initiate VINE notification. P&P Officer
 - d. Once returned, the offender may reapply for the furlough program if all eligibility criteria are met. Offender

IV. CLOSING:

Questions regarding this procedure should be directed to the Deputy Chief, Bureau Chief, or Board of Pardons and Parole.

V. FORMS:

- PPD 4.6.600 (A) Furlough Request & Permit
- PPD 4.6.600 (B) Furlough Program Rules
- PPD 4.6.600 (C) Furlough Extension Request
- PPD 4.6.300 (A) Notification and Placement Warrant
- ACCD 3.2.100 Escape Incident Report
- PPD 5.1.103 (A) Travel Permit - OMIS
- BOPP Request for Investigation