



**PROBATION AND PAROLE BUREAU
STANDARD OPERATING PROCEDURES**

Procedure No.: P&P 130-4	Subject: OFFENDERS SEEKING MONTANA PLACEMENT
Reference: 46-23-1115, MCA	Page 1 of 3
Effective Date: 06/01/00	Revision Dates: 09/04/01; 06/17/02; 03/06/04; 03/01/05; 08/01/05; 08/20/07; 04/22/08; 06/14/10; 06/30/11
Signature / Title: /s/ Ron Alsbury, Probation & Parole Bureau Chief	

I. BUREAU DIRECTIVE:

Probation & Parole Bureau will follow established procedures when accepting offenders from other states through the Interstate Commission for Adult Offender Supervision.

II. DEFINITIONS:

OMIS - Offender Management Information System – The Department of Corrections’ electronic data collection and reporting system.

Receiving State – The state assuming supervision of an offender at another state’s request. For this procedure, Montana is the receiving state.

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

III. PROCEDURES:

Established forms will be submitted to the Montana Interstate Compact Unit (ISC Unit) on all matters concerning transfers.

As per the Interstate Commission agreement:

- Montana shall supervise if the offender meets the residence and/or employment criteria. (Resident family member, employment and military transfers are mandatory acceptances.)
- Montana shall supervise if there are 90 days or an indefinite term of supervision remaining on the sentence at the time transfer is submitted.
- Pending Montana approval of reporting instructions, supervision is assumed until the case is denied or accepted officially. Assumption of responsibility means the offender can be drug-tested and incarcerated for violations of their supervision. If the case is denied, the supervision responsibility shall revert to the sending state.

A. PROCEDURE:

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 offender in another state, they will be required to register as a sexual/violent offender in Montana.

RESPONSIBILITY:

ISC Unit

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2. Case is assigned to Probation & Parole (P&P) Officer for investigation. If an interstate transfer is received, the P&P Officer will count the offender on the end of month statistics as a "Placement Investigation." Once the offender is accepted for supervision, the P&P Officer will classify them as "New" on the end of month statistics. RA or POII
P&P Officer
3. Investigation is completed within 45 days of receipt by the ISC Unit. P&P Officer will have 30 days to investigate the request. P&P Officer
4. Complete *Reply to Transfer Request* and email to the ISC Unit. Any special conditions believed necessary for the acceptance of the offender for supervision can be added on the *Reply to Transfer Request*. Level of supervision is determined by Montana and duration of supervision is determined by the sending state. The Intensive Supervision Program (ISP) cannot be used as a level of supervision upon accepting offenders as the Director of the Department of Corrections has determined it to be a community corrections program for Montana high-risk offenders. However, ISP can be used as a sanction and level of supervision for transferred offenders who commit violations. P&P Officer
5. If a transferred offender does not have a Pre-Sentence Investigation Report in his/her file, the P&P Officer is not required to complete *P&P 30-1(F) Post Sentence Investigation* on the offender, but will have offender complete *P&P 30-1(D) Pre-Sentence Investigation Questionnaire* for placement in the offender's field file. P&P Officer
6. **REPORTING INSTRUCTIONS:**
- a. Prior to transfer approval/denial: When an ISC applicant has been given reporting instructions and physically reports to the P&P office, the following will be completed: P&P Officer
- i. *Notice of Arrival* is immediately sent to the ISC Unit.
- ii. OMIS entries:
- a) Basic information – Use the ADD OFFENDER function of OMIS;
- b) 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;
- c) Officer Assigned – Use INTERSTATE COMPACT PENDING as the Supervision Level with reporting date as the START DATE;
- d) NO Location entry is made at this time.

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- iii. Any pertinent information gathered on offender during investigation may be noted in the OMIS *Chronological History*. If the transfer is denied, this information should be included in the denial. If there are circumstances where this information cannot be included in the denial (i.e. informant wishing to remain anonymous), the information will be submitted to the ISC Unit. OMIS entries will then be purged. All collected information on offender will be maintained in the ISC database.

P&P Officer
- iv. When transfer is approved, the following OMIS entries will be completed:

 - a) Correctional Status – Select new correctional status of PAROLE or PROBATION with a change reason of INTERSTATE COMPACT - SUPERVISION FROM OTHER STATE and using the ISC approval date as the BEGIN DATE;
 - b) Location – Enter appropriate location with a reason of INTERSTATE COMPACT - SUPERVISION FROM OTHER STATE AND using ISC approval date as the BEGIN DATE;
 - c) Assigned Officer – Make new entry selecting appropriate Supervision Level and using the ISC approval date as the START DATE.
- v. Sign-up procedures per *P&P 60-1 Initial Sign-Up to Probation, Parole and Conditional Release Supervision* will be completed.

P&P Officer
- b. Transfer approved, but arrival of offender is pending: OMIS entries and Sign-Up procedures will not be completed until offender has physically reported to P&P office.

P&P Officer
- c. Enter legal sentencing information and expiration date into OMIS.

ISC Unit
- d. If the offender fails to arrive as directed, notify the ISC Unit immediately by submitting the *Notice of Arrival* form and marking it “Failure to Report.”

P&P Officer

IV. CLOSING:

Questions concerning this procedure shall be directed to the Regional Administrator or Deputy Compact Administrator.

- Form
- Interstate [Notice of Arrival](#)
- Interstate [Reply to Transfer Request](#)