



**PROBATION AND PAROLE BUREAU
STANDARD OPERATING PROCEDURES**

Procedure No.: P&P 40-4	Subject: IN-STATE TRANSFER OF OFFENDER SUPERVISION AND OFFENDER RECORDS
Reference: 53-1-203, MCA	Page 1 of 3
Effective Date: 06/01/00	Revision Dates: 12/10/01; 08/20/07; 03/30/12
Signature / Title: /s/ Ron Alsbury, Probation & Parole Bureau Chief	

I. BUREAU DIRECTIVE:

Probation & Parole Bureau employees will follow established procedures for the in-state transfer of an offender’s supervision to ensure the updated case record is transferred simultaneously with the offender and the appropriate entries are made in the Offender Management Information System.

II. DEFINITION:

Adult Community Corrections Division Contracted Facility – Includes Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment & Change Program (WATCH), Connections Corrections Program (CCP), Passages Alcohol and Drug Treatment (Passages ADT), Passages Assessment, Sanction & Revocation Center (Passages ASRC), NEXUS Correctional Treatment Center (NEXUS), and Elkhorn Treatment Center (Elkhorn).

Continuum of Care – An integrated network of treatment services and modalities designed to meet an offender’s changing needs as that offender moves through the treatment and recovery process.

Offender Field File – The OMIS and/or hard copy record used for offender management containing legal documents, reports, and offender records to include, but not limited to, material regarding custody, classification, treatment programs, and community supervision. Also referred to as “case record.”

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

OMP-Offender Management Plan – A feature in OMIS designed to track an offender’s programming or treatment plan while under the supervision of the Department. Provides quick access to offender’s plan for review of the status of current and historical treatment/programming.

III. PROCEDURES:

A. In-State Transfer of Offender Supervision

Offenders under supervision by the Probation & Parole (P&P) Bureau, including interstate offenders, may relocate within the state for employment, residence (if longer than 30 days) and/or other opportunities related to their rehabilitation unless expressly prohibited by the Court of jurisdiction, the supervising P&P Officer (Officer), the Board of Pardons and Parole or the Department of Corrections (DOC Commitments and conditionally released offenders).

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1. To be eligible for transfer within the state of Montana, the offender shall be in compliance with all conditions of supervision. Violations/non-compliance will be addressed through an intervention, disciplinary or on-site hearing wherein a plan is developed to bring the offender back into compliance. The Hearings Officer will consider transfer of supervision as it relates to the goal of re-establishing compliance.

2. PROCEDURE:

RESPONSIBILITY:

- | | |
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| a. Transfer is requested. Address/employment/treatment information is provided to supervising Officer. | Offender |
| b. If offender is eligible for transfer, address/employment/ treatment information is verified. | Sending Officer |
| c. When information is verified, contact supervisor at receiving P&P office for approval to pursue transfer and assignment of case to receiving Officer. | Sending Officer |
| d. Sending Officer and receiving Officer staff case to provide a consistent continuum of care and discuss concerns regarding the transfer or issues warranting a transfer. Officers will provide results of staffing to respective supervisors. | P&P Officer |
| e. Supervisors review case and render a decision on the transfer. | RA/POII |
| f. If approval is granted: <ol style="list-style-type: none"> 1) <i>P&P 30-1(F) Post-Sentence Investigation</i> is completed if applicable. (See <i>P&P 30-1 Pre-Sentence Investigation and Report/Post-Sentence Investigation.</i>) 2) <i>P&P 80-1(A) Travel Permit</i> and reporting instructions are given to offender. | Sending Officer |
| g. Reports as instructed. | Offender |
| h. Contact sending Officer to confirm offender reported as directed and request offender's field file. | Receiving Officer |
| i. Offender's field file is transferred to assigned receiving Officer. <i>Adult Chronological Face Sheet</i> , if printed, is placed at the top of Section 1 (see <i>P&P 40-3 Uniform File Organization</i>). | Sending Officer |
| j. OMIS entries made by sending Officer: <ol style="list-style-type: none"> 1) Narrative – sending of file 2) OMP update 3) Address 4) Employment | Sending Officer |
| k. OMIS entries made by receiving Officer: <ol style="list-style-type: none"> 1) Narrative – receipt of file 2) New supervising Officer 3) New Location | Receiving Officer |
| l. Verifies address/employment and updates OMIS if necessary. | Receiving Officer |

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3. When a revocation is pending in a jurisdiction other than the supervising jurisdiction, the supervising jurisdiction will continue to supervise the offender until sentencing. The jurisdiction initiating the revocation is responsible for completing all paperwork associated with the revocation procedures.
4. When a revocation is pending in the supervising jurisdiction, which is not the sentencing jurisdiction, the supervising Officer completes all paperwork associated with the revocation. The Officer maintains the offender's field file until a final disposition is determined unless other arrangements are made between the Regional Administrators (RA) of the jurisdictions involved.
 - a. If the Court revokes and reinstates the offender and the offender remains in the supervising jurisdiction, the supervising Officer will sign the offender to new conditions of supervision.
 - b. If the offender has absconded, the supervising Officer will send the offender's field file, including all paperwork associated with the revocation, to the sentencing jurisdiction for maintenance.
 - c. If the offender who absconded is a parolee or conditional release offender, the file will be forwarded to the Interstate Compact Unit.

B. Offenders Discharging to a Suspended Sentence

Offenders who are discharging from prison or an Adult Community Corrections Division contracted facility to a suspended sentence and wish to discharge to a location other than the sentencing jurisdiction or respective region, must make a request to his/her case manager or the facility IPPO during reentry planning.

The IPPO will:

1. Determine that this placement is not expressly prohibited by the Court of jurisdiction, Board of Pardons and Parole, or Department of Corrections;
2. Contact RAs in both regions involved to consider whether the employment, residence, and other opportunities for rehabilitation are appropriate for a transfer. Priority should be given to the location best for the offender.
3. If it is determined that a discharge transfer is not appropriate, offender will be discharged to the sentencing jurisdiction/respective region.
4. Follow *P&P 60-1 Initial Sign-Up to Probation and Parole Supervision* for sign-up procedures and forms.

IV. CLOSING:

Questions concerning this procedure should be directed to the Regional Administrator or designee.