



# Community Corrections Facilities and Programs Bureau

## Standard Operating Procedures Manual

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Certain procedures are restricted. If you have authorization, please [click here](#) to access the web links.



## ADULT COMMUNITY CORRECTIONS DIVISION STANDARD OPERATING PROCEDURES

Procedure No.: ACCD 3.1.800	Subject: <b>USE OF FORCE AND RESTRAINTS</b>
Reference: DOC 3.1.8; 53-1-203, MCA	Page 1 of 2
Effective Date: 05/15/14	Revision Dates: 08/28/14
Signature / Title: /s/ Kelly Speer, Acting ACCD Administrator	

**This procedure is referenced as ACCD 3.1.800 Use of Force in Section 1.F.4. Standard Contract Terms; Emergency Preparedness; Use of force, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.**

### I. DIVISION DIRECTIVE:

The Adult Community Corrections Division will provide guidance on use of force to ensure force is used only when reasonable and essential to the degree necessary to control offenders, protect offenders, staff or the public, or to restore order. These measures are not intended, and will not be used, as a means of punishment.

### II. DEFINITIONS:

ACCD-Adult Community Corrections Division Program/Facility – The Division includes the Adult Interstate Bureau; the Probation and Parole Bureau; and the Facilities Program Bureau which includes the Missoula Assessment and Sanction Center (MASC), Treasure State Correctional Training Center (TSCTC), and the contracted facilities of Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment and 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).

Department or DOC – The Montana Department of Corrections.

Prerelease Facility Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreements between the Department and prerelease centers: Alpha House PRC, Gallatin County Re-entry Program, Butte PRC, Great Falls Transition Center, Helena PRC, and Missoula PRC.

Treatment Facility Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreement between the Department and ACCD contract treatment facilities: START, CCP, Passages, Elkhorn, Nexus, and WATCH.

### III. PROCEDURES:

#### A. General Requirements:

Administrators will ensure that operational procedures are consistent with the guidelines established within this procedure and related Department policies such as *DOC Policy 3.1.8 Use of Force and Restraints* and *DOC Policy 3.1.17 Searches and Contraband Control*.

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Subject: USE OF FORCE AND RESTRAINTS		

1. Use of force may be necessary:
  - a. in self-defense;
  - b. in defense of others;
  - c. for enforcement of Department policy and operational procedure;
  - d. to prevent self-harm;
  - e. to prevent criminal activity;
  - f. to prevent destruction of public property; and
  - g. to prevent an escape or abscond.
2. Staff that are trained in the use of force based on job responsibilities are expected to recognize and be able to apply the proper level and type of force needed.
3. Force will not be used to punish, harass, coerce, or abuse offenders.

#### **B. Probation & Parole Bureau**

The Probation & Parole Bureau will follow the directives and procedures given in *P&P 200-1 RD Use of Force and Restraints*.

#### **C. Treasure State Correctional Training Center (TSCTC)**

TSCTC will follow the directives and procedures given in *DOC Policy 3.1.8, Use of Force and Restraints*.

#### **D. ACCD Contracted Facilities**

1. All contracted facilities will comply with the directives given in *DOC Policy 3.1.8, Use of Force and Restraints*.
2. All contracted facilities will comply with the procedures given in *ACCD 1.1.600 RD Priority Incident Reporting* regarding the reporting of use of force incidents.
3. The use or possession of firearms or gases for control of offenders will be consistent with state law and DOC policies and procedures.
4. All firearms will be prohibited at ACCD contract facilities except by local law enforcement, Probation & Parole Officers, and other DOC officials and except in emergencies or situations approved by the Facility or ACCD Administrator or incident commander, and as provided by emergency operation plans. Facilities will have appropriate storage for firearms, etc., that may be brought on-site by local law enforcement or other personnel for transport purposes.

### **IV. CLOSING:**

Questions regarding this procedure should be directed to the Facility Administrator or Prerelease Facility or Treatment Facility Contract Manager.



## ADULT COMMUNITY CORRECTIONS DIVISION STANDARD OPERATING PROCEDURES

Procedure No.: ACCD 4.5.1400	Subject: <b>ALT-SECURE OFFENDER INTAKE HEALTH SCREENINGS</b>	
Reference: DOC 4.5.14; 53-1-203, MCA		Page 1 of 2
Effective Date: 10/21/14		Revision Dates:
Signature / Title: /s/ Pam Bunke, ACCD Administrator		

### I. DIVISION DIRECTIVE:

Adult Community Corrections Division's facilities will follow established procedure to ensure inmate workers and alt-secure offenders receive initial screening and periodic health assessments for ongoing health care needs.

### II. DEFINITIONS:

ACCD-Adult Community Corrections Division Facility – Division facilities include the Missoula Assessment and Sanction Center (MASC); Treasure State Correctional Training Center (TSCTC); and the contracted facilities of Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment and 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).

CSD-Clinical Services Division – The Department's division that administers health care services for adult and youth offenders.

Department – The Montana Department of Corrections.

Health Care Providers – Licensed health care providers (e.g., physicians, nurses, psychiatrists, dentists, and mental health practitioners), including contracted or fee-for-service providers, responsible for offender health care and treatment.

Health Screening – A process of structured inquiry and observation intended to identify any potential emergency situations and to ensure those offenders with known illnesses and/or on medication are identified for further assessment and continued treatment.

Physical Examination – An objective, hands-on medical evaluation of an individual to determine the presence or absence of physical signs of disease.

### III. PROCEDURES:

#### A. Health Screenings

##### 1. Treasure State Correctional Training Center (TSCTC)

TSCTC staff will follow the procedure established in *CTC Operational Procedure 4.5.13, Initial Health Assessment and Evaluation*.

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Subject: ALT-SECURE OFFENDER HEALTH INTAKE SCREENINGS		

## 2. Other ACCD Facilities

- a. Inmate workers and offenders in alt-secure ACCD facilities will be given an initial health screening within 14 days of arrival unless a physical examination was conducted and documented at another facility within the previous six (6) months. The initial screening will include, but is not limited to:
  - i. the collection of additional data to complete the medical, dental, and mental health histories;
  - ii. a recording of vital signs (i.e., height, weight, pulse, blood pressure, and temperature);
  - iii. physical examination;
  - iv. laboratory and/or diagnostic tests for communicable diseases as follows:
    - 1) Tuberculosis (TB) testing, unless one was done within the past year. The Department is responsible for the cost of testing for inmate workers and offenders in alt-secure facilities.
    - 2) Hepatitis C and HIV/AIDS upon request. Offenders are informed that they may either request or decline testing for Hepatitis C and HIV/AIDS at initial assessment. Those offenders who request the Hepatitis C and/or HIV/AIDS testing must receive pre-approval from the Clinical Services Division. The Department is responsible for the costs of this testing.
  - v. initiation of therapy and immunizations as appropriate.
- b. Health care providers must perform the hands-on portion of the health screening.
- c. A registered nurse may perform the hands-on portion of the health screening when:
  - i. the nurse completes appropriate training approved or provided by the responsible physician; and
  - ii. the responsible physician documents his/her review of all health screenings.

## **B. Responsibility of Health Care Providers**

ACCD facility health care providers will:

1. Enter the collected and reviewed data during the health screening in the offender's health record at the time of the screening;
2. Document any health-related restrictions on an offender's housing, work, or other activities, and communicate these restrictions to the appropriate facility staff;
3. Inform the offender of test results and any recommendations for further evaluation, referral, or treatment; and
4. Provide health education and disease prevention information to offenders during screenings.

## **IV. CLOSING:**

Questions concerning this procedure should be directed to the Facility Administrator or CSD.



## ADULT COMMUNITY CORRECTIONS DIVISION STANDARD OPERATING PROCEDURES

Procedure No.: ACCD 4.5.1401	Subject: <b>PRERELEASE RESIDENT INTAKE HEALTH SCREENINGS</b>	
Reference: DOC 4.5.14; 53-1-203, MCA		Page 1 of 2
Effective Date: 10/21/14		Revision Dates:
Signature / Title: /s/ Pam Bunke, ACCD Administrator		

### I. DIVISION DIRECTIVE:

Adult Community Corrections Division's prerelease centers will follow established procedures to ensure prerelease resident offenders receive initial health screenings at intake for ongoing health care needs.

### II. DEFINITIONS:

ACCD-Adult Community Corrections Division Facility – Division facilities include the Missoula Assessment and Sanction Center (MASC); Treasure State Correctional Training Center (TSCTC); and the contracted facilities of Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment and 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).

CSD-Clinical Services Division – The Department's division that administers health care services for adult and youth offenders.

Department – The Montana Department of Corrections.

Health Care Providers – Licensed health care providers (e.g., physicians, nurses, psychiatrists, dentists, and mental health practitioners), including contracted or fee-for-service providers, responsible for offender health care and treatment.

Health Screening – A process of structured inquiry and observation intended to identify any potential emergency situations and to ensure those offenders with known illnesses and/or on medication are identified for further assessment and continued treatment.

### III. PROCEDURES:

#### A. Intake Health Screenings

1. Prerelease residents will be given an initial health screening within 14 days of arrival unless a physical examination was conducted and documented at another facility with the previous six (6) months.

The initial screening will include, but is not limited to:

- a. the collection of additional data to complete the medical, dental, and mental health histories;

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- b. a recording of vital signs (i.e., height, weight, pulse, blood pressure, and temperature); and
  - c. a review of current Tuberculosis (TB) testing on record, if available.
- 2. Prerelease residents will obtain TB testing through available community providers and are responsible for the costs of the testing.
- 3. Prerelease residents may obtain the flu vaccine and Hepatitis and/or HIV testing from available community providers and are responsible for the costs of the vaccine.

#### **B. Responsibility of Health Care Providers**

ACCD facility health care providers will:

- 1. Enter the collected and reviewed data during the health screening in the offender's health record at the time of the screening;
- 2. If necessary, document any health-related restrictions on an offender's housing, work, or other activities, and communicate these restrictions to the appropriate facility staff;
- 3. Provide health education and disease prevention information to offenders during screenings.

#### **IV. CLOSING:**

Questions concerning this procedure should be directed to the Facility Administrator or CSD.



## ADULT COMMUNITY CORRECTIONS DIVISION STANDARD OPERATING PROCEDURES

Procedure No.: ACCD 5.4.300	Subject: <b>RESIDENTIAL ALCOHOL TREATMENT PROGRAMS FOR FELONY DUI OFFENDERS</b>	
Reference: ACCD 4.1.100; ACCD 5.1.100; 53-1-203, MCA; 61-8-731, MCA; 20.7.804, ARM	Page 1 of 2	
Effective Date: 02/11/14	Revision Dates:	
Signature / Title: /s/ Pam Bunke, ACCD Administrator		

### I. DIVISION DIRECTIVE:

The Adult Community Corrections Division will provide a residential alcohol treatment program as an alternative to placement in prison for persons sentenced to the Department of Corrections after receiving a conviction of a fourth, or subsequent, felony driving under the influence of alcohol or drugs.

### II. DEFINITIONS:

Correctional Facility – Montana State Prison, Montana Women's Prison and the private and regional prisons contracted to the Department of Corrections.

Criminogenic – Producing or tending to produce crime or criminals.

Department – The Montana Department of Corrections.

DUI – Driving under the influence of alcohol or drugs.

Modified Therapeutic Community Model – Drug-free residential group settings used in correctional populations that are organized and structured to simulate a health family environment, while holding offenders accountable for their criminal conduct. Teaches offenders how to live and function within the larger society and their own families in a sober and pro-social manner. Treatment demonstrates the ripple effects of unwise behavior, instills constructive conduct, and improves communication skills.

Residential Substance Abuse Treatment Program – A course of individual and group activities, lasting between six (6) and 12 months, in residential treatment facilities set apart from the general prison population [Title 42 USC §3796ff-3(d)].

Treatment Facility Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreement between the Department and ACCD contracted facilities: START, CCP, Passages, Elkhorn, NEXUS and WATCH.

### III. PROCEDURES:

A. Section 61-8-731, MCA, provides that offenders convicted of a fourth or subsequent felony DUI are to be sentenced to the Department for a term of 13 months and may be placed in a residential alcohol treatment program operated or approved by the Department.

1. The program will be at least a six (6)-month intensive treatment program for alcohol addiction.



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2. Upon successful completion of the program, the remaining sentence must be served on probation.
3. If the offender is denied acceptance into the program, or does not successfully complete the program, he/she will be placed in a correctional facility.
4. Pursuant to *ACCD 5.1.100 Program Structures*, the program must be structured using a modified therapeutic community model.
  - a. Offenders will be involved in treatment, programming and groups for a minimum of eight (8) hours per day, to up to ten (10) hours per day, five (5) to six (6) days a week.
  - b. Components of the program will encompass principles that demonstrate effectiveness in correctional treatment programs. Programming will include, but is not limited to:
    - 1) Chemical dependency counseling
    - 2) Mental health issues
    - 3) Cognitive principles and restructuring
    - 4) Criminal thinking errors
    - 5) Anger management
    - 6) Family relationships
    - 7) Victim issues/restorative justice
    - 8) Self-help programming
    - 9) Life skills development
    - 10) Relapse prevention

#### **B. Warm Springs Addictions Treatment and Change (WATCH) Program**

In response to the 2001 legislative change to §61-8-731, MCA, the Department awarded a contract to Community, Counseling, and Correctional Services, Inc. (CCCS, Inc.) for the operation and management of a modified therapeutic community treatment program for felony DUI offenders. The WATCH Program in Warm Springs began operations in February 2002.

Upon the Department's adoption of §20-7-804, Administrative Rules of Montana, CCCS, Inc. opened a second felony DUI facility in Glendive in February 2005. WATCH East also provides an intensive therapeutic community model program of six (6) months duration.

WATCH West and WATCH East are the two Department-approved residential alcohol treatment programs.

1. A screening committee will determine acceptance of an offender to the program. Generally, all offenders convicted of felony DUI are accepted; however an offender may be denied acceptance if there is a history of violence or a medical or mental health condition which impacts the offender's ability to participate in the program.
2. Screening procedures established in *ACCD 4.1.100 Adult Community Corrections Division Screening and Placement Guide* will be followed for offender placement in the WATCH Programs.

#### **IV. CLOSING:**

Questions regarding this procedure will be directed to the Treatment Facility Contract Manager.



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
BUREAU OPERATIONAL PROCEDURE**

Procedure:	<b>PFB 1.1.700 COMPLIANCE MONITORING</b>
Effective Date:	01/01/2021 <span style="float: right;">Page 1 of 4</span>
Revision Date(s):	10/04/2021
Reference(s):	DOC 1.1.7; DOC 1.2.9; 53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This procedure is referenced as *ACCD 1.1.700 Compliance Monitoring* in Section 1.G.2 Standard Contract Terms; Compensation/Billing; Billing/Payment, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Nexus, and START.**

**This procedure is referenced as *ACCD 1.1.700 Compliance Monitoring* in Section 4.3 Consideration/Payment; Withholding Payment in the Connections Corrections Program (CCP) and WATCH contracts.**

**I. PURPOSE:**

The Programs and Facilities Bureau will utilize a monitoring process that assures system-wide compliance with all Department policy and PFB contractor operational requirements, applicable state and federal requirements, contract requirements, and staff performance standards.

**II. DEFINITIONS:**

**Corrective Action Plan** – The document that identifies how risk or deficient audit objectives will be corrected, who is responsible for the correction, and the date by which the corrections will be made.

**Interim Monitoring** – Monitoring, review, and verification of PFB contract compliance that occurs in between formal Department compliance monitoring reviews and conducted by the assigned Contract Manager.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities. For the purpose of this procedure, is also known as the Contract Liaison/Contract Monitor.

**Quality Assurance Office (QA)** – Is an office located within the Director's Office, which audits to determine division, facility, or program compliance with Department policies and facility operational procedures, contract agreements, statutory language, and safety, security and emergency response requirements.

**III. PROCEDURES:**

**A. PROGRAMS AND FACILITIES CONTRACT MANAGER (CONTRACT MANAGER):**

1. The PFB is responsible for managing facility and provider contracts from the beginning to the end of the contract cycle, and the designated Contract Manager provides the principal contract management and monitoring function.

## Subject: COMPLIANCE MONITORING

2. The general, primary functions and responsibilities of the Contract Manager include the following:
  - a. serve as the primary contact for the contractor;
  - b. respond to day-to-day requests or issues;
  - c. collect, analyze, and summarize data regarding contract requirements and offender management information;
  - d. assist in negotiating contract terms, scope of service, and compensation;
  - e. be familiar with and fully understand the contract language, including specific contract obligations;
  - f. document all contract monitoring activities to validate consistent and effective contract management;
  - g. provide guidance and technical assistance to the contractor as needed to promote effective contract performance;
  - h. provide guidance or direction regarding population management of offenders in the custody of, or under supervision of, the Department; and
  - i. share contractor performance information with appropriate Department staff.
3. Either as part of everyday contract manager duties, or as part of a review resulting from a concern or complaint received by PFB or referred to PFB, a Contract Manager may request information or documents from a facility, or may make scheduled or unscheduled visits to the facility in order to determine contract compliance.
4. Documentation of contractor performance shall be kept by the Contract Manager in a designated contract file and shall include, at a minimum, invoices, correspondence with contractor, contractor reports, and other documents necessary to support contract monitoring activities.

**B. INTERIM MONITORING PROCESS FOR FACILITY CONTRACTS:**

1. The Contract Manager conducts interim monitoring activities for facility contracts through on-going remote monitoring and on-site visits to ensure contract compliance.
2. Interim compliance checks required by the Prison Rape Elimination Act of 2003 (PREA) take place only if a federal PREA audit or Quality Assurance Office (QA) audit is not being completed during the federally established time period, which begins August 20<sup>th</sup> and continues through August 19<sup>th</sup> of the following year.
3. On-going Remote Monitoring: Day-to-day contract monitoring to ensure contractor compliance with contract terms that include:
  - a. reviewing statistical and contractor reports;
  - b. reviewing facility inspection reports;
  - c. provide guidance and technical assistance for unresolved corrective action items from previous QA audits or interim monitoring activities; and
  - d. invoice processing:
    - 1) review invoiced services (per contract) and approve for payment as appropriate;
    - 2) verify the Department is being billed in accordance with the contract terms and that the billed services were provided; and
    - 3) notify contractor of discrepancies in billing and contract compliance issues.

## Subject: COMPLIANCE MONITORING

4. On-Site Visits to Contractor Sites:
  - a. The Contract Manager will visit each residential facility at least twice in a fiscal year.
  - b. Contract Manager will visit each Enhanced/Transitional Supervision Services (ETSS) service location at least once in a fiscal year.
5. At the beginning of each quarter, Contract Manager will identify which contract items will be reviewed during that quarter, considering findings and corrective action plans from prior QA audits, interim monitoring activities, Correctional Program Checklists (CPC) assessments, and PREA compliance checks.
6. Contract Manager will complete the following:
  - a. provide appropriate notice to the contractor prior to on-site visit of scheduled review and request information/documents necessary to review the selected remote and on-site items;
  - b. for each contract:
    - 1) develop a draft memo summarizing:
      - a) the specific contract language reviewed;
      - b) all remote and on-site monitoring activities completed;
      - c) all documented areas of compliance, partial-compliance, noncompliance; and
      - d) recommendations and requirements for improvement.
    - 2) submit the draft memo to the PFB Bureau Chief for review and comment;
    - 3) provide the draft memo to the contractor;
    - 4) provide the finalized memo to the contractor and QA; and
    - 5) the contractor will provide a written response to address deficiencies and include specific dates for the contractor to correct each deficiency.

**C. ANNUAL EVALUATION OF CONTRACTOR PERFORMANCE FOR ALL CONTRACTS:**

1. *DOC Policy 1.2.9, Contracts* outlines the guidelines for the *Annual Evaluation of Contractor Performance* prior to contract renewal, but not less than annually, for all division, facilities, and programs.
2. Contract Manager/Liaison will complete the following as part of the annual evaluation of contractor performance:
  - a. submit quarterly contract reports to the Department Contracts Management Bureau (CMB)
  - b. identify potential contract inefficiencies and risks that, if eliminated, would result in a cost savings to the Department;
  - c. determine necessary contract changes and notify the CMB of requested changes;
  - d. submit requests for new contracts or renewal of existing contracts in accordance with *DOC Policy 1.2.9, Contracts*.
  - e. submit *DOC 1.2.9 (Attachment) Annual Evaluation of Contractor Performance* annually and prior to renewal of an existing contract.
3. Contract Manager/Liaison will review the *Annual Evaluation of Contractor Performance* form when meeting with the contractor to discuss the evaluation. Contractor will acknowledge the review by signing the form.

**IV. CLOSING:**

Questions regarding this procedure shall be directed to the Programs and Facilities Bureau.

**V. FORMS:**

DOC 1.2.9 (Attachment) Annual Evaluation of Contractor Performance



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 1.5.1200 RISK AND NEEDS ASSESSMENTS IN FPB FACILITIES</b>	
Effective Date:	02/01/2025	Page 1 of 4
Revision Date(s):		
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This procedure is referenced as **PPD 1.5.1200 Risk and Needs Assessments for Adult Case Management** in Section 2.C.17 Programming and Curriculum and Risk and Needs Assessment in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, and Passages. This procedure is also referenced in Section 2.D.1 Programming & Counseling, in the following contract: Great Falls Prerelease.

### I. PURPOSE:

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow this procedure for offender risk and needs assessments. Assessment tools will provide evidence-based assessments to address programming needs, risk reduction, and case management.

### II. DEFINITIONS:

**Case Management** – The act of developing and managing an offender's treatment plan and monitoring progress and compliance.

**Case Plan** – An evolving document that outlines case management strategies designed to engage the offender, target individual risks and needs, and track progress as the offender transitions through the correctional system.

**Continuous Quality Improvement (CQI)** – A continuous and ongoing effort to achieve measurable improvements and outcomes in a program. Programs include but are not limited to the healthcare system and evidence-based practices.

**Criminogenic Needs** – Attributes that are directly linked to an offender's risk to re-offend and should be addressed to achieve lower recidivism rates (identified as primary and secondary risk factors).

**Current Assessment** – An assessment is current if completed in the past 12 months and the offender has experienced no life-altering events during that period.

**Life-Altering Event** – Any significant happening in an offender's life that would impact two or more domain areas. These impacts can both be positive or negative. Examples of a positive event that could impact two or more domains are completion of programming and establishing stability in employment. Examples of a negative event that could impact two or more domains are job loss and removal from programming/treatment.

**MORRA-Montana Offender Reentry and Risk Assessment** – A gender-neutral standardized and validated evidence-based instrument used to assess the likelihood of an offender recidivating. The MORRA is used to identify risk, needs, and responsivity factors to guide and prioritize appropriate programming and case planning.

**Responsivity** – Addresses the non-criminogenic or non-predictive hurdles or barriers in an offender's life that may influence the offender's response to programming/treatment and thereby affect the offender's risk to reoffend.

**Secondary Assessments** – Other assessments and/or evaluations used in conjunction with the overall and domain-specific scores of a risk assessment to aid in refining the offender's needs. This includes crime-specific risk assessments (sexual, DUI, substance abuse, intimate partner violence, etc.) or clinical evaluations.

### III. PROCEDURES

#### A. GENERAL

1. Facility Administrators must identify and designate which positions are responsible for administering risk and needs assessments. This information will be provided to the Department upon request.
2. Assessments must be administered pursuant to Department-approved training and must include an interview with the offender.
  - a. No assessment documents (Interview Guide, Scoring Sheet, Scoring Guide) are shared with the offender or any other persons not certified to conduct MORRA assessments.
    - 1) The only exception to restricted distribution is the proper use of the MORRA Self-Report form which is intended to be handed to the offender immediately before the assessment interview and collected immediately following the interview.
  - b. The assessment may be administered through video conferencing but should not be administered over the phone unless there is an exceptional situation, and a supervisor approves.
  - c. All completed assessments must have supporting additional documents (Interview Guide, Scoring Sheet, Self-Report) and completed section comment notes for each scored section. If the facility is:
    - 1) sending completed assessments to the Department, staff must provide all supporting documents and scoring notes; or
    - 2) entering the assessment into the offender management system, staff must upload all supporting documents and completed section comment notes for each scored section.
  - d. Any assessment that does not have the required supporting documents or section comment notes will be considered invalid and the facility will be required to provide the necessary documents or notes or readminister the assessment.
3. In addition to MORRA, secondary tools such as sex offender risk assessments, crime-specific risk assessments, and clinical evaluations should be used as available and applicable.
4. All offenders in an FPB facility will have a current assessment completed, except as provided below. An assessment is current if completed in the past 12 months and the offender has experienced no life-altering events during that period. If an offender refuses to participate, facility staff will discuss the refusal with the facility's assigned FPB Contract Manager for case management purposes.
5. Certification is completed by the Quality Assurance of Evidence-Based Practices and Programs (QAEBPP) Bureau and requires recertification every three years, participation in annual booster trainings, and participation in the CQI process.
6. Only certified assessors may administer risk and needs assessments to determine the risk of an offender to reoffend, criminogenic needs, and responsivity, and to develop the case plan. Staff administering secondary tools must be appropriately trained to use the tool.

#### B. OFFENDER MANAGEMENT SYSTEM ENTRY/DOCUMENTS

1. **CCP WEST, CCP EAST, and WATCH WEST staff:**
  - a. Upon completion of a MORRA interview and assessment or reassessment, the assessment will be scored in the offender management system. Unless further information is needed, the scoring will occur the same day the interview is conducted.
  - b. The completed Interview Guide and offender's Self-Report used in the assessment/reassessment will be uploaded into the offender management system as a "Risk Assessment" Document Class, and the appropriate assessment/reassessment chosen for Document Type.

- c. Once the Interview Guide and offender's Self-Report are uploaded into the offender management system, the paper copies of the assessment forms are not required to be kept or maintained and will be destroyed.
  - d. In the section comments notes area, for each domain, staff must document which information was used to determine the score for each item (file review, collateral contact, offender interview, and/or self-report).
2. **Prerelease Center, Passages ASRC, ADT, PARC, START, Elkhorn, and Nexus staff:**
- a. All documents associated with the interview/assessment will be uploaded into the offender management system as a "Risk Assessment" Document Class and the appropriate assessment chosen for Document Type.
  - b. All interview guides must include interview notes supporting the score for each scoring item.
  - c. If facility staff are unable to upload into the offender management system, all documents associated with the interview/assessment will be submitted electronically to [coraccreports@mt.gov](mailto:coraccreports@mt.gov) within 5 calendar days of the assessment.
  - d. Email subject line must read as follows: Offender last name, first name, DOC#:, Facility:, MORRA.

### C. FACILITY-SPECIFIC REQUIREMENTS AND DEADLINES FOR RISK ASSESSMENTS AND REASSESSMENTS

1. **Offenders in a Prerelease Center (PRC):** Interviews/assessments completed:
  - a. If a current MORRA interview/assessment is available, facility staff **must** use that assessment for case management purposes.
  - b. If a current assessment is not available, facility staff **must** complete the MORRA SRT tool within 15 calendar days of offender's intake for case management purposes.
  - c. If an assessment will expire during an offender's placement, facility staff **must** complete the MORRA SRT tool for case management purposes within 15 calendar days before expiration. If the offender is expected to transition to another placement within the next 30 calendar days after the date of expiration, the next placement completes the reassessment.
  - d. Reassessments will only be done when there has been a life-altering event or the current assessment expires.
2. **Offenders in a Substance Use Treatment Facility:**
  - a. If there is a current assessment for the offender entering the program that will expire during the offender's program placement, facility staff **must** complete the MORRA SRT tool within 15 calendar days before expiration for case management purposes. If the offender is expected to transition to another placement within the next 30 calendar days after the date of expiration, the next placement completes the reassessment.
  - b. If there is no current assessment for the offender entering the program, facility staff **must** complete the MORRA SRT tool within 15 calendar days for case management purposes.
  - c. Reassessments will only be done when there has been a life-altering event or the current assessment expires.
3. **Offenders in Assessment Centers:**
  - a. MORRA is used in conjunction with screening process to identify the offender's risk and needs to ensure appropriate placement.
  - b. If there is a current assessment, staff will use it for intake and assessment purposes along with secondary information.
  - c. If there is no current assessment for the offender entering the program, facility staff **must** complete the MORRA CST interview/assessment within 15 calendar days for case management purposes.
  - d. Reassessments will only be done when there has been a life-altering event or the current assessment expires.



**D. SECONDARY ASSESSMENTS**

1. Appropriate secondary assessments may also be used to help staff identify high-need areas not easily identified by the risk and needs assessment.
2. If a secondary assessment is determined to be necessary, staff must use the appropriate tool and must be trained on the specific tool used.
3. When a secondary assessment shows the offender to be higher risk than the MORRA, the higher risk is used for case planning.

**E. CQI PROCESS FOR RISK ASSESSMENTS**

1. The QAEBPP Bureau will administer a mandatory CQI process to ensure certified assessors are conducting risk and needs assessments with fidelity. All facility staff certified as assessors are required to participate. Failure to do so may result in termination of their assessment certification.
2. The CQI process will incorporate coaching and feedback strategies for use with assessors when deficiencies are identified during the CQI process. All CQI process results will be shared with the assessor and Facility Administrator.
3. Training for new assessors will include review by the QAEBPP Bureau of recorded risk and needs assessments conducted by the new assessor. Feedback may include recognition of positive techniques or identification of deficiencies with specific improvements assessors can make to address deficiencies. All feedback will also be provided to the Facility Administrator.
4. Continual submissions of assessments determined to be invalid by the QAEBPP Bureau will result in the requirement for further training and/or termination of assessment certification.

**IV. CLOSING**

Questions about this procedure should be directed to the FPB Chief or designee.

**V. REFERENCES**

- A. *DOC 1.5.12 Risk and Needs Assessments for Case Plans*



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
OPERATIONAL PROCEDURE**

Procedure:	<b>PFB 6.1.200 PROCEDURE MANAGEMENT</b>	
Effective Date:	05/03/2021	Page 1 of 3
Revisions Date(s):	08/11/2021; 10/03/2022	
Reference(s):	DOC 1.1.2; 2-15-112, MCA; 53-1-203, MCA; 53-30-302, MCA	
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief	

**This procedure is referenced as *ACCD 1.1.200 Policy Management System* in Section 1.X. Standard Contract Terms; Policy and Procedures Changes and Reference List, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This procedure is referenced as *ACCD 1.1.200 Procedure Management System* in Section 2.8 Services, Policy and Procedures Changes and Reference List, in the following contracts: Connections Corrections Program (CCP) and WATCH.**

**I. PURPOSE:**

The Community Corrections Facilities and Programs Bureau will provide guidance by developing comprehensive operating procedures which outline and identify applicable policies, procedures, and requirements related to the duties and responsibilities of Bureau staff and contracted facilities/providers.

**II. DEFINITIONS:**

**Effective Date** – The original date of procedure/requirement implementation. A revision date supersedes the original effective date.

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Facility Operating Requirement** – An internal management document developed at the FPB level that provides contract facility/provider staff with guidelines on how to implement contract requirements and/or a Department-required action or program.

**Policy** – For the purposes of this procedure, a Department, Montana Operations Manual (MOM), or other state agency policy.

**Revision Date** – The date a procedure/requirement was officially revised. The revision date indicates the effective date of changes in procedure/requirement. A revised procedure/requirement supersedes all previous versions.

**Standard Operating Procedure** – An internal management document developed at the Department, division, bureau, facility, or program level that provides staff with direction on how to implement a Department policy, required action, or program.

**Procedure Manual** – An electronic manual containing procedures or requirements that direct the operations of the FPB and its oversight of contract facilities/providers.

### III. PROCEDURES:

#### A. GENERAL PROVISIONS FOR PROCEDURES AND REQUIREMENTS:

1. Procedures and facility requirements specifically address how operational aspects of the FPB and contracted facilities/providers are implemented. If a section of any procedure/requirement is found to be in conflict with policies, the Montana Code Annotated, or Administrative Rules of Montana, that portion of the procedure/requirement shall be considered null and void. The remaining sections shall be considered valid.
2. The Procedure Specialist will maintain the original signed copies of all procedures/requirements and maintain the current procedure manual and facility operating requirements on the Department's intranet website. All unrestricted procedures/requirements will be available on the Department's internet website.
3. Bureau procedures/requirements will be divided into chapters by topic; the title and numbering system will be consistent with Department policies; and the policies, statute, rule, or other authority will be referenced.
4. Restricted procedures/requirements: To ensure the safety and security of FPB and facility staff, some procedures/requirements may be designated as restricted from general distribution.
  - a. These must include "RD" in red print immediately following the procedure/requirement number;
  - b. At no time may offenders or the general public be given access to restricted procedures/requirements.
  - c. FPB will establish a list for the distribution of restricted procedures/requirements and further distribution will be on a need-to-know basis.
  - d. If printed, all pages must be clearly marked by watermark as restricted and retained in a secure location.
5. The FPB Chief or designee is responsible for ensuring reviews of procedures/requirements are completed in compliance with, or guided by, Department policy.
6. FPB and facility staff may request revision of a procedure, requirement, and/or form, and the request will be reviewed by the FPB Chief.

#### B. PROGRESSION OF NEW/REVISED SOP OR FACILITY OPERATING REQUIREMENT:

1. The proposed procedure/requirement is written utilizing the Department procedure format. Forms will contain the associated procedure/requirement reference number and effective/revision date at the bottom.
2. Revision of a procedure/requirement will result in it being reissued and reflecting the revision date. Revision of a form associated with a procedure/requirement will not necessitate reissuing the procedure/requirement. Any preceding procedure/requirement or form, related instruction, letter, directive, or memorandum covering the same content is thereby rescinded.  
**No form may be revised by a facility or provider without FPB authorization.**

3. FPB will notify facility contractors whenever administrative rule changes or procedure/requirement changes have been proposed or considered which could affect the facility's financial operations or the intent of the contract between the Department and contractors.
4. The FPB Chief or designee determines which individuals will conduct a review of the proposed procedure/requirement and include FPB staff, Legal Services Office, contracted facility staff, and subject matter experts.
  - a. In most cases, these persons will have 20 business days to review the procedures/requirement and provide comment.
  - b. The proposed procedures/requirement may be distributed to other select staff for review and comment within the time period.
  - c. An extension of the review time may be granted by the FPB Chief or designee.
  - d. Additional reviews may be completed if significant changes to the proposed procedure/requirement are made during a prior review.
5. These proposals will be discussed, and appropriate changes to the contract may be negotiated prior to the implementation of the rule or procedure/requirement. Facility contractors will comply with rule and procedure/requirement changes.
6. When the review and editing process is completed, the final procedure/requirement is reviewed, signed, and distributed within 10 days by the FPB Chief or designee, unless circumstances require a delay in the distribution.
7. Rescission of any procedure/requirement or form shall be accomplished by use of *PFB 6.1.200 (B) Notice of Rescission*.

#### **IV. CLOSING:**

Questions regarding this procedure should be directed to the Community Corrections Facilities and Programs Bureau.

#### **V. FORMS:**

*PFB 6.1.200 (B) Notice of Rescission*



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU OPERATIONAL PROCEDURE

Procedure:	<b>PFB 6.1.201 PLACEMENT DETERMINATION, REFERRAL, AND SCREENING</b>	
Effective Date:	07/01/2023	Page 1 of 8
Revision Date(s):	12/01/2023; 11/01/2024; 03/31/2025	
Signature / Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This procedure is referenced as **ACCD 4.1.100 Screenings for Incarcerated Adult Offenders** in Section 2.B. Program Requirements; Screening/Eligibility, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.

### I. PURPOSE

All FPB contract facilities will follow this procedure to determine appropriate placement of offenders committed to the Department and refer offenders to available programs for placement and treatment.

### II. DEFINITIONS

**Criminogenic Needs** – Attributes that are directly linked to an offender's risk to re-offend and should be addressed to achieve lower recidivism rates (identified as primary and secondary risk factors).

**Current Assessment** – A risk assessment is current if completed in the past 12 months and the offender has experienced no life-altering events during that period.

**DOC Commitment (DOC Commit)** – A commitment by the District Court of an adult offender or criminally convicted youth to the authority of the Department for the determination of offender's appropriate placement; or the Court may require the offender be released to community supervision upon sentencing or disposition. 46-18-201, MCA.

**Exclusionary Criteria** – A set of clinical, community, and/or legal reasons for the exclusion of certain offender types from participation in a program. Offender lack of motivation is not an appropriate exclusionary criterion.

**Facility Screening Committee** – A group of people representing the community, facility, and Department that screens offenders referred to a program or facility for acceptance or denial.

**Hearings Officer** – A Department employee who, as an impartial person, conducts hearings for offenders on community supervision, in a community corrections program/facility, or in a secure facility.

**Placement Determination** – The process used by Department staff and/or assessment center staff to decide the best placement of an offender based on an offender's current risk assessment or criminogenic needs.

**Responsivity** – Addresses the non-criminogenic or non-predictive hurdles or barriers in an offender's life that may influence the offender's response to programming/treatment and thereby affect the offender's risk to reoffend.

**Secondary Assessments** – Other assessments and/or evaluations used in conjunction with the overall and domain-specific scores of a risk assessment to aid in refining the offender's needs. These include crime-specific risk assessments (for example, sexual, DUI, substance abuse, and intimate partner violence) or clinical evaluations.

**Up to 90-Day Intervention Referral** – A probation, parole, or conditional release offender referred for placement in a community corrections facility for up to 90 days by a Hearings Officer in accordance with the *Montana Incentives and Interventions Grid for Probation and Parole* and resulting from an intervention hearing. 46-23-1015, MCA and 46-23-1024, MCA.

**Up to 9-Month Revocation Referral** – A probation or parole offender referred for placement in a community corrections facility for up to 9 months as a requirement of the court or Board of Pardons and Parole and resulting from a revocation hearing. 46-18-203, MCA and 46-23-1025, MCA.

### III. PROCEDURES

#### A. GENERAL PROVISIONS

1. The purpose of a placement referral is to give the offender the most appropriate placement opportunity to address criminogenic needs as determined by current risk assessments and secondary assessments, court- or BOPP-ordered requirements, criminal history, placement history, victim input, public safety concerns, institutional behavior, correctional status, and offender request.
  - a. The Department will complete prescreening of offenders where a PSI is ordered and there is a plea agreement for a DOC Commitment. Prescreening will not be completed for offenders who have a plea agreement for a suspended or deferred sentence or a prison commitment, or when no PSI is ordered.
2. Chronological entries in the offender's record in the offender management system will be maintained by the referral source throughout the placement determination and referral processes for all offenders referred to facilities for screening. Designated Department staff will complete in the offender management system chronological entries of all facility screening results.

#### B. PLACEMENT DETERMINATION PROCESS

1. When determining placement of an offender already on supervision or in cases where no PSI was ordered, authorized staff will do so based on court recommendations; a current risk/needs assessment; offender placement and supervision histories; the offender's current behavior; and the case characteristics, including severity of the offense and victim impacts.
2. Determination of placement type:
  - a. If the offender is low risk on the MORRA or on a secondary assessment, placement on community supervision is appropriate UNLESS the offender:
    - 1) is homeless;
    - 2) has a recent history of behavior that indicates a need for greater structure;
    - 3) was convicted of an offense that has a statutory requirement for placement;
    - 4) has a repeating offense pattern (for example, repeated DUIs or multiple instances of domestic violence/violations of protective orders);
    - 5) has a victim under 12; or
    - 6) has a victim who died as the result of an offense.
  - b. If the offender is moderate risk (for male offenders) or low/moderate or moderate risk (for female offenders) on the MORRA or a secondary assessment, a facility placement or combination of placements may be appropriate based on:
    - 1) offense history;
    - 2) placement/treatment history;
    - 3) offender non-compliance on supervision;
    - 4) sustained drug use in the community despite interventions; and/or
    - 5) severity of the offense.
  - c. If the offender is high or very high risk (for male offenders) or high risk (for female offenders) on the MORRA or a secondary assessment, a facility placement or combination of placements is required.

3. Determination of need for residential treatment placements:
  - a. If offender need for residential substance use treatment is indicated, placement should be at a shorter-length program (for example, 90 days) if the offender has no prior residential treatment placements in a Department- or Department-contracted facility. Longer-term residential treatment should be considered if the offender has previously completed a treatment program.
  - b. Referral to DUI-specific treatment programs is appropriate for offenders convicted of felony DUI or felony DUI-related offenses, and for offenders on community supervision who demonstrate DUI-related behaviors, such as conviction of misdemeanor DUI offenses.
4. Determination of need for prerelease center placements:
  - a. Placement in a prerelease center is appropriate when;
    - 1) the offender has demonstrated a clear need for the structure provided by a prerelease center;
    - 2) the offender lacks access to community-based support and/or resources, including suitable housing, vocational, or educational services; or
    - 3) the severity of the current offense warrants custodial placement rather than placement on community supervision.
5. Placement of offenders from a secure facility occurs when:
  - a. the offender has been recommended for a community corrections placement through the Institutional Screening process; or
  - b. the BOPP granted an offender parole contingent on completion of a prerelease center and/or treatment program. If an offender has appeared before the BOPP and received a disposition that does not support a placement, staff will not make a referral.

### C. PLACEMENT REFERRAL PROCESS

1. Referrals for placement in Department or Department-contracted community corrections facilities may only be initiated by staff or entities authorized by the Department. The referral source must respond timely to any inquiries made by a facility screening committee to clarify information.
  - a. Staff may arrange for the offender to have a telephonic or in-person interview with the facility screening committee's screening coordinator.
  - b. If a provisional acceptance is offered (*see III.D.7. below*), staff will discuss the provisional acceptance with the offender and provide a timely response to the screening coordinator.
2. Cases managed by Probation and Parole staff:
  - a. All placements for offenders managed by Probation and Parole staff will be referred to the Department's Placement Unit using *PFB 6.1.201 (B1) Placement Unit Referral* form and *PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement ("Application")* and emailing them to [corplacement@mt.gov](mailto:corplacement@mt.gov).
  - b. This includes the following referral types:
    - 1) Prescreening of offenders who have not yet been sentenced and have a plea agreement for a DOC Commitment or have a new case and a revocation pending simultaneously and a PSI was ordered in the new case.
    - 2) Newly sentenced DOC Commitments (both new offenses and those where a probation sentence was revoked and a DOC Commitment resulted from the revocation).
    - 3) Up to 90-day referrals for offenders on community supervision (all types) who have been ordered by a Department Hearings Officer to complete the placement in response to violations.
    - 4) Up to 9-month referrals for offenders on probation or parole who have been ordered by the Court or the BOPP, respectively, to complete the placement during revocation proceedings.
    - 5) Not-to-exceed-one-year referrals for offenders newly sentenced to probation and ordered by the Court to complete the placement as a condition of supervision.

- c. The referring Probation and Parole staff will determine the placement type appropriate for the offender, using the criteria in III.B above.
  - d. The Placement Unit will complete the placement referral and facilitate any resulting offender placements.
3. Referral to residential treatment facility placements:
    - a. Referral will be determined in accordance with III.B.3 above.
    - b. The simultaneous referral of an offender to multiple treatment placements is not authorized.
    - c. For 9-month treatment referrals, subsequent placement in a prerelease center is required unless authorized by the FPB Chief or designee. The prerelease center placement must be identified prior to the offender's movement to the treatment facility.
    - d. For 90-day treatment referrals, subsequent placement in a prerelease center is optional.
    - e. If the offender is required to complete a prerelease center program following the treatment placement, the prerelease center placement must be identified prior to the offender's movement to the treatment facility, unless otherwise approved by the FPB Chief or designee.
      - 1) For those not identified as needing a prerelease center following treatment, appropriate release plans should be communicated.
      - 2) If an offender requires a Conditional Release to return to the community, the Conditional Release plan must be approved prior to the offender's movement to the treatment facility.
      - 3) Any offender who will be discharging to suspended time, or flat discharging, should have a clearly identified plan of release noted in the offender's chronological notes.
  4. Referral to prerelease center placements:
    - a. Referral will be determined in accordance with III.B.4 above.
    - b. At the time of the application, the offender will identify the prerelease center that is their preference for placement.
    - c. The Department's Placement Unit will develop and implement an objective tool and process to be used to determine which prerelease center(s) are the most appropriate for an offender based on factors including, but not limited to, county of origin, prior placement history, and victim impact.
      - 1) The referral will be sent to a facility or facilities for screening in accordance with the Placement Unit's tool and process. Facility screening shall be conducted by the facility in accordance with III.D below. If more than one facility is identified through use of the tool for initial screening, the referral will be sent to all identified appropriate facilities to screen at the same time.
      - 2) Should the first round of screening not produce an acceptance of the offender, a second round of screening will be sent to the remaining appropriate prerelease centers according to the tool and process.
      - 3) If no facility will accept the offender, designated staff will document and determine the most appropriate alternative placement to address the offender's risk/needs while maintaining public safety.
    - d. All referrals to prerelease centers, including those initiated by the Placement Unit, secure facilities, or assessment/sanction centers, will follow the tool and process established by the Placement Unit.
  5. Prior to making a placement referral, a search of offender chronological entries and documents in the offender management system is required to verify that all documented restraining orders and court-ordered no-contact requirements are accurately reflected on the *Referral*.
  6. Warrants/Detainers/Pending Felony Matters: Staff making the referral must verify that any known felony warrants, detainers, or pending felony matters, including revocations, are communicated clearly on the *Referral*. Not all warrants/detainers will prohibit an offender's placement:



- a. Misdemeanor warrants will not prevent an offender's placement.
  - b. Felony offenses that are still pending will be considered on a case-by-case basis after consult with the receiving facility and FPB. Factors to consider are severity of offense, timeliness of case resolution, the court's willingness to allow remote appearances, and the receiving facility's ability to accommodate remote appearances.
  - c. Immigration detainers are a civil matter and will not prevent an offender's placement.
7. If an offender has an escape conviction within the past 3 years, *PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)* must be submitted to the FPB Chief or designee at corao@mt.gov for approval before making the referral.
  8. Staff will consider any victim input and information as well as orders of protection and/or restraining orders or requests for no contact before making the referral.
  9. It may be appropriate for the offender to repeat a previously completed program after considering the offender's identified risks and needs, prior performance in previous placements, length of time since prior program completion, and programming received since the prior program participation.
  10. Staff will inform the offender of the referral(s) being made and the reason(s) for the referrals. Staff making the referral must confirm the offender will consent to placement if accepted by a program/facility prior to making the referral. If the offender does not readily consent, Motivational Interviewing techniques should be used to gain the offender's consent. If the offender persists in refusal, staff should consider placement at an assessment center. If the offender persists in refusal for placement while at an assessment center, authorized staff should follow the established placement refusal process.
  11. Referral Application Requirements:
    - a. The documents listed below will be submitted to the facility screening coordinator electronically by the file transfer service or by e-mail. Paper documents will no longer be sent by referral sources or accepted by facilities.
      - 1) Documents submitted electronically for prescreening cases include:
        - a) *Referral* form
        - b) *Application*
        - c) Approved *PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)* (if applicable)
        - d) PSIs completed within the last 3 years (if available)
          - (1) Attach plea agreement and affidavit if not included in PSI for current/pending offenses only
          - (2) Provide plea agreement and affidavit if no PSI is available for current/pending offenses only
        - e) Judgments (or VOCs) for all cases the offender is serving on (if available)
        - f) Information(s) for all cases the offender is serving on (if available)
        - g) Recent behavioral health reports/evaluations (SUD or Mental Health) (if available)
        - h) Reports of Violation, hearing documentation, and/or violation responses related to the current placement process

#### **D. FACILITY SCREENING**

1. Facilities may, but are not required to, use screening committees to review referrals from the Department.
2. To better align with the *Correctional Programs Checklist* and evidence-based practices, all FPB contracted prerelease centers and treatment facilities must develop criteria for offenders within the facility's screening policy/procedure that may be used to exclude an offender's participation in the facility's program.
  - a. The specific criteria will be provided on *PFB 6.1.201 (G) Community Corrections Facility*

*Exclusionary Criteria (Facility Exclusionary Criteria)* and submitted to correquests@mt.gov for review, with the policy/procedure, within 30 days from the effective date of this procedure for the current fiscal year.

- b. Exclusionary criteria will not discriminate against offenders based upon the offender's race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status, except as required by male-only and female-only facilities and the placement(s) available to transgender offenders.
  - c. Within 15 business days of receipt of criteria, FPB staff will provide input or coordinate with facility staff on clarification of submitted criteria.
  - d. Finalized criteria will be used for the following fiscal year.
  - e. If the facility wishes to make changes to the criteria during the year, a new *Facility Exclusionary Criteria* form will be submitted for FPB review prior to implementation.
  - f. Facility Administrators and assigned Contract Manager will meet annually to review criteria in place and/or possible need for revisions to criteria.
3. Facilities may only accept placement referrals from Department-authorized entities. Referrals from outside parties such as attorneys, offender family members, offenders, the court, or other facility screening committees may not be accepted for screening.
  4. Facilities will consider and accept or deny referrals within 10 business days (not including state holidays) beginning the next business day after receipt or upon an established schedule as approved by the Contract Manager.
    - a. If a referral must be held past the 10 business days pending clarification or because more information is needed, the specifics must be noted on the *PFB 6.1.201 (E) Screening Report*.
  5. Referral Consideration:
    - a. The facility must review each referral and consider each offender's criminogenic needs, responsivity issues, supplemental assessments, and whether the facility can address the needs of the offender.
    - b. Blank answers on offender application should not be considered by committees as an indication of offender lack of interest or motivation as all offender information should be confirmed in the referral form by the referral source.
    - c. The Screening Coordinator will note if potential accommodations may be needed for any offender accepted into the program due to known physical or mental limitations of an offender.
    - d. It is the policy of the Department of Corrections that discrimination against offenders based upon the offender's race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status is expressly forbidden except as required by male-only and female-only facilities and the placement(s) available to transgender offenders.
  6. The facility may deny a referral only for the following reasons and must include a narrative description of the reason on the *PFB 6.1.201 (E) Screening Report*:
    - a. The offender meets one of the program's established exclusionary criteria per their program's written policy (must note on the *Screening Report* the specific exclusionary criteria the offender meets);
    - b. The offender presents an unacceptable level of risk of harm to other facility offenders or staff as demonstrated by specific behavior within the previous one year (must note on the *Screening Report* the specific behavior and date or range of dates of the behavior);
    - c. The offender's criminogenic needs identified by the referral source or the screening

- committee cannot be addressed by the program (must note on the *Screening Report* the specific needs that cannot be addressed);
- d. The offender has insufficient time remaining on the offender's sentence to benefit from the program;
  - e. The referral was incomplete or information was not provided when requested (note specifically what is missing and the dates it was requested);
  - f. Offender refused provisional acceptance;
  - g. The location of this facility is inappropriate for the offender at this time due to victim input, separation needs, co-defendant placement, strong objection by law enforcement, or other concerns related to a conflict of interest (must note on the *Screening Report* the specific reason the facility location is inappropriate);
  - h. The facility is full and has a long waiting list which would prevent timely placement;
  - i. The referral source withdrew the referral; or
  - j. The offender will not be able to complete the requirements of the program with or without a reasonable accommodation. This reason must be staffed with the FPB Contract Manager or FPB Case Manager and the referral source prior to the denial.
  - k. **For prerelease centers only:** Offender's behavior presents an unacceptable level of risk to community public safety at this time and is not currently appropriate for placement into the prerelease center (must note on the *Screening Report* the specific behavior and date of the behavior).
7. The facility may provisionally accept an offender with recommended conditions of acceptance that include local requirements to participate in their program (for example, sex offender treatment, batterer's intervention, inmate worker, extended stay, a specific period of clear conduct). However, the facility may not require placement in another program/facility not already identified by the referral source as a provision of acceptance or make a referral to another program/facility (*see the requirements of III.D.3. above*).
    - a. If a provisional acceptance is made, the *Screening Report* must list this status and the conditions of acceptance.
    - b. The referral source and offender must agree to the requirement(s) prior to acceptance. The referral source must review the *Referral* form with the offender and obtain the offender's signature of acceptance on the form. Staff must note the agreement in a chronological entry in the offender management system and return a copy of the signed form to the facility screening coordinator.
      - 1) For offenders in jail, the review may occur by telephone and must include review of all acceptance conditions. Staff must document the conversation in the offender management system.
      - 2) If there is a short period of time between facility acceptance and offender transfer to the facility, offender transfer should not be delayed pending the review, and the review may be completed by facility staff upon the offender's arrival. If the requirement is not accepted by the offender and they are already at the facility, facility staff shall contact the referral source or the Contract Manager, who shall facilitate removal of the offender from the facility.
      - 3) In the event the provisional requirement(s) is not accepted, the facility screening committee may deny the offender pursuant to III.D.6.f. above.
  8. All screening results must be reported to the Contract Manager and referral source. The facility will submit the *Screening Report* form by email to [coraccreports@mt.gov](mailto:coraccreports@mt.gov) within 3 business days after the screening committee meets, with the email subject line as follows: "Facility, Report Name, Date (for example, Nexus Screening Report 12/5/2025)." The full denial reason must be stated for each offender in the report with any required notes based on the denial reason.
    - a. Any questions regarding screening results should be directed to the facility screening coordinator first.
    - b. Any disputes regarding screening decisions may be forwarded to FPB at

correquests@mt.gov after the referral source attempts to resolve the issue with the facility screening coordinator.

9. If the facility accepts an Up to 90-Day Intervention Referral or an Up to 9-Month Revocation Referral, the offender's placement must be expedited by the facility due to the limited amount of time allowed in the placement.
10. Facility screening processes are subject to observation by FPB staff.

#### **E. FINAL PLACEMENT DECISION AND OFFENDER TRANSFER**

1. An offender may not be placed until notice of acceptance has been received from the facility and there is a confirmed bed available. For offenders placed directly from county jails, the offender cannot be placed/transferred until the *PPD 4.6.300 (A) Notification and Placement Warrant* is completed by Department staff.
2. Offender warrants/detainers do not necessarily prevent an offender's placement.
3. If accepted as an Inmate Worker or into the Culinary Arts Program and prior to placement, the referral source and facility will follow the requirements of *PFB 6.2.466 Inmate Workers* or *PFB 6.2.440 Culinary Arts Program*.
4. If, for any reason, it is determined the offender will not be placed in the facility or facilities by which the offender was accepted, the referral source or other Department staff member should notify the applicable facility or facilities of the offender's alternate placement as soon as possible.
5. Assessment centers and secure facilities must transfer an offender with a minimum 30-day medication supply. If it is not possible to provide a 30-day supply, the sending facility staff will communicate the specific reasons/circumstances with the placement facility staff prior to placement.
6. Each facility will manage their wait list and will determine bed dates for their facility. Bed date information is not to be released to the offender or general public for security reasons. The facility will inform the referral source of the offender's anticipated bed date and will make any transportation requests as needed and/or make transportation arrangements for the offender to be moved to the facility. The FPB may provide direction regarding waiting list management.

#### **IV. CLOSING**

Questions about this procedure should be directed to the FPB or the facility screening coordinator.

#### **V. REFERENCES**

A. 46-18-201, MCA; 46-18-203, MCA; 46-23-1011, MCA; 46-23-1015, MCA; 46-23-1021, MCA; 46-23-1024, MCA; 46-23-1025, MCA; 46-23-1028, MCA; 53-1-203, MCA

#### **VI. FORMS**

*PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement*  
*PFB 6.1.201 (B1) Placement Unit Referral*  
*PFB 6.1.201 (C) Referral for Placement*  
*PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)*  
*PFB 6.1.201 (E) Screening Report*  
*PFB 6.1.201 (F) Program Referral*  
*PFB 6.1.201 (G) Community Corrections Facility Exclusionary Criteria*



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU OPERATIONAL PROCEDURE

Procedure	<b>PFB 6.1.202 ADMINISTRATIVE TRANSFERS</b>	
Effective Date:	01/23/2020	Page 1 of 2
Revision Date(s):	08/11/2021; 04/15/2025	
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

**This procedure is referenced as ACCD 4.6.200 Administrative Transfers/Overrides in Section 3.G. Offender Management and Administrative Transfer/Overrides in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, Connections Corrections Program (CCP), START, and WATCH Contract.**

### I. PURPOSE

Contract facilities will follow this procedure when administratively transferring an offender.

### II. DEFINITIONS (see Glossary)

### III. REQUIREMENTS

#### A. Offenders on Community Supervision

1. An offender on probation, parole, or conditional release supervision who is experiencing severe medical or mental health issues will be encouraged to use community medical or mental health resources.
2. Offenders on community supervision cannot be administratively transferred for medical or mental health stabilization.

#### B. Offenders in a Community Corrections Facility or Pending Placement

##### 1. General Information

- a. An offender may be temporarily administratively transferred to a community corrections facility or secure facility. Applicable reasons may include:
  - 1) medical assessment/stabilization
  - 2) mental health assessment/stabilization
  - 3) separation needs
  - 4) offender is approved for a placement that is not immediately available
- b. Administrative transfers may be made for DOC Commitments that the Department temporarily places in a secure facility for assessment.
- c. For prerelease offenders with severe mental health issues, the offender's case manager will ensure that all available community resources have been exhausted prior to initiating an administrative transfer.
- d. Offenders will be placed in the least restrictive location at which their needs can be addressed.
- e. An offender will return to their prior placement upon completion of the administrative transfer, unless circumstances warrant placement in a different facility as determined by the Department.

##### 2. Transfer to Assessment Center for Medical or Mental Health Stabilization

- a. Facilities may request an administrative transfer of an offender to an assessment center facility for medical or mental health stabilization for up to 90 days.

##### 3. Transfers to MSP/MWP

- a. Facility staff may request an administrative transfer of an offender from a facility to MSP/MWP for medical or mental health stabilization for up to 90 days.

- b. This transfer will be administered under the *Memo of Understanding* between the Department of Corrections and the BOPP.
- c. In some cases, an offender who has been administratively transferred to an assessment center may need further stabilization and can be administratively transferred to MSP/MWP for up to 90 additional days, following applicable procedures.
- d. If an offender has not been determined stabilized within the 90-day period at MSP/MWP, the FPB Chief, in conjunction with the BOPP, may extend the offender's stay. MSP/MWP staff will send an extension request to corao@mt.gov for appropriate routing.

### C. Procedures and Responsibility

1. Once an administrative transfer has been deemed necessary by the facility, they will send *PFB 6.1.202 (A) Request for Administrative Transfer (Request)* to corao@mt.gov for appropriate routing to Department staff based on the content of the *Request*.
  - a. All necessary information, including medical information justifying the request, must be included on the *Request*.
  - b. The *Request* and email subject line must be named as follows: "*Offender last name, first name, DOC #, Facility, AT.*"
2. When the *Request* has been reviewed by HSB staff and approved or denied by the FPB Chief or designee, they will email it to corao@mt.gov for the FPB Administrative Assistant to upload it to the offender management system and distribute it to appropriate facility staff.
3. If the administrative transfer request is approved, the receiving facility will determine the transport date in consultation with the sending facility.
4. Emergency approval of an administrative transfer may be given verbally by the FPB Chief or designee.
5. When transfer is approved:
  - a. Prior to offender arrival, the sending facility will send applicable offender paperwork to the receiving facility:
    - 1) medical/mental health/medication records; and
    - 2) a behavioral report, if applicable.
  - b. Medical and/or mental health progress will be monitored and communicated weekly by the receiving facility's onsite medical and/or mental health staff to HSB staff.
  - c. Offender's bed will be held by the sending facility as an "off-site" count for up to 30 days.
6. Onsite medical and/or mental health staff will report when stabilization has occurred and the offender is able to return to the sending facility or to the community.
  - a. Prior to the end of an administrative transfer that was initiated due to medical or mental health stabilization needs, a meeting will be held between the sending facility and the receiving facility to ensure continuity of care.
    - 1) When the meeting is concluded, the facility to which the offender is transferring sets the bed date and initiates the transportation process.
7. If it has been determined that an offender cannot be returned to their original placement, FPB and HSB staff will review the case to determine appropriate placement.

### IV. CLOSING

Questions about this procedure should be directed to the FPB Chief or PPB Chief.

### V. FORMS

*PFB 6.1.202 (A) Request for Administrative Transfer*



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU OPERATIONAL PROCEDURE

Procedure	<b>PFB 6.1.204 TRANSITIONAL ASSISTANCE FUNDS AND RENTAL VOUCHERS</b>	
Effective Date:	10/01/2020	Page 1 of 5
Revision Date(s):	09/13/2021; 09/15/2022; 02/06/2025	
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

**This procedure is applicable to all FPB contracted facilities; however, this procedure is referenced as *ACCD 5.1.202 Prerelease Stipend and Special Needs Funding* in Section 1.G.1.c. Standard Contract Terms; Compensation/Billing; Compensation; Special funds, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, and Passages.**

### I. PURPOSE

Staff of the Department of Corrections and the contracted facilities of the Community Corrections Facilities and Programs Bureau (FPB) will follow this procedure when requesting funds that are available to assist eligible persons with financial needs.

### II. DEFINITIONS (see Glossary)

### III. TRANSITIONAL ASSISTANCE/RENTAL VOUCHERS FOR OFFENDERS

#### A. GENERAL INFORMATION FOR OFFENDERS

1. The Department maintains funds to provide financial assistance to eligible offenders for:
  - a. *Transitional Assistance (see III.B below)* – The requested funding must be reasonable, justifiable, and specifically allocated for a service, equipment, or other need:
    - 1) to expedite an offender's discharge from a prerelease center;
    - 2) to help in an offender's completion of a program;
    - 3) for an offender being released from prison; and/or
    - 4) for an offender's ongoing need in the community.
  - b. *Rental Vouchers (see III.C below)* – The requested rental voucher will be specifically allocated to aid in securing initial living arrangements that are suitable for eligible offenders upon their parole as stated in ARM 20.13.108.
2. The offender must be eligible for the funds based on established criteria for the type of assistance requested.
3. Violations of supervision and/or facility write ups are not automatically disqualifying factors for transitional assistance or rental vouchers; however, these will be considered and may result in funds being denied.
4. An offender's request for transitional assistance funds and/or a rental voucher is made using *PFB 6.1.204 (A) Transitional Assistance/Rental Voucher Request (Request)*. Every *Request* will be reviewed and considered by the FPB. FPB staff will determine whether the offender qualifies for transitional assistance funds, a rental voucher, or a combination.

#### B. TRANSITIONAL ASSISTANCE FUNDS FOR OFFENDERS

1. Transitional assistance funds may be used for:
  - a. room and board and personal care expenses for prerelease center residents:
    - 1) these funds should be requested prior to the offender's placement whenever possible; however, if it becomes apparent during the offender's placement that funds may be necessary, the *PFB 6.1.204 (A) Transitional Assistance/Rental Voucher Request (Request)* should be submitted as soon as possible after that determination; and

- 2) funds for room and board or personal care expenses may be requested for up to 3 months prior, the current month, or future months of the offender's stay at the prerelease center;
  - b. rent assistance or rent deposit;
  - c. temporary housing (hotel/motel);
    - 1) temporary housing at a hotel/motel may only be approved for up to 1 week (7 days);
    - 2) temporary housing at a hotel/motel beyond the first week may be considered;
    - 3) damages or extra charges caused by an offender during a stay at a hotel/motel are the responsibility of the offender to pay; and
    - 4) prior to a ProCard charge for temporary housing at a hotel/motel, the Department staff member authorizing the charge to the staff member's ProCard at the hotel/motel must also complete a payment authorization form clearly stating the offender's name, the daily rate, any taxes/fees, and the dates authorized. This form is generally available from the hotel/motel, but *PFB 6.1.204 (B) Payment Card Authorization Form* can be used. A copy of the completed form provided to the hotel/motel must be submitted with the staff member's ProCard log;
  - d. extended duration housing at a hotel or motel, paid on a monthly basis;
  - e. transportation;
  - f. medication;
  - g. treatment costs; and
  - h. essential items or services without which an offender's ability to remain in compliance with the conditions of the offender's supervision is in jeopardy.
2. Eligible offenders are those:
    - a. flat discharging their sentence from prison;
    - b. being paroled or furloughed;
    - c. currently in or being released from a prerelease center, assessment/sanction center, or a treatment facility; or
    - d. currently under or being released to the direct community supervision of Probation and Parole.
  3. Funds will not be used for payment of offender's overdue expenses accrued:
    - a. at an FPB contract facility and offender has left the facility; or
    - b. while under direct community supervision of Probation and Parole (rent, utilities, etc.).
  4. For offenders on community supervision, funds may not be used for services that were court-ordered to be at the offender's expense.
  5. The following information on the *Request* must be provided for review by the FPB:
    - a. information and background explaining why the offender is in need of the funds;
    - b. information regarding the offender's case plan progress and conduct;
    - c. treatment completed or currently enrolled in, or future plans for treatment (if applicable);
    - d. the amount of money the offender has in the offender's resident account and any outstanding debts;
    - e. how long it would take for the offender to save this amount of money in the length of time the offender would have to remain in the program, should funding not be approved;
    - f. identification of needed assistance, such as estimated monthly costs, contingency plans, etc.;
    - g. the estimated timeframe that the offender will use the funds **MUST** be specified;
    - h. vendor information;
    - i. a payment type must be selected, such as "Facility Payment" (for transitional assistance funds for prerelease centers and treatment centers only) or "Vendor Invoice" or "ProCard" for all other costs. If the Vendor Invoice option is chosen, the invoice is not required for the *Request* to be approved; however, the payment cannot be made without an invoice.



6. FPB will determine the funds for which an offender is eligible during FPB's review of the *Request*.
  - a. The availability of other sources of funding will be considered, for example, Inmate Welfare Fund, rental voucher, state-contracted programs such as mental health centers and substance abuse programs, private insurance, Medicaid, etc.
  - b. Funds may not be used to pay FPB contract facilities for room and board or other debt for offenders who escape or are terminated from their placement unless a prior *Request* for those expenses was approved. Previously approved funds will be paid only for the days up to the offender's escape or termination.
  - c. Any *Request* for over \$1,000 must be approved by the FPB Chief or designee.
  - d. A maximum of \$600 may be approved for offenders who are flat discharging upon release from a facility.
7. Payments of transitional assistance funds:
  - a. may be disbursed to the vendor via a ProCard charge or upon receipt of an invoice by the Department;
  - b. may be made to an FPB contract facility for room and board and personal care expenses on behalf of the offender based on offender's need; or
  - c. may be made to an FPB facility for its payment to a vendor on behalf of the offender for allowable expenses or needs. FPB must have approved the *Request* prior to the payment made by the facility.

### C. RENTAL VOUCHERS FOR OFFENDERS

1. Funds for rental vouchers are available to eligible offenders who are being paroled from prison:
  - a. directly to Probation and Parole community supervision;
  - b. to Probation and Parole community supervision upon completion of a treatment program; or
  - c. to Probation and Parole community supervision after completion of an inmate worker placement.
2. Offenders completing a prerelease center program are NOT eligible for rental vouchers.
3. The applicable Department staff member must submit *PFB 6.1.204 (A) Transitional Assistance/Rental Voucher Request (Request)* for ALL offenders designated in III.C.1 above.
4. The financial eligibility of an offender will be determined by FPB staff prior to the offender leaving the prison and pursuant to ARM 20.13.108.
5. The requested funding may be specifically allocated for rent for up to 3 months:
  - a. payment for 1 month at a time will be issued on approval of *Request*;
  - b. offender must remain eligible for the program each month;
  - c. voucher may be used for a sober living home as provided in ARM 20.13.108;
  - d. voucher will not be used for rent deposits; and
  - e. voucher will not be used for temporary stays in a homeless shelter or hotel/motel.
6. Rental voucher funds will be disbursed only to a vendor:
  - a. a payment type of either "Vendor Invoice" or "ProCard" must be selected on the *Request*; and
  - b. if the vendor invoice option is chosen, the invoice is not required for *Request* to be approved; however, the payment cannot be made without an invoice.
7. Offenders approved for a rental voucher must have also been referred for services in the community such as substance use disorder treatment, mental health treatment, sex offender treatment, education services, employment services, cognitive behavioral programming, or other services that help reduce the risk of recidivism.
8. Offenders determined ineligible for a rental voucher may seek transitional assistance funds for rent assistance as outlined in III.B. above.

#### **D. OFFENDER REQUESTS FOR TRANSITIONAL ASSISTANCE FUNDS AND/OR RENTAL VOUCHERS**

1. *PFB 6.1.204 (A) Transitional Assistance/Rental Voucher Request (Request)* must be completed as follows:
  - a. all applicable sections of the *Request* must be filled out;
  - b. a *transitional assistance* request may be pre-approved when the offender's needs have been identified prior to placement or can be requested during the offender's placement;
  - c. a *rental voucher* request must be approved prior to offender's release; therefore, requests must be submitted at least 5 business days in advance of the release to determine if the request is appropriate and meets the criteria for rental vouchers. If approval is needed prior to the 5 days, the requestor should call FPB at (406) 444-6483 and send an email to [correquests@mt.gov](mailto:correquests@mt.gov).
2. The *Request* is submitted as follows:
  - a. an applicable Department staff member submits the *Request* to their supervisor or designee for signature; OR
  - b. facility staff submits *Request* to Facility Administrator or designee for signature.
  - c. Captain or Facility Administrator, or designee, submits *Request* to [correquests@mt.gov](mailto:correquests@mt.gov). Email subject line must read as follows:  
*"Facility name/P&P: Offender Last Name, First Name, DOC #, Transitional Assistance."*
  - d. When an offender is at risk of immediate homelessness, the *Request* may be submitted as an emergency request. The person submitting the *Request* must call FPB at (406) 444-6483 and explain the urgency of the *Request*. If the emergency occurs after business hours, or if there is no response at (406) 444-6483, the person may call (406) 580-7991.
    - 1) Verbal authorization for expenditure of funds for the emergency requests may be given by FPB staff; however, the *Request* must be submitted within 5 business days of the verbal authorization.
3. Unless a *Request* has been identified as an emergency or urgent and has been staffed with FPB, each *Request* will be reviewed and a final determination will be made within 5 business days of the submission of the completed *Request*.
4. If approved, *Request* is forwarded to the staff requesting funds, the contract beds accountant, and FPB budget analyst.
5. Approved vendor(s) will be instructed to submit their invoice for processing/payment as follows, unless otherwise directed by FPB staff:
  - a. to the offender's facility case manager, applicable Department staff, or supervising P&P Officer for transitional assistance funds; and/or
  - b. to the offender's supervising P&P Officer for rental voucher.
6. Staff will send a copy of the invoice by email to [correquests@mt.gov](mailto:correquests@mt.gov). Email subject line must read as follows:  
*"Facility name/P&P: Offender Last Name, First Name, DOC #, Transitional Assistance."*

#### **E. DISBURSEMENT OF FUNDS FOR OFFENDERS**

1. A vendor is required to submit a federal *Form W-9, Request for Taxpayer Identification Number and Certification* with their invoice for the first approved payment.
2. Transitional assistance funds and rental vouchers will not be disbursed to family members or friends or used for their expenses unless the family member is a bona fide landlord and submits supporting documentation showing the family member is a bona fide landlord.
3. Funds will not be disbursed for expenses incurred without an approved *PFB 6.1.204 (A) Transitional Assistance/Rental Voucher Request* unless FPB has given a verbal approval.

4. Funds not used within 120 days of approval will automatically be reallocated unless notification has been made to, and approved by, the FPB Chief or designee.
5. If an offender approved for funds has the offender's community supervision revoked before the funds are used, the funds will be reallocated by the Department.
6. Once approved, an invoice or ProCard receipt must be submitted within the time specified, but no later than 120 days after approval. If more time is needed, offender must contact the offender's case manager or supervising P&P Officer who will contact the FPB.

#### **IV. CLOSING**

Questions about this procedure should be directed to the FPB Chief.

#### **V. REFERENCES**

A. 46-23-1002, MCA; 46-23-1041, MCA; 53-1-107, MCA; ARM 20.13.108

#### **VI. FORMS**

*PFB 6.1.204 (A) Transitional Assistance/Rental Voucher Request*

*PFB 6.1.204 (B) Payment Card Authorization Form*

*PFB 6.1.204 (C) Notice to Landlords*



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
OPERATIONAL PROCEDURE**

Procedure:	<b>PFB 6.1.205 OMIS – PROVIDER ACCESS AND USE</b>	
Effective Date:	01/23/2020	Page 1 of 3
Revision Date(s):	09/06/2021	
Reference(s):	DOC 1.7.3; DOC 1.7.7; 2-2-103, MCA; 2-15-114, MCA; 2-17-534, MCA	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

**This procedure is referenced as *ACCD 1.7.100 OMIS Access for Contract Facilities* in Section 1.D. Standard Contract Terms; Access to Records – Offender Records/Files/OMIS access, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This procedure is referenced as *ACCD 1.7.200 OMIS Entry* in Section 1.D. Standard Contract Terms; Access to Records – Offender Records/Files/OMIS access, in the following contracts: Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**I. PURPOSE:**

The Programs and Facilities Bureau contracted facilities and service providers (providers) will follow established requirements and Department policies to obtain access to the Department's Offender Management Information System. Requirements for the use of this system will also be followed to ensure prompt, accurate, and complete offender information is entered and made available for offender case management.

**II. DEFINITIONS:**

**Accuracy, Completeness, and Timeliness** – All information entered is correct; all of each record's fields are completed and contain all pertinent information; and information is entered as close to the triggering event as possible.

**Need to Know** – The staff member requesting information must have that information in order to properly and adequately perform his or her job-related duties and responsibilities.

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

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Triggering Event** – Any change that affects the accuracy of information stored in Department information systems, e.g., change in custody level or location, address, gender, life-status.

### III. REQUIREMENTS:

#### A. GENERAL:

1. Only provider staff who have been given security clearance and authorization by the Department may access OMIS. The provider will make a computer that has the ability to access OMIS available to authorized staff.
2. The Department will be responsible for training, providing the guidelines of information that must be entered into the system, and the actual cost of maintenance and support of OMIS. The Department will provide reasonable technical assistance associated with access to OMIS by provider staff.
3. Providers are required to provide training to staff that promotes awareness of information security and good practices for all staff.
4. There is no right of privacy in the use of OMIS and all aspects of staff usage may be monitored.
5. Under no circumstances will an offender be allowed to use a computer to access OMIS.

#### B. OMIS ACCESS:

1. The Programs and Facilities Contract Manager (Contract Manager) will act as the security coordinator in receiving requests from contract providers for new or changed access to OMIS.
2. An initial request to add a provider staff member for access to OMIS is made by designated provider staff by submitting a completed *DOC 1.7.7(b) Contractor IT Policy Consent Form* and an *OMIS Access Request Form* to the Contract Manager at [correquests@mt.gov](mailto:correquests@mt.gov).
  - a. A "User ID" is acquired by the Department after *Access Request Form* is submitted and becomes the OMIS User ID for the staff's log-in to OMIS.
  - b. *Consent Form* must be printed and signed by staff and supervisor; electronic signatures will NOT be accepted. *Consent Form* is scanned and emailed to [correquests@mt.gov](mailto:correquests@mt.gov).
  - c. Information regarding the staff member's position and need for OMIS access must be included in the email.
  - d. Contract Manager will submit the request per the Department's process and will notify the staff submitting the request when access has been implemented. The staff member will also be notified and provided the User ID and an initial password.
3. Deleting or changing provider staff's access:
  - a. The Contract Manager must be notified as soon as possible once a staff member's need for OMIS access has changed or is no longer required. This includes staff who have left the facility, whose employment has been terminated, or who have been placed on leave.
  - b. If access is no longer required, a *Departing Employee* form is completed by the Contract Manager and submitted per directions on the form.
4. User IDs and Passwords:
  - a. Provider staff must protect the confidentiality of their User ID and password, may not share this information, and may not write the information where it can be found by others.

**Subject: OMIS-PROVIDER ACCESS AND USE**

- b. To reset a password, a request is sent to the Contract Manager at [correquests@mt.gov](mailto:correquests@mt.gov). Either the Contract Manager or the Department's IT Service Desk will respond to the request.

**C. USE OF OMIS BY PROVIDER STAFF:**

1. Staff authorized to enter or modify data in OMIS and provide offender information to the Department through OMIS are responsible and accountable for the accuracy, completeness, and timeliness of the data they handle.
2. Staff will not remain signed into OMIS when absent from the computer for longer than 15 minutes and will power off the computer when leaving at the end of the workday.
3. A staff member who does not access OMIS within a 60-day time period will be automatically locked out of OMIS and must contact [correquests@mt.gov](mailto:correquests@mt.gov). Once locked out, the need for the staff's OMIS access may be reviewed to determine if access remains necessary.
4. Prohibited uses of OMIS include:
  - a. accessing data, information, or networks that the state has access to outside of normal job duties or without proper authorization;
  - b. sharing or use of any username or password with other authorized or unauthorized staff;
  - c. disclosing any information or printed output to anyone without a need to know;
  - d. any use for private or commercial profit, product advertisement, or political lobbying;
  - e. downloading any information to any removable storage media; and
  - f. sharing, giving, or selling information with anyone outside of a facility.
5. Staff will report unlawful use of OMIS and other security violations to the Contract Manager.
6. OMIS access will be immediately suspended for staff violating this procedure and Department policies referenced in the access form.

**IV. CLOSING:**

Questions regarding this procedure should be directed to the Programs and Facilities Bureau.

**V. FORMS:**

DOC 1.7.7(b)	Contractor IT Policy Consent Form
IT Bureau	OMIS Access Request Form
HR Bureau	Departing Employee



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
OPERATIONAL PROCEDURE**

Procedure:	<b>PFB 6.1.206 PFB OFFENDER GRIEVANCE APPEALS</b>	
Effective Date:	10/01/2020	Page 1 of 5
Revisions Date(s):		
Reference(s):	DOC 1.1.6; DOC 1.1.17; DOC 1.3.12; DOC 3.3.3; DOC 3.3.20; 41-3-201, MCA; 45-5-501 through 503, MCA; 28 CFR Part 115	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

**I. PURPOSE:**

The Programs and Facilities Bureau provides a process to offenders under the jurisdiction of the Department of Corrections and placed in a PFB facility when they wish to appeal the results of a facility's grievance process.

**II. DEFINITIONS:**

**Discrimination** – Unfair treatment including statements, decisions, or acts based on the offender's race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.

**Facility** – Refers to the facilities under contract with the PFB. This term includes the facility building or residence, including property and land owned or leased and operated by the facility.

**Harassment** – Harassment, including sexual harassment, is offensive and unwelcome conduct including, but not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, and offensive objects or pictures, based upon the offender's race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin, or in retaliation against an offender because the offender has opposed any discriminatory practices or because the offender has filed a complaint, testified, assisted, or participated in any manner in a discrimination investigation or proceeding.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Retaliation** – A significant adverse act taken against an offender because the offender has opposed any forbidden discriminatory practices or because the offender has filed a complaint, testified, assisted, or participated in any manner in a discrimination investigation or proceeding. As set forth in A.R.M. 24.9.603, significant adverse acts are those that would dissuade a reasonable person from engaging in protected activity.

### III. PROCEDURES:

#### A. GENERAL GUIDELINES:

1. An offender in a PFB facility who has exhausted all levels of a facility's grievance program may appeal the facility's final decision through a three (3)-step process to the Programs and Facilities Bureau within 14 calendar days of the facility's final decision.
  - a. Step-One: *PFB 6.1.206 (B) Grievance Appeal to PFB* may be submitted by offender within 14 calendar days of the facility's final decision. The offender will be deemed to have exhausted his/her administrative remedies if he/she fails to file an appeal within the 14 calendar days.
  - b. Step-Two: If the offender's requested action is not granted, or a response is not received from the Programs and Facilities Contract Manager (Contract Manager) within 20 business days, *PFB 6.1.206(C) Grievance Appeal to PFB Bureau Chief* may be submitted within 14 calendar days.
  - c. Step-Three: If the offender's requested action is not granted, or a response is not received from the PFB Bureau Chief within 20 business days, *PFB 6.1.206(D) Grievance Appeal to Deputy Director* may be submitted within 14 calendar days.
2. Each step of the grievance appeal process should be sent to:
 

Programs and Facilities Bureau  
P.O. Box 201301, Helena, MT 59620
3. During business hours, PFB staff will be available to provide this procedure, the appropriate forms, and instructions on properly completing the forms. PFB staff will also assist offenders who do not speak English, as well as those who are visually or otherwise disabled.
4. Grievance appeals may not be submitted for the following:
  - a. disciplinary decisions made by facility staff or Hearings Officer;
  - b. a determination of ineligibility for rent vouchers based on Administrative Rule of Montana and Montana Code Annotated; and
  - c. actions by outside entities not under the jurisdiction of the Department, including the Sentence Review Board and the Board of Pardons and Parole.
5. Grievance appeals may be submitted for:
  - a. Staff misconduct: Must fit the specific criteria noted in facility policy/procedure.
    - 1) Includes discrimination, harassment, or retaliation.
    - 2) Appeals alleging sexual harassment or sexual misconduct by facility staff will be addressed pursuant to *DOC Policy 1.1.17, Prison Rape Elimination Act of 2003 (PREA)*.
  - b. Policy and/or operational procedures: Appeal must specifically demonstrate with factual basis that the offender has been, in some manner, unfairly or personally adversely affected by the application or operation of a facility policy and/or operational procedure.
6. The following apply to all form submissions:
  - a. If an offender does not use the appropriate form, he/she risks having it returned without processing.
  - b. Each form should provide all requested identifying information to ensure contact can be maintained throughout the process:
    - 1) The offender will legibly and clearly state the issue in the space provided.



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- 2) The offender must request an action he/she feels will resolve the issue; however, requests for staff termination, reprimand, and/or an apology letter, or for money for punitive reasons, will not be accepted.
- 3) Incomplete forms will be returned to the offender with a written statement as to why it is not being processed. The offender may resubmit the form with the appropriate corrections, but must do so within 14 calendar days, or it will be rejected.
- c. An offender may not raise any issue in a grievance appeal that was not raised in the facility's grievance program and may not combine appeals of separate facility responses into a single appeal.
- d. A single issue, or a reasonable number of closely related issues, will be described on the form and an action will be requested. The name of the individual(s) against whom the offender is making a complaint will be listed.
- e. If multiple unrelated issues are included on a single form, it will be returned with a response advising the offender to use a separate form for each unrelated issue.
- f. If two or more offenders file issues on the same form, it will be returned with a response advising the offenders to use separate forms.
- g. Assistance may be provided by other offenders in filing the form; however, an offender may not submit a form on behalf of another offender.
- h. Copies of all documentation essential to the resolution of the issue should be attached. The offender is encouraged to retain a copy of all documentation for their personal records.
7. In the course of resolving a grievance appeal, the facility will provide any information and documentation requested by PFB staff. Therefore, because PFB staff may have access to essential records for resolution, the offender's appeal serves as a waiver of confidentiality in this regard.
8. An offender will not be subjected to retaliation for utilizing a grievance appeal. Persons violating this directive will be subject to disciplinary action.
9. Abuse of the appeal process by an offender includes the use of threats and submitting multiple grievance appeals in reference to the same issue(s). If it is determined an offender is demonstrating a pattern of abuse, he/she will be notified on the form the reasons for the determination and that future forms continuing the pattern of abuse will be returned as an abuse notice violation.
10. An appeal filed by an offender in violation of an abuse notice issued by the facility will be reviewed but may be marked as an abuse notice violation and returned to the offender.
11. If the offender's requested action is granted, it is understood all administrative remedies have been exhausted.
12. The PFB Administrative Assistant will maintain electronic files to store and track offender grievance appeals.

**B. APPEAL OF FACILITY GRIEVANCE RESPONSE:**

1. With respect to all time limits established for offenders, extensions may be granted by the respondent for good cause shown in exceptional circumstances, such as physical incapacity or

Subject: PFB OFFENDER GRIEVANCE APPEALS

being in transit while separated from relevant documents.

- a. Respondent will provide written notice to the offender on *PFB 6.1.206(A) Appeal Response Extension*.
  - b. A completed copy of the *Extension* form will be forwarded to [corao@mt.gov](mailto:corao@mt.gov)
3. The PFB staff member receiving *PFB 6.1.206 (B) Grievance Appeal to PFB* will sign the form, fill in the date and time received, and deliver to the appropriate Contract Manager.
  4. Contract Manager will investigate the grievance appeal and attempt to resolve it. The appeal may be referred to another Contract Manager due to any conflict of interest, or to a more appropriate division:
    - a. A copy of the signed response is saved and the original is mailed to the offender within 20 business days and, if appeal was denied, a copy of *PFB 6.1.206(C) Grievance Appeal to PFB Bureau Chief* is included for the offender.
    - b. If Contract Manager determines the appeal is an abuse of the process, he/she will give the reasons for the determination in the response section and state that future appeals continuing the pattern of abuse will be returned as an abuse notice violation on the *Grievance Appeal*. Contract Manager will also mark that the requested action is denied.
      - a. A copy of the form is saved, a chronological entry in offender's OMIS record regarding the abuse notice is made, and the original is mailed to offender.
      - b. If offender submits an appeal form that violates an abuse notice, the Contract Manager will mark that the appeal is an abuse notice violation, save a copy of the form, and mail response to offender.
  5. If offender submits *PFB 6.1.206(C) Grievance Appeal to PFB Bureau Chief* within 14 calendar days:
    - a. Bureau Chief will investigate the appeal and respond on the *Grievance Appeal to PFB Bureau Chief* within 20 business days of receiving the appeal. However, an appeal to the Bureau Chief submitted as an abuse notice violation may be returned to the offender unanswered.
    - b. A copy of the signed response is saved, and the original is mailed to the offender. If appeal was denied by the Bureau Chief, include a copy of *PFB 6.1.206(D) Grievance Appeal to Deputy Director* for offender.
  6. If the offender submits *PFB 6.1.206(D) Grievance Appeal to Deputy Director* for review by the Department's Deputy Director within 14 calendar days:
    - a. Deputy Director will investigate the appeal and respond on the *Grievance Appeal to PFB Deputy Director* within 20 business days of receiving the appeal. However, an appeal submitted as an abuse notice violation may be returned to the offender unanswered.
    - b. A copy of the signed response is saved, and the original is mailed to the offender.
  7. The Deputy Director's response is final and exhausts all administrative remedies available to the offender through the offender grievance appeal process.
  8. If, during any of the appeal reviews, the respondent finds there may be discrimination, harassment, or retaliation against the offender, he/she will contact the facility's human resources office and request it review the offender's grievance with the facility. The facility will provide a summary of its review to PFB.

**IV. CLOSING:**

Questions regarding this procedure shall be directed to the Programs and Facilities Bureau.

**V. FORMS:**

- PFB 6.1.206 (A)     Appeal Response Extension
- PFB 6.1.206 (B)     Grievance Appeal to PFB
- PFB 6.1.206 (C)     Grievance Appeal to PFB Bureau Chief
- PFB 6.1.206 (D)     Grievance Appeal to Deputy Director



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Procedure:	<b>PFB 6.1.209 FACILITY OFFENDER DEATH</b>
Effective Date:	05/03/2021 <span style="float: right;">Page 1 of 4</span>
Revisions Date(s):	
Reference(s):	PFB 6.2.403; PFB 6.2.408; DOC 1.1.8; DOC 4.5.34; 2-6-1003, MCA; 46-4-103, MCA; 46-4-122, MCA; 46-4-201, MCA; 50-22-101, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**I. PURPOSE:**

Programs and Facilities Bureau contracted facilities will follow established requirements for the notification of the death of an offender who is in the custody of the Department.

**II. DEFINITIONS:**

**CSD-Clinical Services Division** – The division within the Department responsible for the overall health care functions of medical, mental health, dental and vision for all programs and facilities.

**Death** – When an individual has sustained either irreversible cessation of circulatory and respiratory functions or irreversible cessation of all functions of the entire brain, including the brainstem. A determination of death must be made by a physician or coroner in accordance with accepted medical standards pursuant to §50-22-101, MCA.

**Law Enforcement Agency of Jurisdiction (LEAJ)** – The government agency, i.e. state, federal, sheriff's office or local police department, operating within their defined area of responsibility.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Public Record for Adult Offenders** – Information including, but not limited to: name, date of birth, race, gender, eligibility for parole, execution of warrant or sentence, term expiration, court documents unless expressly sealed by court order, FBI number, fine(s) imposed, jail credit time, supervising facility or program, participation or non-participation in a court-ordered program, court docket number and offense in accordance with 2-6-1003, MCA.

**III. PROCEDURES:**

**A. FACILITY NOTIFICATIONS UPON AN OFFENDER DEATH:**

1. **OMIS entries regarding the death of an offender will only be made by the Montana State Prison Records Department.**
2. **Death occurring at the facility:** An offender's death while at a facility will be reported as follows:
  - a. immediately to the law enforcement agency of jurisdiction (LEAJ);

Subject: FACILITY OFFENDER DEATH

- b. to the **PFB Bureau Chief at 406-580-7991, or designee within one (1) hour**; and
  - c. MSP Command Post at 406-415-6250 within one (1) hour.
  - d. Facility Administrator or designee will inform LEAJ that an autopsy is required for an offender's death while at the facility.
  - e. Autopsy reports received by the facility will be provided to the PFB Bureau Chief and CSD.
- 3. Death occurring at a medical facility:** An offender's death while at a medical facility will be confirmed through the PFB facility procedures and reported as follows:
- a. to the PFB Bureau Chief at 406-580-7991, or designee within one (1) hour; and
  - b. MSP Command Post at 406-415-6250 within one (1) hour.
  - c. Facility Administrator or designee will inform the medical facility staff that an autopsy is required for an offender's death while at the medical facility.
- 4. Death occurring at other off-site location:** Once a PFB facility has been notified of an offender's death at a location other than the facility or a medical facility, it will be confirmed through the facility's procedures and then reported as follows:
- a. if not already done, immediately to the law enforcement agency of jurisdiction (LEAJ);
  - b. to the PFB Bureau Chief at 406-580-7991, or designee within one (1) hour; and
  - c. MSP Command Post at 406-415-6250 within one (1) hour.
  - d. Facility Administrator or designee will inform LEAJ that an autopsy is required for an offender's unexpected death while off-site of the facility other than at a medical facility.
  - e. Autopsy reports received by the facility will be provided to the PFB Bureau Chief and CSD.
- 5. Death occurring while on escape status:** Once a PFB facility is notified by law enforcement or other means of an offender's death while he/she is on escape status:
- a. The death will be reported within one (1) hour to:
    - 1) the PFB Bureau Chief at 406-580-7991, or designee,
    - 2) the MSP Command Post at [CORMSPCommandPost@mt.gov](mailto:CORMSPCommandPost@mt.gov), and
    - 3) the DOC Office of Investigations at [corie@mt.gov](mailto:corie@mt.gov).
  - b. An autopsy is required for an offender's death while the offender is on escape status.
  - c. Autopsy reports received by the facility will be provided to the PFB Bureau Chief and CSD.

**B. FACILITY REPORTING OF OFFENDER DEATH:**

1. All facility staff who witnessed the death or any related activities or offender behavior will complete *PFB 6.2.403(A) Priority Incident Report* as soon as possible, but no later than the end of the shift. Incident reports will be submitted to PFB at [correquest@mt.gov](mailto:correquest@mt.gov). The report must include the following information:
  - a. location and time of death;
  - b. circumstances surrounding death;
  - c. emergency medical procedures/treatment rendered (if any); and
  - d. emergency contact or next of kin notified of death, including full contact information;
  - e. LEAJ contact name and information and case number.
2. Prior to the release of information to the public/media regarding the death:
  - a. LEAJ should make the notification to offender's emergency contact or next of kin;
  - b. If LEAJ does not make the notification, the facility administrator will notify the offender's emergency contact/next of kin; and

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- c. If facility has no listed emergency contact/next of kin, contact the Programs and Facilities Contract Manager (Contract Manager).
3. Only information that is public record for an adult offender may be released by designated facility and/or DOC staff (see *PFB 6.2.408 PFB Offender Case Records Management*). Other facility or DOC staff must not release information concerning an offender's death.

**C. NOTIFICATIONS AND REPORTING BY PFB:**

1. Upon notification of an offender death, the PFB Bureau Chief or designee will contact the DOC Communications Director, Department Director, Deputy Director, and CSD.
2. Through the LEAJ, the designee will:
  - a. verify the identity of offender;
  - b. confirm offender's death; and
  - c. confirm the emergency contact/next of kin notification(s) have been completed.
3. The PFB Bureau Chief or designee will notify the Montana State Prison (MSP) Records Manager of the death. The offender's OMIS record will be updated by MSP Records after next of kin notifications have been completed and confirmed.
4. *PFB 6.2.403(A) Priority Incident Report* is forwarded to the following with "Offender Death" in email subject line:
  - a. CSD;
  - b. MSP Records Manager;
  - c. Office of Investigations at [corie@mt.gov](mailto:corie@mt.gov); and
  - d. Other appropriate persons as determined by the PFB Bureau Chief or designee.
5. After an offender's unexpected death occurs, Contract Manager will coordinate a death review/debriefing with other PFB staff, CSD, and facility staff. The review will include:
  - a. any events leading up to offender's hospitalization and/or death;
  - b. pertinent medical and mental health services or reports involving the offender;
  - c. facility procedures used; and
  - d. identifying process improvement.
6. PFB staff will follow up on any recommendations when provided by CSD.

**D. BURIAL OF OFFENDER:**

1. Offender remains will be released to his/her family or emergency contact for services and burial.
2. If there is no family/contact, or the family/contact declines to receive the remains, the Department may provide burial at the Department's expense.

**E. OFFENDER PROPERTY:**

1. Pursuant to *PFB 6.2.421 Offender Personal Property*:
  - a. All personal identifying documents left behind by an offender will be sent to the Programs and Facilities Contract Manager at the Helena Central Office (PO Box 201301, Helena, MT 59620) within five (5) days. Documents will then be forwarded to the responsible person

designated by the offender to receive personal property on the offender's behalf.

- b. For all other inventoried personal property items left behind by an offender, good faith efforts will be made within 30 days to notify the offender's designated person and have arrangements in place to return the remaining items unless the items are confiscated as evidence (e.g., for an escape). If, after 45 days and good faith efforts have failed, these property items are considered as abandoned and may be donated or destroyed.
- c. Within 15 days of an offender's death, debts incurred during offender's current placement may be deducted from the offender's monetary account as outlined in *PFB 6.2.421 Offender Personal Property*, and the remaining balance, as well as any wages or other money received after the offender's death are forwarded to the offender's designated person.

- 2. *PFB 6.2.421(A) Disposition of Offender Personal Property Items* and *PFB 6.2.421(B) Disposition of Offender Monetary Accounts* will be completed as directed in *PFB 6.2.421 Offender Personal Property*.

#### IV. CLOSING:

Questions regarding this requirement shall be directed to the Programs and Facilities Bureau.

#### V. FORMS:

- PFB 6.2.403 (A) Priority Incident Report
- PFB 6.2.421(A) Disposition of Offender Personal Property Items
- PFB 6.2.421(B) Disposition of Offender Monetary Accounts



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
OPERATIONAL PROCEDURE**

Procedure:	<b>PFB 6.2.402 BACKGROUND CHECKS</b>	
Effective Date:	03/14/2018	Page 1 of 4
Revisions Date(s):	07/02/2018; 01/07/2019; 10/19/2020; 08/11/2021	
Reference(s):	53-1-203, MCA	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

**This requirement is referenced as *ACCD 1.3.402 Background Investigations* in Section 4.C.4. Facility Management; Staffing/Certification/Training; Background Staff Investigations, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**I. PURPOSE:**

The Programs and Facilities Bureau is committed to protecting the safety of offenders, DOC employees, and the employees and other individuals of contract facilities and providers; therefore, background checks are required for all prospective employees with contracted facilities and providers.

**II. DEFINITIONS:**

**Administrator** – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), that is ultimately responsible for the division, facility or program operation and management.

**Criminal Conduct** – A charge or conviction of a violation of city, county, tribal, state or federal law that includes all felonies and serious misdemeanors, including but not limited to; assault, sexual assault, traffic violations (i.e., hit and run), driving under the influence (DUI), reckless driving, or other violations by staff that could result in the imposition of a jail sentence and/or suspension or revocation of the violator's driver's license.

**Facility/Program** – Refers to any division, prison, secure care correctional facility, correctional or training program, or community-based program under Department jurisdiction or contract. This term includes the facility building or residence, including property and land owned or leased and operated by the Department or contractor.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**III. PROCEDURES:**

**A. GENERAL:**

1. The PFB and contract facilities/providers will comply with all federal anti-discrimination laws in all employee selection processes.



## Subject: BACKGROUND CHECKS

2. A PFB contract facility may use the process for background checks pursuant to this requirement or a process established by the facility whereby background checks are paid for, conducted, and maintained by the facility.
3. An offer of employment may be made contingent on a completed background check; however, the applicant's start date will be established after a final determination of eligibility has been made, or as agreed upon by the facility and PFB.
4. The PFB will conduct criminal background checks on successful applicants to a contract facility/provider prior to the hiring of the applicant. Following the steps given below, facilities/providers will initiate background checks on current employees every five (5) years in accordance with the *Prison Rape Elimination Act of 2003* to check for new convictions.
5. Employees must self-report subsequent criminal charges and convictions within five (5) calendar days to their immediate supervisor. The self-reporting will be documented and forwarded to the appropriate Programs and Facilities Contract Manager (Contract Manager) within five (5) business days.
6. The PFB may further review a facility employee's criminal background during his/her employment at any time for due cause.
7. If an administrator or supervisor has reason to believe a current employee may have been involved in criminal conduct, he or she will notify local law enforcement and the Contract Manager immediately.

**B. DISCLOSURE OF CRIMINAL HISTORY:**

1. Applicant must disclose his/her criminal history to the facility during the hiring process.
2. Evidence of a conviction may not automatically disqualify an applicant or an employee from employment with a facility/provider.
  - a. If an individual has a criminal history, the following factors will be considered: the nature and gravity of the offense; the time period since the completion of the sentence; and the nature of the job held or sought along with the relatedness of the conviction.
  - b. Applicants with offenses that include, but are not limited to, violent offenses, DUI, partner/family member assault (PFMA), and stalking, will warrant additional consideration by PFB on a case-by-case basis.
3. Because reparations to victims is an important part of the Department's mission, additional consideration will be given when an applicant owes restitution. Payment of restitution may be required of the applicant as a condition of employment.
4. The PFB will not approve the hiring or continuing employment of an employee or subcontractor who has:
  - a. engaged in sexual harassment and/or abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution;
  - b. been convicted of engaging in or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse;

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c. been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

5. Employees have a continuing affirmative duty to disclose any of the misconduct listed in #4 above.

**C. CRIMINAL BACKGROUND CHECKS AND EVALUATION OF CRIMINAL RECORD HISTORY:**

1. Criminal background checks will be conducted on successful applicants to a PFB contract facility/provider.
2. To initiate a background check, the facility/provider will complete the following:
  - a. Applicant will review and sign *PFB 6.2.402(A) Requirements for Employment*.
  - b. Applicant is provided *PFB 6.2.402(B) Request for Background Check* and **must** take the form to his/her local law enforcement agency to provide fingerprints and request a background check by the Department of Justice (DOJ).
    - 1) Applicant or facility/provider is responsible for the costs associated with fingerprinting.
    - 2) If there are extenuating circumstances beyond the facility/provider's control that hinder the taking of fingerprints or fingerprint submission to DOJ, and the facility/provider has made reasonable attempts to resolve the issue, the facility/provider may request the Contract Manager complete a criminal history check based on the applicant's personal information.
  - c. Using a file transfer system to maintain confidentiality, a copy of signed *Requirements for Employment* is emailed to Contract Manager at [correquests@mt.gov](mailto:correquests@mt.gov). Contract Manager will initiate Department's process for obtaining completed background check.
3. Once DOJ completes background check, PFB will review the results. If there is a verifiable conviction from the background check, it will be transmitted securely and swiftly, via fax or the secure file transfer service, to the Contract Manager to determine if an offer of employment can be made or not due to the conviction.
4. Contract Manager will notify the facility's designee by email and indicate the applicant's name and a statement as to whether the referenced applicant 'does' or 'does not' meet the eligibility criteria.
5. The applicant or facility may request reconsideration of the decision if the applicant does not meet eligibility requirements:
  - a. the applicant may contact the facility and facility will staff the reconsideration with the Contract Manager;
  - b. the facility may contact the Contract Manager to staff the reconsideration.

**D. CONFIDENTIALITY:**

1. Any and all information pertaining to an employee's or applicant's criminal record history is confidential communication. Access to this information is limited to those who have a legitimate need to know and will only be disseminated in conformity with relevant laws and Department policy. These records will include:
  - a. *PFB 6.2.402(A) Requirements for Employment*;
  - b. analysis and decision regarding any convictions;

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- c. documentation of applicant not meeting criteria for hire; and
  - d. correspondence related to background check.
2. Employee records will be securely maintained by the facility during the duration of employment and in accordance with the contract.

**IV. CLOSING:**

Questions concerning this requirement should be directed to the Prerelease and Treatment Facilities Contract Manager.

**V. FORMS:**

- PFB 6.2.402 (A) Requirements for Employment
- PFB 6.2.402 (B) Request for Background Check



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.403 INCIDENT REPORTING REQUIREMENTS</b>	
Effective Date:	10/01/2020	Page 1 of 4
Revision Date(s):	05/03/2021; 09/06/2021	
Reference(s):	PFB 6.2.404; PFB 6.2.422 <sup>RD</sup> ; DOC 1.1.6; 2-15-112, MCA; 53-1-203, MCA	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

**This requirement is referenced as *ACCD 1.1.600 Priority Incident Reporting* in Section 1.J.1.a. Standard Contract Terms; Compliance with Laws; State, federal, and local laws; Prison Rape Elimination Act, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**I. PURPOSE:**

PFB contracted facilities will follow established requirements when reviewing and reporting incidents that jeopardize or have the potential to jeopardize staff, offenders, visitors, the security of a facility, or the safety of the community at large.

**II. DEFINITIONS:**

**First Responder** – A person, such as a law enforcement officer, firefighter, or an EMT, who is among those responsible for going immediately to the scene of an incident or emergency to provide assistance.

**MSP Command Post** – The location at Montana State Prison to which all Department divisions, facilities, and programs report Priority I incidents.

**Office of Investigations** – The office that oversees all criminal investigations for the Department.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Service Providers** – This term includes contracted persons or other vendors providing service whose assignment is primarily on Department premises, e.g. facility or program office.

**III. REQUIREMENTS:**

**A. GENERAL REQUIREMENTS:**

1. Incidents will be designated as Priority I or Priority II by considering the following:
  - a. seriousness of the incident by evaluating safety, security, liability, damage to property, and monetary loss;
  - b. need for Department-specialized response;
  - c. public impact of the incident; and/or
  - d. media involvement.

## Subject: INCIDENT REPORTING REQUIREMENTS

2. Priority I incidents are those that pose the highest risk to the Department, PFB, and/or the facility. Examples of Priority I incidents may include, but are not limited to:
  - a. use of force incidents resulting in death or injury to employees, service providers, or offenders;
  - b. safety or security breach due to loss or malfunction of facility keys;
  - c. escape, or serious escape attempt from a PFB facility – **see PFB 6.2.422RD Facility Escapes for reporting requirements;**
  - c. death of offender in a DOC placement or in the presence of DOC/contracted staff – **see PFB 6.1.209 Facility Offender Death for reporting requirement;**
  - d. serious injury, life-threatening accident, or life-threatening illness requiring transportation off facility grounds;
  - e. actual, suspected, or attempted hostage action;
  - f. on-site violent act committed by an employee, on-site volunteer or visitor that may result in criminal charges;
  - g. serious assaults either offender on offender or offender on staff resulting in injury;
  - h. a PREA allegation that law enforcement has responded to or for which an offender has been taken to a hospital for an examination – **see PFB 6.2.404 PREA Compliance and Reporting for reporting requirements;**
  - i. discovery of dangerous contraband, i.e., weapons;
  - j. suspected or actual introduction of illegal or controlled substances in a treatment or assessment center;
  - k. significant property damage resulting from man-made or natural, public or offender action;
  - l. evacuation of a building that is not a drill or exercise;
  - m. equipment, communication system or security system malfunction resulting in disruption to facility or office operation;
  - n. any event requiring a response from non-Department first responders;
  - o. major or prolonged disruption of operations due to power outages, riot or disturbance, arson, or sabotage;
  - p. medically advised reported or suspected illness from highly contagious diseases; and
  - q. any occurrence the appropriate Programs and Facilities Contract Manager (Contract Manager) or facility administrator believes may result in an unusual level of public attention.
3. Incidents not listed as Priority I may be categorized as Priority II incidents. Examples of Priority II incidents include, but are not limited to:
  - a. identified or suspected safety or security breaches (i.e. loss of facility tools, etc.); and
  - b. discovery of illegal or controlled substances within a prerelease center.
4. Designated authority within the chain of command will analyze the incident and, if it meets the criteria, may reclassify it as Priority I accordingly and provide notification as outlined below.
5. Each facility will establish policy/procedure on documenting and reporting priority I and II incidents that includes the following:
  - a. for all incidents except a PREA allegation or an escape, use *Section A of PFB 6.2.403(A) Priority Incident Report*:
    - 1) for all PREA allegations, use *Section B of PFB 6.2.403(A) Priority Incident Report* following the requirements set forth in *PFB 6.2.404 PREA Compliance and Reporting*; and

## Subject: INCIDENT REPORTING REQUIREMENTS

- 2) for an escape, use *PFB 6.2.422(C) Escape Incident Report* following the requirements set forth in *PFB 6.2.422RD Facility Escapes*.
  - b. establish a permanent log using *PFB 6.2.403(B) Facility Incident Log* indicating the nature of the incident. **PREA allegations and Escapes are not to be included in this Log;**
  - c. quarterly submission of *Incident Log* to Contract Manager at [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov). Email subject line should read "Facility; Incident Log Quarter #"; and
  - d. maintain all original incident reports in a secure central filing system; and
  - e. copies of priority II incident reports will be submitted upon request of the Contract Manager.
6. A Contract Manager may reclassify the incident as a Priority I upon review of the *Incident Log*.

**B. NOTIFICATIONS:****1. Priority I Incidents:**

- a. Notification of a suspected Priority I incident, other than a PREA allegation or an escape, will be made to the **PFB Bureau Chief at 406-580-7991, or designee within one (1) hour**. The Bureau Chief or designee will determine if MSP Command Post should be notified at this point. If Bureau Chief or designee cannot be spoken to, attempts to contact a Contract Manager should be made. If Contract Manager cannot be spoken to, contact the MSP Command Post.
- b. **If directed by Bureau Chief**, notification will be made to the **MSP Command Post at 406-415-6250**. Local law enforcement will be notified if warranted.
- c. **Within one (1) hour** of verbally reporting the incident, the initial written reports for all Priority I incidents will be:
  - 1) emailed to the **Contract Manager** at [correquests@mt.gov](mailto:correquests@mt.gov) with "Priority Incident" in email subject line;
  - 2) emailed to the **PFB Bureau Chief** with "Priority Incident" in email subject line; and
  - 3) emailed to the **Office of Investigations** at [corie@mt.gov](mailto:corie@mt.gov) with "Priority Incident" in email subject line; and
  - 4) **if** MSP Command Post was notified, reports are also emailed to the MSP Command Post at [CORMSPCommandPost@mt.gov](mailto:CORMSPCommandPost@mt.gov).
- d. Facility staff is responsible to review all reports for accuracy, completeness, and clarity before signing the report and will return any insufficient reports to the reporting staff with correction instructions and guidance.
- e. The reporting supervisor will review the reports and distribute copies according to established requirements.

2. **Priority II Incidents:** Priority II incidents are reported through the established internal chain of command process and to a Contract Manager through the submission of *PFB 6.2.403(B) Incident Log*.

**IV. CLOSING:**

Questions regarding this requirement should be directed to the Programs and Facilities Bureau.

Subject: INCIDENT REPORTING REQUIREMENTS
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**V. FORMS:**

PFB 6.2.403 (A)	Priority Incident Report
PFB 6.2.403 (B)	Facility Incident Log
PFB 6.2.422 (C)	Escape Incident Report



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.404 PREA COMPLIANCE AND REPORTING</b>
Effective Date:	10/01/2020 <span style="float: right;">Page 1 of 4</span>
Revision Date(s):	09/13/2021
Reference(s):	DOC 1.1.17; 41-3-201, MCA; 45-5-501, MCA; 45-5-502, MCA; 45-5-503, MCA; 52-3-811, MCA; 28 CFR Part 115
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This requirement is referenced as ACCD 1.3.1400 PREA in Section 1.J.1.a. Standard Contract Terms; Compliance with Laws; State, federal, and local laws; Prison Rape Elimination Act, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This requirement is referenced as ACCD 1.1.1700 PREA in Section 13.1 Compliance with Laws in the following contracts: Connections Corrections Program (CCP) and WATCH.**

**I. PURPOSE:**

The Programs and Facilities Bureau's contracted facilities will comply with requirements established by the Prison Rape Elimination Act of 2003 by following established requirements for the prevention, intervention, reporting, and investigation of any sexual abuse or sexual harassment against offenders.

**II. DEFINITIONS:**

**DOC PREA Coordinator** – The Department position responsible for administration and management of the Department-wide PREA program including, but not limited to, compliance, policy and procedure development, staff training, offender education, and records and statistical tracking.

**LEAJ-Law Enforcement Agency of Jurisdiction** – The government agency, i.e. sheriff's office or local police department, operating within their defined area of responsibility.

**Office of Investigations** – The office that oversees all criminal investigations for the Department.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Service Provider** – This term includes contracted persons or other vendors providing service whose assignment is primarily on Department premises, e.g. facility or program office.

**Sexual abuse of an offender by another offender** – Sexual acts, sexual contact or any other intentional touching, either directly, through the clothing, or with an object, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation, in which the victim does not consent, is coerced by overt or implied threats of violence, or is unable to consent or refuse.

**Sexual abuse of an offender by an employee or service provider** – Sexual acts, sexual contact or any other intentional contact, either directly, through the clothing, or with an object, of or with the



## Subject: PREA COMPLIANCE AND REPORTING

genitalia, anus, groin, breast, inner thigh, or the buttocks; any attempt, threat, or request by an employee or service provider to engage in these activities; any display by an employee or service provider of his or her uncovered genitalia, buttocks, or breast in the presence of an offender; or voyeurism by an employee or service provider, when these acts are unrelated to official duties or where the employee or service provider has the intent to abuse, arouse, or gratify sexual desire.

**Sexual Harassment** – Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender directed toward another offender or repeated verbal comments or gestures of a sexual nature to an offender by an employee or service provider.

**Substantiated Allegation** – An event was investigated and determined to have occurred based upon preponderance of the evidence.

**Unfounded Allegation** – An event was determined not to have occurred.

**Unsubstantiated Allegation** – Evidence was insufficient to meet the preponderance of the evidence to make a final determination as to whether or not the event occurred.

**Volunteer** – An individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.

**Voyeurism** – An invasion of privacy of an offender by a staff member or service provider for reasons unrelated to official duties.

### III. REQUIREMENTS:

#### A. GENERAL PROVISIONS:

1. The Department of Corrections has zero tolerance for all forms of sexual abuse and sexual harassment against offenders. These offenders will be recognized as crime victims and victim services will be made available to them.
2. PFB contract facilities will be compliant with all applicable standards under 28 CFR Part 115 Prison Rape Elimination Act of 2003 (PREA) Subpart A or Subpart C, maintain documentation of compliance, have an appropriate PREA policy and/or procedure in place, conduct appropriate screening assessments for offender victimization or abusiveness, and report PREA incidents to the PFB as outlined in this requirement and *PFB 6.2.403 Incident Reporting Requirements*.
3. The facility administrator will assign a PREA compliance manager responsible for:
  - a. coordinating PREA-related activities with the DOC PREA coordinator;
  - b. ensuring staff compliance with PREA training requirement; and
  - c. tracking and reporting PREA allegations.
4. All facility staff must be alert to situations in which sexual abuse or sexual harassment might occur and be capable of identifying indicators of sexual abuse and sexual harassment.
5. Department employees in a PFB contract facility must read, understand, and comply with this requirement and the training requirements outlined in *PPD 1.1.1700 PREA Disclosure Reporting*.

## Subject: PREA COMPLIANCE AND REPORTING

6. Offenders in a PFB facility must be provided information about the Department's zero-tolerance of sexual abuse and sexual harassment; the facility's appropriate policies and/or procedures for PREA and grievances during facility admission; and be given the opportunity to review the information, ask questions, and receive answers. Offender must complete a form acknowledging receipt of the information and form is placed in offender's file.
7. Any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility whether or not it is part of the Department, or retaliation against offenders or employees who reported such an incident or cooperate with an investigation, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation will be reported immediately. Administrators or designees will immediately respond to allegations of sexual abuse and sexual harassment and will take appropriate measures to protect any individual who expresses a fear of retaliation.
8. Additional reporting to the Department of Public Health and Human Services is required when the alleged victim is:
  - a. under the age of 18 (§41-3-201, MCA); or
  - b. at least 60 years old or is a person with a developmental disability (§52-3-811, MCA).
9. Compliance monitoring reviews required by PREA will be completed by Department employees at each facility in years in which a federal audit does not occur.
  - a. Notice will be provided to the facility prior to any reviews; and
  - b. Facilities will participate and provide all information requested during the review.
  - c. Each facility will submit a copy of the final federal audit report to the Department at the conclusion of a federal audit.

**B. INVESTIGATION AND REPORTING:**

1. Facilities must establish facility-specific protocols and be responsible for the administrative investigations of allegations of sexual misconduct. The Department's Office of Investigations (DOI) will assist with an administrative investigation if requested by the facility.
2. All PREA allegations will be reported to the PFB as soon as possible after staff receives the allegation.
  - a. Required notifications will be made when an offender discloses to facility staff that while at another facility, he/she was sexually abused and/or harassed by staff or another offender; and
  - b. The notifications must be documented in Section B, Part 1 of *PFB 6.2.403(A) Priority Incident Report*.
3. Staff will complete Section B, Part 1, of *PFB 6.2.403(A) Priority Incident Report* and submit it, with "PREA" in the subject line, to:
  - a. the PFB at [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov);
  - b. the DOC PREA Coordinator at [CORPREAReporting@mt.gov](mailto:CORPREAReporting@mt.gov); and
  - c. the DOI at [corie@mt.gov](mailto:corie@mt.gov).
4. All PREA allegations of a criminal nature will be reported by the facility to LEAJ as soon as possible.

## Subject: PREA COMPLIANCE AND REPORTING

- a. The facility may complete an initial assessment as to whether the allegation is criminal or administrative. If there is any indication that the incident may be criminal, LEAJ is notified by the facility;
  - b. The LEAJ will determine whether it will investigate the incident, coordinate a criminal investigation with the Office of Investigations, or give authority to the Department to investigate.
  - c. Facility staff assigned to investigate administratively will work in cooperation with law enforcement and/or Department investigator to ensure the criminal investigation is not compromised.
5. However, when LEAJ responds to the facility or an offender is taken to a hospital for an examination, the incident is considered a Priority I incident and facility will complete the following reporting requirements:
  - a. Immediate [within one (1) hour] notification will be made to the **PFB Bureau Chief at 406-580-7991**; and
  - b. **MSP Command Post at 406-415-6250.**
6. Following the investigation:
  - a. facility staff will complete Section B, Part 2 of *PFB 6.2.403(A) Priority Incident Report* and submit to the Contract Manager at [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) with "PREA" in the subject line;
  - b. facility staff will inform the offender as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded; and
  - c. the investigation including all documentation of the underlying incident being investigated is subject to review by the DOC PREA Coordinator.
7. Annual reporting of PREA allegations will be completed by each facility using *PFB 6.2.404(A) Facility Annual PREA Data*. Allegations made during January 1 through December 31 of each year will be categorized on the form and the facility must report its total population on December 31<sup>st</sup>.
  - a. The annual data must be submitted to the DOC PREA Coordinator at [CORPREAReporting@mt.gov](mailto:CORPREAReporting@mt.gov) and the Contract Manager at [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) by March 1st of the following year; and
  - b. For each substantiated allegation, a federal form SSV-IA must be completed and submitted with *PFB 6.2.404(A)*.

**IV. CLOSING:**

Questions regarding this requirement will be directed to the Programs and Facilities Bureau or the DOC PREA Coordinator.

**V. FORMS:**

PFB 6.2.404 (A)	Facility Annual PREA Data
PFB 6.2.403 (A)	Priority Incident Report



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.406 STAFFING REQUIREMENTS AND TRAINING</b>
Effective Date:	03/23/2020 <span style="float: right;">Page 1 of 3</span>
Revision Date(s):	09/13/2021
Reference(s):	53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

This requirement is referenced as follows in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.

- as **ACCD 1.3.400 Staff Recruitment, Selection, and Licensure/Certification** in Section 4.C.1. Facility Management; Staffing/Certification/Training; Staff Recruitment, Selection, and Licensure/Certification
- as **ACCD 1.3.401 Staffing Plans/Patterns** in Section 4.C.2. Facility Management; Staffing/Certification/Training; Staffing Plans/Patterns
- as **ACCD 1.4.100 Staff Training** in Section 4.C.3. Facility Management; Staffing/Certification/Training; Staff Training

**I. PURPOSE:**

To foster pro-social changes in offenders through the use of appropriate staff modeling, effective treatment curriculum and instruction, and a supportive treatment environment, the Programs and Facilities Bureau's contract facilities will follow applicable state and federal statutes, Administrative Rules of Montana, and nondiscriminatory policies and procedures for employee selection to ensure the employment of the best available applicants and establish training plans for their employees.

**II. DEFINITIONS:**

**Facility/Program** – Refers to any division, prison, secure care correctional facility, correctional or training program, or community-based program under Department jurisdiction or contract. This term includes the facility building or residence, including property and land owned or leased and operated by the Department or contractor.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**III. REQUIREMENTS:**

**A. STAFF RECRUITMENT, SELECTION, AND LICENSURE/CERTIFICATION:**

1. PFB contract facilities must ensure all areas of responsibilities relating to hiring requirements, the recruitment and hiring of vacant and critical positions, and position descriptions are addressed:
  - a. Each PFB contracted facility will fully comply with all applicable federal, state, or local laws, rules and regulations, including the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990 and ADA Amendments Act of 2008, Section 504 of the Rehabilitation Act of 1973, and Public Law 108-

## Subject: STAFFING REQUIREMENTS AND TRAINING

- 79 Prison Rape Elimination Act. Any subletting or subcontracting by a facility subjects subcontractors to the same provision.
- b. In accordance with §49-3-207, MCA, the hiring of staff will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.
  - c. Each facility will hire all program and support staff upon a successful background check.
2. The facility must be capable of providing sufficient, experienced personnel to meet the requirements specified in the contract with the Department.
  3. It is the responsibility of the facility to hire and to retain an adequate number of fully qualified, licensed and/or certified staff at all times in order to ensure that the facility's program is never disrupted or compromised due to employees' absences from work or because of vacant positions.
  4. Staff in positions requiring licensure, certification, or eligibility for certification through the Montana Department of Labor and Industry must meet those requirements.
    - a. Permanent program employment shall be contingent on counselors being licensed and certified within the first 24 months of employment.
    - b. The supervisor counselor must be licensed and certified at the time of employment.
  5. All case managers must have a baccalaureate degree or, if approved by the Department, the equivalent of formal training and work-related experience in behavioral sciences.
  6. Pursuant to *PFB 6.2.409 Statistical and Contractor Reports*, each facility will submit written personnel procedures to [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) annually by July 31<sup>st</sup>.

**B. STAFFING PLANS/PATTERNS:**

1. The staffing of each PFB facility must be adequate to meet safety and program needs and will be established in agreement with the Department and in accordance with this procedure.
2. All facilities will maintain sufficient staff to deliver the services required by its program, including a minimum of two (2) staff persons on the premises at all times to supervise activities. When both males and females are housed in the facility, at least one male and one female staff member are on duty at all times.
3. Facilities will develop and maintain an emergency plan that addresses staffing during sick outs, strikes, and work stoppages. Local law enforcement personnel and the Programs and Facilities Contract Manager (Contract Manager) or designee will be notified as soon as possible once it becomes apparent that the facility may become or, actually becomes, subject to a sick out, strike, or work stoppage.
4. Pursuant to *PFB 6.2.409 Statistical and Contractor Reports*, facilities will annually submit a staffing pattern (Staff Assignment Schedule) to [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) by July 31<sup>st</sup> that demonstrates an adequate number of staff to ensure supervision for the custody, control, and safety of offenders in the program. The Staff Assignment Schedule will include 24-hour supervision, as well as adequate, qualified staff to provide all required services. Position descriptions for each position will be designated on the Staff Assignment Schedule.

## Subject: STAFFING REQUIREMENTS AND TRAINING

**C. STAFF TRAINING:**

1. Each facility will establish procedures on obtaining the following type of training:
  - a. Cognitive restructuring curriculum that focus on behavioral change and cognitive models that target criminogenic thinking;
  - b. Gender and culture specific training with particular emphasis on Native American culture;
  - c. Training to help staff increase their comfort level with more difficult clinical issues faced when working with offenders; and
  - d. Prison Rape Elimination Act of 2003 (PREA) training will be provided to staff by the contractor.
2. Upon hiring, all program staff must be cross-trained on the design of the approved treatment modality and behavior management system, including the goals, objectives, methods, materials, and procedures to be implemented.
3. All staff will be trained in the following areas; however, the type and amount of training and the information provided may vary by staff position:
  - a. Cognitive restructuring and interpersonal skills training models;
  - b. PREA;
  - c. Mental Health First Aid;
  - d. Trauma;
  - e. Motivational Interviewing; and
  - f. Risk assessments.
4. Following initial training and startup, all PFB contract facilities will develop a facility training plan that provides training to all staff.
  - a. The plan should establish minimum training hours, topics, and trainers to be used;
  - b. Clinical staff should participate and, if appropriate, assist with provided training.
  - c. The training plan will be submitted annually for approval to the Contract Manager.

**IV. CLOSING:**

Questions regarding this procedure should be directed to the Programs and Facilities Bureau.



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.407 PROGRAM STRUCTURES</b>	
Effective Date:	02/27/2019	Page 1 of 6
Revision Date(s):		
Reference(s):	53-1-203, MCA	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

This requirement is referenced as *ACCD 1.2.700 Offender Money Management* in Section 3.B. Offender Management; Offender fees/fines/R&B, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.

This requirement is referenced as *ACCD 3.5.100 Sex Offender Services* in Section 2.C., Program Requirements and Design; Programming and Curriculum (Specific to RFP or Previous Contracts), in the following contracts: Alternatives, Inc., Passages, Butte Prerelease, and Helena Prerelease.

This requirement is referenced as *ACCD 5.1.202 PRC Program Structure* in Section 2.C.1. Program Requirements and Design; Programming and Curriculum, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, and Passages.

This requirement is referenced as *ACCD 5.1.300 Treatment Program Structure* in Section 2.C. Program Requirements and Design; Programming and Curriculum, in the following contracts: Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.

## **I. PURPOSE:**

The Programs and Facilities Bureau's contracted facilities will be structured to identify the treatment needs of offenders and provide the counseling and programming to meet those needs.

## **II. DEFINITIONS:**

**Criminogenic** – Producing or tending to produce crime or criminals.

**Expenses** – Include room, board, and service charges, medical and dental expenses, child support, court fines and fees, wages earned, taxes paid, and restitution.

**Facility** – The fully equipped and furnished location of a PFB program for the incarceration of offenders in accordance with the contract between the PFB and facility contractor.

**Modified Therapeutic Community Model** – Drug-free residential group settings used in correctional populations that are organized and structured to simulate a healthy family environment, while holding offenders accountable for their criminal conduct. Teaches offenders how to live and function within the larger society and their own families in a sober and pro-social manner. Treatment demonstrates the ripple effects of unwise behavior, instills constructive conduct, and improves communication skills.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

### III. REQUIREMENTS:

#### A. PRERELEASE CENTERS:

1. PRC programs offer an alternative to the direct release of an offender from prison or jail to the community and an alternative to prison in the placement of parole violators and offenders sentenced to the Department. These facilities and programs provide supervision, guidance, counseling, and an opportunity for the offender to adjust to the community in a gradual, controlled manner.
2. PRCs shall at a minimum provide offenders with the following:
  - a. Emergency and crisis intervention services;
  - b. An assigned staff member to meet with and advise that offender as directed by phase;
  - c. Case management between a case manager and one or more offenders;
  - d. Individual or group sessions directed toward a need or problem, such as health, education, family and interpersonal relationships, financial management, substance abuse, or sexual victimization; and
  - e. Guidance, instruction, and information relating to obtaining and maintaining gainful employment commensurate with the offender's needs and abilities, including identification of job opening, arrangements for interviews, and transportation options as necessary.
3. An individualized program for each new offender will commence within 14 days of the offender's arrival. The individualized program will:
  - a. Describe the offender's treatment, vocational, educational, behavioral, and social expectations and goals;
  - b. Include measurable criteria of expected behavior and accomplishments, a time schedule for achieving specific goals, and scheduled progress reviews;
  - c. Be set forth in writing, signed by the offender and staff, and subject to review and approval by the Department.
  - d. Provide offenders with phase progression criteria subject to Department review upon request.
  - e. Include all treatment and aftercare as recommended by DOC treatment facilities. This information is included on continuum of care and discharge summary documentation.
  - f. Include all required court- or BOPP-ordered conditions and recommendations.
4. Depending on the needs of the offender, PRCs shall provide or make referral to individual and group counseling in substance abuse, employment, health, education, parenting, financial management, mental health, vocational rehabilitation, and evidence-based cognitive behavioral modalities of treatment.
  - a. Each PRC will submit a biannual report to the Contract Manager that outlines current programming available to offenders within the facility and programming available through referral to community resources.
  - b. PRCs will post, maintain, and periodically update a directory of community agencies available to assist offenders or will use a directory that is maintained and updated by another agency.
5. PRCs shall ensure that case managers document all scheduled meetings with offenders in writing subject to review by the Department. Documentation should note offenders' progress in attaining goals relative to their individualized program, identified needs, and any other pertinent issues.
6. A written release program for each offender will be developed in conjunction with the Department.



## Subject: PROGRAM STRUCTURES

- a. The PRC will make all recommendations regarding an offender's release or continued stay at the facility in writing and will coordinate offender's release plans by submitting appropriate pre-parole planning paperwork, conditional release reports, and interstate compact requests in accordance with *PPD 4.6.204 Parole Placement Investigations*, *PPD 4.6.302 Conditional Release of DOC Commitment*, and *PPD 4.6.203 Adult Interstate Commission Procedures*.
  - b. PRCs will ensure case managers have appropriately investigated and verified offenders' release plans verbally or in writing prior to submission to Probation & Parole or the Interstate Compact Section.
7. Offender Accounts: Each PRC will provide the offenders with an offender account for the purpose of accounting for funds belonging to the offender.
8. Fees/Room and Board: Pursuant to Administrative Rules of Montana (ARM) §20.7.201, §20.7.202 and §20.7.204, PRCs may charge an offender for room, board, and services associated with the offender's stay.
  - a. Each offender will pay a minimum of \$7.00 per day and a maximum of \$15.00 per day.
  - b. PRCs will inform offenders in writing at the time of orientation of all applicable fees the offender will be charged.
  - c. Upon request, PRCs will submit reports to the Department showing the offender's monthly gross income, the number of days in the facility, and the offender's expenses.
  - d. After an offender's absence from the PRC for five (5) consecutive days, the PRC will suspend the charge of room and board fees until the offender returns.
  - e. PRCs may charge an offender engaged in a Transitional Living Program up to \$4.00/day.
  - f. An offender may be required to pay for damage to the facility, its equipment, furnishings, and fixtures as determined by a DOC hearings officer.
  - g. PRCs have the discretion to forgive all charges, or any portion thereof, based on an assessment of the offender's ability to pay. The Department may, on a case-by-case basis and with written approval, pay the PRC for room and board fees of special needs offenders.
  - h. Pursuant to *PFB 6.2.409 Statistical and Contractor Reports*, PRCs will submit to the Contract Manager all applicable fees charged to offenders for approval no later than July 31<sup>st</sup> each year.
9. Court-Ordered Fines/Fees: Pursuant to §20.7.201 ARM, PRCs will develop and submit for Department approval procedures to document the collection of court-ordered restitution, court-ordered fines, and court-ordered child and spousal support.
  - a. PRCs will submit reimbursement collection data to the Department by July 31<sup>st</sup> each year.
  - b. Pursuant to §46-18-241, MCA, all felony District Court-ordered restitution will be withheld and submitted to the Department's Collection Unit on a monthly basis.
10. Sex Offender Services: To assist a sex offender in transitioning to the community, the Department will pay an additional per diem to PRCs providing sex offender services as required by contract.
  - a. The center must make a written request to the Contract Manager for each sex offender, outlining the specific services to be provided to the offender. The Contract Manager must approve the services prior to payment being received.
  - b. The services provided to sex offenders include but are not limited to:
    - 1) specialized case management;
    - 2) assistance with full or partial treatment costs;
    - 3) polygraph testing;
    - 4) additional security measures; and
    - 5) GPS monitoring.

**B. TREATMENT FACILITIES:**

1. To assist offenders in understanding the criminogenic effects of chemical addictions and criminal behavior patterns and develop the motivation to change, PFB contract treatment facilities will structure programs using a modified therapeutic community model design and organization that is evidence-based. Traditional chemical dependency treatment, criminal errors in thinking, and relapse prevention will also be strongly emphasized (see also *ACCD 5.3.200 Criminal Thinking Errors*).
  - a. The model will include the following:
    - 1) The application of the principles and curriculum of cognitive restructuring;
    - 2) Specific content areas for treatment and educational activities;
    - 3) Proposed schedules (daily, weekly);
    - 4) The degree of, and structure for:
      - a) managing offender self-governance in community organization;
      - b) a process for selection, enrollment, and discharge and transfer of participants;
      - c) a process for individualized treatment planning; and
      - d) criteria for program completion.
  - b. The program may be followed by placement in a community PRC.
  - c. The program will be structured in phases:
    - 1) *Intake* – Program intake/assessment shall include the following:
      - a) A comprehensive assessment process for each program participant using a standardized and objective assessment that determines level of risk and needs factors, and may include review of any previously given Montana Offender Reentry and Risk Assessment (MORRA) and Women’s Risk and Needs Assessment (WRNA); and
      - b) An objective method by which offenders are assessed at the beginning and end of the program to measure changes in attitude/behavior.
    - 2) *Phase I*: Phase I begins with Orientation. During Phase I, offenders will learn the basic concepts of cognitive restructuring and expectations, as well as completing the assessment process. A pre-treatment motivational component shall also be included. The goals in this phase will include: completion of the assessment process; providing offenders with an overview of the program; initiation on a curriculum of evidence-based cognitive behavioral modalities of treatment; basic concepts of recovery; confronting/correcting criminal thinking; and beginning involvement in group and individual counseling.
    - 3) *Phase II*:
      - a) The primary goal of this phase is to restructure addictive criminal thinking with emphasis on criminogenic needs that pertain to general re-offending and recidivism. Offenders remain in this phase until all requirements of a phase change are satisfied. Offender’s progress will be assessed by the offender and the treatment team throughout phase II.
      - b) Offenders will also be assisted in examining patterns of thought that recur with negative consequences and developing a plan to change such thinking.
      - c) The treatment environment will rely on interaction, modeling, and leadership. Phase II builds upon the basic concepts introduced in Orientation and Phase I, such as: teaching skills needed to allow positive relationships, inciting a pro-social/positive life style; providing self-help and peer group activities; continuing curriculum on confronting anti-social behavior, reinforcing pro-social behavior, and changing criminal thinking; teaching basic elements of recovery from substances; and addressing family and gender role issues.

## Subject: PROGRAM STRUCTURES

- 4) *Phase III:*
  - a) This phase will have special emphasis on relapse prevention. Offenders will develop an individual relapse prevention plan in conjunction with facility staff.
  - b) Goals of this phase will include: connecting each offender's aftercare goals to specific methods to accomplish them; how to identify and utilize community resources; continuing of the curriculums; learning and practicing skills necessary to gain and maintain stable employment; learning rules and expectations of prerelease, conditional release, and probation and parole; making aftercare appointments at aftercare providers to ensure the continuum of appropriate care; and contacts/addresses/schedules to support recovery group meetings. Each offender will make final preparation of their transfer of care and send their continued care plans to such providers.
  - c) All Phase III offenders will participate in a transfer conference with the treatment team during the final weeks of treatment. All Phase III offenders respect and adhere to all program rules and regulations, act in a pro-social fashion, and continuously pay it forward at all times.
- 5) *Phase Progression*
  - a) Phase progression will be developed to assess progression from one phase to another based on the inherent phase goals. Criteria for program failure and a plan for handling offender's program progression shall be developed and followed.
  - b) Offenders who do not take responsibility for completing assignments and progressing from phase to phase will face sanctions and, if they do not make positive changes, may be terminated from the program. Every reasonable effort will be made by the staff to prevent this, but failure to comply with basic program requirements will not be allowed. Serious acts of violence or attempted escape will result in termination from the program and transfer to prison status. The PPD Administrator retains sole authority to transfer offenders to a Department program/facility.
2. Offender Accounts: Each treatment facility will provide the offenders with an offender account for the purpose of accounting for funds belonging to the offender.
3. Fees/Room and Board:
  - a. Offenders may be charged room and board fees as follows:
    - 1) Passages ADT and the Connections Corrections Programs (East and West) may charge an offender \$7.00 per day.
    - 2) Offenders may not be charged for room and board fees for the WATCH (East and West), Nexus, and Elkhorn Treatment Centers.
  - b. Treatment facilities will inform offenders in writing at the time of orientation of all applicable fees the facility may charge.
  - c. After an offender's absence from the treatment facility for five (5) consecutive days, the treatment facility will suspend the charge of room and board fees until the offender returns.
  - d. An offender may be required to pay for damage to the facility, its equipment, furnishings, and fixtures as determined by a DOC hearings officer.
  - e. The facility has the discretion to forgive all charges or any portion thereof based on an assessment of the offender's ability to pay.
  - f. Each facility will submit to the Contract Manager all applicable fees charged to offenders for approval no later than July 31<sup>st</sup> each year.

**IV. CLOSING:**

Questions regarding this procedure will be directed to the Programs and Facilities Contract Manager or Programs and Facilities Bureau Chief.



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.408 OFFENDER CASE RECORDS MANAGEMENT</b>	
Effective Date:	01/23/2020	Page 1 of 3
Revision Date(s):	08/11/2021; 04/01/2025	
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This requirement is referenced as *ACCD 1.5.500 Case Records Management* and *ACCD 1.5.600 Offender Records Access and Release* in Section 1.D. Standard Contract Terms; Access to Records – Offender Records/Files/OMIS access, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.

### I. PURPOSE

FPB contract facilities will follow this requirement for case records management of offenders under the supervision of the Department to ensure that applicable federal and state laws concerning the public's right to know and an individual's right to privacy are observed.

### II. DEFINITIONS (see Glossary)

### III. REQUIREMENTS

#### A. GENERAL

1. All FPB contract facilities are required to maintain records of performance of duties pursuant to this requirement. Facilities will create and retain all records supporting the services rendered and/or supplies delivered for a period as outlined in contract.
2. Facilities shall maintain offender records and provide reports that conform to those of the Department in both format and content.
3. FPB contract facilities will provide the Department, the Legislative Auditor, or their authorized agents with access to any of these records necessary to determine requirement compliance.
4. Any breach of confidentiality by the facility or third-party agents of the facility shall constitute good cause for the Department to cancel the contract with the facility, without liability, and any records and files delivered to the facility shall be returned to the Department.
5. Any Department waiver of an alleged breach of confidentiality by the facility or third-party agents of the facility is not to imply a waiver of any subsequent breach.
6. Facility staff with offender management system access permissions will follow *PFB 6.1.205 Offender Management System Provider Access and Use* in providing offender information to the Department through the offender management system.

#### B. MANAGEMENT OF OFFENDER CASE RECORDS

1. Facilities shall maintain any hard-copy offender records on-site in a locked, secure area.
2. Facilities will ensure that all Information Technology systems utilized to maintain electronic records, access the internet, transmit files, or used to communicate with the Department shall meet the security standards established by the state of Montana. In the event the contractor's Information Technology system becomes compromised, the contractor must notify the FPB Chief immediately at 406-580-7991 and shall restore such systems to the state's standards within 5 business days.
3. Offender case records include the following:
  - a. offender's program application and any attached documents;

- b. all screening and placement documents and decisions;
  - c. substance-related disorder diagnoses and supporting documentation for diagnoses;
  - d. documentation the offender was provided the facility's offender handbook;
  - e. documentation the offender was notified of all program requirements and components, including their rights under the Prison Rape Elimination Act of 2003, the facility's rules, behavior management system, and grievance process;
  - f. applicable releases of information;
  - g. offender's treatment plan;
  - h. progress notes/summaries;
  - i. aftercare plan;
  - j. discharge summary;
  - k. medical records, including documentation of health services provided, exam/lab results, medication records, and information from other healthcare facilities;
  - l. copies of all correspondence related to the offender;
  - m. all grievances filed by the offender and the applicable responses; and
  - n. documentation of incentives or interventions administered through the program's behavior management system.
4. Any copies of Department records kept by a facility will be returned when requested.
5. Facilities agree to advise in writing and notify all employees, agents, consultants, licensees, or subcontractors of the said requirements of confidentiality and of possible penalties and fines imposed by violation thereof, and secure from each an acknowledgment of such advisement and agreement to be bound by the terms of its contract with the Department as an employee, agent, consultant, licensee, or subcontractors of the facility, as the case may be.

### **C. ACCESS TO OFFENDER CASE RECORDS**

- 1. Facilities will protect offender records so only authorized personnel with a need to know have access to the records.
- 2. Facilities will allow the Department access to offender records when requested.
- 3. Facilities shall specifically keep confidential all records and files of Department offenders and shall obtain prior written approval from the Department before releasing or disclosing the contents of any such records or files. Facilities further acknowledge that this requirement is in addition to and not in lieu of any other laws respecting confidentiality of offender and criminal justice files and records.
- 4. Facilities will not allow an offender access to view or handle another offender's records.
- 5. Offenders may make written requests to review their case records materials and may be granted access to review non-confidential portions of their records. All information to be provided to an offender from a record must be evaluated by a designated facility employee to ensure that release of information will not endanger either the offender or others or violate the privacy rights of the offender or others. The offender and supervising staff member will sign and date the request.

### **D. RELEASE OF OFFENDER CASE RECORDS**

- 1. Information contained in an offender's case record is public record except for information in which the offender or another person has a right to privacy that outweighs the public's right to know as demonstrated in the following circumstances; however, any information from Department records may not be released without proper authorization from the Department.
  - a. information protected by a right of privacy:
    - 1) medical, mental health, and substance use disorder and sexual offender treatment information;

- 2) information that would impede an offender's supervision, rehabilitation, and/or treatment/programming
    - 3) information that would interfere with victim rights and services; and
    - 4) personal information as defined by 2-6-1501, MCA.
  - b. information that, if released, would pose a threat to the security or safety of:
    - 1) offenders;
    - 2) informants (such as identification/location);
    - 3) victims of offenses; and
    - 4) employees of the Department;
  - c. information concerning a Department investigation;
  - d. information made confidential by law (for example, the presentence investigation report, which is the court's to disseminate);
  - e. confidential criminal justice information:
    - 1) NCIC information, including criminal history record information;
    - 2) police reports;
    - 3) fingerprints;
    - 4) photos (may be deemed confidential); and
    - 5) information concerning a criminal investigation; and
  - f. youth offender records related to youth court orders:
    - 1) applies to criminally-convicted youth, 208 transfers, and extended jurisdiction transfers;
    - 2) information within youth records is not released except by court order; and
    - 3) facility staff will refer any persons requesting youth information without a court order to the Clerk of Court of the sentencing jurisdiction.
2. Upon a release of information signed by the offender, the facility may release information to the public when requested.
  3. Any questions about the dissemination of offender file information may be directed to a Contract Manager.

#### IV. CLOSING

Questions about this requirement should be directed to the FPB Chief.

#### V. REFERENCES

- A. *Montana Constitution, Article II, Sections 9 and 10; 2-6-1003, MCA; 2-6-1501, MCA, 18-1-118, MCA; 41-5-206, MCA; 41-5-208, MCA; 41-5-Part 16, MCA; 44-5-103, MCA; 44-5-301, 302, and 303, MCA; 46-18-113, MCA; 53-1-203, MCA*
- B. *PFB 6.1.205*



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.409</b>	<b>STATISTICAL AND CONTRACTOR REPORTS</b>
Effective Date:	02/27/2019	Page 1 of 6, plus attachments
Revision Date(s):		
Reference(s):	53-1-203, MCA	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

**This requirement is referenced as *ACCD 1.6.200 Statistical Reports* in Section 2.A.1. Program Requirements and Design; Performance Measures; Statistical reports, and *ACCD 1.6.200 Statistical Reports, ACCD 1.6.201 Outcome Measures*, and *ACCD 1.6.300 Contractor Reports* in Section 2.A.2. Program Requirements and Design; Performance Measures; Outcome Measures, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.**

**This requirement is referenced as *PPD 1.6.300 Statistical and Contractor Reports* in Section 2.D.16. Duties and Responsibilities of the Parties; Programming & Counseling; Program Progress Monitoring in the Great Falls Prerelease Services, Inc. Contract #06-050-ACCD, Amendment #8.**

**I. PURPOSE:**

The Programs and Facilities Bureau will collect data regarding its programs and facilities to ensure offenders are receiving services that enable a successful return to the community and that placement of offenders in facilities is documented and consistent.

**II. DEFINITIONS:**

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, training, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department’s employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Recidivism Rate** – The rate at which adult offenders return to prison in Montana for any reason within three years of release from prison. Each release can have only one corresponding return.

**Return Rate** – The rate at which adult offenders enter or return to an adult community correctional facility or prison in Montana for any reason within three years of release from any correctional facility.

**III. REQUIREMENTS:**

**A. STATISTICAL AND CONTRACTOR REPORTS:**

1. In order to assist the Department in collecting useable and measurable data on offenders participating in PFB programs, facilities will provide necessary, consistent statistical information by submitting the correct forms and other written reports as required by the Department.
2. Required forms and written reports will be submitted in a timely manner. Whenever possible, reports shall be submitted electronically to the Contract Manager at the appropriate mailbox and using the appropriate subject line format (see Part B).



**Subject: STATISTICAL AND CONTRACTOR REPORTS**

3. Reports will not be offender-specific, but will include information related to program effectiveness and quality assurance and will be coordinated with the Contract Manager as requested.
4. Specific statistical information may be used to determine return rates or recidivism rates, or to respond to special requests from the Department or other government agencies.
5. Measures to be tracked by each facility during the fiscal year include but are not be limited to, the following information. This information will be provided to the PFB upon request:
  - a. Screening information, including acceptance and denial rates;
  - b. Number of offenders who entered the program;
  - c. Number of offenders who completed the program;
  - d. Age of offenders;
  - e. Ethnicity of offenders;
  - f. Sources of offender referrals; and
  - g. Number of treatment hours completed.

**B. SUBMISSION OF REPORTS:**

1. To better review, process, and retain submitted forms and reports, email addresses will be used to submit request forms and written reports. Subject lines for each email address will contain specific information based on the address being used. See *PFB 6.2.409(A) Email Subject Lines-Contractor Reports* (attached).
2. *PFB 6.2.409(B) Submission Schedule for Contractor Reports* (attached) must be used as a summary of reports, invoices, and other submissions each contractor is required to submit. All submissions will be completed within 10 working days of the due date unless specific timeframes are given, using the appropriate email address and the appropriate email subject line pursuant to *PFB 6.2.409(A) Email Subject Lines-Contractor Reports* (attached).

**IV. CLOSING:**

Questions regarding this procedure should be directed to the Contract Manager.

**V. FORMS:**

PFB 6.2.409 (A)	Email Subject Lines-Contractor Reports
PFB 6.2.409 (B)	Submission Schedule for Contractor Reports



**MONTANA DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU**

**EMAIL SUBJECT LINES FOR CONTRACTOR REPORT SUBMISSIONS**

1. [corlos@mt.gov](mailto:corlos@mt.gov) Length of Stay (LOS); Pre-authorized Extended Stay Requests  
Subject Line: "Facility: offender last name, first name, DOC #: LOS or Pre-authorized Stay"  
(ex. Helena PRC: Doe, John, #1234567: Preauthorized Stay)
2. [correquests@mt.gov](mailto:correquests@mt.gov) Travel Permits; Transitional Assistance Requests; Inmate Worker Requests; Transitional Living Program Waivers; Driving Requests; Any other request necessary pursuant to a requirement.  
Subject Line: "Facility: offender last name, first name, DOC #: type of request"  
(ex. GFPRC: Doe, John, DOC# 1234567: Transitional Assistance Request)
3. [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) Screening Reports; Disciplinary Reports; Grievance Reports; UA Screening Reports; All Priority I Incident Reports; Daily Reports; Annual/Quarterly Reports  
Subject Line: "Facility: Report name and date"  
(ex. MPRC: October Grievance Report)  
(ex. ETC: Daily Report 1/1/11)
4. [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) Progress/Summary Reports (as progress report or discharge summary)  
Subject Line for Prerelease Center progress report:  
"Facility: offender last name, first name: PSR; LOS; programming day)"  
(ex. Alpha House: Doe, John; PSR; LOS; 120 day)"  
Subject Line for Treatment/Assessment and Sanction Center progress report:  
"Facility: offender last name, first name: PSR; LOS"  
(ex. ASRC; Doe, Jane, PSR; LOS)  
Subject Line for Culinary Arts Program (CAP):  
"CAP: offender last name, first name: PSR; LOS"  
Subject Line for facility discharge summary:  
"Facility: offender last name, first name; Discharge Summary"  
(CCP E: Doe, John: Discharge Summary)
5. [corao@mt.gov](mailto:corao@mt.gov) Administrative Transfers; Secure Placements  
Subject Line: "Offender last name, first name, DOC #, facility, request"  
(ex. Doe, John, #1234567, START, Admin Transfer)
6. [corescapes@mt.gov](mailto:corescapes@mt.gov) Escape Notification  
Subject Line: "Offender last name, first name, DOC #, facility"
7. [CORETSS@mt.gov](mailto:CORETSS@mt.gov) Enhanced/Transitional Supervision Services  
Subject Line: "Location; Offender last name, first name, DOC #; ETSS 'Referral' / 'Change' / 'Completion'

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**MONTANA DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
SUBMISSION SCHEDULE FOR CONTRACTOR REPORTS**

<b>FACILITY:</b>	<b>REPORT TYPE (Alphabetically):</b>	<b>TIMING:</b>	<b>SUBMIT TO:</b>
All	<b>Billing Invoice</b>	10 <sup>th</sup> of month	<a href="mailto:CORContractBeds@mt.gov">CORContractBeds@mt.gov</a>
GF PRC	<b>Case Plans</b> Veteran's Reentry Program	upon request or as otherwise designated Phase One + 5 business days	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Continuous Quality Improvement</b>	upon request	Contract Manager/CSD
All	<b>Cost Containment</b>	upon request	Contract Manager/CSD
All	<b>Discharge/Termination Summary</b> <i>PFB 6.2.437 (E) Progress/Summary Report</i>	10 working days after departure	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a> / Field File
All	<b>Disciplinary Report</b>	monthly	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Emergency Operations Plan</b>	July 31	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a> Emergency Preparedness Planning Manager
All	<b>Escapes</b> <i>PFB 6.2.422 (B) <b>RD</b> Escape Record and Checklist</i>	within 1 hour of initial notifications	MSP Command Post/ <a href="mailto:corescapes@mt.gov">corescapes@mt.gov</a>
All	<b>Facility Condition Inventory</b>	annually	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Fees Charged to Offenders</b>	July 31	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Fines/Fee/Restitution Paid</b>	July 31	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Financial Audit</b>	December 1	DOC Budget Analyst
All	<b>Fiscal Year-End Reports</b>	July 31	mailed to PFB
All	<b>Grievance Report</b> <i>PPD 3.3.300 (I) Monthly Grievance Report</i>	monthly	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Inmate Worker Request</b> <i>PPD 5.1.101 (A) Inmate Worker Request Form</i>	as needed	<a href="mailto:correquests@mt.gov">correquests@mt.gov</a>
All	<b>Inmate Worker Report</b>	10 <sup>th</sup> of month for prior month	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Inspection Results Report</b>	within 5 working days	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Insurance</b>	upon renewal	DOC Contract Management
	<b>Length of Stay (LOS)</b>		
CAP	<b>(LOS) Preauthorized Extended Stay</b> <i>PFB 6.2.437 (D) Preauthorized Extended Stay Request Form</i>	submitted with Inmate Worker request	<a href="mailto:correquests@mt.gov">correquests@mt.gov</a>
All Other	<b>(LOS) Preauthorized Extended Stay</b> <i>PFB 6.2.437 (D) Preauthorized Extended Stay Request Form</i>	<b>immediately</b> following screening acceptance	<a href="mailto:corlos@mt.gov">corlos@mt.gov</a>

<b>FACILITY:</b>	<b>REPORT TYPE (Alphabetically):</b>	<b>TIMING:</b>	<b>SUBMIT TO:</b>
	<b>(Length of Stay (LOS)-continued)</b>		
GF PRC Missoula PRC	<b>LOS Extension Request</b> <i>PFB 6.2.437 (B) Prerelease Length of Stay Extension Form</i>	as needed	<a href="mailto:corlos@mt.gov">corlos@mt.gov</a>
All	<b>LOS Justification</b> <i>PFB 6.2.437 (E) Progress/Summary Report</i>	<b>at or before</b> program's specified length of stay/every 30 days following	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Offender Expenses</b>	upon request	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Offender Property</b> <i>Personal Identifying Documents Left Behind</i> <i>Facility Inventory of Offender Property</i> <i>Disposition of Offender Property</i>	within 5 days of offender leaving facility within 5 days of offender escape within 10 days of disposition of property	Contract Manager at Helena Central Office <a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a> <a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Personnel Policy/Procedures</b>	July 31	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>PREA</b> <i>DOC 1.1.6 Attachment Incident Report Form</i>	within 1 hour of initial notifications	<a href="mailto:CORPrea@mt.gov">CORPrea@mt.gov</a>
All	<b>Priority I Incident Reports</b> <i>DOC 1.1.6 Attachment Incident Report Form</i>	within 1 hour of initial notifications	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Programming Report</b>	Jan 21; Jul 21	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
	<b>Progress Reports</b> <i>PFB 6.2.437 (E) Progress/Summary Report</i> Prerelease Centers Treatment/Assessment and Sanction Centers Culinary Arts Program Veteran's Reentry Program	initial at 120 days of residency/180 days/every 30 days thereafter initial at 120 days of residency/every 30 days thereafter at 6, 12, and 18 months at 90, 180, and 240 days of residency/every 30 days thereafter	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Screening Report</b>	3 business days	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Staffing Plan/Pattern</b>	July 31	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Sub-Contracts</b>	5 working days	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>Training Plan</b>	July 31	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>UA Screening Policy</b>	July 31	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
All	<b>UA Testing Report</b>	July 31	<a href="mailto:coraccdreports@mt.gov">coraccdreports@mt.gov</a>
WATCH	<b>WATCH Utility Invoice</b>	monthly/quarterly	Contract Manager/DOC Fiscal



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.411 VICTIM SERVICES</b>
Effective Date:	05/03/2021 <span style="float: right;">Page 1 of 3</span>
Revisions Date(s):	09/06/2021
Reference(s):	DOC 1.8.1; 2-15-112, MCA; 41-5-1416, MCA; 46-18-241, MCA; 46-24-101, MCA; 46-24-203, MCA; 46-24-212, MCA; 46-24-213, MCA; 53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This procedure is referenced as *ACCD 1.8.100 Victim Services*, *ACCD 1.8.101 Victim-Offender Dialogue*, and *ACCD 1.8.200 Victim Impact Panels* in Section 2.C.6. Program Requirements and Design; Programming and Curriculum; Victim Services, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**I. PURPOSE:**

The Programs and Facilities Bureau and its contracted facilities will support victims of crime and treat them with respect, dignity, and sensitivity by being familiar and comply with applicable statutes and regulations regarding crime victim information and notification.

**II. DEFINITIONS:**

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department’s employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities

**Registered Victim** – A person registered with an automated notification system (e.g., VINE) used by the Department and/or who is identified in OMIS as registered with the Department to receive location and custody status updates about adult offenders under Department supervision.

**VINE-Victim Information and Notification Everyday** – An automated telephone, email, and text notification system which provides location and custody status updates about adult offenders under Department supervision.

**Victim** - The person against whom a felony crime has been committed, or a family member of that person. Other individuals may be recognized as victims on a case-by-case basis.

**Victim Liaison (VL)** – A Department employee supervised by the VPM, who performs specific tasks to implement the Department’s victim programs and policies including providing direct victim services, collaborating with community entities serving victims, and acting as a liaison between victims and Department staff or Department-contracted facility staff to mitigate risk in high danger situations.

**Victim Programs Manager (VPM)** – A Department employee located in the Director’s Office who manages victim liaisons, programs, and policies. With victim liaisons, responds to victims’ requests for

information and referrals, educates victims about the post-conviction criminal justice system, provides victim services training, and represents victim interests in all Department matters.

### **III. REQUIREMENTS:**

#### **A. ACCESS TO INFORMATION:**

1. §46-24-212, MCA, requires the Department to provide certain information about offenders to victims who register to be notified. Each PFB facility may designate a staff member to serve as a liaison to the Department Victim Programs Manager (VPM) to ensure compliance.
2. The Department VPM will provide victim services training upon request. Training includes victim information requests, VINE and other notification procedures, victim sensitivity and staff communication skills, policy and procedure requirements, and Department programs for victims.
3. Facility staff may contact the local probation & parole supervisor, the Department's Victim Liaisons, or the Programs and Facilities Contract Manager for registered victim information and guidance regarding information that can and cannot be released to the victim.
4. **Victim information is confidential information.**

#### **B. VICTIM NOTIFICATION:**

1. Information on offenders will be provided as authorized by §46-24-212, MCA, and outlined in *PFB 6.2.408 PFB Offender Case Records Management*. The information that can be provided to victims about an offender includes:
  - a. date of discharge from prison;
  - b. community in which the offender will reside on probation or parole;
  - c. any change in location or custody status;
  - d. escape, apprehension;
  - e. decisions of the Board of Pardons and Parole;
  - f. decision of Governor to commute sentence;
  - g. conditions of community supervision; and
  - h. the offender's death.
2. Victim information will be used to make immediate notifications regarding any changes in the above-listed information. All notifications will comply with the requirements in applicable policies, procedures, and statutes.
3. VINE is an automated victim notification system that provides current offender custody status and location 24 hours a day for adult inmates in secure custody and offenders under community supervision. A VINE notification is initiated when the location of an offender is changed IN OMIS.
4. Offenders may not appeal any delay or other impairment of case decisions or actions caused by statutory and/or procedural victim notification requirements or the processing of such notifications.

**C. FACILITATED CONTACT WITH OFFENDERS:**

- 1. Facilities WILL NOT initiate contact between offenders and victims apart from the Department's Victim Services and its programs.**
2. All facilities will have policy/procedure on victim services for staff to follow. The initial policy/procedure will be submitted to PFB for review to ensure consistency with DOC policy, and then submitted upon any revisions. The policy/procedure must include direction on the following:
  - a. Unless there is a "no contact with victim" condition in an offender's judgment, or a victim has an order of protection against the offender, contact between victims and offenders may only be approved by the Department's Victim Services and initiated through established victim programs, such as Victim Impact Panels, Victim-Offender Dialogue, and the Offender Accountability Letter Program.
  - b. In cases of domestic violence, stalking, and sexual assaults, the Department's Victim Services will determine the severity of the risk of contact between an offender and victim by performing an applicable risk assessment. Each case is unique and mitigation of the risk requires evaluation of the assessment, research by Department staff, releases of information, and/or therapists willing to provide services in high-risk cases.
  - c. The VPM should be contacted for information regarding the victim programs, and participation in a victim program will be in accordance with *DOC Policy 1.8.1, Victim Services* and *DOC 1.8.1(A) Victim Services Standard Operations Procedure Guide*.

**IV. CLOSING:**

Questions regarding this requirement should be directed to the Programs and Facilities Bureau or the Department Victim Programs Manager.





**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.412 LOGS AND RECORD-KEEPING SYSTEMS</b>	
Effective Date:	11/04/2020	Page 1 of 2
Revision Date(s):	08/11/2021	
Reference(s):	53-1-203, MCA	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

**This requirement is referenced as *ACCD 3.1.300 Logs and Record-Keeping Systems* in Section 3.H. Offender Management; Security/Counts, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START,.**

**This requirement is referenced as *ACCD 3.1.300 Logs and Record-Keeping Systems* in Section 2.2.7. Services; Offender Management; Security/Counts in the Connections Corrections Program (CCP) and WATCH contracts.**

**I. PURPOSE:**

The Programs and Facilities Bureau contract facilities will follow established requirements in maintaining a system of logs and records that document important operational features.

**II. DEFINITIONS:**

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**III. REQUIREMENTS:**

**A. RECORD KEEPING:**

1. Site-specific operational procedures for record keeping will be contained within each facility's operations manual.
2. Facilities will ensure that records are kept, at a minimum, on the following subject areas:
  - a. Staff schedules;
  - b. Offender population and counts;
  - c. Offender admissions and releases;
  - d. Shift activity;
  - e. Use of force incidents
  - f. Searches (with the exception of routine pat searches);
  - g. Discovery of contraband;
  - h. Security audits and inspections; and
  - i. Unusual occurrences.

**B. LOGS:**

1. Logs may be maintained by the facility to reflect activity, emergencies, unusual incidents, and pertinent information about offenders, the unit, or the facility.
2. Logs may be maintained on a shift-by-shift basis.

**IV. CLOSING:**

Questions regarding this requirement should be directed to the Programs and Facilities Bureau.



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.413      FACILITY MANAGEMENT</b>
Effective Date:	09/13/2021 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	
Reference(s):	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This requirement is referenced as *ACCD 2.1.100 Facility Management* in Section 4.A.1 Facility Management; Facility Administration; Management in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This requirement is referenced as *ACCD 2.1.100 Facility Management* in Section 2.3.1 Services; Facility Management; Facility Administration in the Connections Corrections Program (CCP) and WATCH contracts.**

**I. PURPOSE:**

The Programs and Facilities Bureau contract facilities will follow established requirements in the management of the facility to provide a pleasant, safe, and healthful environment that contributes to the development of therapeutic relationships, as well as a full range of programs and social activities for all offenders.

**II. DEFINITIONS:**

**Facility** – The fully equipped and furnished location of an PFB program. Contract facilities are operated for the incarceration of offenders in accordance with the contract between PPD and facility contractor. Facility includes all housing units, administrative offices, classrooms, hearing room, health services unit and all other structures of whatever kind including roads, fences, infrastructure, utility systems, etc.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department’s employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**III. REQUIREMENTS:**

**A. FACILITY MANAGEMENT:**

1. The PFB contract facilities will provide offenders with an environment that complies with local, state, and federal health and safety laws and regulations and treatment goals.
2. The facilities will maintain records of inspections by local, state and federal authorities and conduct annual and quarterly inspections as recommended by the authority having jurisdiction, or if applicable, as specified by the equipment manufacturer.
  - a. The Department reserves the right to request documentation of the facility’s inspection reports on an annual basis or more frequently as needed.

- b. Pursuant to *PFB 6.2.409 Statistical and Contractor Reports*, a facility condition inventory is to be submitted to [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) annually.
3. Facilities will forward reports of violation to the Department within five (5) working days of their receipt, along with subsequent plans of correction and final agency disposition with regard to the report of violation. Deficiencies noted by an inspector as corrected on-site do not require re-inspection.

#### **IV. CLOSING:**

Questions regarding this requirement should be directed to the Programs and Facilities Bureau.



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.414</b>	<b>FACILITY CONDITIONS AND MAINTENANCE</b>
Effective Date:	10/03/2022	Page 1 of 3
Revision Date(s):		
Reference(s):		
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief	

**This requirement is referenced as *ACCD 2.1.200 Facility Conditions and Maintenance* in 4.A.2 Facility Management; Facility Administration; Conditions in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This requirement is referenced as *ACCD 2.1.200 Facility Conditions and Maintenance* in Section 2.3 Services; Facility Management; Facility Administration and Section 4.2 Consideration/Payment; Billing/Payment; Minor Maintenance and Utility Costs in the Connections Corrections Program (CCP) and WATCH contracts.**

**I. PURPOSE:**

The Community Corrections Facilities and Programs Bureau contract facilities will follow established requirements to provide a pleasant, safe, and healthful environment that contributes to the overall effectiveness and safety of the program.

**II. DEFINITIONS:**

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Facilities and Programs Contract Manager** – The Department’s employee(s) who acts as the liaison between the Department and FPB contract facilities regarding services and offender management. This employee also monitors compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**Facility** – The fully equipped and furnished location of an FPB program. Contract facilities are operated for the incarceration of offenders in accordance with the contract between FPB and facility contractor. Facility includes all housing units, administrative offices, classrooms, hearing room, health services unit, and all other structures of whatever kind including roads, fences, infrastructure, utility systems, etc.

**III. REQUIREMENTS:**

**A. FACILITY MANAGEMENT:**

1. The FPB contract facilities will provide offenders with an environment that complies with local, state, and federal health and safety laws and regulations and meets treatment goals.
2. The facilities will maintain records of inspections by local, state, and federal authorities and conduct annual and quarterly inspections as recommended by the authority having jurisdiction, or if applicable, as specified by the equipment manufacturer.

## Subject: FACILITY CONDITIONS AND MAINTENANCE

- a. The Department reserves the right to request documentation of the facility's inspection reports on an annual basis or more frequently as needed.
  - b. Pursuant to *PFB 6.2.409 Statistical and Contractor Reports*, a *PFB 6.2.414 (A) Facility Condition Inventory Report* form must be submitted to [coraccreports@mt.gov](mailto:coraccreports@mt.gov) annually in June.
3. Facilities will forward reports of violation to the Department within five (5) working days of their receipt, along with subsequent plans of correction and final agency disposition with regard to the report of violation.

**B. FACILITY CONDITIONS AND MAINTENANCE:****Facility Conditions**

1. The facilities will be maintained and equipped to ensure the health and safety of offenders and provide them with reasonable protection against the danger of fire and smoke, injury attributable to the environment, electrical hazards, and the spread of disease and infection.
2. Physical health and safety features of each facility shall conform to requirements of local, state, or federal authorities having jurisdiction. Facilities will maintain a record of inspections made by authorities and a subsequent log of actions taken to correct violations or deficiencies. Plans shall be maintained identifying the steps and timetable for correction of non-conforming conditions.
3. Offenders should be allowed to keep and display a reasonable number of personal belongings and will be encouraged to take responsibility for maintaining their living quarters. Such responsibilities shall be clearly defined in writing and provided at orientation. There will be documentation that these responsibilities do not constitute full-time, reimbursable work, but are an integral part of the therapeutic treatment.
4. It is expected that the facilities will utilize offenders to perform housekeeping duties, janitorial services, laundry duties, and grounds maintenance under the concept of "therapeutic tasks" for treatment and chores for prerelease centers and other programs.
5. All staff and offender furniture, furnishings, and equipment (for example, desks, tables, chairs, couches, bookshelves, dishes, silverware, etc.) shall be provided by the facility and be sufficient to accommodate all offenders. Furniture, furnishings, and equipment shall be comfortable and maintained in clean condition and in good repair. All areas and surfaces shall be free of undesirable odors.
6. Subject to reasonable restrictions set forth in written policies and procedures of the facilities, offenders will be provided with the following:
  - a. Semi-private toilet and bathing facilities;
  - b. Well-ventilated, un-crowded living space in single- or multiple-occupancy rooms. The number of offenders should not exceed the facility's rated-bed capacity;
  - c. Adequate space to store clothing and personal property, including lockable space; and
  - d. Furnished areas that provide for conversations with family, friends, or therapists or where the offender may be alone; and a full range of social activities for all offenders, from two-person conversations to group activities.

## Subject: FACILITY CONDITIONS AND MAINTENANCE

7. Facilities will regulate the use and location of noise-producing equipment, appliances, and electronic devices, such as televisions, radios, or other audio or video players to avoid interference with therapeutic activities of the program or offender privacy.
8. In all FPB contract treatment and assessment/sanction facilities, the Department will be provided with sufficient space at the facilities for at least one Department staff position (for example, Contract Monitor or Institutional Probation and Parole Officer [IPPO]). The Department will provide office furnishings and telecommunications equipment for this position. The facility shall insure that the office space has high speed internet connectivity/interface available for Department staff use. Maintenance and cleaning of these offices will be the responsibility of the Department. Utility costs and other indirect costs will be the facility's responsibility.

**Facility Maintenance (This section is applicable only to programs in the Dr. Xanthopoulos building at Warm Springs.)**

1. **Major Maintenance:** "Major" shall be reasonably defined as repairs that would not normally be performed by a general maintenance position and requires professionally licensed personnel to repair, replace, and/or install materials necessary to make the repair (for example, boiler replacement, fire/security alarm panel repair, etc.). Major repairs will be reported to and approved by the Facilities and Programs Contract Manager prior to being completed.
  - a. The Department will be responsible for major repair, replacement of major materials, and maintenance of the Dr. Xanthopoulos Building as governed by the Memorandum of Understanding between the Department of Public Health and Human Services and the DOC.
2. **Minor Maintenance:** "Minor" shall be reasonably defined as repairs that would normally be performed by a general maintenance position and does not require professionally licensed personnel to repair, replace, and/or install materials necessary to make the repair (for example, plugged drains, door repairs, etc.)
  - a. The contractor will be responsible for minor repair, replacement of minor materials, and maintenance of the Dr. Xanthopoulos Building.

**Utilities**

The department and the facilities shall be responsible for all utility costs as specified in contract(s). These utility costs shall include water, sewer, gas, and electricity. In addition, the facility shall be responsible for solid waste disposal and associated costs.

**IV. CLOSING:**

Questions regarding this requirement should be directed to the Community Corrections Facilities and Programs Bureau.

**V. FORMS:**

*PFB 6.2.414 (A) Facility Condition Inventory Report*



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.421      OFFENDER PERSONAL PROPERTY</b>
Effective Date:	11/21/2018 <span style="float: right;">Page 1 of 4</span>
Revision Date(s):	10/21/2019; 08/11/2021; 10/04/2021
Reference(s):	46-18-237, MCA; 46-18-241, MCA; 46-18-244 and 245, MCA; 46-18-251, MCA; 20.12.101 ARM; 20.12.103 ARM; 20.12.106, ARM; 20.12.111, ARM
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This requirement is referenced as ACCD 4.1.300 Property in Section 3.K.3 Offender Management; Offender Rights; Property/Clothing, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**I. PURPOSE:**

The Programs and Facilities Bureau's contract facilities will follow established requirements to govern the control and safeguard of offender personal property.

**II. DEFINITIONS:**

**Offender Personal Property** – Includes 1) allowed non-facility property items as inventoried by the facility and acknowledged by the offender, and 2) monetary accounts held in the offender's name.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**III. REQUIREMENTS:**

**A. GENERAL:**

1. Each PFB facility will establish procedures to address the following regarding offender personal property:
  - a. Property requirements upon offender admission;
  - b. Possession limits for various housing or custody levels;
  - c. Property inventories, standardized inventory forms, and secure storage;
  - d. Required inventory signatures, designees, and receipts;
  - e. Lost, stolen, damaged, or unclaimed property;
  - f. Property disputes and grievances;
  - g. Liability claims, reimbursement limits, and replacement processes;
  - h. Size and value limits of specific property items;
  - i. Gender-specific items;
  - j. Approved vendor purchases;
  - k. Availability and distribution of canteen items;
  - l. Standardized property container requirements;
  - m. Permitted electronics including "grandfathering" stipulations;



## Subject: OFFENDER PERSONAL PROPERTY

- n. Allowable storage for legal documents and hobby items;
  - o. Random and routine property searches;
  - p. Inspections for and disposition of contraband;
  - q. Disposition of offender's personal property; and
  - r. Employee training and supervision for handling offender property.
2. All facilities must provide offenders with a list of acceptable and prohibited property items at offender's intake.
- a. The offender will complete an inventory of his/her property items.
  - b. On the inventory, the offender must designate a responsible person to receive personal property on the offender's behalf upon his/her program completion, termination, or escape.
3. Facilities, treatment/programming providers, medical providers, and other creditors may pursue debt collection from the offender for debts owed.

**B. DISPOSITION OF OFFENDER PERSONAL PROPERTY:****1. Personal Property Items:**

- a. Personal identifying documents (e.g., ID cards, birth certificates):
  - 1) For revocations or terminations, all personal identifying documents must be given to offender when he/she leaves the facility or forwarded to offender's next DOC placement.
  - 2) For offenders who escape or abscond, all personal identifying documents left behind by an offender will be sent to the Programs and Facilities Contract Manager at the Helena Central Office (PO Box 201301, Helena, MT 59620) within five (5) days. Documents will then be forwarded to the offender once offender's location has been verified.
- b. For all other inventoried personal property items left behind by an offender, good faith efforts will be made within 30 days to notify the offender or the offender's designated person and have arrangements in place to return the remaining items unless the items are confiscated as evidence (e.g., for an escape). If, after 45 days and good faith efforts have failed, these property items are considered as abandoned and may be donated or destroyed.
- c. For successful completions, documentation of the disposition of offender's property items will be provided in the discharge summary narrative using *PFB 6.2.437(E) Progress/Summary Report*.
- d. For escapes or absconding, or in cases where property is not provided to the offender or his/her designated person, once property items have been disbursed, *PFB 6.2.421(A) Disposition of Offender Personal Property Items* is completed and forwarded within 10 business days to the Programs and Facilities Contract Manager (Contract Manager) at [coraccreports@mt.gov](mailto:coraccreports@mt.gov).
  - 1) a separate email for each offender will be sent; and
  - 2) *PFB 6.2.421(A) Disposition of Offender Personal Property* will be attached as, and email subject line must read: "Facility; offender last name, first, DOC#; Property Items."

**2. Disposition of Monetary Accounts:****a. Upon Offender's Successful Completion of Program:**

- 1) The balance of an offender's monetary account is disbursed to the offender when he/she leaves the facility.
- 2) Wages or other money received after the offender has left the facility are forwarded in

## Subject: OFFENDER PERSONAL PROPERTY

full to the offender or the offender's designated person.

- 3) Upon successful completions, documentation of the disposition of offender's monetary accounts will be provided in the discharge summary narrative using *PFB 6.2.437(E) Progress/Summary Report*.

**b. Upon Offender's Revocation, Termination, Escape, Absconding, or Death:**

**1) When Location of Offender is Known:**

- a) Within 15 days of an offender's revocation, termination, escape, absconding, or death, debts outlined below and incurred during offender's current placement may be deducted from the offender's monetary account and the remaining balance is forwarded to the offender or the offender's designated person.
- (1) debts to center only include:
- (a) room and board owing;
  - (b) money borrowed from center for needed personal items;
  - (c) money borrowed from center for materials needed for treatment/programming; and
  - (d) postage paid to return offender's property items.
- (2) debts to treatment/programming providers for treatment/programming taken as part of offender's case plan – *DOES NOT INCLUDE MEDICAL TREATMENT OR EXPENSES*.
- b) Wages or other money received after the offender has left the facility are forwarded in full to the offender or the offender's designated person. Deductions are not allowed.

**2) When Location of Offender is Unknown:**

- a) Within five (5) days of an offender escape or absconding, the facility will submit an inventory to the Contract Manager that provides all of the offender's personal property and includes the offender's financial obligations and debt:
- (1) a separate email for each offender will be sent; and
  - (2) the inventory will be attached as, and the email subject line must read: "Facility; offender last name, first, DOC#; Escape Inventory."
- b) Within 45 days of offender's revocation, termination, escape, or absconding, the offender's financial obligations of restitution and/or child support may be disbursed from wages or other money that has been received electronically or by direct deposit, as previously budgeted or scheduled by the offender and if not taken out by garnishment.
- c) Wages or other money received after the offender has left the facility and in the form of a check or money order made payable to the offender, or electronic fund transfers, will be returned in full to the sender.
- d) After 45 days from offender's revocation, termination, escape, absconding, or death:
- (1) funds in the offender's monetary account are forwarded in full to offender's designated person.
  - (2) if there is no designated person, account(s) is considered as unclaimed property and appropriate Department of Revenue (<https://mtrevenue.gov>) procedures are followed.
- e) If offender is located prior to the end of the 45-day period, funds are disbursed pursuant to section B.2.b.1) above.

- 3) Documentation of Disposition Offender's Monetary Accounts Upon Offender's Revocation, Termination, Escape, Absconding, or Death:** Using *PFB 6.2.421(B) Disposition of Offender Monetary Accounts*, the disposition of the offender's monetary accounts when location of offender is known or unknown must be documented by the facility and documentation is forwarded within 10 business days of the disposition to the Contract Manager at [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov):
- a) a separate email for each offender will be sent; and
  - b) *PFB 6.2.421(B) Disposition of Offender Monetary Accounts* will be attached as, and email subject line must read: "Facility; offender last name, first, DOC#; Monetary Accounts."

#### **IV. CLOSING:**

Questions regarding this procedure should be directed to the Programs and Facilities Bureau.

#### **V. FORMS:**

- PFB 6.2.421 (A) Disposition of Offender Personal Property Items
- PFB 6.2.421 (B) Disposition of Offender Monetary Accounts



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
OPERATIONAL PROCEDURE**

Procedure:	<b>PFB 6.2.424 DISCIPLINARY PROCESS IN CONTRACT FACILITIES</b>
Effective Date:	07/29/2019 <span style="float: right;">Page 1 of 11</span>
Revisions Date(s):	10/13/2021
Reference(s):	PPD 4.6.202; PPD 6.3.101; PPD 6.4.102; PPD 6.4.205; PPD 6.4.206; 46-23-1002, MCA; 46-23-1004, MCA; 46-23-1011 and 1012, MCA; 46-23-1015, MCA; 46-23-1021, MCA; 46-23-1023 and 1024, MCA; 53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This procedure is referenced as follows in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START:**

- **ACCD 3.4.100 Offender Discipline, ACCD 3.4.101 Disciplinary Codes, and ACCD 3.4.102 Offender Removal and Detention in Section 3.D. Offender Management; Offender Misconduct & Removal from Facility**
- **ACCD 5.1.104 Warrants for Offenders in ACCD Programs/Facilities in Section 3.D.1. Offender Management; Offender Misconduct & Removal from Facility; Detention**

**I. PURPOSE:**

To ensure due process, Programs and Facilities Bureau contract facilities will follow established disciplinary hearing procedures when addressing alleged misconduct violations by adult offenders.

**II. DEFINITIONS:**

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

**Hearings Officer** – A Department employee who, as an impartial person, conducts hearings for offenders on community supervision or in a PFB facility.

**IPPO-Institutional Probation & Parole Officer** – A Probation & Parole Officer whose worksite is located in a prison or PFB facility.

**Intervention Hearing** – For the purposes of this procedure, an informal administrative hearing conducted by a Probation & Parole Hearings Officer when it is reasonably believed that an offender has a misconduct or rule violation while in a PFB facility. §46-23-1015, MCA

**Lay Advisor/Interpreter** – A staff member or other responsible adult who can assist an offender with the hearing process when the offender is illiterate, does not understand English, or where the complexity of the issue makes it unlikely that the offender will be able to collect and present evidence.

**Misconduct Violations** – Separated into three (3) categories with appropriate interventions for each category:

- **Class I Offense** – A very serious misconduct or rule violation that has or could jeopardize the safety and security of the community or PFB program/facility. These violations may be a felony and may be prosecuted in a court of competent jurisdiction.

- *Class II Offense* – A serious misconduct or rule violation that poses a threat to the community and/or violates a major program/facility rule.
- *Class III Offense* – Misconduct or rule violation which by themselves are determined not to jeopardize the offender's status or seriously violate program/facility rules. These violations are considered less serious but have the potential to pose a risk to the community or the offender.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**PPD-Probation and Parole Division** – The Division oversees the Probation & Parole regional offices and interstate transfers.

**Probationer** – For the purpose of this procedure, an offender ordered by the District Court to serve a period of commitment time for a suspended or deferred imposition of sentence (probation); or an adult offender committed to the authority of the Department and required to be released by the District Court to community supervision upon sentencing or disposition (DOC probation). §46-18-201, MCA

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Registered Victim** – A person registered with an automated notification system (e.g., VINE) used by the Department and/or who is identified in OMIS as registered with the Department to receive location and custody status updates about adult offenders under Department supervision.

**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.

**Up to 90-day Intervention Referral** – A probation, parole, or conditional release offender referred for placement in a PFB facility for up to 90 days by a Hearings Officer in accordance with the *Montana Incentives and Intervention Grid for Probation & Parole* and resulting from an intervention hearing. (§46-23-1015, MCA and §46-23-1024, MCA)

**Up to 9-month Revocation Referral** – A probation or parole offender referred for placement in a PFB facility for up to 9 months as a requirement of the court or Board of Pardons and Parole and resulting from a revocation hearing. (§46-18-203, MCA and §46-23-1025, MCA)

**VINE-Victim Information and Notification Everyday** – An automated telephone, email, and text notification system which provides location and custody status updates about adult offenders under Department supervision.

### III. PROCEDURES:

#### A. GENERAL GUIDELINES:

1. Upon admission to a PFB facility, offenders will be provided with written materials containing conduct rules specifying prohibited acts within the facility, the range of interventions that may be imposed for violations, and disciplinary procedures.
  - a. Any interpretative assistance to an offender will be provided when necessary.
  - b. Offenders will sign an acknowledgement that this material was received.

2. Offenders must be informed in advance the he/she may be incarcerated until a disciplinary hearing is held based on the severity of the violation, and that the Hearings Officer may order the offender to pay the costs of the detention if he/she is found guilty. If not paid by the offender, the Department shall pay the detention facility for costs submitted to [CORContractBeds@mt.gov](mailto:CORContractBeds@mt.gov).
3. Commission of any violation that is also a violation of criminal law may result in referral of the case to the appropriate law enforcement agency for consideration for prosecution.

## **B. OUTSTANDING WARRANTS:**

- 1. Outstanding misdemeanor warrants discovered for an offender placed in an PFB facility:**
  - a. The offender's case manager assists in contacting the court to resolve the warrant. If an appearance is required, a request for video conferencing may be made.
  - b. If offender is unable to have warrant resolved, case manager contacts the IPPO/PRC Liaison to facilitate the steps necessary to have the warrant resolved.
  - c. If a warrant is discovered from outside the county the offender is being held, the IPPO/PRC Liaison will make an effort to have the warrant resolved without the offender being transported to the county issuing the warrant.
  - d. If warrant is not resolved and offender is placed in jail, IPPO/PRC Liaison will ensure receiving jail has received a completed *PPD 4.6.300(A) Notification and Placement Warrant*.
- 2. Outstanding felony warrants discovered while an offender is in an PFB program/facility:**
  - a. The Programs and Facilities Case Manager will oversee the steps for resolution of the warrant.
  - b. Offender may remain in the facility or be placed in jail while attempts are made to resolve the warrant.
  - c. When a warrant is discovered from outside the county in which the offender is being held, attempts to resolve the warrant remotely will be made by the offender's case manager, IPPO, or PRC Liaison.
    - 1) If these attempts fail and the offender must travel to the county issuing the warrant, he/she will no longer be eligible for the program; and
    - 2) A disciplinary hearing will be held for offender's removal from the program prior to transport to the county issuing the warrant.
  - d. Upon resolution of the warrant, the local Probation & Parole office should be notified to monitor any court proceedings and facilitate offender's subsequent placement or return to the facility.

## **C. MISCONDUCT/RULE VIOLATIONS:**

1. *Class III* Misconduct Violations should typically be processed within three (3) business days by facility staff following internal facility policies/procedures.
2. *Class I and Class II* Misconduct Violations:
  - a. Hearings for up to 90-days intervention referral and up to 9-months revocation referrals are outlined in Section V below.
  - b. Facility residents require a Disciplinary hearing with a DOC Hearings Officer within five (5) business days. Facility staff will follow internal procedures for reporting and investigating alleged violations, and complete disciplinary reports that include, but are not limited to, the following information and provide the reports to the Hearings Officer:
    - 1) specific rule(s) violated;
    - 2) a formal statement of the charge;

- 3) any unusual offender behavior;
- 4) any staff witnesses;
- 5) any physical evidence and its disposition;
- 6) any immediate action taken, including the use of force; and
- 7) reporting staff member's signature, and date and time of report.
- c. Offender has the right to:
  - 1) have a written copy of the charges placed against them at least 48 hours prior to a disciplinary hearing, or waive the 48-hour notice;
  - 2) speak on his/her own behalf or remain silent;
  - 3) call and question witnesses (when witness can provide information relevant to the violation and to do so would not endanger the witness);
  - 4) present evidence pertinent to the allegation; and
  - 5) appeal the decision if he/she was not afforded due process rights.
- d. Lay advisor is provided if needed.
- e. Certain violations may be appropriate for pre-hearing jail time (see below).

#### **D. FACILITY INTERVENTIONS :**

1. *Class I and Class II Offenses:* Requires a Disciplinary hearing. Appropriate interventions may include, but are not limited to:
  - a. jail/sanction bed up to 30 days;
  - b. reprimand;
  - c. schedule change;
  - d. pass or travel restriction;
  - e. extra duty work assignments;
  - f. community service hours;
  - g. restitution for damage to facility caused by offender (facility must submit documentation of cost of repairs to Hearings Officer and offender before or at the time of hearing);
  - h. substance use treatment if indicated by a current evaluation; or
  - i. removal from program (may result in placement at an assessment/sanction center or Montana State Prison (MSP)/Montana Women's Prison (MWP)).
  - j. A Class II Offense may be reduced to a Class III offense with appropriate interventions.
2. *Class III Offense:* Typically written up and/or processed by the facility staff. An informal hearing may be conducted by the facility to determine appropriate interventions which may include, but are not limited to:
  - a. see #b-f listed under Class I and Class II offenses; or
  - b. privilege restrictions.

#### **IV. DISCIPLINARY HEARING REQUIREMENTS:**

##### **A. GENERAL INFORMATION:**

1. Hearings Officers will ensure the guidelines outlined in *PPD 6.4.206 Adult Probation & Parole Field Hearings* are followed.
2. Violations by up to 90-days intervention referrals and up to 9-months revocation referrals are outlined in Section V below.

3. Generally, the Hearings Officer, one representative from the facility where the alleged violation occurred, and the offender must be present at the hearing. The offender may be removed from the hearing or not attend if the Hearings Officer determines the offender's presence will be disruptive or presents a clear and convincing danger to those in attendance.
  - a. The Hearings Officer may hear testimony from witnesses, the reporting staff, and the charged offender.
  - b. The offender may call witnesses on his/her behalf when such witnesses are reasonably available, have relevant information regarding the violation(s), can meet the requirements of entering the facility, and their presence is not deemed to place others at risk of harm. If a witness will not be present at the hearing, his/her written or recorded testimony may be received and considered for inclusion at the hearing.
4. Hearings will be recorded by the Hearings Officer and maintained for a minimum of five (5) years; therefore, all persons must speak audibly throughout the hearing.
  - a. Recording will not be stopped unless the Hearings Officer, upon hearing all the evidence, needs more time to make a decision: he/she can stop the hearing for a few minutes, excuse the persons in the hearing, and stop the recording. Recording will be restarted for the announcement of the final decision.
  - b. Recording will be made available to the P&P Bureau Chief or designee if offender indicates he/she will be appealing the hearing decision.
5. The Hearings Officer may postpone or continue the hearing for a reasonable time and good cause, e.g., defense preparation, investigation of related factual matters, offender illness, quarantine, or unacceptable behavior during the hearing process, outbreak of disease at facility, or to consider the evidence for decision. All reasons for the delay will be documented in OMIS by the Hearings Officer and communicated to the facility. Facility staff will then inform the offender in writing.
6. Removal of Offender from Program:
  - a. The offender's placement at the facility may be terminated by the Hearings Officer for the following reasons:
    - 1) behavioral issues in violation of facility rules;
    - 2) offender refuses to participate in the program; or
    - 3) program ineligibility due to unresolved outstanding felony warrants.
  - b. Upon termination from the program, offender will be placed in jail or sanction/hold bed pending further placement unless otherwise approved by the Hearings Officer.
  - c. *PFB 6.2.437(E) Progress/Summary Report* is completed and submitted as outlined in Section IV.B.14 below.

## **B. HEARING PROCEDURES AND RESPONSIBILITIES:**

1. Pre-hearing detention or on-site confinement is at the facility's discretion.
  - a. Facility staff contacts POII for warrant for off-site detention placement and if the POII or designee cannot be reached, the facility has the authority to use a pre-signed warrant to place the offender in the local detention facility. The facility will inform the POII or designee of the detention placement by 8:00 a.m. the following business day.
  - b. The facility will arrange transport to the detention center.



2. Facility notifies the Hearings Officer of the offender's write-up and a hearing is held within five (5) business days.
3. Facility staff completes *PPD 6.4.206(K) Statement of Charges/Notice of Disciplinary Hearing and Rights* and serves on offender at least 48 hours prior to the hearing. Reviews *Statement/Notice* with offender to inform him/her of their right to:
  - a. waive the 48-hour notice;
  - b. speak on his/her own behalf or remain silent;
  - c. call witnesses to testify at the hearing and question them (if witness can provide information relevant to the violation and to do so would not place the witness or others present at the hearing at risk of harm);
  - d. present evidence pertinent to the allegation; and
  - e. appeal the decision if he/she was not afforded due process rights.
4. If offender indicates he/she is refusing to attend the hearing, he/she will initial that section of the *Statement/Notice*. If offender refuses to initial and/or sign the form, facility staff will write "Offender refuses to attend hearing and refused to sign form" across the form, sign it, and have all persons witnessing the refusal also sign the form.
5. Facility staff will send copies of disciplinary and incident reports, the signed *Statement of Charges/Notice of Disciplinary Hearing*, and physical evidence of alleged violations (i.e., video, UA, BA) to the Hearings Officer prior to the hearing.
  - a. Copies of the reports and *Statement/Notice* are provided to the offender, and offender is given an opportunity to review the physical evidence.
  - b. Videos should be sent to the Hearings Officer by disc. If there is a possibility that the disc will not reach the Hearings Officer prior to the hearing, the video should be sent via file transfer service, and then by disc within 3 business days.
6. Facility staff provides *PPD 6.4.206(J) Request for (or Waiver of) Witnesses* to offender for completion prior to the hearing. If offender is incarcerated, designated facility staff will notify witnesses if provided needed information. If able to contact any of the witnesses by phone, staff will provide the time and place of the hearing and document notification.
7. Lay or staff advisor/interpreter is appointed at offender's request or if deemed necessary by Hearings Officer to help offenders understand the charges against them, the hearings process, the process for presenting their version of the charges, and the process to appeal.
8. Hearings Officer will review the offender's current violation(s) and physical evidence (i.e., video of alleged violation, UA, BA).
9. At the hearing, the Hearings Officer:
  - a. speaks about all steps of hearing process and due process rights to offender;
  - a. informs offender of possible interventions;
  - b. reminds offender that he/she must respond audibly;
  - c. gives both the representative from the facility and the offender an opportunity to present evidence and make a recommendation; and

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- d. if a video of the alleged violation is available, it is played during the hearing.
  - 1) If the Hearings Officer is unable to play the video because of logistics or safety issues, the Hearings Officer will discuss his/her review of the video after all evidence has been presented by the facility and offender.
  - 2) Video must be retained with hearing documents and be available for hearing appeals.
10. At the end of the hearing, the Hearings Officer reviews information obtained during hearing, the violation(s), offender's plea, and weighs the evidence presented.
11. When offender is found not in violation, Hearings Officer completes OMIS Hearings entry and *PFB 6.2.424(A) Summary of Disciplinary Hearing* within seven (7) business days:
  - a. *Summary* should not contain any confidential information (i.e. from a confidential informant or that could pose a threat to safety and security). If such issues are present, they should be presented on a separate statement and attached to the *Summary*, but not provided to the offender.
  - b. *Summary* will be provided to the offender within 10 business days of the hearing.
12. If offender is found in violation:
  - a. Hearings Officer will review the following to determine and impose interventions.
    - 1) current program progress including treatment completion;
    - 2) criminal history background;
    - 3) whether the offender is a DOC or MSP commitment;
    - 4) behavior in facility;
    - 5) programming/treatment; and
    - 6) length of time offender has been in the program.
  - b. Hearing paperwork must reflect start and end dates for the intervention if appropriate.
  - c. Hearings Officer advises offender of appeal process whereby *PPD 6.4.206(N) Disciplinary Hearing Appeal* must be submitted to the Probation & Parole (P&P) Bureau Chief or designee within 15 days of the hearing and must include appropriate documentation. Have offender sign *Appeal*.
  - d. Hearings Officer completes OMIS Hearings entry, *PFB 6.2.424(A) Summary of Disciplinary Hearing*, and OMIS Location Reason update within seven (7) business days, and if necessary, *PPD 4.6.300(A) Notification and Placement Warrant*.
    - 1) If substance use or possession is indicated as one of the violations, the Hearings Officer must identify the specific substance in the summary.
    - 2) If a secure placement is deemed necessary, the procedures of *PPD 4.6.202 Secure Placements* will be followed.
    - 3) Forms are forwarded as appropriate per distribution list on form. Other reports are sent upon request.
    - 4) *Summary* (without confidential information) must be provided to the offender within 10 business days of the hearing.
- 13. All forms completed for the hearing will be uploaded by the Hearings Officer as one OMIS Hearing document in the offender's record.**
14. If the offender's placement at the facility is terminated:
  - a. Hearings Officer will determine offender's placement upon termination:
    - 1) if placement is to an assessment/sanction center, *PPD 4.6.300(A) Notification and Placement Warrant* is completed; or

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- 2) if a secure placement is deemed necessary, the procedures of *PPD 4.6.202 Secure Placements* will be followed:
    - a) If secure placement is approved, sending facility will contact MSP/MWP to confirm transfer and offender is transported to MSP/MWP.
    - b) The approved *PPD 4.6.202(A) Request for Secure Placement* is transferred with offender.
  - b. The facility will finalize and submit *PFB 6.2.437(E) Progress/Summary Report* to [coraccreports@mt.gov](mailto:coraccreports@mt.gov) and MSP/MWP Classification Bureau as follows:
    - a. within 10 days of the offender's termination (15 days for offender in the Veteran's Reentry Program);
    - b. using the following email subject line: "Facility; offender last name, first name: Discharge Summary."
15. Refer to *PPD 4.6.300(F) Where Files Go* to determine where the offender's field file should be sent.

**C. APPEAL REQUEST FROM OFFENDER:**

1. The determinations resulting from a disciplinary hearing may be appealed by the offender within 15 calendar days of the hearing.
2. Written documentation which supports the offender's argument must be submitted to the P&P Bureau Chief or designee. The Bureau Chief or designee has 30 calendar days to make a ruling on the appeal and reserves the right not to consider the appeal if the written documentation is not received within the 15 days or there is inadequate documentation. If additional time is needed to obtain and/or review relevant evidence/testimony, the BC will notify the offender.
3. An appeal must be requested in writing at the time of the hearing using *PPD 6.4.206(O) Disciplinary Hearing Appeal* and must designate on which of the following grounds the appeal is based:
  - a. that there was not sufficient evidence presented by the facility to support the charges;
  - b. there was not substantial compliance by facility with applicable discipline and hearing procedures;
  - c. the offender offered relevant evidence that was improperly excluded by the hearing officer; or
  - d. the intervention imposed was not proportionate to the rule violation.
4. Upon an appeal request, the P&P Bureau Chief or designee will review:
  - a. whether there was evidence presented that was sufficient to support the charges;
  - b. the decision to determine if the appropriate procedure was followed;
  - c. if appropriate findings of fact were made; and
  - d. whether the interventions imposed were proportionate to the violation(s).
5. The P&P Bureau Chief or designee may:
  - a. Affirm: Agree with the actions of the Hearings Officer and affirm the recommendation.
  - b. Dismiss: Disagree with the actions of the Hearings Officer and dismiss the intervention.
  - c. Modify: Reduce or suspend the intervention.
  - d. Return the case to the Hearings Officer for rehearing based on new evidence or procedural errors.
6. The decision of the P&P Bureau Chief or designee is final and cannot be appealed by the offender.

7. If it is determined that the facility clearly did not follow appropriate disciplinary procedures, or the findings of fact were clearly erroneous, the offender may be reinstated at the facility at the next available opening.

#### **D. APPEAL REQUEST FROM FACILITY:**

1. If the facility does not agree with the initial hearing results, or with the offender appeal decision, the facility may appeal to the PFB Bureau Chief.
2. A letter articulating the reasons for the facility's appeal and stating why a placement back to the facility is not appropriate must be submitted to the [correquests@mt.gov](mailto:correquests@mt.gov) within seven (7) business days following the determination using the following email subject line: "Facility; offender last name, first name, DOC ID#, Hearing Appeal."
3. The PFB Bureau Chief or designee has 30 calendar days to make a ruling on the facility's appeal.
4. If the hearing or offender appeal ruling is that the offender should be reinstated contrary to the facility's recommendation, the offender should be reinstated at the facility at the next available opening. Offender will remain in the custody of the local detention facility until an opening is available.
5. If deemed appropriate, and subject to screening and approval procedures, PFB Bureau Chief or designee may recommend an alternative placement of offender.

#### **V. UP TO 90-DAYS INTERVENTION REFERRAL AND UP TO 9-MONTHS REVOCATION REFERRAL OFFENDERS:**

##### **A. GENERAL INFORMATION:**

1. The offender's supervising Probation & Parole (P&P) Officer or PFB staff should be contacted by facility staff when there are any questions or issues that arise during an offender's intervention or revocation referral placement.
2. Offenders cannot be placed in jail without the supervising P&P Officer's authorization and following the specific time limitations (see *PPD 6.4.102 Offender Arrest/Pick Up and Hold/Release*).
3. Placement in another PFB facility pending hearing is not allowed.
4. Outside of business hours, facility staff should contact the on-call Officer in the region where the offender originated, who will document the contact in OMIS and email the offender's officer of record and supervisors. Supervising P&P Officer will follow-up with facility staff the next working day. On-call contact numbers are as follows:
  - a. Region I: Missoula – 406-240-2031 and Butte – 406-491-1618
  - b. Region II: Helena – 406-439-4861 and Bozeman – 406-580-0462
  - c. Region III: Great Falls – 406-231-1399
  - d. Region IV: Billings – 406-860-0523
  - e. Region V: Kalispell – 406-253-1876
  - f. Region VI Havre – 406-879-9421

5. Intervention or revocation referral offenders who leave the facility or attempt to leave without authorization from the facility or Probation & Parole are not considered escapees; however, the procedures specific to these offenders are outlined in Section F of *PFB 6.2.422<sup>RD</sup> Facility Escapes*.

**B. PROBATIONERS – 90-DAY INTERVENTION OR 9-MONTHS REVOCATION REFERRALS:**

1. Up to 90-days Intervention Referral Probationer:
  - a. Violations are addressed through an intervention hearing following the procedures of *PPD 6.4.206 Adult Probation & Parole Field Hearings*.
  - b. Hearings Officer will determine whether to respond with an appropriate intervention or remove offender from the facility. If offender will be removed, the supervising P&P Officer will determine an appropriate response pursuant to *PPD 6.3.101(A) Montana Incentives and Interventions Grid for Adult Probation & Parole (MIIG-P&P)*.
2. Up to 9-months Revocation Referral Probationer:
  - a. Supervising P&P Officer will determine whether the violation will be addressed through an intervention hearing or warrants the removal of the offender from the facility and a formal revocation.
  - b. If offender will be removed from the facility, offender is arrested pursuant to *PPD 6.4.102 Offender Arrest/Pick Up and Hold/Release*. *PPD 6.4.205(A) Report of Violation* is completed and submitted to the county attorney pursuant to the procedures of *PPD 6.4.205 Report of Violation for Probation or Parole*.

**C. PAROLEE – 90-DAY INTERVENTION OR 9-MONTHS REVOCATION REFERRAL:**

1. Violations are addressed by a Hearings Officer through an initial on-site hearing following the procedures of *PPD 6.4.206 Adult Probation & Parole Field Hearings*.
2. If an intervention is determined to be appropriate, hearing is converted to an intervention hearing.
3. If offender will be removed from the facility, offender is arrested pursuant to *PPD 6.4.102 Offender Arrest/Pick Up and Hold/Release*. *PPD 6.4.205(A) Report of Violation* is completed and submitted to the Board of Pardons and Parole pursuant to the procedures of *PPD 6.4.205 Report of Violation for Probation or Parole*.

**D. CONDITIONAL RELEASE OFFENDERS – 90-DAY INTERVENTION REFERRAL:**

1. Violations will be addressed through a disciplinary hearing following the procedures of *PPD 6.4.206 Adult Probation & Parole Field Hearings*.
2. If an intervention is determined to be appropriate, hearing is converted to an intervention hearing.
3. If offender will be removed from the facility, offender is arrested pursuant to *PPD 6.4.102 Offender Arrest/Pick Up and Hold/Release* and procedures to revoke offender's conditional release are followed. A determination will be made whether to place offender in an assessment/sanction center or complete a secure placement to MSP/MWP.

**VI. CLOSING:**

Questions regarding this procedure will be directed to the Facility Administrator, Probation & Parole Bureau Deputy Chief, or Programs and Facilities Bureau Chief.

## VII. FORMS:

PFB 6.2.424 (A)	Summary of Disciplinary Hearing - OMIS
PFB 6.2.437 (E)	Progress/Summary Report
PPD 6.4.206 (C)	MIIG-P&P Intervention: Hearing Summons and/or Violation Response
PPD 6.4.206 (J)	Request for (or Waiver of) Witnesses
PPD 6.4.206 (K)	Statement of Charges/Notice of Disciplinary Hearing and Rights
PPD 6.4.206 (N)	Disciplinary Hearing Appeal
PPD 6.4.205 (A)	Report of Violation
PPD 4.6.202 (A)	Request for Secure Placement
PPD 4.6.300 (A)	Notification and Placement Warrant



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.425      SEARCHES AND CONTRABAND CONTROL</b>
Effective Date:	11/23/2020 <span style="float: right;">Page 1 of 3</span>
Revision Date(s):	
Reference(s):	53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This requirement is referenced as *ACCD 3.1.1700 Searches and Contraband Control* in Section 3.H.1 Security/Counts in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.**

**I. PURPOSE:**

The Programs and Facilities Bureau will provide direction for contract facilities in conducting searches of offenders' person, and will assist in the development, implementation, and enforcement of operational procedures that detect and control the introduction, fabrication, possession, and transmission of contraband within the facilities.

**II. DEFINITIONS:**

**Body Cavity Search** – A manual or instrument inspection of an offender's anal or vaginal body cavities.

**Chief of Security** – The staff person, regardless of local title, designated by the administrator to manage the facility's security program.

**Contraband** – Any item possessed by an offender or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Clothed Body Search** – The manual body search of an individual that requires the removal of outer clothing, e.g., coats, hats, gloves; emptying of pockets; and inspection of papers, bags, books, or other carried items (also referred to a pat search).

**Unclothed Body Search** – A visual inspection of an individual's unclothed body and thorough search of the unworn clothing to detect concealed contraband (also referred to as strip search).

**III. REQUIREMENTS:**

**A. PROCEDURE DEVELOPMENT:**

1. PFB contract facilities will develop procedures to establish search plans that include:
  - a. unannounced and irregularly timed searches of offenders, offender rooms, and work areas;
  - b. perimeter searches;
  - c. requirements for the search of offenders' religious items;
  - d. avoidance of unnecessary force, embarrassment, or indignity to the offender;

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- e. how to conduct searches to control contraband, recover missing or stolen property, and prevent escapes or other disturbances;
  - f. respect for offenders' personal property;
  - g. annual review of search procedures with updates as necessary;
  - h. documentation of all searches, excluding clothed body searches that do not result in the discovery of contraband or result in a disciplinary write-up; itemizing of any found contraband; and submission of documentation to the chief of security;
  - i. offenders, visitors, and staff are subject to clothed body searches at any time;
  - j. unclothed body-search requirements and techniques applicable to offenders;
  - k. the restricted use of body cavity searches;
  - l. how to ensure reasonable accommodations for offenders with disabilities;
  - m. how to conduct cross gender clothed body searches, and searches of transgender and intersex offenders, in a professional, respectful, and least intrusive manner possible;
  - n. required frequent facility area searches, which include housing, visiting, and general areas, to prevent serious incidents or escapes and uncover contraband;
  - o. proper techniques to detect prohibited items, uncover potential security breaches, and protect both offenders and staff from undue harm;
  - p. use of security equipment;
  - q. preventive measures and proper safeguards to use during searches, such as methods to avoid the danger of "needle sticks" that may lead to infection; and
  - r. proper responses to other potentially hazardous conditions.
2. Facilities will require staff training on search and contraband control procedures and effective search techniques.

**B. PROCEDURE REQUIREMENTS:**

1. Clothed Body Searches:
- a. conducted by staff of the same gender of the individual being searched whenever possible; and
  - b. conducted in accordance with approved facility training requirements:
    - 1) staff will pass his/her hands deliberately and carefully in and around the groin area;
    - 2) carefully search for items that may be concealed in bras; and
    - 3) inspect shoes, insoles, and heels as time and circumstances allow.
2. Unclothed Body Searches:
- a. conducted by trained staff in a respectful and dignified manner;
  - b. except in emergency situations, conducted by staff of the same gender as the offender in a private area and based on a reasonable suspicion that the offender is carrying contraband or other prohibited material; and
  - c. reasonable suspicion is not required for unclothed body-searches when offenders return from contact with the general public or from outside the facility.
3. Body Cavity Searches:
- a. conducted only by health care providers, excluding facility health care providers, when there is a reason to do so and only with the written authorization of the facility administrator; and



- b. in such cases, a physician must authorize the instrument or surgical examination of body cavities.

4. Facility Area Searches:

- a. conducted by staff in a manner that:
  - 1) respects offenders' personal property, using care not to willfully discard, break, or misplace items; and
  - 2) leaves the area as close to the way it was found as possible.
- b. Facility staff who damage or destroy personal property will submit a report with the property to the appropriate supervisor.

**IV. CLOSING:**

Questions concerning this procedure should be directed to the Programs and Facilities Bureau.



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.426 ENTRANCE AND VISITATION REQUIREMENTS</b>	
Effective Date:	03/23/2020	Page 1 of 5
Revision Date(s):	08/11/2021	
Reference(s):		
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

**This requirement is referenced as follows in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

- **ACCD 3.1.500 Entrance Procedures in Section 3.H. Offender Management; Security/Counts**
- **ACCD 3.3.800 Visitation Section 3.K. Offender Management; Offender Rights**

**I. PURPOSE:**

The Programs and Facilities Bureau contract facilities will establish procedures for maintaining facility physical security, including authorized entrances and all visitors to the facility.

**II. DEFINITIONS:**

**Clothed Body Search** – The manual search of an individual that requires the removal of outer clothing, e.g., coats, hats, gloves; emptying of pockets; and inspection of papers, bags, books, or other carried items.

**Contact Visit** – A visit in which the offender and visitor are permitted limited physical contact.

**Contraband** – Any item possessed by an offender or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

**Non-Contact Visit** – A visit in which the offender and visitor are separated by a physical barrier and, therefore, cannot have physical contact.

**Official Visitors** – Visitors to a facility acting in an official capacity, e.g., law enforcement, correctional personnel, judges, licensed attorneys, legislators, and others on official business.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Proper Identification** – A government-issued or DOC-issued Identification card with photograph, physical description, and dates of issue and expiration.

**Vendors** – Individual service providers who sell goods or services to the facility including delivery, maintenance, or other services.

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**Volunteer** – An individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.

### III. REQUIREMENTS:

#### A. ENTRANCE PROCEDURES:

1. Each facility administrator will develop policy/procedure for site-specific entrance requirements which address the approval process for entrance to the facility.
2. The policy/procedure must include directives for the following:
  - a. Visitor approval processes for offender's visitors, volunteers, and vendors:
    - 1) entrance staff will not allow anyone inside the facility or exiting the facility without proper identification;
    - 2) official visitors showing proper identification may enter the facility without advance clearance;
    - 3) all persons 16 years or older must present proper identification upon entry unless approved in advance by the facility administrator;
    - 4) service personnel, e.g., delivery, maintenance, vendors, and other service providers, must provide proper identification and appropriate documentation of the nature of their business in the facility;
    - 5) additional procedures may be used for facility visitor's badges or UV-reflecting hand stamps.
  - b. Searches of visitors, packages, offenders, and staff:
    - 1) advisement to visitors of items prohibited in the facility is required;
    - 2) all visitors and offenders are subject to clothed body searches and/or metal detector sweeps;
    - 3) packages, briefcases, lunches, or other personal items are subject to search; and
    - 4) all staff are subject to search.
  - c. Additional requirements for treatment and assessment/sanction centers:
    - 1) Ensuring a high level of security and control over sally ports to prevent offender escapes and the introduction of contraband.
    - 2) Sufficient staffing of center's front and rear entrances to allow for, at a minimum, direct identification, escorting, and searches of persons entering facility;
    - 3) Prohibiting the use or conveyance of wireless messaging devices by visitors in the secure portion of the facility;
    - 4) Searching packages, briefcases, lunches, or other personal items will be completed before admittance into the secure portion of the facility; and
    - 5) Search of offenders returning from off-site transports or outside details will be completed.
  - d. Records:
    - 1) A complete record should be maintained for the following persons entering and exiting the facility:
      - a) persons who are not facility employees, including volunteers;
      - b) all offenders' visitors; and
      - c) all offenders.

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- 2) Records will include, date, name, signature, times in and out, purpose of visit, the authority allowing the entrance.
  - 3) These records will be maintained in accordance with contract requirements and will be retained in accordance with the facility's policy/procedure;
  - e. Weapons storage:
    - 1) under normal circumstances, any weapons, ammunition, or chemical agents are not allowed in the facility unless authorized by the facility administrator; and
    - 2) the facility will provide a storage area for weapons required to be carried by law enforcement officers and Department staff in the course of their official duties.
  - f. Prohibition on Detaining non-offenders: Facility staff are not authorized to detain non-offenders.
3. A list of items prohibited within the facility may be posted outside each entrance.

**B. VISITATION:**

1. To encourage family ties and supportive relationships important to the stability of offenders, PFB facilities must provide physical space, furniture, equipment and supervision for contact and non-contact visitation if applicable.
2. A sign prominently displayed outside the visiting area entrance will state that visitors are subject to search and the consequences of introducing contraband into the facility.
3. The facility administrator, or designee, may permit and restrict visits on a case-by-case basis as deemed necessary to maintain facility security requirements.
4. Facility will ensure written information governing visits is available to offenders within 24 hours of arrival at facility.
5. Facility's visitation policy/procedure should provide the following:
  - a. Schedules that ensure reasonable visiting hours and offender availability;
  - b. Methods for notifying and disseminating visiting schedules and rules to prospective visitors;
  - c. Approval of visitors:
    - 1) facility must consider all court-ordered no-contact conditions;
    - 2) unless approved by the facility administrator or designee, children under the age of 18 may not visit unless accompanied by a parent or legal guardian or previously approved responsible adult;
    - 3) persons on probation, parole, or conditional release may not visit offenders unless approved by the facility administrator or designee:
      - a) policy/procedure may identify specific criteria for exclusion based on relationship to the offender or non-satisfactory adjustment to the community;
      - b) consideration of a visitor's approval must be discussed with his/her supervising Probation & Parole Officer prior to approval.
    - 4) persons with a criminal background will not automatically be excluded from visits; however, the nature and extent of the criminal record, supervision status, and potential threat to facility safety and security will be considered.
    - 5) visiting suspensions or permanent revocations:

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- a) visitors who attempt to or successfully introduce contraband may have visiting privileges permanently revoked.
- b) for a violation of a visiting policy/procedure, the facility may at its discretion, suspend or permanently revoke an offender's visiting privilege with a particular visitor. The visitor will be notified in writing of the suspension or revocation of privileges.
- 6) current or former facility employees:
  - a) current or former employees granted visiting privileges must comply with facility policy/procedure.
  - b) current employees, or former employees who left employment in good standing, may have visiting privileges with an offender who is an immediate family member if the offender was an immediate family member before becoming incarcerated or committed to the Department.
  - c) current employees without immediate ties to an offender prior to incarceration or community supervision may not have visiting privileges.
  - d) former employees who were not immediate family members of an offender prior to incarceration or community supervision may not have visiting privileges unless approved by the facility administrator or designee.
  - e) any employee terminated for cause, who designee in lieu of termination due to inappropriate activities with an offender, or who engaged in inappropriate activities discovered after employment discontinued, will have a permanent restriction from visiting offenders.
- 7) visits to sex offenders:
  - a) on a case-by-case basis, visiting may be restricted between minors and offenders convicted of current or prior crimes involving sexual offenses against a minor or offenses causing bodily injury to a minor;
  - b) restrictions may be imposed if it is in the interest of visitor safety, facility security, or the offender's rehabilitation;
  - c) facility may consider non-contact visits if the visitor is not the victim of the offense.
- d. Steps for documenting and maintaining confidential lists or logs of approved visitors;
- e. Location of visiting space staffed and equipped for effective supervision and surveillance;
- f. Search of visiting areas to include:
  - 1) furniture;
  - 2) trash containers and accumulated trash;
  - 3) items or equipment used during visits;
  - 4) walls, ceilings, and other structural areas that may elude staff observance; and
  - 5) bathroom facilities and equipment.
- g. Areas in which contact and non-contact visitation will occur and when each type of visit is permissible;
- h. Accommodations for special or official visits and for person with disabilities;
- i. Supervision of visits:
  - 1) direct visual supervision of the entire visiting area must be maintained at all times;
  - 2) inappropriate behavior resulting in an incident report or termination of the visit requires staff to document reasons for termination in writing to offender and/or visitor.
- j. Visiting as a privilege that may be curtailed as a disciplinary measure:

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6. Offenders should be provided the following information to communicate with family and friends:
  - a. the process for requesting visits;
  - b. facility address, phone number, directions, and local transportation;
  - c. dress code and visitor identification requirements;
  - d. entrance and search procedures;
  - e. rules pertaining to children;
  - f. items permitted within the visiting area and items that may be given to the offender;
  - g. grounds on which visits may be denied or terminated; and
  - h. reasons for special or extended visits.

**C. REPORTING OF DENIED OR REVOKED VISITING PRIVILEGES:**

1. A person who has been denied approval of visiting privileges with an offender by the facility, or has had visiting privileges permanently revoked by the facility, will be reported to PFB with an email to [coraccreports@mt.gov](mailto:coraccreports@mt.gov):
2. The following information will be included in the email:
  - a. Offender name and DOC ID#;
  - b. Name of the visitor and his/her relationship to the offender;
  - c. Whether visitor was denied privileges or revoked of privileges, and the reason; and
  - d. The effective date of the denial or revocation.
3. The email will have the subject line of: "Facility; Offender last name, first name; DOC #; visitation."
4. The information provided will be entered by PFB into the offender's OMIS record as an Alert.

**IV. CLOSING:**

Questions regarding this requirement should be directed to the Programs and Facilities Bureau.



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.427 OFFENDER MOVEMENT CONTROL</b>
Effective Date:	10/04/2021
Revision Date(s):	
Reference(s):	53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This procedure is referenced as *ACCD 3.1.1100 Offender Movement Control* in Section 3.H. Offender Management; Security/Counts in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This requirement is referenced as *ACCD 3.1.1100 Offender Movement Control* in Section 2.2.7 Services; Offender Management; Security/Counts in the Connections Corrections Program (CCP) and WATCH contracts.**

**I. PURPOSE:**

The Programs and Facilities Bureau's contract facilities will develop and enforce internal movement controls to ensure that offenders do not evade staff supervision, plan escapes, or engage in activities not permitted by facility rules.

**II. DEFINITIONS:**

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**III. REQUIREMENTS:**

**A. OFFENDER MOVEMENT OPERATIONAL PROCEDURES:**

1. Each facility will develop operational procedures to regulate and account for offender movement that are applicable to the program structure of the facility.
2. Controlled movement procedures may vary according to the physical plant and custody level of the facility or program.
3. Movement procedures will:
  - a. provide staff with the necessary instructions to control and supervise all individual and group offender movements:
  - b. include, where applicable, use of a call-out/emergency contact program, scheduled movement, radio or telephone communication, video cameras, and an individual pass system;
  - c. ensure movement is regulated to such activities as work, sick call, meals, recreation, education, or other programs; and

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- d. require that movement records are maintained for 30 days to provide a means of reconstructing offender activities and locations.
- 4. Facilities will have procedures for hospitalization of offenders that include:
  - a. Notification to PFB at [correquest@mt.gov](mailto:correquest@mt.gov) and [cormedical@mt.gov](mailto:cormedical@mt.gov) of all hospitalizations and offender return to facility;
  - b. Provision of security for up to 72 hours for hospitalization of:
    - 1) all offenders in a treatment or assessment center, and
    - 2) all inmate workers.
  - c. Provision of appropriate notice by facility staff of end of security coverage period and coordination with PFB at [correquests@mt.gov](mailto:correquests@mt.gov) in order for the Department to assume security coverage.
- 5. Facility procedures on offender movement must be submitted when requested by the Department.

**B. GENERAL STAFF OBSERVATION:**

- 1. All facility staff must observe and monitor offender movement; this includes examining passes and ensuring that offenders follow the authorized procedures of individual and group movements.
- 2. Staff must be especially alert to individual or group offender movements that appear to be out of context with scheduled activities.
- 3. Staff assigned to corridor housing unit and program posts will examine offenders' approved agendas, passes, and the daily transport list to verify proper authorization of all offender movement.

**IV. CLOSING:**

Questions regarding this procedure should be directed to the Programs and Facilities Bureau.





**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.428 TELEPHONE USE IN PFB CONTRACT FACILITIES</b>
Effective Date:	11/04/2020 <span style="float: right;">Page 1 of 3</span>
Revision Date(s):	08/11/2021; 10/04/2021
Reference(s):	53-1-23, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This procedure is referenced as *ACCD 3.3.700 Telephone* in Section 3.K.6 Offender Management; Offender Rights; Telephone, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This procedure is referenced as *ACCD 3.3.700 Telephone* in Section 2.2.10 Services; Offender Management; Offender Rights in the Connections Corrections Program (CCP) and WATCH Contract.**

**I. PURPOSE:**

The Programs and Facilities Bureau contract facilities will follow established requirements when allowing offenders access to public telephones. Prerelease Centers will establish and follow policies/procedures for the possession and use of cell phones by residents. These requirements allow offenders to maintain essential community and legal contacts and provide the limitations and restrictions necessary to ensure the security and order of the facility and to protect the public.

**II. DEFINITIONS:**

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department’s employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**III. REQUIREMENTS:**

**A. PUBLIC PHONE USE:**

1. PFB contract facilities may contract with a telephone service provider to provide telephone service specifically for the offender population.
  - a. Each facility must submit the telephone service contract to the Programs and Facilities Contract Manager (Contract Manager) for review and approval prior to the facility’s acceptance of the contract.

**B. CELL PHONE USE IN PRERELEASE CENTERS:**

**1. General Provisions:**

- a. Cell phone use by offenders is a privilege and not a right. Cell phones may be used as a tool to aid offenders’ reentry back into the community and for communicating with family, employers, and support personnel.
- b. Prerelease centers (PRC) will develop cell phone use policy/procedures that consider usage requirements. The PRC will require a resident to sign a cell phone agreement that includes

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usage requirements and a statement whereby the offender grants PRC staff to monitor and review phone use.

- c. Residents meeting eligibility requirements must gain authorization by the PRC Director or designee to use or possess a cell phone. Resident will sign the cell phone agreement upon authorization.
- d. The cell phone is not to be used for unauthorized communication, gaming, or any type of unlawful behavior.
- e. Cell phone use may be determined as an incentive or intervention for a resident meeting, or not meeting, program requirements.
- f. Upon discovery of content on a resident's cell phone that may be criminal, the cell phone will be seized, and the Contract Manager contacted as soon as possible. If the cell phone contains criminal content, the law enforcement agency of jurisdiction will be contacted regarding guidance on the phone.

## 2. Offender Eligibility Requirements:

- a. A PRC resident is eligible for a cell phone if the court judgment does not prohibit the resident from possessing phones/computers.
- b. If not prohibited, the resident must meet the following criteria to be eligible for the possession and use of a personal cell phone:
  - 1) Must be making regular payments towards any debt and is not delinquent on any restitution, fines or fees, or outside bills;
  - 2) Be gainfully employed and/or have adequate finances so that having a cell phone does not become a financial hardship for the resident;
  - 3) Be free of excessive rule violations as determined by the PRC; and
  - 4) Is meeting programming and treatment requirements.
  - 5) If the cell phone is to be provided by another person(s), that person(s) must be provided this procedure and the facility's cell phone use policy/procedures and agree to all provisions given.
- c. The center may determine on a case-by-case basis whether to terminate cell phone privileges if the circumstances of the resident change.
- d. Inmate workers may use or possess a cell phone dependent upon the PRC's policy/procedure; however, usage requirements must not conflict with this procedure.

## 3. Considerations for Usage Requirements: The following should be considered when developing policy/procedure and agreements for cell phone use and be addressed as applicable to the PRC.

- a. Residents entering into long term contracts;
- b. PRC's access to resident's account through the cell phone company;
- c. Providing resident's cell phone number to the PRC, and changing the number without the PRC's permission;
- d. Collection of monthly cell phone bills, including a detailed list of all calls and texts completed;
- e. Locking of cell phones;
- f. Contact by residents to other offenders in PFB facilities or under supervision by the Probation & Parole Bureau;
- g. Random searches by PRC staff;
- h. Confiscation of phone and possible criminal prosecution for pictures and texts of a sexual nature;

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- i. Gang-related symbols or pictures;
- j. Volume settings of cell phone when in the PRC or after curfew;
- k. Taking pictures of staff or other residents;
- l. Addressing concerns with a resident's cell phone usage and/or sites being frequented; and
- m. Consequences for violation of usage requirements.

**IV. CLOSING:**

Questions regarding this procedure should be directed to the Programs and Facilities Bureau.

**V. FORMS:**

Prerelease Center      Cell Phone Agreement



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.429 FOOD SERVICES</b>	
Effective Date:	03/23/2020	Page 1 of 2
Revision Date(s):	08/11/2021; 04/01/2025	
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This requirement is referenced as **ACCD 4.3.100 Food Services** in Section 4.B. Facility Management; Food Service, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START. This requirement is referenced as **ACCD 4.3.101 Cook Chill** in Section 4.B. Facility Management; Food Service, in the Nexus and START contracts.

### I. PURPOSE

FPB contract facilities will establish processes for providing food services for offenders.

### II. DEFINITIONS (see Glossary)

### III. REQUIREMENTS

#### A. FOOD SERVICES

1. Facilities must provide offenders with 3 meals each day, including 2 hot meals.
  - a. Meals shall be served at regular mealtimes during each 24-hour period, with no more than 14 hours between the evening meal and breakfast.
  - b. Variations may be allowed based on weekend and holiday food demands.
  - c. Prerelease centers will make provisions to accommodate residents who work irregular hours and are not available at regularly scheduled mealtimes.
  - d. All foods must be properly stored or disposed of at the completion of each meal.
  - e. Cook chill (the food prepared and provided by Montana Correctional Enterprises Food Factory) will be provided to an FPB contract facility to fulfill food service requirements when required by the facility's contract.
2. Food service staff must develop and publish advance menu plans that are approved by a registered dietician or nutritionist:
  - a. A single menu will be provided for staff and offenders, and copies of all menus must be kept at the facility with menu substitutions documented.
  - b. All menu plans will be based on the Recommended Dietary Allowances (RDA) for males/females (as appropriate) aged 25-50 years as provided by the National Research Council Food and Nutrition Board.
  - c. The daily menu must provide a minimum of 63 grams of protein and a minimum of 2,900 calories for each male offender and 2,300 calories for each female offender during each 24-hour period. These amounts must conform, at a minimum, to the RDA.
  - d. The following special diets must also be provided when required by an offender's documented need:
    - 1) low cholesterol;
    - 2) non-pork;
    - 3) modified vegetarian;
    - 4) strict vegetarian;
    - 5) low sodium;
    - 6) low sugar;
    - 7) modified consistency diet for geriatric offenders; and
    - 8) religious and specialized medical diets, including:
      - a) renal,

- b) gluten free,
  - c) liquid, and
  - d) diabetic diets.
- 3. The food service area must comply with state of Montana and local health regulations.
  - a. Facilities must maintain adequate refrigeration, cooler, and dry storage space to keep a minimum of 3 days food inventory supply on hand at the facility.
  - b. The kitchen and the dining area must be adequately ventilated, properly furnished, and clean. A facility supervisor must conduct routine inspections on a weekly basis.
- 4. All food service personnel must have clean hands and fingernails; wear hair nets or caps; wear washable garments; meet any applicable health requirements related to food service; and practice hygienic food handling techniques.
- 5. Documentation at the facility provided by the state of Montana or local inspection authorities that food service facilities and equipment meet established governmental health and safety codes must be maintained. Deficiencies must be noted and corrected as quickly as possible and within a reasonable period of time.

#### **IV. CLOSING**

Questions about this requirement should be directed to the FPB Chief.



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.430 GRIEVANCE PROGRAM REQUIREMENTS</b>	
Effective Date:	10/01/2020	Page 1 of 4
Revision Date(s):	08/11/2021	
Reference(s):	PFB 6.2.403; PFB 6.2.404; DOC 3.3.20; 45-5-501, MCA; 45-5-502, MCA; 45-5-503, MCA; 20-13-108 A.R.M.; 24.9.603, A.R.M.; 28 CFR Part 115	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

This requirement is referenced as **ACCD 3.3.300 Grievances** in Section 3.K.2. Offender Management; Offender Rights; Grievances, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.

This requirement is referenced as **PPD 3.3.300 Offender Grievance Program** in Section 2.2.10 Services; Offender Management; Offender Rights in the Connections Corrections Program (CCP) and WATCH contracts.

**I. PURPOSE:**

The Programs and Facilities Bureau's contract facilities will provide a grievance and appeal process to offenders under the jurisdiction of the Department of Corrections to resolve complaints and report alleged violations in a timely and confidential manner.

**II. DEFINITIONS:**

**Discrimination** – Unfair treatment including statements, decisions or acts based upon the offender's race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.

**Facility** – Refers to the facilities under contract with the PFB. This term includes the facility building or residence, including property and land owned or leased and operated by the facility.

**Harassment** – Harassment, including sexual harassment, is offensive and unwelcome conduct including, but not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, and offensive objects or pictures, based upon the offender's race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin, or in retaliation against an offender because the offender has opposed any discriminatory practices or because the offender has filed a complaint, testified, assisted, or participated in any manner in a discrimination investigation or proceeding.

**GC-Grievance Coordinator** – The staff member assigned to administer, investigate, and respond to offender grievances. The responsibilities of this position may also apply to that person's designee.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

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**Retaliation** – A significant adverse act taken against an offender because the offender has opposed any forbidden discriminatory practices or because the offender has filed a complaint, testified, assisted, or participated in any manner in a discrimination investigation or proceeding. As set forth in *ARM 24.9.603*, significant adverse acts are those that would dissuade a reasonable person from engaging in protected activity.

### III. REQUIREMENTS:

#### A. EMERGENCY GRIEVANCES:

1. An emergency grievance issue includes:
  - a. *Sexual Abuse and Sexual Harassment*: If at any time an offender grievance contains issues involving sexual abuse or harassment as defined in *PFB 6.2.404 PREA Compliance and Reporting*, the grievance shall be identified as an emergency grievance and will be reported as directed in *PFB 6.2.404*; and
  - b. *Personal Injury, Physical Harm, or Other Serious Harm*: Offenders alleging actual, or risk of, immediate personal injury or physical harm, or when adhering to established timeframes may cause other serious or irreparable harm, may file an emergency grievance.
2. Offenders will not be required to go through a grievance program to report an emergency grievance but may report the grievance verbally or in writing to any staff or use a locked box for grievances if available. Any offender alleging an emergency grievance may obtain assistance from any staff to ensure the grievance is delivered.
3. The emergency grievance will receive immediate attention. Once reviewed, it will be forwarded without undue delay to the facility's GC.
  - a. If GC determines it is a legitimate emergency, within 48 hours:
    - 1) it is reported as follows:
      - a) *Sexual Abuse and Sexual Harassment*: As a PREA incident in conjunction with *PFB 6.2.404 PREA Compliance and Reporting*; or
      - b) *Personal Injury, Physical Harm, or Other Serious Harm*: As a Priority I incident in conjunction with *PFB 6.2.403 Incident Reporting Requirements*.
    - 2) The offender will be notified that the grievance has been referred for review and/or investigation.
    - 3) A final decision will be made within 5 (five) calendar days. Offender will be notified of the final decision as soon as possible and the action taken in response.
  - b. If the issue is determined not to be a legitimate emergency, the GC will provide the offender with a response within 48 hours specifying why the issue is inappropriate as an emergency.
    - 1) The offender may then pursue the issue as a standard grievance; and
    - 2) The decision that the grievance should be pursued as a standard grievance issue cannot be appealed by the offender.
4. If it is demonstrated that an emergency grievance related to alleged sexual abuse/harassment was made in bad faith by an offender, which includes deliberately malicious reports, the offender may be subject to disciplinary action.

## Subject: GRIEVANCE PROGRAM REQUIREMENTS

**B. CONTRACT FACILITY GRIEVANCE PROGRAM:**

1. The Facility Administrator will designate staff to act as the facility's GC.
2. PFB contract facilities shall maintain a process through which offenders may present grievances concerning the operation of the program.
  - a. This process will afford the grievant a meaningful remedy for valid grievances.
  - b. This process should include multiple levels that include timelines for response and allow for appeals. Grievances alleging sexual abuse or sexual harassment should be processed immediately as an emergency grievance (see Section A above).
  - c. Contract facilities will submit their grievance policies/procedures to the PFB as outlined in *PFB 6.2.409(B) Submission Schedule for Contractor Reports*.
3. Regardless of their status, all offenders must be provided the appropriate facility policies and/or procedures for grievances and the Prison Rape Elimination Act of 2003 (PREA), and *PFB 6.1.206 PFB Offender Grievance Appeals* during facility admission and be given the opportunity to review them, ask questions, and receive answers.
  - a. Offender will complete an acknowledgment form and form is placed in offender's file.
  - b. The facility GC will provide accommodations for offenders who do not speak a language spoken by a significant portion of the offender population, as well as those offenders who are visually or otherwise disabled.
4. Staff members will be available to provide instructions on the proper completion of the grievance forms and be knowledgeable on how to advance the grievance to the next level of review or appeal. All applicable forms will be made available at all times so that offenders do not have to ask for the forms.
5. Disciplinary decisions, a determination of ineligibility for rent vouchers based on Administrative Rule of Montana and Montana Code Annotated, and actions by outside entities not associated with the facility (e.g., the Sentence Review Board and the Board of Pardons and Parole) are not grievable issues.
6. Grievable issues may include:
  - a. Staff misconduct;
  - b. Discrimination, harassment, retaliation;
  - c. Policy and/or operational procedures: Grievances must specifically demonstrate with factual basis that the offender filing the grievance has been, in some manner, unfairly or personally adversely affected by the application or operation of a policy and/or operational procedure.
7. The offender must include a remedy to the issue in the grievance; however, requests for staff termination, reprimand, and/or an apology letter, or for money for punitive reasons, will not be accepted.
8. The scope of available administrative remedies is broad and should be applied on a case-by-case basis. Possible remedies include, but are not limited to:
  - a. modification of an operational procedure or practice;
  - b. replacement, restoration of, or restitution for personal property; or
  - c. other remedies that will meaningfully solve the problem presented.



## Subject: GRIEVANCE PROGRAM REQUIREMENTS

9. An offender will not be subjected to retaliation for utilizing the grievance program. Persons violating this directive must be subject to disciplinary action.
10. Abuse of the grievance program by an offender includes the use of threats; submitting an excessive number of grievance forms; and submitting multiple grievances in reference to the same issue(s).
  - a. If an offender demonstrates a pattern of abuse, the facility GC may notify the offender in writing the reasons that such actions will not be tolerated and future grievances continuing the pattern of abuse may be returned unanswered.
  - b. A copy of the abuse notice will be sent to PFB at [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov).
11. All grievance documents will be placed in a file maintained by the facility GC and responding staff. These documents will not be copied to other files.
12. In the course of resolving a formal offender grievance complaint, GC will have access to essential records for grievance resolution. The offender's grievance serves as a waiver of confidentiality in this regard.
13. Each facility must provide PFB with statistical information on the number and type of grievances received on a monthly basis using *PFB 6.2.430(A) Facility Monthly Grievance Report*:
  - a. offender grievances should be summarized on the *Report* or a summary may be attached to the *Report*.
  - b. *Report* is submitted to [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov).
  - c. Reports must be retained in accordance with contract records retention requirements.

**C. EXHAUSTION OF CONTRACT FACILITY GRIEVANCE PROGRAM:**

1. After exhausting all levels of the facility's grievance program, pursuant to *PFB 6.1.206 PFB Offender Grievance Appeals*, an offender may appeal the final decision of the facility by submitting a formal grievance appeal to the Programs and Facilities Contract Manager within 14 calendar days of the facility's final decision.
2. All forms to be used by the offender are included in materials received during facility admission, are available on the Department's website at [www.cor.mt.gov](http://www.cor.mt.gov), or by contacting PFB staff. Each step of the grievance appeal process should be sent to:  
Programs and Facilities Bureau  
P.O. Box 201301, Helena, MT 59620
3. The facility GC will provide information and documentation of the offender's facility grievance process when requested by the PFB.

**IV. CLOSING:**

Questions regarding this requirement should be directed to the Programs and Facilities Bureau.

**V. FORMS:**

PFB 6.2.430 (A) Monthly Grievance Report



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.431 KEY AND TOOL CONTROLS</b>	
Effective Date:	11/23/2020	Page 1 of 3
Revision Date(s):	09/06/2021; 04/01/2025	
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This requirement is referenced as **ACCD 3.1.1300 Key Control** and **ACCD 3.1.1400 Tool Control** in Section 3.H. Offender Management; Security/Counts in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START. This requirement is referenced as **ACCD 3.1.1300 Key Control** and **ACCD 3.1.1400 Tool Control** in Section 2.2.7 Services; Offender Management; Security/Counts in the following contracts: Connections Corrections Program (CCP) and WATCH.

### I. PURPOSE

FPB contract facilities will establish practices that govern the control and use of keys and the maintenance and control of all tools and culinary and medical equipment used in facility operations to ensure against loss, damage, introduction into the facility as a weapon, or use for other than intended purposes.

### II. DEFINITIONS (see Glossary)

### III. REQUIREMENTS

#### A. KEY CONTROL

##### 1. Key Responsibility

- Each facility will have written processes that describe in detail the inventory, storage, issuance, distribution, and handling of keys, including the staff positions responsible for key control at specific posts.
- The Facility Administrator will ensure that proper key control processes require that designated staff:
  - oversee the facility key control program;
  - ensure all key and lock operations effectively secure the facility, when applicable;
  - approve any keys permanently issued to staff;
  - restrict access to sensitive keys;
  - enable prompt emergency response; and
  - identify and train an employee to manage the key control program.

##### 2. Key Categories: Facilities will account for keys in 2 basic key categories:

- Security keys:** Keys that if lost or duplicated by offenders would jeopardize the safety or security of the facility, employees, visitors, or offenders, or directly or indirectly facilitate an escape that may jeopardize public safety. The Facility Administrator must approve issuance of any facility keys for staff personal key rings and restrict the practice to an absolute minimum.
  - Emergency keys: Each facility will:
    - establish emergency key rings to provide access to every facility area in case of fire, riot, or other major emergency;
    - maintain a duplicate set of emergency key rings in a secure location separate from the area containing operational keys, unless the issuing point is outside the perimeter; and
    - train all staff in the use of the emergency key system.
  - Restricted keys: Each facility will:
    - classify certain keys as restricted, for example, keys to the pharmacy, records office, business office, and warehouse;

- b) issue keys only to designated, authorized staff; and
- c) ensure that any restricted key issuance is approved by designated staff.
- b. *Non-security keys*: Keys that do not control access to security-type doors, grilles, or areas with hazardous or sensitive materials and, if lost, would not require urgent security action.

### 3. Key Accountability

- a. Facilities will have a complete accountability system that is automated and provides key issue and tracking information, or a manual accountability system for all keys that meets the following requirements to provide:
  - 1) a manual inventory of all control center keys;
  - 2) an accounting of all emergency and restricted keys; and
  - 3) a determination of who has possession of keys at all times.
- b. Facility staff will immediately inform the shift supervisor of any lost or misplaced key ring, including facts of the discovery, circumstances, and keys involved; and
  - 1) immediately take proper security precautions to guard against unauthorized access to sensitive areas, or facility escape;
  - 2) report the loss or malfunction of a facility key to the FPB as required in *PFB 6.2.403 Incident Reporting Requirements*; and
  - 3) change locks at once if security keys are lost, unaccounted for, or if offenders may have made key impressions, and immediately notify other facilities that may use the same keys.

### 4. Duplication of Keys

- a. The Facility Administrator, or designee, will strictly prohibit staff from the unauthorized possession, alteration, marking, duplication, manufacture, or impression making of keys.
- b. Staff will be required to report any such alleged incidents in writing to the chief of security for investigation.
- c. Any staff involved in key duplication will be subject to disciplinary action.
- d. If criminal acts are involved, the facility will refer the matter for prosecution.
- e. The chief of security must authorize any change in lock location or key duplication.

- 5. **Staff Training**: All staff must be trained in the key control system, particularly in the emergency key system, so that in a time of crisis any staff who were issued keys can use them as intended.

## B. TOOL CONTROL

- 1. Each facility will develop operational processes for tool control that are applicable to the program structure of the facility. These processes may vary according to the physical plant and custody level of the facility or program.
- 2. Common issues that must be addressed in processes include:
  - a. responsibility/oversight of tool control requiring all staff to maintain accountability and control of each tool in their specific work areas;
  - b. tool categories in accordance with safety and security risks, considering what may be used as weapons, effect an escape, or compromise security. Categories could be determined as restricted, hazardous, and non-hazardous tools;
  - c. tool use supervision determined according to tool category and requiring direct, general, and indirect staff supervision;
  - d. tool storage in establishing secure storage, restrictions on offender tool issuance, and rigid inventories of all tools;
  - e. tool issuance and establishing a system of tool checkout logs, chits, or a combination and identifying who issues the tool, who receives the tool, and who is responsible for the security, safe usage, and return of the tool;
  - f. tool quotas to establish and evaluate tool numbers;
  - g. tool procurement and receipt to track facility tool orders, deliveries, and inventories;

- h. tool inventories maintaining a master inventory of all tools and their locations, establishing supervisory checks, physical inventories, and tool audits;
- i. tool marking that properly identifies assigned tools in accordance with tool categories;
- j. tool exchange in replacing unserviceable tools;
- k. lost tools and reporting missing or lost tools, location and offender searches, and recovery of tools;
- l. food service tools establishing safety and maintenance to include classification, inventory, and accountability during shifts, storage, and food items that may be misused;
- m. medical tools properly inventoried, physically controlled, and safely stored; and
- n. non-facility workers and their tools to be supervised by designated staff.

#### **IV. CLOSING**

Questions about this requirement should be directed to the FPB Chief.

#### **V. REFERENCES**

- A. *PFB 6.2.403*



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.432 FACILITY OFFENDER SUBSTANCE USE TESTING</b>
Effective Date:	03/23/2020 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	08/11/2021
Reference(s):	45-9-102, MCA; 53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

**This procedure is referenced as *ACCD 3.1.2000 Offender Drug and Alcohol Testing Program* in Section 3.I. Offender Management; Drug/Alcohol Testing/UAs, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**I. PURPOSE:**

The Programs and Facilities Bureau's contract facilities will establish policy/procedure for offender substance use testing to promote a drug-free standard and offender accountability.

**II. DEFINITIONS:**

**Drug** – Any substance described in §50-32-101, MCA, or any substance taken through any means of administration, which alters the mood, the level of perception, or brain functioning. Such substances range from prescription medications to illegal substances, as well as alcohol, synthetic intoxicants and solvents.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**Programs and Facilities Contract Manager** – The Department's employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities.

**Substance Use Testing** – The chemical analysis of a body fluid, typically urine, using specialized equipment and techniques to identify the presence of a drug or drug metabolite in a sample collected from an individual.

**III. REQUIREMENTS:**

**A. GENERAL:**

1. PFB facilities must follow their established policy and/or procedure for a system of substance use testing to ensure an alcohol and drug free environment in the facility.
2. The policy/procedure must provide directives to include:
  - a. appropriate training in the methods of collection, testing and reporting;
  - b. applicable standards of the Prison Rape Elimination Act of 2003;
  - c. all offenders are subject to substance use testing upon entry into the program;
  - d. all offenders are subject to regular, random substance use screening during the program;
  - e. establishing the chain of evidence for the sample at the point of collection;

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- f. establishing the chain of evidence for the sample when it is not possible to have staff of the same gender as the offender witness the sample collection;
  - g. a system for self-admissions by the offender; and
  - h. a system of testing for transgender offenders:
    - 1) allow the offender to collect his/her specimen unobserved; or
    - 2) use saliva-based testing equipment.
3. Pursuant to *PFB 6.2.409(B) Submission Schedule for Contractor Reports*, facilities will submit a copy of their current substance use policy/procedure to the Programs and Facilities Contract Manager at [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) by July 31st of every year, or upon revision, for review and mutual approval.

**B. REPORTING:**

1. *PFB 6.2.432(A) Urinalysis Testing Report* is to be submitted by July 31<sup>st</sup> of every year to the Contract Manager at [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) as established in *PFB 6.2.409(B) Submission Schedule for Contractor Reports*.
2. The *Urinalysis Testing Report* will outline the following:
  - a. total number of UA samples taken and tested per month;
  - b. how many of these samples were positive; and
  - c. what substances tested as positive.

**IV. CLOSING:**

Questions regarding this procedure should be directed to the Programs and Facilities Contract Manager.

**V. FORMS:**

PFB 6.2.432 (A) Urinalysis Testing Report



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.433 FACILITY OFFENDER TRAVEL</b>	
Effective Date:	04/22/2019	Page 1 of 4
Revision Date(s):	03/23/2020; 09/06/2021; 04/01/2025	
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This requirement is referenced as **ACCD 5.1.103 Offender Travel** in Section 3.F. Offender Management; Transportation/Travel/Driving Privileges, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.

### I. PURPOSE

FPB contract facilities will follow this requirement for authorization of travel requested by offenders to ensure accountability and community safety.

### II. DEFINITIONS (see Glossary)

### III. REQUIREMENTS

#### A. GENERAL REQUIREMENTS

1. An offender's travel request may be denied if it results in a significant staff shortage that may affect the safe and orderly operation of the facility or if there are insufficient funds for the travel. Exceptions can be made on a case-by-case basis.
2. There will be no extensions of approved travel unless approved by the Contract Manager or designee.
3. Bedside visits and/or attendance at funeral services
  - a. The Facility Administrator or designee will inform an offender in a timely manner of the critical illness or verifiable death of a confirmed family member.
  - b. An offender may request travel for a bedside visit for critical illness and/or to attend a funeral service.
  - c. Bedside visits will only be permitted for a family member who is in imminent risk of death as determined by a physician or other medical professional.
  - d. Bedside visits will only occur in a hospital, hospice care center, or nursing home. Requests for other locations will be reviewed on a case-by-case basis.
4. Each facility will establish permanent sign-in/out logs to detail offender destination; reason for trip; where offender may be reached; expected time of return; and actual time of return.
  - a. Prerelease centers will use *PFB 6.2.433 (C) Location Log for Employment Travel* when travel for employment is more than 15 miles from the center and employment includes multiple locations; and
  - b. *Location Log* will be made available when requested by the Contract Manager or designee.
5. When overnight travel is anticipated and approved, offenders will stay in a county detention center unless the Contract Manager or designee has approved other arrangements, such as another PRC.
6. Notifications to a victim may be required for any approved offender travel.

**B. INMATE WORKER TRAVEL**

1. When leaving the facility, inmate worker must be supervised or escorted by facility staff or approved chaperone (see *PFB 6.2.466 Inmate Workers*).
2. All travel outside the local community will be escorted and requires submission of travel requests to the Contract Manager or designee at [correquests@mt.gov](mailto:correquests@mt.gov) pursuant to III.D below.

**C. TRAVEL RESTRICTIONS**

1. Reasons for offender out-of-city travel approved through the travel request process include court appearances, medical reasons, and bedside visits and/or attendance of a funeral for a family member (as outlined in III.A.3 above); however, other reasons may be considered on a case-by-case basis.
2. Out-of-state travel will not be permitted unless pre-approved by the Department Director or designee, verbally or in writing, and may require an escort by facility or Department staff.
3. Offenders will not operate any personal vehicle belonging to them or others and are not generally permitted to operate motor vehicles. An offender who may have a specific need to operate an employer's motor vehicle on a public roadway as a function of the job shall do so only with the written permission of the Contract Manager:
  - a. *PFB 6.2.433 (B) Facility Application for Offender Driving Privileges* will be completed and signed by offender and submitted to their counselor/case manager;
  - b. Additional approvals and signatures are obtained, including any special conditions or comments; and
  - c. *Application* is submitted to Contract Manager or designee at [correquests@mt.gov](mailto:correquests@mt.gov) for final approval. Email subject line must read as follows: Facility, Offender Last Name, First Name, DOC #, Driving Authorization.
4. Prerelease Centers (PRCs):
  - a. All offender travel will be restricted to a 15-mile radius from the PRC and requires approval by the Facility Administrator.
  - b. Facility Administrator, in concurrence with the Contract Manager, may authorize offender travel over 15 miles from the PRC as stated in III.C.1 above.
  - c. Offender travel will be escorted by PRC personnel if required by the Contract Manager or designee.
5. Treatment Facilities/Assessment Centers:
  - a. Offenders must be escorted at all times during travel from the facility.
  - b. A travel permit is not required for escorted offenders traveling to medical appointments within 15 miles of the facility/center. Medical preauthorization must be completed and obtained if required. Documentation of the travel is made in the sign-in/out log required in III.A.4 above.
  - c. Transportation:
    - 1) Standard vehicles with a minimum of 1 staff per every 3 offenders present must be used to transport offenders for medical appointments, etc. Transporting staff must be of the same gender as offender(s). If mixed gender transport is required, 1 staff of each gender must be present.
    - 2) Upon return to facility, escorting staff will brief the supervisor on the offender's demeanor and behavior during the travel period. The supervisor will notify the facility mental health staff if offender's demeanor indicates a need for religious or mental health counseling.
    - 3) Escorting staff are authorized to terminate the travel at any time if it is determined they cannot maintain their own security or safety, or that of the public or offender. If travel is terminated, the escorting staff will file an incident report upon return to the facility, including a copy to the Contract Manager.



- 4) Escorting staff may complete a search of the vehicle prior to departure and before the offender is placed back in the vehicle anytime the offender has left the vehicle.

#### D. TRAVEL REQUESTS

1. For travel by PRC offenders over 15 miles from the PRC, and all travel by offenders in a treatment/assessment center (except for escorted medical appointments and funeral visits within 15 miles of the facility), the offender and case manager initiate a request for travel by submitting *PFB 6.2.433 (A) Facility Offender Travel Request (Travel Request)* to the Facility Administrator or designee. The Case Manager should verify that all proposed travel arrangements, including all drivers, are legitimate.
  - a. The Facility Administrator or designee will consider each travel request individually with consideration given to the offender's behavior, progress in program participation, and the risk the offender may pose to the community.
  - b. The Facility Administrator may consult with Department personnel, if applicable (for example, Security Threat Group Coordinator, Victim Program Manager, Indigenous Persons Liaison).
  - c. Ineligibility for travel may be based on one or more of the following factors:
    - 1) a documented criminal history that includes a disposition for an escape or escape attempt from within the secure perimeter of a jail or correctional facility, from a work detail, or while on a transport by a correctional or law enforcement agency;
    - 2) a documented criminal history that includes absconding from probation, parole, or community supervision;
    - 3) a documented prison history that includes possession of contraband for escape or materials used to remove restraints;
    - 4) a documented history of physical assault against correctional staff or law enforcement officers;
    - 5) the offender's presence in the community could present a threat to the safety of staff, the offender, or the public;
    - 6) the offender has had a mental status evaluation by Department mental health staff that indicates the leave would not be in the best interest of the offender or public safety;
    - 7) the offender currently has a pending discipline for a serious major rule violation, or has had 2 or more serious rule violations within the past 6 months; or
    - 8) the offender has failed to demonstrate program compliance.
  - d. The Facility Administrator or designee will forward *Travel Request* to Contract Manager or designee for review and signature.
2. Each *Travel Requests* must be submitted to the Contract Manager or designee at [correquests@mt.gov](mailto:correquests@mt.gov) at least 2 business days prior to travel. Exceptions to the 2-business-day notice will be considered on a case-by-case basis by the Contract Manager or designee and verbal permission may be given; however, *Travel Request* must be completed and submitted by email within 24 hours. Email subject line must read as follows: Facility, Offender Last Name, First Name, DOC #, Travel Permit.
3. Travel permits issued for employment at a single location may be approved for up to 90 days. Permits for employment at multiple locations may also be approved for up to 90 days. The facility will maintain a daily log of employment locations and make appropriate notifications when locations change.
4. If the *Travel Request* is not supported by both the Facility Administrator and Contract Manager, the FPB Chief or designee will make the final determination for approval or denial.
5. **Requirements for Notifications by Facility**
  - a. Upon approval of the *Travel Request*, the appropriate facility personnel will make necessary notifications as directed by FPB staff.
  - b. Travel location and times are provided, and notifications are documented.

6. The Contract Manager or designee will make an appropriate chronological entry in the offender's record in the offender management system regarding approved travel.

#### **E. OFFENDER RESPONSIBILITIES**

1. The offender, offender's family, or others will be financially responsible for all expenses related to travel, except for travel of offender in a treatment facility if travel is for medical reasons.
2. Offender will have a copy of the approved travel permit with them during their travel and will provide the permit to law enforcement if there is law enforcement contact during the travel.
3. Offender must comply with all conditions established in the travel plans. Failure to comply will be cause for disciplinary action, up to arrest and detention pending action by the Department. Any violations of the law while on travel pass may result in prosecution of the offender.
4. In the event of an emergency, the offender will immediately contact the facility for direction. The Facility Administrator or designee will inform the Contract Manager or designee of the circumstances and request assistance if necessary.

#### **IV. CLOSING**

Questions about this requirement should be directed to the FPB Chief.

#### **V. FORMS**

*PFB 6.2.433 (A) Facility Offender Travel Request*

*PFB 6.2.433 (B) Facility Application for Offender Driving Privileges*

*PFB 6.2.433 (C) Location Log for Employment Travel*

#### **VI. REFERENCES**

A. *DOC 1.8.1; PFB 6.2.466*

B. *46-23-1011, MCA; 46-23-1021, MCA; 46-23- 1023, MCA; 46-23-1115, MCA; 53-1-203, MCA*



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.434 CANTEEN</b>	
Effective Date:	03/23/2020	Page 1 of 1
Revision Date(s):	08/11/2021; 04/01/2025	
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This requirement is referenced as **ACCD 3.3.500 Canteen** in Section 3.K.4. Offender Management; Offender Rights; Canteen, in the following contracts: Passages, Elkhorn, Nexus, and START.

### I. PURPOSE

Contract facilities providing canteen services to offenders will follow this requirement to ensure consistency and uniformity with respect to the individual needs of each facility.

### II. DEFINITIONS (see Glossary)

### III. REQUIREMENTS

#### A. GENERAL PROVISIONS

1. A canteen or commissary is an on-site outlet where offenders can make small purchases of personal needs items, snack foods, and other assorted items as approved by the facility.
2. All contract treatment and assessment/sanction centers may make canteen items available to offenders, which may include utilizing MCE's canteen services.
3. If a facility provides canteen items outside of MCE, prices charged for items in the canteen should be comparable to those charged in Department of Corrections facilities.
4. Separate financial records and accounts must be maintained by the facility for all canteen business and provided to FPB upon request.
5. Financial records and accounts must comply with generally accepted accounting principles.

### IV. CLOSING

Questions about this requirement should be directed to the FPB Chief.



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.435 OFFENDER COUNTS AND SUPERVISION</b>	
Effective Date:	10/03/2022	Page 1 of 2
Revision Date(s):	11/07/2022; 07/01/2024	
Reference(s):	53-1-203, MCA	
Signature/Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief	

This requirement is referenced as **ACCD 3.1.2100 Offender Counts and Supervision** in Section 3.H. Offender Management; Security/Counts in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCh Contract.

This requirement is referenced as **ACCD 3.1.2100 Offender Counts and Supervision** in Section 2.2.7 Services; Offender Management; Security/Counts in the Connections Corrections Program (CCP) and WATCh contracts.

### I. PURPOSE:

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will maintain safe and secure facility operations through an offender accountability system that includes scheduled and unscheduled physical counts, accurate record keeping, and effective staff supervision.

### II. DEFINITIONS:

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Facilities and Programs Contract Manager** – The Department's employee(s) who acts as the liaison between the Department and FPB contract facilities regarding services and offender management. This employee also monitors compliance with the terms of contractual agreements between the Department and FPB contract facilities.

### III. REQUIREMENTS:

#### A. OFFENDER COUNTS AND SUPERVISION:

1. FPB contract facilities shall perform a minimum of three (3) official counts per day and additional random counts in a 24-hour period.
2. When requested, each facility will designate and provide a listing of on-site key personnel responsible for the effective exchange of information with the Facilities and Programs Contract Manager.
3. Daily Movements
  - a. All facilities will complete a daily movement report to include:
    - 1) offenders on leave to court;
    - 2) transfers from other facilities;
    - 3) transfers to other facility placements;
    - 4) discharges to probation, parole, or conditional release supervision;
    - 5) extended hospital stays; and
    - 6) PRC Inmate Workers who complete their IW stay and move to Resident status.
  - b. The report shall include the date and time, name, and DOC number of the offenders that were moved.

- c. The completed report shall be submitted on a daily basis to [cordocmovement@mt.gov](mailto:cordocmovement@mt.gov) with the following subject line: "Facility Name: Movements: Date."
- 4. Offender Supervision
  - a. Direct Supervision
    - 1) Direct supervision is the standard for offender supervision at assessment centers, treatment programs, and for certain offenders at prerelease programs as determined by prerelease facility management.
    - 2) While the count process is integral to offender accountability, direct staff supervision is equally integral and especially critical to facility and offender security. Staff will:
      - a) assume duty in housing areas and other critical posts as determined necessary by facility management to supervise, observe, and interact with offenders;
      - b) actively patrol housing units and be alert to unusual incidents, changes in offender behavior, or any signs of unusual activity or behavior in the facility;
      - c) frequently observe key, possibly problematic, facility areas as part of an effective internal surveillance program;
      - d) conduct irregularly scheduled rounds in locked or special management housing units to provide adequate checks on offenders with mental health, suicide, or behavioral management issues;
      - e) use electronic supervision to augment, but not replace, direct staff supervision;
      - f) ensure additional staff supervision is available when necessary or recommended based on facility activity level and for critical incidents; and
      - g) ensure staff have appropriate training and direction specific to ensure safety and security of the facility by providing the supervision determined necessary by facility management.
    - 3) Facility procedures will ensure that offenders are able to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when viewing is incidental to routine cell checks.
    - 4) Procedures will require staff of the opposite gender to announce their presence when entering an offender housing unit.
  - b. Indirect Supervision
    - 1) Indirect supervision is the standard for offender supervision at prerelease programs, when offenders are allowed to leave the facility on their approved schedules.
    - 2) Staff must supervise an offender or group of offenders by observing their location on an intermittent basis. While in the community on an approved schedule, the majority of offender activities are performed independent of staff direction and observation. Prerelease staff are required to make periodic verifications of an offender's location while the offender is in the community.

#### IV. CLOSING:

Questions about this requirement should be directed to the Community Corrections Facilities and Programs Bureau.



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.437      LENGTHS OF STAY (LOS)</b>	
Effective Date:	02/27/2019	Page 1 of 7
Revision Date(s):	01/23/2020; 04/01/2023	
Reference(s):	PFB 6.2.470; 46-18-203, MCA; 46-23-1015, MCA; 46-23-1024, MCA; 46-23-1025, MCA; 53-1-203, MCA	
Signature / Title:	/s/Megan Coy, Community Corrections Facilities and Programs Bureau Chief	

**This procedure is referenced as *ACCD 5.1.102 Length of Stay* in Section 3.C. Offender Management; Length of Stay (LOS), in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCh Contract.**

**I. PURPOSE:**

Community Corrections Facilities and Programs Bureau employees and contract facilities will follow established requirements when it is necessary to extend the stay of an adult offender in the facility.

**II. DEFINITIONS:**

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Extended Stay** – A stay at an FPB facility that is known prior to placement to last beyond the standard length of stay provided by this requirement.

**Facilities and Programs Contract Manager** – The Department’s employee(s) who acts as the liaison between the Department and FPB contract facilities regarding services and offender management. This employee also monitors compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**Length of Stay (LOS) Extension Request:** An extension requested by a facility for an offender already in the program due to reasons outlined in this requirement.

**Up to 90-Day Intervention Referral** – A probation, parole, or conditional release offender referred for placement in an FPB facility for up to 90 days by a Hearings Officer in accordance with *PPD 6.3.101 (A) Montana Incentives/Interventions Grid for Probation and Parole* and resulting from an intervention hearing. 46-23-1015, MCA and 46-23-1024, MCA.

**Up to 9-Month Revocation Referral** – A probation or parole offender referred for placement in an FPB facility for up to 9 months as a requirement of the court or Board of Pardons and Parole and resulting from a revocation hearing. 46-18-203, MCA and 46-23-1025, MCA.

**III. REQUIREMENTS:****A. LENGTHS OF STAY:**

1. Specified Lengths of Stay: Following are the standard lengths of stay for each contract program/facility.
  - a. Assessment/Sanction Centers:
    - 1) Passages Assessment, Sanction, Revocation Center (ASRC) – up to 120 days
    - 2) Sanction, Treatment, Assessment, Revocation, Transition (START) – up to 120 days
  - b. Treatment Centers:
    - 1) Connections Corrections Program (CCP) – 90 days
    - 2) Passages Alcohol and Drug Treatment (ADT) – 90 days
    - 3) Passages Addictions Recovery Center (PARC) – female DUI treatment – 180 days
    - 4) Warm Springs Addiction, Treatment, and Change (WATCH) Program – 180 days
    - 5) Elkhorn Treatment Center – 270 days
    - 6) Nexus– 270 days
    - 7) Preauthorized Culinary Arts Program (CAP) – 18 months (6 months in classroom/6 months as inmate worker/6 months as PRC resident)
  - c. Prerelease Centers:
    - 1) Alpha House (Billings) – 200 days
    - 2) Butte Prerelease Center – 200 days
    - 3) Gallatin County Re-Entry Program (Bozeman) – 200 days
    - 4) Great Falls Transition Center – 200 days
      - a) Great Falls Veteran Reentry Program - up to 270 days
    - 5) Helena Prerelease Center – 200 days
    - 6) Missoula Pre-release Center – 200 days
    - 7) Passages Prerelease Center (Billings) – 200 days
  - d. Inmate Worker – 180 days
2. In some instances, offenders serving Up to 90-Day Intervention Referrals and Up to 9-Month Revocation Referrals might not be in the program for the full specified length of stay listed above because of timeframe limitations outlined in statute. The timeframes for placement should be calculated as specified in *PFB 6.2.470 Up to 90-Day and Up to 9-Month Placements*.
3. Extended Stays:
  - a. *PFB 6.2.437 (D) Preauthorized Extended Stay Request Form* is necessary when an extended stay is anticipated prior to any placement when required by:
    - 1) the Board of Pardons and Parole;
    - 2) referral source or screening committee decisions;
    - 3) sexual offender program requirements; or
    - 4) length of time to discharge date, if the offender is to remain in the program until the offender's discharge date.
  - b. The *PFB 6.2.437 (D) Preauthorized Extended Stay Request Form* must be submitted to [corlos@mt.gov](mailto:corlos@mt.gov) as soon as a bed date is established for the offender.
4. Length of Stay (LOS) Extension Requests:
  - a. A request to extend an offender beyond the program's specified length of stay can be made if more time is needed in the program for one of the following reasons:

## Subject: LENGTHS OF STAY (LOS)

- 1) Hearings Officer determination;
  - 2) pending interstate transfer or conditional release request;
  - 3) pending request for parole investigation;
  - 4) programming needs; or
  - 5) barriers in the release or transfer planning or process (for example, housing availability or wait lists).
- b. Consideration for an extension of an offender's stay will be given based upon individual offender circumstances.
- 1) There will be NO consideration or process to extend the stay for Up to 90-Day Intervention Referrals. Up to 9-Month Revocation Referral offenders may be extended in a program as long as the offender does not exceed the overall 9-month placement and only after verbal consultation with the Facilities and Programs Contract Manager (Contract Manager). The Contract Manager will notify all facilities included in the Up to 9-Month placement that the offender's time in one or more programs may be shortened.
  - 2) Consideration for an extension of an inmate worker's stay beyond 180 days may be given based upon information only related to disciplinary issues and as ordered by a Hearings Officer.
- c. The Department may terminate an offender's participation in a program at any point as it deems necessary. Reasons for the termination will be articulated and communicated to the offender.

**B. PROGRESS/SUMMARY REPORT (PSR) REQUIREMENTS FOR ALL FACILITIES:**

1. The applicable *PSR* is used as a progress report for an offender in an FPB program/facility.
  - a. The *PSR* will be submitted in an individual email for each offender as outlined in the *PSR and LOS Reports Submission Instructions Attachment 1 ("Attachment")*.
  - b. The summary from PRC programs will include all previous *PSR* narratives from previously submitted *PSRs*.
  - c. All *PSRs* submitted as LOS extension requests must contain a justification for the extended length of stay.
2. The *PSR* is also used as the final discharge summary for all offenders from all facilities and must be submitted within 7 calendar days after the offender's discharge.
  - a. The summary from PRC programs will include all previous *PSR* narratives from previously submitted *PSRs*.
  - b. Discharge summaries may not be submitted prior to the offender's discharge.
  - c. A copy of the discharge summary must be forwarded to the offender's next placement or to the supervising P&P Officer when the offender is being released to community supervision.
3. All original *PSRs* will be retained in offenders' records. Information in the *PSRs* will not be released without first receiving approval from the Department.
4. The Contract Manager (or, for up to 90-day and up to 9-month placements, the supervising P&P Officer) may ask for additional information regarding an offender's progress, or more frequent *PSRs* for the offender, and/or may give direction on further length of stay extension.



**C. PROGRESS/SUMMARY REPORT (PSR) FOR ASSESSMENT CENTERS:**

1. Offenders shall not participate in an assessment center placement for more than 120 days unless justification has been provided on the applicable *PSR*.
2. Each *PSR* is submitted at discharge or at 120 days and every 30 days following unless directed otherwise by the Contract Manager pursuant to the guidelines of III.B. above. The *PSR* must be submitted within 7 calendar days of these target dates. The email subject line will note whether the submission is a discharge summary or a length of stay extension request as outlined in the *Attachment*.

**D. PROGRESS/SUMMARY REPORT (PSR) FOR TREATMENT CENTERS:**

1. Justifications for a treatment program LOS extension shall include clinical recommendations of LACs/LCPCs or other professionals based on clinical criteria, or detailed behavioral/disciplinary concerns that will prevent the offender from successfully completing programming within the specified stay. Unless otherwise specified in contract, if the offender's LOS is anticipated to be more than 30 days longer than the specified length of stay in III.A.1. above, the applicable *PSR* is required which contains an LOS extension justification.
2. The applicable *PSR* is submitted as a discharge summary within 7 calendar days after the offender's release from the facility pursuant to the guidelines of III.B. above. The summary will describe the offender's progress and final placement within current clinical placement criteria and will include the following:
  - a. an account of the offender's response to treatment;
  - b. a review of the individualized treatment plan and corresponding progress;
  - c. resolution of identified problems;
  - d. specific foundation errors and core beliefs identified and addressed;
  - e. progress in specialty groups and classes attended; and
  - f. treatment overview, concerns, and continuum of care recommendations, including an individualized aftercare plan.
3. Culinary Arts Program (CAP): The applicable *PSR* is submitted at 6, 12, and 18 months of the program for each offender individually pursuant to the guidelines of III.B. above. The *PSR* must be submitted within 7 calendar days of these target dates.
4. Great Falls Veteran Reentry Program: *PFB 6.2.437 (D) Preauthorized Extended Stay Request Form* must be submitted to [corlos@mt.gov](mailto:corlos@mt.gov) within 14 calendar days of development of offender's case plan.

**E. PROGRESS/SUMMARY REPORT (PSR) FOR PRERELEASE CENTERS** (not including Great Falls Transition Center and Missoula Prerelease Center, which have different contract requirements; *see III.F. below*):

1. Offenders shall not participate in prerelease center (PRC) resident programming for more than 180 days unless justification has been provided on the applicable *PSR*. Completion of residential PRC programming should occur within 180 days. Consideration for an extension of an offender's stay will be given based upon individual offender circumstances.
2. The applicable *PSR* is required to be submitted individually pursuant to the guidelines contained in the *Attachment*.

## Subject: LENGTHS OF STAY (LOS)

- a. The initial *PSR* is submitted on day 120 of residency, and a *PSR* is due on day 180 and every 30 days following unless directed otherwise by the Contract Manager. The *PSR* must be submitted within 7 calendar days of these target dates.
- b. The *PSR* is submitted as a discharge summary within 7 calendar days after the offender's release from the facility pursuant to the guidelines of III.B. above.
- c. Additional information will be requested for *PSRs* lacking adequate justification for continued stay or sufficient information about the offender's progress in the program.
- d. Late or incomplete *PSRs* may result in the center's loss of per diem for that offender.

**F. PROGRESS/SUMMARY REPORT (PSR) FOR GREAT FALLS TRANSITION CENTER AND MISSOULA PRERELEASE CENTER:**

1. The applicable *PSR* is required to be submitted individually pursuant to the guidelines contained in the *Attachment*.
  - a. The initial *PSR* is submitted on day 120 of residency, and a *PSR* is due on day 180 and every 30 days following unless directed otherwise by the Contract Manager. The *PSR* must be submitted within 7 calendar days of these target dates.
  - b. The *PSR* is submitted as a discharge summary within 7 calendar days after the offender's release from the facility pursuant to the guidelines of III.B. above.
  - c. Additional information will be requested for *PSRs* lacking adequate justification for continued stay or sufficient information about the offender's progress in the program.
2. Offenders shall not participate in prerelease center (PRC) resident programming for more than 200 days without prior written approval from the Contract Manager. Completion of residential PRC programming should occur within 200 days. Consideration for an extension of an offender's stay will be given based upon written information contained in *PFB 6.2.437 (B) Prerelease LOS Extension Form (LOS Extension Form)* submitted to [corlos@mt.gov](mailto:corlos@mt.gov) prior to the offender's 200<sup>th</sup> day in the program.
3. When *PFB 6.2.437 (D) Preauthorized Extended Stay Request Form* has been submitted to [corlos@mt.gov](mailto:corlos@mt.gov) and approved by the Contract Manager, a follow-up *LOS Extension Form* will not be required. An additional *LOS Extension Form* would be needed only if the offender's stay exceeds the originally approved amount stated on the preauthorization.

**IV. CLOSING:**

Questions about this requirement should be directed to the Contract Manager or the Community Corrections Facilities and Programs Bureau Chief.

**V. FORMS:**

*PFB 6.2.437 (B) Prerelease LOS Extension Form*  
*PFB 6.2.437 (D) Preauthorized Extended Stay Request Form*  
*PFB 6.2.437 (G) Progress/Summary Report – Assessment Centers*  
*PFB 6.2.437 (H) Progress/Summary Report – Treatment Centers*  
*PFB 6.2.437 (I) Progress/Summary Report – Prerelease Centers*

**VI. PROCEDURAL ATTACHMENT:**

*PFB 6.2.437 PSR and LOS Reports Submission Instructions Attachment 1*

**PSR AND LOS REPORTS SUBMISSION INSTRUCTIONS ATTACHMENT 1**

- I. Unless otherwise specified below, all *PSRs* and *LOS* reports must be submitted to [coraccreports@mt.gov](mailto:coraccreports@mt.gov). Submitting the *PSR* to the incorrect mailbox or with an incorrect subject line may delay monthly invoice approval.

**A. ASSESSMENT CENTERS:**

1. If the offender is in the program beyond day 120, the *PFB 6.2.437 (G) Progress/Summary Report – Assessment Centers* form must be submitted as a length of stay extension request on day 120 and every 30 days beyond 120 (for example, 150 days, 180 days, 210 days, 240 days, etc.) The form must be submitted within 7 calendar days of these target dates. Each e-mail will have the following subject line: “Facility: Offender last name, Offender first name: 120 LOS.”
2. A Discharge *PSR* must be submitted within 7 calendar days after an offender’s release from the program with the following subject line: “Facility: Offender last name, Offender first name: Discharge *PSR*” and be sent to the offender’s next placement at the same time it is submitted to the FPB.

**B. TREATMENT CENTERS:**

1. If the offender is in the program beyond the program’s specified length of stay, the *PFB 6.2.437 (H) Progress/Summary Report – Treatment Centers* form must be submitted as a length of stay extension request on a schedule as specified in contract. Each e-mail will have the following subject line: “Facility: Offender last name, Offender first name: LOS.”
2. A Discharge *PSR* must be submitted within 7 calendar days after an offender’s release from the program with the following subject line: “Facility: Offender last name, Offender first name: Discharge *PSR*” and be sent to the offender’s next placement at the same time it is submitted to the FPB.

**C. PRERELEASE CENTERS:**

1. 120 Day *PSR* must be submitted within 7 calendar days of an offender’s 120<sup>th</sup> day in the PRC program with the following subject line: “Facility: Offender last name, Offender first name: 120 *PSR*.”
2. 180 Day *PSR* must be submitted within 7 calendar days of an offender’s 180<sup>th</sup> day in the PRC program with the following subject line: “Facility: Offender last name, Offender first name: 180 *PSR*.” Please note that the length of stay extension justification must include specific information about why the offender will be in the program beyond 200 days if it appears the offender will not release by day 200.
3. For *LOS* extension requests beyond 200 days:
  - a. For Great Falls Transition Center and Missoula Prerelease Center, consideration for an extension of an offender’s stay will be given based upon written information contained in *PFB 6.2.437 (B) Prerelease LOS Extension Form* submitted to [corlos@mt.gov](mailto:corlos@mt.gov) prior to the offender’s 200<sup>th</sup> day in the program.
  - b. For all other prerelease centers, if the offender is in the program beyond day 200, the *PFB 6.2.437 (I) Progress/Summary Report – Prerelease Centers* form must be submitted as a length of stay extension request every 30 days beyond 180 (for example, 210 days, 240 days, 270 days, 300 days, etc.) The form must be submitted within 7 calendar days of

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these target dates. Each e-mail will have the following subject line: "Facility: Offender last name, Offender first name: 210 PSR."

4. A Discharge *PSR* must be submitted within 7 calendar days after an offender's release from the program with the following subject line: "Facility: Offender last name, Offender first name: Discharge PSR" and be sent to the offender's next placement at the same time it is submitted to the FPB.

**D. INMATE WORKERS:**

1. An inmate worker (IW) placement may only be extended by a Hearings Officer through the disciplinary process. If the offender is in the program beyond day 180, the applicable *PSR* must be submitted as a length of stay extension request. The form must be submitted prior to the IW's 180<sup>th</sup> day. Each e-mail will have the following subject line: "Facility: Offender last name, Offender first name: IW LOS."
2. A Discharge *PSR* must be submitted within 7 calendar days after an offender's release from the IW program with the following subject line: "Facility: Offender last name, Offender first name: IW Discharge PSR" and be sent to the offender's next placement at the same time it is submitted to the FPB.

**E. CULINARY ARTS PROGRAM:**

1. The applicable *PSR* is submitted at 6 months (180 days), 12 months (365 days), and 18 months (545 days). Each *PSR* must be submitted within 7 calendar days of these target dates with the following subject line: "CAP: Offender last name, Offender first name: 6 Month PSR."
2. If the offender is in the program beyond 18 months, the applicable *PSR* form must be submitted as a length of stay extension request. These LOS reports must be submitted prior to the offender's 18<sup>th</sup> month in the program. Each e-mail will have the following subject line: "CAP: Offender last name, Offender first name: LOS."
3. A Discharge *PSR* must be submitted within 7 calendar days after an offender's release from the Culinary Arts program with the following subject line: "Facility: Offender last name, Offender first name: CAP Discharge PSR" and be sent to the offender's next placement at the same time it is submitted to the FPB.

**F. GREAT FALLS VETERAN REENTRY PROGRAM:**

1. The *PFB 6.2.437 (D) Preauthorized Extended Stay Request Form* must be submitted to [corlos@mt.gov](mailto:corlos@mt.gov) within 14 calendar days of development of offender's case plan.
2. The applicable *PSR* is submitted at 90 days, 180 days, 240 days, and monthly thereafter until release. Each *PSR* must be submitted within 14 calendar days of these target dates with the following subject line: "GVRP: Offender last name, Offender first name: 90 day PSR."
3. If the offender's stay will exceed the length of stay established in the offender's case plan, the facility must submit the *PFB 6.2.437 (B) Prerelease LOS Extension Form* to [corlos@mt.gov](mailto:corlos@mt.gov).
4. A Discharge *PSR* must be submitted within 7 calendar days after an offender's release from the program with the following subject line: "GVRP: Offender last name, Offender first name: Discharge PSR" and be sent to the offender's next placement at the same time it is submitted to the FPB.



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.438    LEGAL ACCESS FOR OFFENDERS</b>	
Effective Date:	10/03/2022	Page 1 of 1
Revisions Date(s):		
Reference(s):		
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief	

**This requirement is referenced as *ACCD 3.3.200 Legal Assistance* in Section 3.K.5 Offender Management; Offender Rights; Legal Assistance, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This requirement is referenced as *ACCD 3.3.200 Legal Assistance* in Section 2.2.10 Services; Offender Management; Offender Rights, in the following contracts: Connections Corrections Program (CCP) and WATCH.**

**I. PURPOSE:**

Community Corrections Facilities and Programs Bureau contracted facilities will assist offenders to access the courts to the extent specified in this requirement.

**II. DEFINITIONS:**

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**III. REQUIREMENTS:**

- A. Contract facility staff shall not provide legal advice to offenders.
- B. Contract facilities will provide offenders with necessary forms or access to necessary forms for filing the following:
  - 1. Civil rights complaints;
  - 2. Post-conviction petitions;
  - 3. Sentence review applications;
  - 4. Notices of appeal; and
  - 5. Habeas corpus petitions
- C. FPB offenders will be provided access to non-restricted:
  - 1. Community Corrections Facilities and Programs Bureau procedures;
  - 2. Probation and Parole Bureau procedures; and
  - 3. DOC policies.
- D. Each facility will allow attorney access to offenders.
- E. An offender may retain only the offender's own personal legal papers.
- F. Facility staff will not retaliate against or penalize any offender who chooses to access the courts or conduct legal research.

**IV. CLOSING:**

Questions regarding this requirement should be directed to the Community Corrections Facilities and Programs Bureau.



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.440 CULINARY ARTS PROGRAM</b>	
Effective Date:	10/03/2022	Page 1 of 3
Revisions Date(s):		
Reference(s):		
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief	

**This procedure is referenced as ACCD 5.1.400 Culinary Arts Program in Section 2.C.14. Program Requirements and Design; Programming and Curriculum; Culinary Arts Program (CAP) in the Passages contract.**

**I. PURPOSE:**

Passages, a correctional facility contracted with the Community Corrections Facilities and Programs Bureau, will provide a culinary arts program within the facility to include treatment programs, food service training, employment skills, and employment support.

**II. DEFINITIONS:**

**Assessment Center** – A facility/program that evaluates the needs of offenders for placement in the community.

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Facilities and Programs Contract Manager** – The Department's employee(s) who acts as the liaison between the Department and FPB contract facilities regarding services and offender management. This employee also monitors compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**Inmate Worker** – An offender who is placed in a Community Corrections Facilities and Programs Bureau program for a work assignment in a manner consistent with Bureau procedures.

**III. PROCEDURES:**

**A. GENERAL INFORMATION**

1. The Culinary Arts Program (CAP) will provide food service training and employment support for up to 15 offenders referred from DOC or assessment centers. Program participants will receive classroom instruction, in-house food service experience, work release experience in the community, and job placement assistance, and will complete a prerelease program during the last six (6) months of placement.
2. The basic CAP is based on an 18-month length of stay with the first six (6) months as a Culinary Arts Student, followed by six (6) months as a Culinary Arts Inmate Worker and the last six (6) months transitioning to resident status at the prerelease center.

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Subject: CULINARY ARTS PROGRAM		

- a. During the first twelve months in the program, participants must be supervised at all times and will not leave the facility unless supervised.
  - b. When participants are in the last six months of the program, they are allowed to leave the facility under their approved prerelease schedule.
  - c. The program will consist of four modules: Orientation, Basic Competency, Management and Community Experience, and Prerelease.
3. CAP Goals:
  - a. Provide appropriate offenders an extended period of job training, treatment, and supervision in a community corrections setting;
  - b. Provide training and support to enable offenders to obtain employment in the food service industry at above minimum wage, in positions that offer an opportunity for advancement;
  - c. Provide reliable, well-trained workers for local restaurants, banquet facilities, bakeries, and other food-related industries; and
  - d. Maximize the use of community resources and community involvement in support of program participants.
4. The 15 inmate worker slots for CAP are not included in the seven percent of total contracted beds authorized for inmate workers; however, the 15 CAP inmate workers are included in the total bed count for DOC offenders within the Passages programs per the contract between Passages and the Department.

## **B. APPLICATION**

1. Eligible offenders include:
  - a. Offenders from Montana Women's Prison (MWP) who have a Board of Pardons and Parole (BOPP) hearing disposition that authorizes placement of the offender in the program;
  - b. Passages Assessment, Sanction, Revocation Center (ASRC) assessment or revocation residents in the facility and identified by ASRC as appropriate; and
  - c. If, during a pre-screening or disciplinary process, placement at CAP is determined appropriate, the supervising P&P Officer or Hearings Officer may refer an offender to Passages ASRC with a recommendation for screening to CAP.
2. Applicants are required to fill out an application and must express a specific interest in working in the food service industry.
3. All applicants will be reviewed by the local screening committee that currently governs placements in Passages' programs.

## **C. FINAL APPROVAL BY THE DEPARTMENT**

1. After approval by the local screening committee and prior to transfer to the program, approval must be obtained from the Facilities and Programs Contract Manager by:
  - a. Submitting *PFB 6.2.437 (D) Preauthorized Extended Stay Request Form*; and
  - b. Completing procedures of *PFB 6.2.466 Inmate Workers* and submitting the forms for the application process.
2. Once approval is received, referring source makes transfer arrangements with Passages.
3. Admission priority must be given to MWP offenders.

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Subject: CULINARY ARTS PROGRAM		

#### **IV. CLOSING:**

Questions regarding this requirement should be directed to the Community Corrections Facilities and Programs Bureau.

#### **V. FORMS:**

<i>Passages</i>	<i>CAP Application</i>
<i>PFB 6.1.201 (D)</i>	<i>Approval of Offender Placement with Escape Conviction(s)</i>
<i>PFB 6.2.437 (D)</i>	<i>Preauthorized Extended Stay Request Form</i>
<i>PFB 6.2.466 (A)</i>	<i>Inmate Worker Request Form</i>
<i>PFB 6.2.466 (B)</i>	<i>Inmate Worker Medical Information</i>
<i>PFB 6.2.466 (C)</i>	<i>Work Position Agreement</i>





**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.459 TREATMENT AND PROGRAMS FOR ADULT OFFENDERS</b>	
Effective Date:	12/11/2019	Page 1 of 5
Revision Date(s):	09/13/2021; 09/15/2022; 06/12/2023	
Reference(s):	DOC 5.4.1; 53-1-201, MCA	
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief	

This requirement is referenced as follows in Section 2.C., Program Requirements and Design; Programming and Curriculum (Specific to RFP or Previous Contracts), in the following contracts: Alternatives, Inc., Passages, Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Elkhorn, Nexus, and START:

- as ACCD 5.3.100 CP&R;
- as ACCD 5.3.200 Criminal Thinking Errors
- as ACCD 5.3.300 Anger Management
- as ACCD 5.3.400 Victimology
- as ACCD 5.4.100 Chemical Dependency.

This requirement is referenced as ACCD 3.5.100 Sex Offender Services in Section 2.C., Program Requirements and Design; Programming and Curriculum (Specific to RFP or Previous Contracts), in the following contracts: Alternatives, Inc., Passages, Butte Prerelease, and Helena Prerelease.

## **I. PURPOSE:**

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will implement treatment and program curricula that are determined by the Department to address the identified risks and needs of adult offenders to aid in their reentry to the community.

## **II. DEFINITIONS:**

**Adjunct Programming** – Programming which is structured, positive, and a productive use of an individual's time. This programming is not considered essential for release decision-making or may be voluntary in nature versus driven by assessment.

**Administrator** – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division or facility operation and management.

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Community Corrections Facility** – Includes assessment/sanction centers, prerelease centers, and residential substance use disorder treatment facilities.

**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.

## Subject: TREATMENT AND PROGRAMS FOR ADULT OFFENDERS

**Core Risk Reducing** – Core risk reducing programs are those that target criminogenic risk factors, or those aspects of an individual that are directly related to future criminality. These are programs which are required based on criminogenic risk and need assessments and clinical evaluation. Programs utilize cognitive behavioral strategies with graduated skills practice.

**Criminogenic Risks and Needs** – Attributes that are directly linked to an offender’s risk to re-offend and must be addressed to achieve lower recidivism rates (identified as primary and secondary risk factors).

**Evidence-Based** – Demonstrated through empirical knowledge and scientific research with defined measurable outcomes regarding the effectiveness of a curriculum in reducing recidivism and improving public safety.

**Facilities and Programs Contract Manager** – The Department’s employee(s) who acts as the liaison between the Department and FPB contract facilities regarding services and offender management. This employee also monitors compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**Fidelity** – The extent to which program or treatment delivery adheres to the protocol or curriculum model originally developed. Fidelity measurement has increasing significance for evaluation, treatment effectiveness research, and service administration.

**Gender Responsive** – Acknowledging the role of gender in how offenders engage in criminal behavior and respond to conditions of confinement or community supervision and treatment approaches, and creating an environment based on safety, respect, and dignity.

**Responsivity** – Addresses the hurdles or barriers in an offender’s life that may influence the offender’s response to programming/treatment and thereby affect the offender’s risk to reoffend.

**Risk and Needs Assessments** – Standardized and validated evidence-based instruments used to assess the probability of an offender recidivating and to identify risk factors and criminogenic needs to guide and prioritize appropriate programming; enhances sharing of offender information and assists in the efficient allocation of resources while an offender is under Department supervision.

**Trauma-Informed Care** – An organizational structure or treatment framework that is strengths-based, creates opportunities for offenders to rebuild a sense of control and empowerment, and is responsive to the impact of trauma, emphasizing physical, psychological, and emotional safety for both service providers and offenders.

**Treatment Providers** – Department or contracted staff who are trained and qualified to provide education, counseling, and treatment services to the offender population.

### III. REQUIREMENTS:

#### A. TREATMENT AND PROGRAM CURRICULA APPROVAL PROCESS:

1. A core risk reducing program may not be used by a Department-funded contractor until it is approved by the Department. To initiate the review process, facility staff must submit the proposed program to their assigned contract manager at [correquests@mt.gov](mailto:correquests@mt.gov) using required forms. The assigned contract manager will review the submission to ensure completeness and forward it for review in accordance with *DOC Policy 5.4.1, Offender Programs*.

**B. GENERAL ADMINISTRATION OF OFFENDER PROGRAMS:**

1. All core risk reducing programs will be offered as follows:
  - a. Programs offered will meet the conditions frequently ordered by the court, the Board of Pardons and Parole, or the Department.
  - b. The core risk reducing programs available to a particular offender will depend on a number of factors including the offender's risk and needs assessment scores (priority given to high-risk and medium-risk offenders) and whether the program is offered by the facility where the offender is located.
  - c. The adjunct programs available to a particular offender will be based on need or offered on a voluntary basis.
2. The Department prohibits discrimination on the basis of disability in providing treatment programs to offenders. Facilities may be required to take remedial action, when necessary, to facilitate offender participation as follows:
  - a. make reasonable modifications to policies, practices, or procedures;
  - b. provide auxiliary aids and services to the hearing and visually impaired;
  - c. address the special needs of impaired offenders, for example, those with mental illness, or who are illiterate, head injured, or developmentally disabled; or
  - d. deliver services at alternate accessible sites.
3. Qualified staff will conduct and maintain appropriate screenings and assessments, case management, progress reports, and clinical documentation.
4. Facility Administrators will establish appropriate staffing levels for programming and treatment delivery based on specific program curriculum requirements in order to ensure fidelity.
5. Administrators may approve the use of community-based resources to augment facility treatment programs.

**C. ADDITIONAL REQUIREMENTS FOR ADMINISTRATION OF SEX OFFENDER PROGRAM (SOP):**

1. Facilities that provide sex offender treatment will:
  - a. comply, at a minimum, with the following requirements:
    - 1) must be provided by a licensed clinical professional;
    - 2) screen and assess offenders for appropriate SOP placement;
    - 3) offer outpatient and inpatient treatment settings where applicable;
    - 4) use cognitive and behavioral-based treatment modalities;
    - 5) provide education and progressive treatment phases with established criteria and time frames; and
    - 6) provide an aftercare component to address relapse prevention techniques, discharge planning, and continuing care.
  - b. ensure providers to whom offenders are referred or provide contracted services maintain procedures that include the following:
    - 1) offender consent for testing and treatment, if applicable;
    - 2) criteria for removing offenders from treatment;

## Subject: TREATMENT AND PROGRAMS FOR ADULT OFFENDERS

- 3) records access, release, and confidentiality consistent with constitutional and statutory law;
- 4) staff and intern supervision requirements; and
- 5) offender risk assessments prior to discharge when applicable.

**D. ADDITIONAL REQUIREMENTS FOR THE ADMINISTRATION OF SUBSTANCE USE DISORDER (SUD) PROGRAMS:**

1. All Substance Use Disorder (SUD) treatment facilities will conduct offender drug testing.
2. Contractors that provide approved SUD treatment directly to offenders will comply, at a minimum, with the following requirements:
  - a. provide screenings, assessments, and referrals to appropriate levels of treatment;
  - b. develop individualized, multidisciplinary treatment plans;
  - c. include SUD education and primary care treatment;
  - d. offer outpatient and inpatient treatment settings where applicable including:
    - 1) intensive treatment for SUD;
    - 2) intensive treatment for methamphetamine-specific addiction;
    - 3) relapse prevention; and
    - 4) continuing care treatment.
  - e. use cognitive and behavioral-based treatment modalities while considering the following:
    - 1) incorporate culturally-appropriate delivery; and
    - 2) treatment addressing population-specific needs or characteristics (gender-specific; trauma-related; co-occurring; SUD).

**E. PROVIDER TRAINING AND QUALIFICATIONS:** The following are applicable to persons hired after the effective date of this requirement.

1. Facility Administrators will have 3 years of experience with offender treatment, including time at the current facility.
2. Clinical supervisors will have the minimum credentials of licensure as a Licensed Clinical Social Worker (LCSW), Licensed Clinical Professional Counselor (LCPC), psychologist, or Licensed Addiction Counselor (LAC) with at least 3 years of experience working with an offender population.
3. Sex Offender Program (SOP) Therapists will have the following minimum credentials:
  - a. a post-graduate or Master's degree in a treatment-related field; and
  - b. professional licensure preferred; or eligibility for licensure required.
4. LACs will have the following minimum credentials:
  - a. Associate's degree in SUD counseling or Bachelor's degree in related field; and
  - b. licensed as an addiction counselor, or LAC eligible.
5. Staff who administer, supervise, and provide approved curricula will maintain current licensure, certification, and continuing training requirements. Staff who provide offender programs not requiring professional licensure will be qualified by either formal education or training. All offender programs will receive appropriate levels of clinical or staff supervision and training according to licensing and credentialing standards and as necessary to maintain program fidelity.

**F. PROGRAM STATISTICS AND REPORTING:**

1. Designated facility staff associated with each type of offender programming will:
  - a. have written goals and measurable objectives for each curriculum that determine what behavior is targeted for change by the curriculum and how facility staff will measure the curriculum's impact;
  - b. maintain records on offender participation and involvement in curricula (for example, case notes);
  - c. track offender capacity and completion data including:
    - 1) those who have successfully completed each individual curriculum, and
    - 2) those who have not completed each curriculum and the reasons for not completing.
2. Statistics will be compiled and submitted to the FPB twice a year (by January 21 and July 21) using both sections of *PFB 6.2.459 (A) Programming Report*.
  - a. The *Report* is submitted to [coraccdreports@mt.gov](mailto:coraccdreports@mt.gov) with the subject line "Facility: Programming Report date."

**G. PROGRAM EVALUATION:**

1. Facilities must participate in the Department's program evaluation process.
2. The Department has adopted the *Correctional Program Checklist (CPC)* as its program evaluation tool for measuring adherence to evidence-based practices as required by statute.
  - a. The *CPC* may only be administered by Department staff certified to administer the tool.
  - b. The Department's Quality Assurance of Evidence-Based Practices and Programs Bureau will establish the review cycle for administration of the *CPC*.
  - c. The Department will schedule a conference call with the program to ensure the program is aware of the process and items needed for the on-site evaluation.
  - d. Approximately 8 weeks after the on-site evaluation, the *CPC* evaluation team will send a draft report to the program administrators, who will have an opportunity to comment on the report prior to the report being finalized.
  - e. Upon receipt of the finalized report, the program should identify the recommendations that will be implemented for program improvement and the method(s) of implementation. The assigned Contract Manager will schedule periodic meetings to discuss implementation status, resources needed, and barriers encountered, and will generally be available to provide technical assistance to the facility administration as requested.

**IV. CLOSING:**

Questions about this requirement should be directed to the Community Corrections Facilities and Programs Bureau or the Department's Quality Assurance of Evidence-Based Practices and Programs Bureau.

**V. FORMS:**

*PFB 6.2.459 (A) Programming Report*



**DEPARTMENT OF CORRECTIONS  
PROGRAMS AND FACILITIES BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.461 RELIGIOUS ACTIVITIES</b>	
Effective Date:	06/08/2020	Page 1 of 1
Revision Date(s):	08/11/2021	
Reference(s):	53-1-203, MCA	
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief	

**This requirement is referenced as *ACCD 5.6.100 Religion* in Section 3.K.1. Offender Management; Offender Rights; Religion, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.**

**This requirement is referenced as *ACCD 5.6.100 Religion* in Section 2.2.10 Services; Offender Management; Offender Rights in the Connections Corrections Program (CCP) and WATCH contracts.**

**I. PURPOSE:**

The Programs and Facilities Bureau contract facilities will follow established requirements to ensure offenders are provided reasonable and equitable opportunities to pursue religious activities.

**II. DEFINITIONS:**

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**III. REQUIREMENTS:**

**A. GENERAL:**

1. All PFB contract facilities must provide offenders the opportunity to voluntarily participate in their own religious activities deemed essential by the governing body of the offender's faith, subject only to those limitations necessary to maintain the order and security of the facility.
2. Offenders will not be required to attend or participate in religious services or discussions. Facility staff may not attempt to influence an offender to change religious preference or faith.
3. Facilities will have a policy/procedure in place regarding all religious activities at the facility. Religious activities must be accessible to all faith groups and authorized by an administrator or designee.
4. Religious articles may be worn when consistent with the safety, security, and orderly operation of the facility and according to facility procedures.
5. When a representative of the faith to which an offender subscribes is not available in the facility, the offender must be permitted contact with a properly credentialed representative of that faith via visits, phone, or correspondence.

**IV. CLOSING:**

Questions regarding this procedure will be directed to the Programs and Facilities Bureau.



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.466 INMATE WORKERS</b>
Effective Date:	10/03/2022 <span style="float: right;">Page 1 of 4</span>
Revision Date(s):	04/01/2025
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief

This requirement is referenced as **ACCD 4.5.202 Inmate Worker Healthcare** in Section 3.J. Offender Management; Healthcare, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.

This requirement is referenced as **PPD 5.1.101 Inmate Workers** in the following contracts: Connections Corrections Program (CCP) East and West and WATCH West.

### I. PURPOSE

FPB contract facilities will use this requirement in the placement and supervision of inmate workers.

### II. DEFINITIONS (see Glossary)

### III. REQUIREMENTS

#### A. GENERAL REQUIREMENTS FOR PROGRAM

1. An inmate worker is an offender who is placed in an FPB program for a work assignment in a manner consistent with Bureau procedures.
2. Facilities provide room and board exempt from the service charges applicable to traditional program participants. A facility may charge the Department the daily per diem rates for inmate workers as outlined in the facility's contract and will pay the inmate worker an amount ranging from \$6 to \$12 per day for their work.
3. A facility will require an inmate worker to complete the program prior to being placed as a resident at the facility or being moved to the next location.
4. The inmate worker's length of stay at a facility is 180 days.
  - a. If it is known prior to placement that the inmate worker's stay will be longer than 180 days, *PFB 6.2.437 (D) Preauthorized Extended Stay Request* is completed and submitted to [corlos@mt.gov](mailto:corlos@mt.gov). Email subject line must read as follows: Facility, Offender Last Name, First Name, DOC #, LOS.
  - b. If during the inmate worker's stay it is determined a longer stay is necessary, justification will be provided on the applicable *Progress/Summary Report* following the guidelines of *PFB 6.2.409 (A) Email Subject Lines for Contractor Report Submissions*.
5. Inmate workers are subject to all rules and regulations of the placement facility and work position agreement and to the same disciplinary procedures as traditional program participants.
6. An inmate worker who fails to report to the facility will be charged with escape pursuant to 45-7-306, MCA.
7. Inmate worker refusal to submit to a drug test will result in the inmate worker's removal from the program and disciplinary action.
8. Inmate workers may not operate motor vehicles for any reason.

9. Inmate workers may be assigned to perform duties including but not limited to food preparation, maintenance, and housekeeping as specified in the *PFB 6.2.466 (C) Work Position Agreement*.
10. Inmate workers referred to the Culinary Arts Program will meet eligibility and screening requirements.

## **B. INMATE WORKER ELIGIBILITY REQUIREMENTS**

1. If a prospective inmate worker is under the jurisdiction of the Board of Pardons and Parole (BOPP), the offender must have an institutional screening determination or a parole hearing disposition that authorizes placement of the offender in a program as an inmate worker or program placement.
2. If the offender is under the jurisdiction of the Department, the offender must be identified as an appropriate candidate by referral sources and/or facility screening committees.
3. Additional eligibility requirements for inmate workers include:
  - a. having clear conduct as determined by BOPP, assessment centers, and/or facility screening committees;
  - b. having demonstrated a commitment to change;
  - c. within the last 3 years, having incurred no felony convictions while incarcerated;
  - d. having no prison escape conviction history within the past 10 years, and no escape conviction from prerelease, work release, or any monitoring programs within the last 3 years;
  - e. being able to perform the essential job functions of the inmate worker position with or without an accommodation; and
  - f. having no history of trafficking in dangerous contraband while incarcerated.
4. Staff making referral of a sexual offender must consider a sexual offender's progress toward completing required or recommended sexual offender programming.
5. Staff making the referral must verify that any known felony warrants, detainers, or pending felony matters are communicated clearly to the facility in the application. Referring staff and screening facility must confirm that the severity and timeframe of the warrant, detainer, or pending felony matters do not preclude placement.

## **C. APPLICATION PROCESS AND RESPONSIBILITY**

1. A prospective inmate worker is referred to the inmate worker program by the offender's case manager or Department staff. If offender has escape conviction history, *PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)* must be submitted to the FPB Chief for approval before screening.
2. When applicable, the referring Department staff will make notification to registered victims providing the following information and will document that notification was made:
  - a. approximate dates of offender's work assignment;
  - b. facility and community in which the offender will reside; and
  - c. the name and contact information of the Department staff to whom the victim should respond.
    - 1) Note: The victim should be given at least 10 calendar days to respond with written or oral input.
3. Referral is forwarded to the local screening committee for review and approval or denial in accordance with *PFB 6.1.201 Placement Determination, Referral, and Screening*.
4. Upon approval, Department staff completes the applicable sections of *PFB 6.2.466 (B) Inmate Worker Medical Information (Medical Information)*, prints form, and gives it to offender to self-report and sign.



- a. Offender returns *Medical Information* to Department staff when completed.
  - b. Department staff provides *Medical Information* to the sending facility's nurse, who completes the nurse's section and signs and returns the form to Department staff.
  - c. Department staff adds any additional comments and signs *Medical Information*.
5. Department staff completes *PFB 6.2.466 (A) Inmate Worker Request (Request)*, except for the "Inmate Worker Replacing" section. Using an electronic file transfer system to maintain confidentiality, Department staff forwards *Request* and *Medical Information* to receiving facility.
  6. The receiving facility's medical staff reviews the *Request* and offender's *Medical Information* and marks the "Yes" box on the *Request* indicating the form was reviewed.
  7. Receiving facility staff makes a determination about placement eligibility, and if approved:
    - a. completes the "Inmate Worker Replacing" section of *Request*, signs, and dates;
    - b. completes *PFB 6.2.466 (C) Work Position Agreement* (the *Work Position Agreement* describes the work assignment, compensation, length of assignment, and counseling, treatment, and/or recreational services to be provided); and
    - c. returns completed *Request*, offender's *Medical Information*, and *Work Position Agreement* to Department staff using an electronic file transfer system for confidentiality.
  8. The Department staff prints *Work Position Agreement*, reviews with offender, has offender sign, then sends it to receiving facility.
  9. Receiving facility submits *Request*, *Medical Information*, and *Work Position Agreement* to the Contract Manager at [correquests@mt.gov](mailto:correquests@mt.gov) for approval at least 2 weeks prior to work assignment. Email subject line must read as follows: Facility, Offender last name, first name, DOC#, Inmate Worker.
    - a. Department staff who send the above information can encrypt it by sending an email with the word "!!Encrypt!!" in the subject line.
  10. Contract Manager:
    - a. submits *Medical Information* to [cormedical@mt.gov](mailto:cormedical@mt.gov) for review for clearance;
    - b. informs Department staff once clearance is received;
    - c. signs the *Request* and emails it to the sending Department staff and to the receiving facility; and
    - d. documents the approval in the offender management system.
  11. Upon approval and prior to transfer, the sending Department staff will:
    - a. determine date offender will depart to receiving facility, taking into account the 10-day notification requirement for sexual/violent offender registration, if applicable; and
    - b. complete appropriate paperwork for *DOC 1.5.13 DNA Testing/Collection of Biological Samples* and/or *PPD 1.5.1000 Sexual and Violent Offender Registration and Level Designation*, when applicable.

#### **D. HEALTHCARE NEEDS**

1. If possible, inmate workers will arrive at the facility with a 30-day supply and a 6-month refill order for current medications.
2. The facility/contractor is responsible for daily routine medical supplies (to include, but not limited to, Snellen chart, glucometer, thermometer, blood pressure cuff, and stethoscope), over-the-counter medications, and day-to-day healthcare needs. The Department is responsible for the necessary medical, dental, vision, and mental health expenses if approved through the Department's medical preauthorization process.
3. For urgent and emergent health care needs, the facility must contact [cormedical@mt.gov](mailto:cormedical@mt.gov) and provide information regarding the inmate worker's urgent/emergent needs. Emergency treatment may be provided without prior authorization; however, the Department's medical staff and Contract Manager will be contacted as soon as possible and provided information on

the nature of the illness, the type of treatment to be provided, and the estimated length of treatment. The Department's medical staff will review each case individually and inmate worker may be subject to return to MSP or MWP if needs indicate transfer is warranted.

#### **E. TRAVEL**

1. Inmate workers will not be allowed any pass time except as provided below.
2. When leaving the facility, offender must be supervised or escorted by facility staff or a person authorized and approved by the Facility Administrator or designee. Acceptable reasons for leaving the facility must be limited to approved medical or dental appointments, funerals, shopping for personal items, religious services, self-help meetings, libraries, and staff-approved recreational activities; however, other reasons may be considered on a case-by-case basis.
3. All travel outside of the local community must be escorted by facility staff and requires travel requests be submitted to, and approved by, the Contract Manager at [coraccs@mt.gov](mailto:coraccs@mt.gov) pursuant to *PFB 6.2.433 Facility Offender Travel Request*.

#### **F. REPORTS**

1. Inmate Worker Report: Each facility will submit:
  - a. A monthly inmate worker report to [coraccs@mt.gov](mailto:coraccs@mt.gov) by the 10<sup>th</sup> of each month covering all information about inmate workers for the previous month. The report will contain offender name, DOC ID#, worker position, date of entry, projected date of completion, and actual date of transfer to resident status or removal as an inmate worker in the program, if applicable. When submitting the report, the email subject line must read as follows: Facility: Offender Last Name, First Name, DOC#, Inmate Worker Report.
  - b. An annual report submitted by January 15 describing the inmate worker program and providing work descriptions for inmate worker duties, offender wage information, and all non-Department forms inmate workers are required to review and/or sign as part of the program. If the information submitted in the most recent annual report has not changed, a new annual report is not required; however, the facility must provide notice to the Contract Manager that the information has not changed.
2. The applicable *PFB 6.2.437 (G-I) Progress/Summary Report* should be completed at offender's 180-day completion or upon other transition and submitted to [coraccs@mt.gov](mailto:coraccs@mt.gov) within 5 business days of the 180<sup>th</sup> day or other transition.

#### **IV. CLOSING**

Questions about this requirement should be directed to the FPB Chief.

#### **V. FORMS**

*PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)*  
*PFB 6.2.409 (A) Email Subject Lines for Contractor Report Submissions.*  
*PFB 6.2.433 (A) Facility Offender Travel Request*  
*PFB 6.2.437 (D) Preauthorized Extended Stay Request*  
*PFB 6.2.437 (G) Progress/Summary Report - Assessment Centers*  
*PFB 6.2.437 (H) Progress/Summary Report - Treatment Centers*  
*PFB 6.2.437 (I) Progress/Summary Report - Prerelease Centers*  
*PFB 6.2.466 (A) Inmate Worker Request*  
*PFB 6.2.466 (B) Inmate Worker Medical Information*  
*PFB 6.2.466 (C) Work Position Agreement*

#### **VI. REFERENCES**

- A. 45-7-306, MCA
- B. DOC 1.5.13; *PFB 6.1.201*; *PFB 6.2.433*; *PPD 1.5.1000*



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
OPERATIONAL PROCEDURE**

Procedure:	<b>PFB 6.2.470 UP TO 90-DAY AND UP TO 9-MONTH PLACEMENTS</b>
Effective Date:	05/01/2023 <span style="float: right;">Page 1 of 8</span>
Revision Date(s):	
Reference(s):	PFB 6.1.202; PFB 6.2.422 <b>RD</b> ; PPD 6.4.102; PPD 6.4.205; PPD 6.4.206; PFB 6.2.424; PFB 6.2.437; 7-32-2242, MCA; 46-18-203, MCA; 46-23-1015, MCA; 46-23-1024, MCA; 46-23-1025, MCA
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief

**I. PURPOSE:**

46-18-203, MCA provides options to courts in the handling of revocations of suspended or deferred sentences for probation violations that are either non-compliance or compliance violations and 46-23-1015, MCA creates additional requirements and options for Hearings Officers during intervention hearings for responding to probation violations.

46-23-1025, MCA provides options to the Board of Pardons and Parole (BOPP) in the handling of revocations of parole for violations that are non-compliance or compliance violations and 46-23-1024, MCA creates additional requirements and options for Hearings Officers during intervention hearings for responding to parole violations.

These laws include options for placement for up to 90 days or up to 9 months in certain facilities and programs. Staff will follow established procedures for handling offenders subject to these placements.

**II. DEFINITIONS:**

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Community Corrections Facility** – Includes assessment/sanction centers, prerelease centers, and residential substance use disorder treatment facilities.

**CR-Conditional Release** – A status that applies to DOC commitments placed in a community corrections program and released to community supervision prior to the expiration of their sentence when determined appropriate by the Department.

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

**Hearings Officer** – A Department employee who, as an impartial person, conducts hearings for offenders on community supervision or in an FPB program or facility.

**Intervention Hearing** – An informal administrative hearing conducted when a Probation and Parole Officer reasonably believes that an offender has violated conditions of supervision. 46-23-1015, MCA.

## Subject: UP TO 90-DAY AND UP TO 9-MONTH PLACEMENTS

**Probation and Parole** – Oversees the Probation and Parole regional offices and interstate transfers.

**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.

**Up to 90-Day Intervention Referral** – A probation, parole, or conditional release offender referred for placement in an FPB facility for up to 90 days by a Hearings Officer in accordance with the Montana Incentives/Interventions Grid for Probation and Parole and resulting from an intervention hearing. 46-23-1015, MCA and 46-23-1024, MCA.

**Up to 9-Month Revocation Referral** – A probation or parole offender referred for placement in an FPB facility for up to 9 months as a requirement of the court or Board of Pardons and Parole and resulting from a revocation hearing. 46-18-203, MCA and 46-23-1025, MCA.

### III. UP TO 90-DAY PLACEMENTS

#### A. HOW UP TO 90-DAY PLACEMENTS ARE ORDERED

##### 1. Probationers, Parolees, and Conditional Releases –

- a. During an intervention, on-site, or conditional release hearing, the Hearings Officer shall consult *PPD 6.3.101 (A) Montana Incentives/Interventions Grid for Probation and Parole (MIIG-P&P)* and determine an appropriate response, including whether to recommend placement in a community corrections facility or program for up to a 90-day period, including but not limited to placement in a:
  - 1) prerelease center
  - 2) sanction or hold bed
  - 3) enhanced supervision program
  - 4) chemical dependency treatment program
  - 5) 24/7 sobriety program
- b. Additionally, it is possible to impose a combination of jail and community corrections time. However:
  - 1) The jail time may not exceed 30 days and does not count toward the 90-day placement.
    - a. P&P Officers are responsible for ensuring that jail time served does not exceed 30 days.
  - 2) The jail time must be specifically ordered in a hearing by the Hearings Officer and should be worded as such:

*“Sanction to community corrections facility or program [be specific] for up to 90 days. Offender is additionally sanctioned to a jail placement for not more than 30 days while awaiting screening and transport to the facility/program.”*
  - 3) Cost of jail time is the Department’s responsibility.
  - 4) Offenders must be released from jail on or before the 30th day.
- c. If the Hearings Officer does not order the offender to wait in jail pending their program placement, the offender must remain on community supervision until their bed date.
- d. If the offender is moved to a Probation and Parole hold bed to wait for their program placement, the offender’s time in the hold bed does count toward the 90 days.

## Subject: UP TO 90-DAY AND UP TO 9-MONTH PLACEMENTS

**B. FACILITIES AVAILABLE FOR UP TO 90-DAY PLACEMENTS**

1. Facilities available for up to 90-day placements:
  - a. All prerelease facilities
  - b. CCP (both programs)
  - c. Elkhorn Treatment Center (90-day treatment track)
  - d. Passages ADT
  - e. Pine Hills (90-day treatment track)
2. Program availability is dependent on geographic location and program capacity/waiting lists. The screening process should follow *PFB 6.1.201 Placement Determination, Referral, and Screening*.
3. Referrals should clearly designate the following:
  - a. the offender's status as an up to 90-day placement
  - b. the offender's primary focus areas during their placement (for example, cognitive behavioral programming, employment, residence, SUD treatment)
  - c. the offender's Supervising Officer and contact information
  - d. the Hearings Officer who issued the intervention
  - e. the on-call contact information for the region where the offender originated
  - f. details on the expected housing placement upon completion
4. The Hearings Officer should determine the start date of the sanction to include jail time if applicable or the start date of the placement if jail time is not ordered.
5. The P&P Officer/Hearings Officer should coordinate with the facility and the Community Corrections Facilities and Programs Bureau to expedite screening and transport.

**C. MANAGEMENT OF OFFENDER'S CASE IN THE FACILITY DURING UP TO 90-DAY PLACEMENTS:**

1. In general, offenders in these placements are expected to follow the general rules/procedures of Probation and Parole and the facility.
2. Since the placement is a 90-day placement, which may be shorter than the "traditional" time required to complete the program, the Hearings Officer placing offenders in these types of placements should identify 1-2 areas on which the offender should focus while in the facility.
3. The facility should be mindful of the timeframes for the offender's placement in management of the offender's case.
4. P&P Officers must request monthly updates during an offender's placement at a facility. Facilities must follow *PFB 6.2.437 Lengths of Stay (LOS)* in regard to progress reporting.
5. An offender in an up to 90-day placement is eligible for administrative transfer to an assessment/sanction center for stabilization but is ineligible for transfer to a secure facility, and the time spent on administrative transfer status must count toward the 90-day period. See *PFB 6.1.202 Administrative Transfers*.
6. Hospital coverage and travel permit requirements apply based on the facility type in which the offender is located. See *PFB 6.2.433 Facility Offender Travel*.
7. It is expected that the Supervising P&P Officer and IPPO will coordinate release planning throughout the offender's stay.

## Subject: UP TO 90-DAY AND UP TO 9-MONTH PLACEMENTS

**D. HANDLING VIOLATIONS DURING UP TO 90-DAY PLACEMENTS**

(see also PFB 6.2.424 *Disciplinary Process in Contract Facilities*)

**1. General Information**

- a. The offender's Supervising P&P Officer or FPB staff should be contacted by facility staff when there are any questions or issues that arise during an offender's intervention or revocation referral placement.
- b. Offenders cannot be placed in jail without the Supervising P&P Officer's authorization and following specific time limitations (see PPD 6.4.102 *Offender Arrest/Pick Up and Hold/Release*).
- c. Placement in another FPB facility pending hearing is not allowed unless that facility generally holds offenders on pre-hearing status.
- d. Outside of business hours, facility staff should contact the on-call Officer in the region where the offender originated, who will document the contact in OMIS and email the offender's officer of record and supervisors. Supervising P&P Officer will follow-up with facility staff the next working day. On-call contact numbers are as follows:
  - 1) Missoula Region: Missoula – 406-240-2031 and Butte – 406-491-1618
  - 2) Helena Region: Helena – 406-439-4861 and Bozeman – 406-580-0462
  - 3) Great Falls Region: 406-231-1399
  - 4) Billings Region: 406-860-0523
  - 5) Kalispell Region: 406-253-1876
  - 6) Havre Region: 406-879-9421
- e. Intervention or revocation referral offenders who leave the facility or attempt to leave without authorization from the facility or Probation and Parole are not considered escapees; however, the procedures specific to these offenders are outlined in III.F. in PFB 6.2.422 *RD Facility Escapes*.

**2. Probationers:**

- a. Supervising P&P Officer will determine whether to respond to the violation with an appropriate intervention or whether it warrants the removal of the offender from the facility based on information provided by the facility. If offender will be removed, the Supervising P&P Officer will determine an appropriate response pursuant to PPD 6.3.101 (A) *Montana Incentives/Interventions Grid for Probation and Parole (MIIG-P&P)*.
- b. When necessary, interventions are addressed through an intervention hearing following the procedures of PPD 6.4.206 *Probation and Parole Field Hearings*.

**3. Parolees:**

- a. Violations are addressed by a Hearings Officer through an initial on-site hearing following the procedures of PPD 6.4.206 *Probation and Parole Field Hearings*.
- b. If an intervention is determined to be appropriate, the hearing is converted to an intervention hearing.
- c. If offender will be removed from the facility, offender is arrested pursuant to PPD 6.4.102 *Offender Arrest/Pick Up and Hold/Release*. PPD 6.4.205 (A) *Report of Violation* is completed and submitted to the Board of Pardons and Parole pursuant to the procedures of PPD 6.4.205 *Report of Violation of Probation or Parole*.

#### IV. UP TO 9-MONTH PLACEMENTS

##### A. HOW UP TO 9-MONTH PLACEMENTS ARE ORDERED

###### 1. Probationers –

- a. During the revocation process (46-18-203, MCA), the court may continue the suspended or deferred sentence with modified or additional terms and conditions, including placement in:
  - 1) a secure facility designated by the Department for up to 9 months; or
  - 2) a community corrections facility or program designated by the Department for up to 9 months, including but not limited to placement in a:
    - a) prerelease center
    - b) sanction or hold bed
    - c) enhanced supervision program
    - d) chemical dependency treatment program
    - e) 24/7 sobriety program
- b. Courts should be advised of this suggested wording for the court order:

*“It is Ordered that Defendant’s previously imposed [suspended or deferred] sentence of \_\_\_\_\_ years is hereby reinstated and continued with the added condition that Defendant be placed into [a secure facility designated by the Department for up to 9 months] or [a community corrections facility or program designated by the Department for up to 9 months] pursuant to 46-18-203(7)(a)(ii), MCA.”*
- c. If the court orders the offender to a secure facility, the offender may await their final placement in jail. The time spent in jail awaiting placement must count toward the 9-month period, and jail costs associated with these stays are the Department’s responsibility.
- d. Unless the court remands an offender to jail to wait for their placement, the offender must be released and wait for screening and placement while on community supervision.
  - 1) If the court does order an offender to jail to await a community corrections facility placement, the time spent in jail must count toward the 9-month period and the jail costs associated with the stay are the Department’s responsibility.
- e. If the offender is rejected by the needed program, the Supervising Officer should send a memo to the court outlining the screening results and presenting a recommendation for an alternate option.

###### 2. Parolees –

- a. During the revocation process (46-23-1025, MCA), the Board of Pardons and Parole (BOPP), upon conclusion of a formal hearing may continue the parole with modified or additional terms and conditions, including placement in:
  - 1) a secure facility designated by the Department for up to 9 months; or
  - 2) a community corrections facility or program designated by the Department for up to 9 months, including but not limited to placement in a:
    - a) prerelease center
    - b) sanction or hold bed
    - c) enhanced supervision program
    - d) chemical dependency treatment program
    - e) 24/7 sobriety program

**Subject: UP TO 90-DAY AND UP TO 9-MONTH PLACEMENTS**

- b. If the BOPP orders the offender to a secure facility, the offender may await their final placement in jail. Jail costs associated with these stays are the responsibility of the Department.
- c. Unless the BOPP remands an offender to jail to wait for their placement, the offender must be released and wait for screening and placement while on community supervision.
  - 1) If BOPP does order an offender to jail to await a community corrections facility placement, the time spent in jail must count toward the 9-month period and the jail costs associated with the stay are the responsibility of the Department.
- d. If the offender is rejected by the needed program, the Supervising Officer/IPPO should send a memo to the BOPP outlining the screening results and presenting a recommendation for an alternate option.

**B. CALCULATING 9-MONTH PERIOD**

- 1. The 9-month period is 270 calendar days, and offenders must be released on or before the 270<sup>th</sup> day.
  - a. For offenders placed in a combination of facilities, all days are applied to the 270 calendar days.
- 2. If an offender is remanded to jail following sentencing, the period starts on the first day of placement in jail.
- 3. If an offender is not remanded to jail following sentencing, the period starts on the first day of placement in a facility.

**C. FACILITIES AVAILABLE FOR UP TO 9-MONTH PLACEMENTS**

- 1. Facilities available for secure facility placements include MSP/MWP.
- 2. Community corrections facility placements include all prerelease and treatment facilities.
- 3. Assessment/sanction centers are not available except on a case-by-case-basis as determined by FPB.
- 4. Program availability is dependent on geographic location and program capacity/waiting lists. The screening process should follow *PFB 6.1.201 Placement Determination, Referral, and Screening*.
- 5. Referrals should clearly designate the following:
  - a. the offender's status as an up to 9-month placement
  - b. the offender's primary focus areas during their placement (for example, cognitive behavioral programming, employment, residence, SUD treatment)
  - c. the offender's Supervising Officer and contact information
  - d. the on-call contact information for the region where the offender originated
  - e. the start date of the 9-month period; if the starting date is undetermined, it is the responsibility of the P&P Officer to monitor and provide the starting date as soon as it is determined
- 6. The P&P Officer should coordinate with the facility and the Community Corrections Facilities and Programs Bureau to expedite screening and transport.



## Subject: UP TO 90-DAY AND UP TO 9-MONTH PLACEMENTS

**D. MANAGEMENT OF OFFENDER'S CASE IN THE FACILITY DURING UP TO 9-MONTH PLACEMENTS:**

1. In general, offenders in these placements are expected to follow the general rules and procedures of Probation and Parole and the facility.
2. Since the placement is a 9-month placement, the offender should complete a "traditional" program. However, if multiple placements are to occur during the 9-month period, each facility should be mindful of the timeframes while assisting the offender in completing the programs.
3. P&P Officers must request monthly updates during an offender's placement at a facility. Facilities must follow *PFB 6.2.437 Lengths of Stay (LOS)* in regard to progress reporting.
4. An offender in an up to 9-month placement is eligible for administrative transfer to an assessment/sanction center for stabilization but is ineligible for transfer to a secure facility, and the time spent on administrative transfer status must count toward the 9-month period. See *PFB 6.1.202 Administrative Transfers*.
5. Hospital coverage and travel permit requirements apply based on the facility type in which the offender is located. See *PFB 6.2.433 Facility Offender Travel*.

**E. HANDLING VIOLATIONS DURING UP TO 9-MONTH PLACEMENTS**

(see also *PFB 6.2.424 Disciplinary Process in Contract Facilities*)

**1. General Information**

- a. The offender's Supervising P&P Officer or FPB staff should be contacted by facility staff when there are any questions or issues that arise during an offender's intervention or revocation referral placement.
- b. Offenders cannot be placed in jail without the Supervising P&P Officer's authorization and following specific time limitations (see *PPD 6.4.102 Offender Arrest/Pick Up and Hold/Release*).
- c. Placement in another FPB facility pending hearing is not allowed unless that facility generally holds offenders on pre-hearing status.
- d. Outside of business hours, facility staff should contact the on-call Officer in the region where the offender originated, who will document the contact in OMIS and email the offender's Officer of record and supervisors. Supervising P&P Officer will follow-up with facility staff the next working day. On-call contact numbers are as follows:
  - 1) Missoula Region: Missoula – 406-240-2031 and Butte – 406-491-1618
  - 2) Helena Region: Helena – 406-439-4861 and Bozeman – 406-580-0462
  - 3) Great Falls Region: 406-231-1399
  - 4) Billings Region: 406-860-0523
  - 5) Kalispell Region: 406-253-1876
  - 6) Havre Region: 406-879-9421
- e. Intervention or revocation referral offenders who leave the facility or attempt to leave without authorization from the facility or Probation and Parole are not considered escapees; however, the procedures specific to these offenders are outlined in III.F. in *PFB 6.2.422 RD Facility Escapes*.

## Subject: UP TO 90-DAY AND UP TO 9-MONTH PLACEMENTS

**2. Probationers:**

- a. Supervising P&P Officer will determine whether the violation will be addressed through an intervention hearing or whether it warrants the removal of the offender from the facility and a formal revocation based on information provided by the facility.
- b. If offender will be removed from the facility, offender is arrested pursuant to *PPD 6.4.102 Offender Arrest/Pick Up and Hold/Release*. *PPD 6.4.205 (A) Report of Violation* is completed and submitted to the county attorney pursuant to the procedures of *PPD 6.4.205 Report of Violation of Probation or Parole*.

**3. Parolees:**

- a. Violations are addressed by a Hearings Officer through an initial on-site hearing following the procedures of *PPD 6.4.206 Probation and Parole Field Hearings*.
- b. If an intervention is determined to be appropriate, the hearing is converted to an intervention hearing.
- c. If offender will be removed from the facility, offender is arrested pursuant to *PPD 6.4.102 Offender Arrest/Pick Up and Hold/Release*. *PPD 6.4.205 (A) Report of Violation* is completed and submitted to the Board of Pardons and Parole pursuant to the procedures of *PPD 6.4.205 Report of Violation of Probation or Parole*.

**V. CLOSING:**

Questions about this procedure should be directed to a Deputy Probation and Parole Chief, Probation and Parole Chief, or Community Corrections Facilities and Programs Chief.

**VI. FORMS:**

*PPD 6.3.101 (A) Montana Incentives/Interventions Grid for Probation and Parole (MIIG-P&P)*  
*PPD 6.4.205 (A) Report of Violation*



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.471 HEALTH CARE RESPONSIBILITIES</b>
Effective Date:	08/01/2023 <span style="float: right;">Page 1 of 3</span>
Revision Date(s):	12/06/2023
Reference(s):	PFB 6.2.484; DOC 4.5.2; 53-1-203, MCA
Signature / Title:	/s/ Scott Eychner, Community Corrections Facilities and Programs Chief

**This procedure is referenced as *PPD 4.5.200 Health Care Responsibilities* in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START. This procedure is also referenced in Section 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West.**

### I. PURPOSE:

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow this facility operational requirement in providing adult offenders access to constitutionally mandated, quality health care.

### II. DEFINITIONS:

**Clinical Policy Team** – A team which may consist of the HSB Chief, medical director, dental director, managed care RN, facility or program designated responsible health authority, mental health or psychiatric representative, and facility or program administrator.

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Drug Formulary** – A list of medications available to authorized prescribers without pre-approval in health care programs. Medications not listed on the formulary are considered non-formulary and require pre-approval from the medical director, or designee, before use in health care programs.

**Facilities and Programs Contract Managers** – The Department's employees who act as the liaisons between the Department and FPB contract facilities regarding services and offender management. These employees also monitor compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**Health Care Staff** – Includes licensed qualified health care professionals and non-licensed health care staff (for example, medical records staff, health care aides) responsible for offender health care administration and treatment.

**HSB-Health Services Bureau** – The Bureau within the Department responsible for the overall health care functions of medical, mental health, dental, and vision for all programs and facilities.

**Managed Care** – A health care delivery system designed to balance quality of services, access to care, and containment of costs.

**Managed Care RN** – Coordinates the health care delivery system by cost containment efforts and utilization review for all offenders residing in Department facilities.

**Medical Director** – The physician(s) designated by the HSB Chief to oversee clinical practice decisions requiring medical judgments for offenders under Department jurisdiction.

**Qualified Health Care Professionals** – Physicians, physician assistants, nurses, nurse practitioners, dentists, mental health professionals, and others who by virtue of their education, credentials, and experience are permitted by law to evaluate and care for offenders, including contracted or fee-for-service professionals.

**Responsible Health Authority** – The individual who arranges for all levels of health care and assures quality, accessible, and timely health services for offenders.

### III. PROCEDURES:

#### A. Clinical Policy Team

In regard to contracted community corrections facilities, the Department's clinical policy team may:

1. develop, revise, and monitor the implementation of Department health policies, procedures, and protocols;
2. review and approve each facility's policies, procedures, and protocols;
3. enforce the drug formulary and non-formulary pre-approval process;
4. make medical, mental health, and dental judgments based on necessity in conjunction with policies and protocols;
5. provide policy guidance and oversight to qualified health care professionals regarding the care and treatment of offenders;
6. monitor the level and quality of facility health services to ensure compliance with all applicable standards; and
7. provide professional direction and leadership.

#### B. Contracted Community Corrections Facilities

1. In accordance with contracts, facilities will provide offenders with access to health care services including medical, psychiatric, dental, optometric, pharmaceutical, psychological, and other medical-related services. These services must meet applicable: American Correctional Association and National Commission on Correctional Health Care standards; federal, state, and local laws and regulations; and procedures. In keeping with operational efficiencies and to reduce exposure to security risk, facilities must ensure that appropriate health services will be made available on-site at the facility or through pre-approved off-site visits when the Department is expected to pay.

## Subject: HEALTH CARE RESPONSIBILITIES

2. Offenders in prerelease centers (other than inmate workers) are financially responsible for their own health care. Prerelease centers will ensure offenders have access to appropriate off-site health services.
3. Responsibility for the costs of medical, mental health, and dental services is determined pursuant to the contracts between the facilities and the Department.
4. As part of the intake process, prerelease centers will assist offenders in obtaining health insurance or health coverage for which they may be eligible in accordance with applicable state or federal law.
5. Each facility shall report all major recommended medical, mental health, and dental care, and all medical and dental emergencies directly to [cormedical@mt.gov](mailto:cormedical@mt.gov) and [correquests@mt.gov](mailto:correquests@mt.gov) as soon as possible with full information regarding the nature of the illness, the type of treatment to be provided, and the name and location of the health care provider. Upon the offender's return to the facility, facility must notify [cormedical@mt.gov](mailto:cormedical@mt.gov) and [correquests@mt.gov](mailto:correquests@mt.gov) and include discharge instructions.
6. Montana's licensing and certification requirements must apply to health care staff working in each facility to the same extent as they apply to equivalent personnel in the community. In addition, facilities will ensure nursing personnel have received the appropriate training to provide adequate assessment and triage.
7. Facilities must make utilization and cost containment information available to the Managed Care RN upon request.
8. Facilities must maintain written policies/procedures regarding the facility's possession and use of controlled, prescribed, and/or over-the-counter medications. See *PFB 6.2.484 Pharmaceuticals*.
9. Facilities will advise qualified health care professionals to use the Department's drug formulary. Providers must be able to justify the use of, and obtain pre-approval for, non-formulary medications. The Department will provide a copy of the formulary.
10. Pursuant to an ROI from the offender, the Department will provide health history records that accompany the offender to the facility. Staff must be informed of offender's special medical problems within the boundaries of medical confidentiality. Each facility must keep all records current at all times.

**IV. CLOSING:**

Questions concerning this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.

**V. FORMS:** *(available to facility staff on request from HSB or FPB staff)*

*Medical Preauthorization Request Form*  
*MT DOC Dental Services Request Form*  
*Non-Formulary Medical Request Form*



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.472 OFFENDER HEALTH CARE ACCESS</b>
Effective Date:	08/01/2023 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	
Reference(s):	DOC 4.5.15; 53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief

**This procedure is referenced as *PPD 4.5.1500 Offender Health Care Access* in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START. This procedure is also referenced in Section 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West.**

**I. PURPOSE:**

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow established procedures in providing offenders with access to medical, mental health, and dental services and will ensure offenders are instructed upon admission on how to obtain these services.

**II. DEFINITIONS:**

**Access to Care** – A system in which a patient is seen by a clinician in a timely manner, given an appropriate diagnosis, and receives the required care.

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Emergency Care** – Health care for an acute illness or an unexpected health need that cannot be deferred until the next scheduled sick call or clinic.

**Facilities and Programs Contract Managers** – The Department's employees who act as the liaisons between the Department and FPB contract facilities regarding services and offender management. These employees also monitor compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**HSB-Health Services Bureau** – The Bureau within the Department responsible for the overall health care functions of medical, mental health, and dental for all programs and facilities.

**III. PROCEDURES:**

In accordance with contracts, facilities will provide offenders with access to health care services including medical, psychiatric, dental, optometric, pharmaceutical, psychological, and other medical-related services. These services must meet American Correctional Association and National Commission on Correctional Health Care standards; federal, state, and local laws and regulations; Department policies; and applicable procedures.

## Subject: OFFENDER HEALTH CARE ACCESS

**A. GENERAL REQUIREMENTS**

1. Facilities will avoid creating unreasonable barriers to offender access to care. Examples of these barriers may include, but are not limited to, the following:
  - a. punishing offenders for seeking care for health needs;
  - b. deterring offenders from seeking care for health needs through unreasonable practices not related to legitimate facility needs, for example, holding sick call at 2:00 a.m.; and
  - c. for prerelease center residents, restricting community movement in a manner which interferes with health care access without reasonable accommodations.
2. Upon intake/admission, the facility will provide all medical information to the offender orally and in writing about how to access emergency and routine medical, mental health, and dental services, and the grievance process for health-related complaints.
3. Facilities must ensure that offenders who may have difficulty communicating (for example, foreign speaking, developmentally disabled, illiterate, mentally ill, deaf) understand how to access health care services.
4. Facilities must publish or post in each housing unit any procedural changes on how to obtain health care services prior to implementation.
5. Where applicable, facilities must update offender handbooks as necessary.
6. When the cost of offender health care is the responsibility of the Department, residential facilities must obtain prior written approval from HSB of all scheduled offsite health services and inpatient hospitalization or surgery by emailing [cormedical@mt.gov](mailto:cormedical@mt.gov). Unapproved offsite medical services will be the responsibility of the facility.
7. Emergency care may be provided without prior authorization following the requirements of 6.2.475 *Emergency Medical Services*.

**B. REQUESTS FOR HEALTH CARE**

1. Non-medical facility staff may not approve or deny offender requests for health care attention.
2. Facilities must establish procedures to ensure that all offender health care requests are forwarded to the nursing staff in a confidential manner.

**IV. CLOSING:**

Questions about this facility operational requirement should be directed to the HSB Chief or FPB Chief or designees.

**V. FORMS:** *(available to facility staff on request from HSB or FPB staff)*

*Medical Preauthorization Request Form*

*MT DOC Dental Services Request Form*

*Non-Formulary Medical Request Form*



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.473 OFFENDER NON-EMERGENCY HEALTH REQUESTS</b>
Effective Date:	08/01/2023 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	
Reference(s):	PFB 6.2.466; PFB 6.2.475; DOC 4.5.16; 53-1-203, MCA
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief

**This procedure is referenced as *PPD 4.5.1600 Offender Non-Emergency Health Care Requests* in Section 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West. This procedure is referenced as *ACCD 4.5.1600 Offender Non-Emergency Health Care Requests* in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START.**

**I. PURPOSE:**

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow established procedures in providing a system for offenders to use when requesting non-emergency health care.

**II. DEFINITIONS:**

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Emergency Care** – Health care for an acute illness or an unexpected health need that cannot be deferred until the next scheduled sick call or clinic.

**Health Care Request** – A verbal or written request for medical, mental health, or dental services.

**Health Care Staff** – Includes licensed qualified health care professionals and non-licensed health care staff (for example, medical records staff, health care aides) responsible for offender health care administration and treatment.

**HSB-Health Services Bureau** – The Bureau within the Department responsible for the overall health care functions of medical, mental health, and dental for all programs and facilities.

**Triage** – A process of sorting and classifying offender health requests to prioritize health care needs and determine place of service delivery.

**III. PROCEDURES:**

**A. GENERAL REQUIREMENTS**

1. Each facility will provide a daily means for offenders to request non-emergency health care attention.
2. Offenders will be informed of the procedures for requesting any health care attention during the facility's intake/orientation process.



## Subject: OFFENDER NON-EMERGENCY HEALTH REQUESTS

3. Offenders must submit health care requests in accordance with facility procedures.
4. Non-medical facility staff may not approve or deny offender requests for health care attention.
5. When it appears an offender is in need of emergency care, *PFB 6.2.475 Emergency Medical Services* will be followed.
6. Facilities with on-site health care staff will ensure that a registered nurse (RN), or a licensed practical nurse with RN oversight, will document, evaluate, and triage each offender non-emergency health care request. Facilities without on-site health care will ensure that the offender has access to community-based resources.
  - a. If indicated after nursing assessment, offenders requiring care beyond nursing will be referred to mid-level or higher care within a timely manner following the nursing assessment.
    - 1) Offenders in treatment facilities or assessment centers will be seen at the earliest available appointment.
    - 2) Prerelease center residents will be advised by staff to seek follow-up services with a community provider.
    - 3) For inmate workers, see *PFB 6.2.466 Inmate Workers*.
7. Qualified health care professionals will evaluate and document each offender health complaint and disposition in the offender's medical file. Staff will provide the offender with a verbal explanation of the assessment findings, any further recommended treatment or evaluation, and any patient education relevant to the health complaint.
8. Non-emergency health care request referrals will be handled in accordance with this procedure.
9. When the Department is expected to pay costs, facilities must obtain pre-approval from HSB of all scheduled outside medical appointments and procedures. Costs for appointments that have not been pre-approved will be the responsibility of the facility.
10. When an offender request does not require a nursing assessment, qualified health care professionals must respond to the request in writing.
11. All staff must protect the confidentiality of offender health information at all times.

**IV. CLOSING:**

Questions about this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.

**V. FORMS:** (available to facility staff on request from HSB or FPB staff)

*Medical Preauthorization Request Form*

*MT DOC Dental Services Request Form*

*Non-Formulary Medical Request Form*



**DEPARTMENT OF CORRECTIONS  
COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU  
FACILITY OPERATIONAL REQUIREMENT**

Requirement:	<b>PFB 6.2.475 EMERGENCY MEDICAL SERVICES</b>	
Effective Date:	08/01/2023	Page 1 of 3
Revision Date(s):		
Reference(s):	PFB 6.2.403; DOC 4.5.20; 53-1-203, MCA	
Signature / Title:	/s/ Megan Coy, Community Corrections Facilities and Programs Bureau Chief	

**This procedure is referenced as PPD 4.5.2000 Emergency Medical Services in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START. This procedure is also referenced in Section 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West.**

**I. PURPOSE:**

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow established procedures to ensure emergency medical services are available to offenders.

**II. DEFINITIONS:**

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Facilities and Programs Contract Managers** – The Department’s employees who act as the liaisons between the Department and FPB contract facilities regarding services and offender management. These employees also monitor compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**Emergency Care** – Health care for an acute illness or an unexpected health need that cannot be deferred until the next scheduled sick call or clinic.

**Health Care Staff** – Includes licensed qualified health care professionals and non-licensed health care staff (for example, medical records staff, health care aides) responsible for offender health care administration and treatment.

**HSB-Health Services Bureau** – The Bureau within the Department responsible for the overall health care functions of medical, mental health, and dental for all programs and facilities.

**Qualified Health Care Professionals** – Physicians, physician assistants, nurses, nurse practitioners, dentists, mental health professionals, and others who by virtue of their education, credentials, and experience are permitted by law to evaluate and care for offenders, including contracted or fee-for-service professionals.

**III. PROCEDURES:****A. GENERAL REQUIREMENTS**

1. Emergency care may be provided without prior authorization, however, facility staff must notify Department staff by email to [cormedical@mt.gov](mailto:cormedical@mt.gov) and [correquests@mt.gov](mailto:correquests@mt.gov) as soon as possible and provide full information regarding the nature of the illness, the type of treatment to be provided, and the estimated length of treatment. HSB will review each case individually.
2. All facility staff will be trained in cardiopulmonary resuscitation (CPR) and emergency medical response procedures appropriate for their position.
3. Facility administrators shall ensure that staff trained in the following are present on each shift:
  - a. CPR;
  - b. the recognition of medical emergencies;
  - c. the location of first response emergency equipment; and
  - d. procedures to obtain emergency assistance.
4. First aid supplies and equipment will be available at all times in facility. Supplies will be replenished after use, and equipment must comply with local and state standards.
5. If staff initiates resuscitation measures, they will continue to resuscitate until the offender's care is transferred to emergency personnel, or a physician makes a finding of death.

**B. EMERGENCY RESPONSE**

1. Staff will immediately respond to emergencies with appropriate equipment.
2. Trained personnel must assess the offender's health status, stabilize the offender's condition, and contact emergency medical services.
3. Qualified health care professionals must respond to medical emergencies in accordance with standard operating procedures.

**C. EMERGENCY SERVICES**

1. Health care staff will have a written plan for accessing emergency services that includes the following:
  - a. emergency patient transport from the facility;
  - b. use of an emergency medical vehicle;
  - c. use of one or more designated hospital emergency departments or other appropriate facilities;
  - d. security procedures for the immediate transfer of patients for emergency medical care; and
  - e. notification of the facility administrator/director.
2. When necessary to transport the offender to an off-site health care facility, the following guidelines will determine the appropriate mode of transportation:
  - a. an ambulance will be used if the emergency is life threatening or deemed necessary by attending staff (the Department will initially accept responsibility for an offender's ambulance transport to avoid delayed medical treatment; however, HSB will review all ambulance transports for appropriateness); or
  - b. the facility will transport or arrange transportation for ambulatory offenders in non-emergent situations.

3. Facility staff will provide, when available, written information to emergency medical technicians that includes:
  - a. history of the emergency condition;
  - b. treatment given;
  - c. present status;
  - d. allergies; and
  - e. other pertinent information.
4. Health care staff will regularly check the availability of emergency supplies.
5. Health care staff will record the date and time of the emergency response in the offender's health record, include assessment and treatment information, and sign the document.
6. Refer to *PFB 6.2.403 Incident Reporting Requirements* for specific reporting requirements.

#### **IV. CLOSING:**

Questions about this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.

#### **V. FORMS:** *(available to facility staff on request from HSB or FPB staff)*

*Medical Preauthorization Request Form*  
*MT DOC Dental Services Request Form*  
*Non-Formulary Medical Request Form*



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.480 MEDICAL AUTONOMY</b>
Effective Date:	12/06/2023 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	
Reference(s):	PFB 6.2.482; DOC 4.5.3; 53-1-203, MCA
Signature / Title:	/s/ Scott Eychner, Community Corrections Facilities and Programs Chief

**This procedure is referenced as ACCD 4.5.300 Medical Autonomy in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START. This procedure is also referenced in Section 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West.**

### I. PURPOSE:

Health care staff of all facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow this facility operational requirement identifying the scope of medical responsibilities and authority of the facilities.

### II. DEFINITIONS:

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Community Corrections Facility** – Includes assessment/sanction centers, prerelease centers, and residential substance use disorder treatment facilities.

**Department** – The Montana Department of Corrections.

**Direct Nursing Care** – Skilled, professional nursing care that includes assessment, diagnosis, treatment planning, implementation, and periodic evaluation.

**Facility Administrator** – The official, regardless of local title, ultimately responsible for the facility or program operation and management.

**Health Care Staff** – Includes licensed health care providers and non-licensed health care staff (for example, medical records staff, health care aides) responsible for offender health care administration and treatment.

**HSB-Health Services Bureau** – The Bureau within the Department responsible for the overall health care functions of medical, mental health, dental, and vision for all programs and facilities.

**Managed Care** – A health care delivery system managed to balance quality of services, access to care, and containment of costs.

**Qualified Health Care Professionals** – Physicians, physician assistants, nurses, nurse practitioners, dentists, mental health professionals, and others who by virtue of their education, credentials, and experience are permitted by law to evaluate and care for offenders, including contracted or fee-for-service professionals.

### III. PROCEDURES:

#### A. Community Corrections Facilities

##### 1. General Requirements

- a. The facility's health care staff will be the initial provider of on-site offender health care services.
- b. In accordance with contracts, facilities will provide offenders with access to health care services including medical, psychiatric, dental, optometric, pharmaceutical, psychological, and other medical-related services. These services must meet applicable: American Correctional Association and National Commission on Correctional Health Care standards; federal, state, and local laws and regulations; and procedures.
- c. Security regulations that apply to all contract facility staff members will apply to all health care staff.
- d. HSB must approve off-site consultations and procedures in advance of services rendered in accordance with *PFB 6.2.482 Level of Therapeutic Care*.
  - 1) For medical and dental emergencies, each facility shall report directly to [cormedical@mt.gov](mailto:cormedical@mt.gov) and to the Contract Manager as soon as possible with full information regarding the nature of the illness and the type of treatment provided.

##### 2. Health Care Delivery and Security Responsibilities

- a. The Facility Administrator will ensure that appropriately credentialed health care providers deliver services within their respective scopes of practice.
- b. The Facility Administrator will ensure access to, and monitoring of, offender health care services.
- c. The Facility Administrator is responsible to ensure proper coordination between the health care staff and the security or transportation staff assigned to move offenders to and from treatment areas.
- d. Health care providers will have complete responsibility and authority for offender health care and treatment.
- e. Staff trained in CPR and First Aid will provide emergency care within the scope of their training.
- f. Security and administrative staff will not be involved in providing direct health care or analyzing and evaluating the efficiency of health treatment or the validity of health care requests.
- g. Security and health care staff will work together, recognizing that facility and offender interests are best served when all relevant health care delivery standards are implemented.
- h. If a physician's medical order, which may be life sustaining, is in direct conflict with a security directive, the medical order will be implemented until further review by HSB and facility staff.

### IV. CLOSING:

Questions concerning this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.481 HEALTH CARE CREDENTIALING</b>
Effective Date:	12/06/2023 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	
Reference(s):	DOC 4.5.4; 53-1-203, MCA
Signature / Title:	/s/ Scott Eychner, Community Corrections Facilities and Programs Chief

This procedure is referenced as ACCD 4.5.400 Health Care Credentialing in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START. This procedure is also referenced in Section 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West.

### I. PURPOSE:

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will ensure that health care services provided to offenders are provided by licensed and credentialed health care providers.

### II. DEFINITIONS:

**Chief Facility Health Officer** – The responsible health authority, health administrator, or nursing supervisor for the facility's health care services.

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**Community Corrections Facility** – Includes assessment/sanction centers, prerelease centers, and residential substance use disorder treatment facilities.

**Department** – The Montana Department of Corrections.

**Facilities and Programs Contract Manager** – The Department's employee(s) who acts as the liaison between the Department and FPB contract facilities regarding services and offender management. This employee also monitors compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**Health Care Providers** – Licensed health care providers (for example, physicians, nurses, psychiatrists, dentists, and mental health practitioners), including contracted or fee-for-service providers, responsible for offender health care and treatment.

### III. PROCEDURES:

#### A. Community Corrections Facilities

1. Each facility's health care providers will:

## Subject: HEALTH CARE CREDENTIALING

- a. submit a copy of current license or appropriate credentials to the Facility Administrator and Chief Facility Health Officer upon hire;
  - b. immediately report any sanctions or disciplinary actions and changes in licensure status; and
  - c. maintain current license or credentials and provide verification of renewal to the Facility Administrator and Chief Facility Health Officer.
2. The Chief Facility Health Officer will:
  - a. provide verification of current licenses and credentials through the appropriate licensing board;
  - b. ensure verification of staff or contracted prescribers through the National Practitioner Data Bank (NPDB);
  - c. ensure health care staff do not perform tasks beyond the scope of their credentials;
  - d. maintain verifications in individual personnel files;
  - e. monitor and report any sanctions or disciplinary actions and changes in licensure status of health care staff; and
  - f. provide copies of verifications to the appropriate Contract Manager as requested.

**IV. CLOSING:**

Questions concerning this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.





## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.482</b>	<b>LEVEL OF THERAPEUTIC CARE</b>
Effective Date:	12/06/2023	Page 1 of 3
Revision Date(s):		
Reference(s):	DOC 4.5.10; 53-1-203, MCA	
Signature / Title:	/s/ Scott Eychner, Community Corrections Facilities and Programs Chief	

This procedure is referenced as ACCD 4.5.1000 Levels of Therapeutic Care in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START. This procedure is also referenced in Section 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West.

### I. PURPOSE:

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow this facility operational requirement to provide offenders access to the appropriate level of offender health care services and to ensure clinically appropriate procedures are performed by qualified health care providers.

### II. DEFINITIONS:

**Community Corrections Facility** – Includes assessment/sanction centers, prerelease centers, and residential substance use disorder treatment facilities.

**Department** – The Montana Department of Corrections.

**Health Care Staff** – Includes licensed health care providers and non-licensed health care staff (for example, medical records staff, health care aides) responsible for offender health care administration and treatment.

**Health Care Providers** – Licensed health care providers (for example, physicians, nurses, psychiatrists, dentists, and mental health practitioners), including contracted or fee-for-service providers, responsible for offender health care and treatment.

**HSB-Health Services Bureau** – The Bureau within the Department responsible for the overall health care functions of medical, mental health, dental, and vision for all programs and facilities.

**Medical Director** – The physician designated by the Department Director to oversee the health care of all adult and youth offenders under Department jurisdiction.

**MRP-Medical Review Panel** – A group of health care professionals that includes the medical director, at least two additional health care providers (one of whom must be a physician), and the Department's managed care RN, all of whom are designated to review complex health care requests and cases, protested denials of care, and general issues relevant to offender health services and managed care.

**Urgent and Emergent** – Medical, mental health, and dental care for an acute illness or an unexpected health need that cannot be deferred until the next scheduled sick call or clinic.

**III. PROCEDURES:****A. General Requirements**

1. For offenders in treatment or assessment centers, HSB staff must review recommendations for elective medical or surgical procedures or therapies that have been submitted to the HSB for approval. However, if a delay in treatment would cause irreparable harm, significant risk, or fail to comply with sound medical principles, the review may be conducted after treatment has been initiated, and the HSB should be notified as soon as possible.
2. Medical care and treatment are prioritized by levels, each with specific authorizations.
3. The levels of care are general guidelines for providing diagnostic evaluation, therapies, and procedures including levels of authorization.
4. Offender access to care, as well as diagnosis and appropriate treatment by qualified medical personnel, is an essential right not abridged by this facility operational requirement.
5. Any provider or offender may request review of a denial by the Medical Review Panel (MRP).
6. The Medical Director or designee, after consultation with appropriate medical and legal personnel, will be the final authority in all review appeals.

**B. Medical Care and Treatment Levels****1. Level 1 Medically Mandatory Care:**

- a. is routinely provided to all offenders;
- b. includes care essential to life and health without which rapid deterioration may be an expected outcome and where medical/surgical intervention makes a significant difference in outcome;
- c. includes, but is not limited to, acute problems potentially fatal, where treatment prevents death and/or significant morbidity and may allow full recovery (for example, appendectomy for appendicitis, arterial and venous lacerations, myocarditis, myocardial infarction, major head injury, eclampsia, etc.);
- d. may be authorized by any licensed health services practitioner in an emergency; and
- e. is usually urgent or emergent care, initiated by medical personnel at the time of intervention, and is routinely authorized by the Department.

**2. Level 2 Presently Medically Necessary Care:**

- a. may be provided by any prescribing practitioner;
- b. is subject to periodic utilization review by health care staff;
- c. includes care without which the offender may have significant risk of progression of serious deterioration of the condition, significant reduction in the chance of possible repair after release, or significant pain or discomfort;
- d. examples include, but are not limited to:
  - 1) chronic conditions, usually progressing to death, or where treatment improves life span and/or quality of life (for example, medical management of insulin dependent diabetes mellitus, surgical treatment for treatable cancer, medical management of asthma,

## Subject: LEVEL OF THERAPEUTIC CARE

- treatment of moderate to severe hypertension, surgical treatment of significant degenerative orthopedic disease, or cardiac pacing);
- 2) supportive care such as pain management and hospice-type care for the end stages of diseases such as cancer or AIDS; and
  - 3) acute, non-fatal conditions where treatment may allow a return to a previous state of health including, but not limited to, medical treatment of various infectious disorders, surgical repair of an incarcerated hernia, acute gall bladder disease, relocation of dislocated joints, or repair of a corneal laceration;
- e. involving surgeries and major durable medical equipment must be authorized by the HSB for community corrections contract facilities; and
  - f. involving major durable medical equipment may be authorized at prerelease centers by facility health care staff.

**3. Level 3 Medically Acceptable but Not Medically Necessary Care:**

- a. will be authorized on an individual case-by-case basis;
- b. includes care for non-fatal conditions when treatment may improve the quality of life for the patient including, but not limited to, routine non-incarcerated offender hernia repair and treatment of noncancerous skin lesions;
- c. involves acute/on-site medical and surgical procedures and therapies which can be appropriately completed on premises in a routine clinic setting, are within the skills of the health care provider, and may be authorized by facility health care staff; and
- d. for chronic diseases indicated by health care staff that require off-site procedures, treatments, and/or therapies, may be authorized by the MRP.
- e. The final authority in all Level 3 reviews will be the Medical Director or designee.

**4. Level 4 Limited Medical Value:**

- a. is usually not provided by the Department;
- b. includes care that may be appropriate for certain individuals but may have limited benefit or is not likely to produce substantial long-term gain such as treatment of minor conditions to decrease recovery time that provides little improvement in quality of life, and/or offers minimal palliation of symptoms, and/or is primarily for the convenience of the individual; and
- c. includes, but is not limited to, elective procedures (for example, tattoo removal, nasal septoplasty, circumcision) or minor conditions (for example, common cold, aphthous ulcers, etc.)

**IV. CLOSING:**

Questions concerning this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.483 HEALTH ASSESSMENT PROTOCOLS</b>
Effective Date:	12/06/2023 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	
Reference(s):	DOC 4.5.19; 53-1-203 MCA
Signature / Title:	/s/ Scott Eychner, Community Corrections Facilities and Programs Chief

This procedure is referenced as ACCD 4.5.1900 Nursing Assessment Protocols in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START. This procedure is also referenced in Sections 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West.

### I. PURPOSE:

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will develop health assessment protocols that will guide offender health screenings and assessment, initiate treatment of identified conditions, and ensure appropriate referral to a physician, dentist, or mid-level practitioner for further evaluation and treatment.

### II. DEFINITIONS:

**Community Corrections Facility** – Includes assessment/sanction centers, prerelease centers, and residential substance use disorder treatment facilities.

**Department** – the Montana Department of Corrections.

**HSB-Health Services Bureau** – The Bureau within the Department responsible for the overall health care functions of medical, mental health, dental, and vision for all programs and facilities.

**Health Assessment Protocols** – Written instructions outlining the steps for offender health status evaluation and intervention.

### III. PROCEDURES:

- A. Facility Administrators will ensure that appropriate health assessment practices/protocols that outline the steps for the assessment, treatment, and monitoring of specific offender health conditions are established.
- B. The Facility Administrator, in consultation with facility health care staff, will be responsible for ensuring the annual review and development of the health assessment practices/protocols. When health assessment protocols are changed, Facility Administrators will ensure all appropriate facility staff are notified of and trained on the changes.
- C. Only a licensed clinician who is authorized to prescribe medication may initiate prescription treatment by a written or verbal order.

D. The Facility Administrator will ensure that appropriate staff are trained in health assessment protocol use and will document the following:

1. evidence that all new staff is trained appropriately;
2. demonstration of knowledge and skills;
3. evidence of annual review of skills; and
4. evidence of retraining when new health assessment protocols are introduced or existing protocols are revised.

#### **IV. CLOSING:**

Questions concerning this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.484 PHARMACEUTICALS</b>	
Effective Date:	12/06/2023	Page 1 of 3
Revision Date(s):		
Reference(s):	DOC 4.5.25; 53-1-203, MCA	
Signature / Title:	/s/ Scott Eychner, Community Corrections Facilities and Programs Chief	

**This procedure is referenced as PPD 4.5.2500 Pharmaceuticals in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START. This procedure is also referenced in Sections 2.2.9. Services; Healthcare, in the following contracts: Connections Corrections Program (CCP) East, Connections Corrections Program (CCP) West, and WATCH West.**

### I. PURPOSE:

All facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow this facility operational requirement to ensure all medications are prescribed, distributed, and administered in accordance with Department policy and state and federal laws and regulations.

### II. DEFINITIONS:

**Community Corrections Facilities and Programs Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services. This Bureau is referenced interchangeably as Programs and Facilities Bureau (PFB) or Facilities and Programs Bureau (FPB) in procedures and forms.

**HSB-Health Services Bureau** – The Bureau within the Department responsible for the overall health care functions of medical, mental health, dental, and vision for all programs and facilities.

**Drug Formulary** – A list of medications available to authorized prescribers without pre-approval in health care programs. Medications not listed on the formulary are considered non-formulary and require pre-approval from the medical director, or designee, before use in health care programs.

**KOP-Keep on Person Medication** – A designation for a medication approved by a provider/facility for an inmate to keep in the offender's room and self-administer as prescribed.

**Medical Director** – The physician(s) designated by the HSB Chief to oversee clinical practice decisions requiring medical judgments for offenders under Department jurisdiction.

**Pharmaceutical** – Any drug, chemical, vaccine, hormone or medication that may only be dispensed by a licensed and appropriately credentialed provider with prescriptive authority to render treatment, evaluation, or health care.

**QHCPs-Qualified Health Care Professionals** – Physicians, physician assistants, nurses, nurse practitioners, dentists, mental health professionals and others who by virtue of their education, credentials, and experience are permitted by law to evaluate and care for offenders, including contracted or fee-for-service professionals.

**Self-Administration** – The process of administering a pharmacological substance to oneself.

### III. PROCEDURES:

#### A. General Requirements

1. Appropriate facility staff must be informed of an offender's pertinent medical conditions on a directly applicable basis to ensure the continuation of the offender's care and treatment.
2. All facilities will:
  - a. as part of the per diem, provide over-the-counter (OTC) medications and day-to-day-medical supplies;
  - b. make medications available when prescribed;
  - c. account for all medications as specified in applicable state and federal laws, including the Montana Nurse Practice Act and Board of Pharmacy regulations;
  - d. develop an offender self-administration process for prescribed pharmaceuticals that are not allowed Keep on Person (KOP).
    - 1) An unlicensed person may observe an offender self-administer medications, give verbal prompts or reminders, or hand a prefilled labeled medication container to the offender.
3. For treatment facilities and assessment centers, all offenders' offsite health care and prescribed medications will be the financial responsibility of the Department.
  - a. When possible, prescribed medications will be obtained through the Department's pharmacy contractor, who will directly bill the Department.
  - b. When a pharmacy other than the pharmacy contractor is used, and the offender or facility needs reimbursement for the cost, the facility will submit a receipt for the medication to [corbilling@mt.gov](mailto:corbilling@mt.gov).
4. For PRCs, only inmate workers' offsite health care and prescribed medications will be the financial responsibility of the Department.

#### B. Drug Formulary

1. Any offender whose medical expenses are the financial responsibility of the Department must follow the HSB pre-authorization process for obtaining approval prior to prescribing a non-formulary medication.
2. Requests for non-formulary medications should be submitted to [cormedical@mt.gov](mailto:cormedical@mt.gov).
3. A qualified health care professional's request for approval must document the clinical justification for the non-formulary medication, including the offender's current health status, medications currently prescribed, and medications previously tried.

#### C. Facility Policies/Procedures

1. Each facility will develop and maintain policies/procedures regarding the facility's use of medication-assisted treatment (MAT) and possession and use of controlled substances, prescribed medications, and OTC medications that address:
  - a. procurement and distribution;
  - b. dispensing and administration, stipulating that prescribed medications are administered according to the directions of the prescribing professionals;

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- c. storage and disposal;
  - d. accountability for and security of controlled substances;
  - e. offender self-administration; and
  - f. staff and offender access to emergency medications (for example, Naloxone, Epinephrine) and related information/training.
2. Facility policies and procedures may not restrict medication based on drug type, cost, or administration requirements.

**IV. CLOSING:**

Questions concerning this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.

**V. FORMS:** *(available to facility staff on request from HSB or FPB staff)*

*Medical Preauthorization Request Form*

*MT DOC Dental Services Request Form*

*Non-Formulary Medical Request Form*





## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.486 SANCTION AND HOLD BEDS</b>	
Effective Date:	10/01/2024	Page 1 of 2
Revision Date(s):		
Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This requirement is referenced as *PPD 3.4.201 PRC Sanction Beds* in section 2.C.2 Program Requirements and Design; Sanction Beds, in the following contracts: Alpha House, Helena Prerelease, and Butte Prerelease. This requirement is also referenced as *ACCD 3.4.201 PRC Sanction Beds* in section 2.C.2 Program Requirements and Design; Sanction Beds, in the following contracts: Elkhorn and Passages.

### I. PURPOSE:

Facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) may provide sanction and hold beds for offenders who violate the conditions of probation, parole, or conditional release or who are awaiting placement in a community corrections facility.

### II. DEFINITIONS: (see Glossary)

### III. PROCEDURES:

#### A. Prerelease Center Sanction Beds

- Depending on bed availability and staff resources, prerelease centers may provide beds for up to 30 days for placement of offenders who have:
  - violated the conditions of their supervision and have been referred and approved by Probation and Parole; or
  - been referred by a facility.
- Offenders in sanction beds will be considered to be in lockdown status and will generally not be allowed to leave the facility during the placement period.
  - If specified as an exception by the Hearings Officer during a hearing, an offender may be able to leave the facility for work-related or other approved purposes and must return according to an approved schedule.
  - For offenders referred by Probation and Parole, travel requests should be referred to the supervising Probation and Parole Officer.
  - For offenders referred by a facility, all travel outside of the local community must be escorted by facility staff and requires travel requests be submitted to, and approved by, the Contract Manager at [CORRequests@mt.gov](mailto:CORRequests@mt.gov) pursuant to *PFB 6.2.433 Facility Offender Travel*.
  - Hospital coverage by facility staff is required for all sanction bed placements for up to 72 hours unless Probation and Parole determines otherwise. Notification of hospitalization must be completed in accordance with *PFB 6.2.427 Offender Movement Control*.
- Offenders will be separated from the general offender facility population at all times.
- Urinalysis and breathalyzer testing will be conducted on sanctioned offenders on a random basis and/or upon suspicion of use.

#### B. Hold Beds

- Hold beds provide a temporary placement for offenders awaiting transport or a bed at another Department or contract facility or program.

2. Offenders may be on probation, parole, conditional release, or DOC Commitment.
3. Placements shall not exceed 30 days.
4. Contractor must:
  - a. use Motivational Enhancement Therapy (MET) aimed at improving treatment readiness;
  - b. deliver MET in a manner that adheres to evidence-based or research-driven practices, as listed by SAMHSA's National Registry of Evidence-Based Programs and Practices; and
  - c. integrate opportunities for ongoing quality assurance and evaluation, including compliance reviews by the Department, to ensure fidelity to the evidence-based model.

#### **IV. CLOSING:**

Questions about this facility operational requirement should be directed to the Facility Administrator or Contract Manager.

#### **V. REFERENCE(S):**

A. *PFB 6.2.427; PFB 6.2.433*



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.487 INFECTION CONTROL PROGRAM</b>	
Effective Date:	10/01/2024	Page 1 of 2
Revision Date(s):		
Signature / Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief	

This requirement is referenced as **ACCD 4.5.1100 Infection Control Program** in Section 3.J. Offender Management; Healthcare, in the following contracts: Alpha House, Butte Prerelease, Elkhorn, Gallatin County Reentry Program, Helena Prerelease, Nexus, Passages, and START.

### I. Purpose:

Facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will provide an infection control program to track the incidence of infectious and communicable disease among offenders through monitoring and surveillance; promote a safe and healthy environment; prevent the incidence and spread of disease; assure that infected offenders receive prompt care and treatment; and assure the completion and filing of all applicable reports consistent with local, state, and federal laws and regulations.

### II. DEFINITIONS: (see Glossary)

### III. PROCEDURES:

#### A. General Requirements

1. Facilities must have a written exposure control plan that is approved by the responsible medical provider. The plan is to be reviewed and updated annually.
2. Facilities must ensure prompt care and treatment to offenders afflicted with infectious or communicable disease.
3. Facilities must implement a program to minimize the incidence of infectious and communicable diseases (for example, tuberculosis (TB), skin infections, lice, scabies) among offenders.
4. Upon admission, facilities must screen offenders or refer offenders for screening for tuberculosis and acute infectious diseases according to guidelines established by the Centers for Disease Control (CDC).
  - a. Following initial health screenings:
    - 1) Through a community provider, prerelease center residents may receive vaccines and testing for TB, Hepatitis C, and HIV/AIDS. Residents are responsible for the cost.
    - 2) For all treatment and assessment center facility residents, including inmate workers:
      - a) TB testing/screening for offenders will be completed annually by the facility's health care staff. The Department is responsible for the cost of this testing.
      - b) Hepatitis C and HIV/AIDS counseling, education, and testing will be provided if requested by offender. Offenders who request Hepatitis C and/or HIV/AIDS testing must receive pre-authorization from the Health Services Bureau. The Department is responsible for the cost of this testing.
      - c) Flu vaccines will be offered to offenders identified as at risk for complications from the flu. The Department is responsible for the cost of the vaccine.
5. When medical staff orders an offender to be isolated for an infectious disease, health care providers will follow the CDC's current guidelines for prevention and control of infection.
6. A medically advised, reported, or suspected illness that creates a safety risk is a Priority I incident and must be reported pursuant to *PFB 6.2.403 Incident Reporting Requirements*.

7. Health care staff will:
  - a. use universal precautions when providing offender health care;
  - b. use personal protective equipment that must be readily available for routine and emergency care; and
  - c. have procedures in place to account for equipment and provide annual in-service training on its use.
8. Employees of contracted facilities must follow all immunization guidelines established by the CDC and all applicable local, state, and federal laws and regulations.

**B. Prevention**

1. An integral component of the infection control program is prevention of the occurrence and spread of infectious and communicable diseases.
2. Health care providers will:
  - a. offer ongoing education on communicable disease prevention to facility staff and offenders as part of the health education program;
  - b. maintain essential ongoing communication with the respective county health department and the Montana Department of Public Health and Human Services;
  - c. instruct employees on measures to prevent disease transmission, including additional precautions that may be necessary during transport, hospital supervision, or while in an infirmary; and
  - d. assure that continuity of care is established with appropriate documented community resources referrals, as medically indicated, prior to releasing offenders who are diagnosed with communicable or infectious disease.

**C. Bodily Fluid Exposure/Medical Sharps and Biohazardous Waste/Decontamination**

1. Facilities will handle and treat bodily fluid exposure incidents according to facility exposure control plans and ensure employees use standard precautions when providing offender care.
2. Facility health care staff will dispose of medical sharps and biohazardous waste using methods and materials that comply with Environmental Protection Agency standards.
3. Each facility will arrange for proper waste disposal based on resources available in their respective communities.
4. The facility will ensure that contaminated non-disposable medical, dental, and laboratory equipment is appropriately cleaned, decontaminated, and sterilized per applicable recommendations and/or regulations.

**IV. CLOSING:**

Questions about this facility operational requirement should be directed to the HSB Chief or the FPB Chief or designees.

**V. REFERENCE(S):**

A. *DOC 1.3.35; DOC 4.5.11; PFB 6.2.403, PFB 6.2.488*

**VI. FORMS:**

*PFB 6.2.403 (A) Priority Incident Report*



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	<b>PFB 6.2.490</b> <b>TRANSITIONAL LIVING PROGRAM (TLP)</b>
Chapter 6:	COMMUNITY PROGRAMS
Effective Date:	02/01/2024 <span style="float: right;">Page 1 of 5</span>
Last Revised:	
Reference(s):	PFB 6.2.422 <b>RD</b> ; PFB 6.2.424; PFB 6.2.433; PFB 6.2.437
Signature:	/s/ Scott Eychner, Community Corrections Facilities and Programs Chief

### I. PURPOSE

Prerelease centers will provide a Transitional Living Program (TLP) for offenders. This program allows offenders the opportunity to safely integrate back into the community, assume increased personal responsibility, and ensure to the greatest extent possible, the safety and welfare of the community and prevention of recidivism.

### II. DEFINITIONS

**Department** – The Montana Department of Corrections.

**Facilities and Programs Contract Managers** – The Department’s employees who act as the liaisons between the Department and FPB contract facilities regarding services and offender management. These employees also monitor compliance with the terms of contractual agreements between the Department and FPB contract facilities.

**Probation and Parole** – Oversees the Probation and Parole regional offices and interstate transfers.

**Transitional Living Program (TLP)** – A non-residential program component of the established prerelease center program (PRC) whereby an offender resides in the community at an approved residence, completes a 24-hour itinerary, and reports to the PRC daily. These offenders are jointly monitored by PRC and Department personnel.

**Transitional Living Program (TLP) Compliance Specialist** – An employee of the Department assigned to facilitate the TLP. This employee also monitors compliance with requirements of the program and program outcome data.

### III. PROCEDURES

#### A. Offender Eligibility Criteria

Participation in the TLP is voluntary and may not be required by a facility. An offender must meet the criteria below as well as any additional criteria defined by facility policy to be eligible for placement in the TLP. An offender must:

1. Have no federal, felony, or misdemeanor warrants or detainers that could increase custody level or show risk to public safety.

2. If under Board of Pardons and Parole jurisdiction, have been granted parole upon completion of a prerelease program with no Board objection to TLP participation documented in the hearing disposition.
3. Have served at least 90 days, or 270 days if an extended stay resident, as a prerelease program resident at the time of application.
4. Have no positive drug tests within the 60 days prior to application.
5. Have at least 30 days of clear conduct without a major disciplinary infraction.
  - a. Exceptions may be approved on a case-by-case basis by either a Department Hearing Officer during a hearing process or by the TLP Compliance Specialist as requested by facility staff during the TLP review process.
6. Have started or completed all treatment and programming identified in the offender's case plan.
7. Be financially able to support themselves.
8. Have shown stability in employment for the 60 days prior to application, unless otherwise authorized by the TLP Compliance Specialist during the TLP review process.
9. Have or be allowed to have a cell phone.
10. Have a defined restitution payment plan and have been making consistent payments for at least 2 months prior to the application in accordance with the defined payment plan, unless otherwise approved by the facility and the Department.
11. If offender has SUD diagnosis, have an established recovery plan (for example, support groups, sponsor, outpatient treatment, peer mentor, etc.) and be actively participating in it.
12. Not be an up to 90-day placement.

#### **B. Review and Approval Process**

1. Requests for placement in TLPs are initiated by facility staff. The *PFB 6.2.490 (A) TLP Request for Placement (Request)* and *PFB 6.2.490 (B) TLP Offender Agreement* are completed by facility staff and the offender, as applicable.
2. Without regard to whether an offender has obtained a residence, the PRC Director or designee should review and forward approved *Request* to [correquests@mt.gov](mailto:correquests@mt.gov) for review by the TLP Compliance Specialist. Email subject line must read: *Facility, "TLP Requested," Offender Last Name, First Name*.
  - a. If the offender has a proposed residence at the time of the application, the PRC Director or designee will ensure the residence has been verified and that the property landlord/property owner/manager understands the offender's status.

3. Upon receipt of a *Request*, the TLP Compliance Specialist:
  - a. within 5 business days of receiving the *Request*:
    - 1) confirms offender eligibility for the program, including eligibility for conditional release or confirmation that BOPP has not objected to TLP placement;
    - 2) identifies any registered victims and completes notification processes; and
    - 3) contacts the local P&P office for review of the *Request*.
4. **Note:** If offender is denied approval for the TLP, there is no appeal process and the decision is not able to be grieved at any stage of denial in the process.
5. If the offender is approved for TLP and has an approved residence, the TLP Compliance Specialist will:
  - a. complete the *Request* and notify the facility; and
  - b. coordinate with the assigned P&P Officer and facility staff to set a transfer date for the offender, taking into consideration any necessary victim notification requirements.
6. If the offender is approved for TLP and does not have an approved residence, they are then authorized to seek a residence. When the offender has identified a residence, facility staff will notify the TLP Compliance Specialist and the local P&P designee. P&P will review the residence within 3 business days to determine if it is an acceptable residence. The final determination will be sent to facility staff and to the TLP Compliance Specialist and will be documented in OMIS.
  - a. Once the residence is approved, the TLP Compliance Specialist will:
    - 1) complete the *Request* and notify the facility and the assigned P&P Officer; and
    - 2) coordinate with the assigned P&P Officer and facility staff to set a transfer date for the offender, taking into consideration any necessary victim notification requirements.
7. Local law enforcement will be notified of the offender's participation in the program if required by Montana statutes related to sexual or violent offender registration.

### C. Program Requirements

1. All proposed visitors will be reviewed and approved by the offender's Case Manager or designee. Other PRC residents will not be approved as visitors unless authorized by the PRC. Visitors under P&P supervision, or having extensive criminal histories, will not be approved to visit the offender unless authorized by the Department.
2. Residence requirements:
  - a. Pets will not be allowed at the residence without prior approval.
  - b. The offender cannot be the sole adult residing in the residence when children also live in the residence.
  - c. The offender cannot have security cameras at the residence except by prior approval by the Department.
3. Conditions of the TLP are as follows:
  - a. The program will be up to 60 days in length, unless otherwise specified by the Department during the review process or based on circumstances arising during the 60-day period.

- b. The offender shall complete a weekly schedule with the facility, and all proposed changes must be reviewed and approved by the offender's Case Manager or their designee.
  - c. New prescribed medications shall be reported to the offender's Case Manager or their designee.
  - d. A minimum of four random drug tests shall be completed per month by facility staff. At least one of the drug tests shall be on either Saturday or Sunday.
  - e. The offender shall complete a daily in-person check-in. Check-ins shall be scheduled and shall not interfere with the offender's work, treatment, or programming schedule. Offenders shall be provided an advance schedule of check-ins, which must be signed or initialed by the offender prior to the start of the schedule. The schedule must contain a statement of acknowledgement that failure to check in according to the schedule may be considered an escape. Check-ins shall be available after 5 p.m.
  - f. A minimum of one 30-minute case management meeting per week with facility staff is required. This is an in-person requirement that may be conducted in the community or at the PRC. This meeting shall not interfere with the offender's work, treatment, or programming schedule.
  - g. A minimum of two collateral contacts must be completed per month by facility staff. This must be with a non-PRC staff member and may include treatment/programming providers, employers, sponsors, family members, etc.
  - h. A minimum of four community spot checks shall be completed per month by facility staff. These may be telephone spot checks with video call verification of location.
  - i. A minimum of two home visits shall be completed by P&P during the up to 60-day program. The offender must be present at the time of the visit. After each home visit, P&P shall notify PRC staff of the home visit and summarize what occurred during the visit.
  - j. All services shall be documented by the service provider in a format available to the Department upon request. The Department shall make OMIS access available for eligible users upon request from the facility.
  - k. Full-time employment and/or educational programming will be maintained and verification by facility staff will be required.
    - 1) Offenders who report to their employer that they are not able to work due to illness must notify their Case Manager or their designee and must follow program requirements of the PRC.
  - l. Court-ordered conditions will be met.
  - m. The facility will continue to provide financial budget planning.
  - n. Community service work may be required.
  - o. All offender travel is subject to the requirements of *PFB 6.2.433 Facility Offender Travel*.
4. Home visits by PRC staff:
- a. All home visits by PRC staff should be scheduled with the offender.
  - b. PRC staff may only conduct unscheduled home visits due to concerns; P&P shall be contacted in advance to assist.
5. Home searches:
- a. PRC staff may not conduct home searches of offenders in the program.



- b. If a violation is suspected and a search of the offender's home is necessary, PRC staff must call the P&P designee during business hours or the P&P on-call after business hours to staff the situation. Any approved home search must be conducted by P&P staff and/or their designee.
6. Progress/Summary Reports shall be submitted in accordance with *PFB 6.2.437 Lengths of Stay (LOS)*.

#### **D. Handling of Disciplinary Issues**

1. PRC staff does not have the authority take an offender in the program into custody (either a return to the facility or placement in jail) unless at least one of the following circumstances is present:
  - a. Voluntary return to the facility by the offender
  - b. New crime
  - c. Unauthorized visitors/cohabitants
  - d. Positive drug/alcohol test
  - e. Presence of alcohol/drug paraphernalia
  - f. Unauthorized victim contact
  - g. Failure to attend required treatment
  - h. Other circumstances as approved by the Department
2. An offender in the program may be placed in jail using a P&P warrant only with prior authorization from P&P.
3. If, in the event of alleged violations, an offender is:
  - a. returned to the facility, the following must occur:
    - 1) notification to FPB at [correquests@mt.gov](mailto:correquests@mt.gov) within 6 hours; and
    - 2) initiation of the disciplinary process as outlined in *PFB 6.2.424 Disciplinary Process in Contract Facilities* within 48 hours; or
  - b. placed in jail, initiation of the disciplinary process as outlined in *PFB 6.2.424 Disciplinary Process in Contract Facilities* must occur within 48 hours.
4. PRC staff does not have the authority to enter a private residence without invitation and does not have the authority to search a residence.

#### **E. Escape Processing**

1. Escape processing will be initiated when the offender has missed a scheduled check-in and all reasonable attempts to locate/contact have been made. See the *PFB 6.2.422 RD Facility Escapes* procedure.

### **IV. CLOSING**

Questions concerning this facility operational requirement should be directed to the Contract Manager or the Community Corrections Facilities and Programs Bureau Chief.



PPD 5.1.204 Enhanced Supervision Program (under revision)

*This procedure is under revision and is not currently available.*



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

Procedure:	<b>PPD 6.3.415    ENHANCED/TRANSITIONAL SUPERVISION SERVICES</b>	
Effective Date:	09/01/2019	Page 1 of 5
Revision Date(s):		
Reference(s):	PFB 6.2.459; PPD 6.1.203; PPD 6.3.101	
Signature / Title:	/s/ Kevin Olson, Probation and Parole Division Administrator	

**I. PURPOSE:**

Enhanced and/or transitional services will be used to aid offenders integrating back into the community from a facility or offenders not in compliance with their supervision conditions. Probation and Parole Division employees and the providers of enhanced/transitional services will follow established procedures and requirements to ensure the safety and welfare of the offender and community and to assist in the prevention of recidivism.

**II. DEFINITIONS:**

**Case Management Response** – A non-formal action in response to an offender’s behavior in which a Probation & Parole Officer may apply incentives or interventions based on the behavior.

- *incentive* is a response that recognizes and/or rewards desired and targeted offender behavior.
- *intervention* is a response that addresses offender violations of conditions of supervision or rules of a PPD program/facility without a Hearings Officer involvement, unless the offender refuses to agree with the given intervention.

**Community Supervision** – Probation, parole, conditional release, or any form of supervision in the community by a Department probation & parole officer.

**PFB-Programs and Facilities Bureau** – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

**PPD-Probation and Parole Division** – The Division oversees the Probation & Parole regional offices and interstate transfers.

**III. PROCEDURES:**

**A. REFERRAL FOR ENHANCED SERVICES:**

1. Enhanced supervision services are available as an intervention imposed when determined appropriate by a Probation & Parole (P&P) supervising Officer or Hearings Officer using *PPD 6.3.101(A) Montana Incentives/Interventions Grid for Adult Probation & Parole*.
  - a. Offender may be continued on supervision or placed in jail pending service availability.
  - b. Services will not be extended beyond the 90-day period.
  - c. Service interruptions due to a jail/sanction placement longer than 10 days must result in termination from enhanced supervision services. In order to access enhanced supervision services, offender must be re-referred.
  - d. Offender will not be responsible for the costs of the services.

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2. Specific services determined appropriate by the offender's supervising P&P Officer or a Hearings Officer may be given for up to 90 days in designated locations based on the level of the intervention.
  - a. If services include a liberty interest, such as GPS monitoring, the services must be referred by a Hearings Officer through an intervention hearing.
  - b. Based on the location-specific services as outlined on *PPD 6.3.415(Attachment) ETSS Services by Location*, P&P Officer completes the applicable *PPD 6.3.415(Attachment) ETSS Referral and Offender Agreement Form* with the appropriate location and specific services. *ETSS Referral and Offender Agreement* is:
    - 1) reviewed with the offender and signed by the offender and Officer;
    - 2) reviewed with the Officer's supervisor and signed by supervisor;
    - 3) uploaded into offender's OMIS record; and
    - 4) forwarded to the provider.
  - c. When availability is confirmed by the provider and a start date established, provider will return *ETSS Referral and Offender Agreement* to the Officer and to [CORETSS@mt.gov](mailto:CORETSS@mt.gov) for the verification of invoices received.
3. If during the service period the P&P Officer determines it is appropriate to change the frequency of selected services (i.e., # of UA's, check-ins), the Officer notifies the ETSS provider and makes a chronological entry in offender's OMIS record.
4. If during the service period the P&P Officer determines it is appropriate to add new services or remove existing services, he/she will update the original *ETSS Referral and Offender Agreement* to indicate the changes made and submit to the provider. A chronological entry in offender's OMIS record is made.
5. Upon receipt of the corresponding *PPD 6.3.415(Attachment) ETSS Notice of Completion Form* from the provider, P&P Officer will upload the *Notice* into offender's OMIS record.

**B. REFERRAL FOR TRANSITIONAL SERVICES:**

1. Specific transitional supervision services are available for offenders who are being released to community supervision from prison, an assessment and sanction center, a prerelease center, or a treatment center, and a need for these services has been ordered by the Board of Pardons and Parole or identified by the receiving P&P Officer.
  - a. Services may be provided for up to the first 90 days of community supervision.
  - b. Services will not be extended beyond the 90-day period.
  - c. Service interruptions due to a jail/sanction placement longer than 10 days must result in termination from transitional services. In order to access transitional services, offender must be re-referred.
  - d. *Probationers* must voluntarily agree to the referral for transitional services unless the referral is solely for court-ordered cognitive behavioral programming.
  - e. For *parolees*, services must be ordered by the Board of Pardons and Parole in the offender's disposition.
  - f. The offender will not be responsible for the costs of the services.
2. The receiving P&P Officer will determine the specific services to be provided to the offender based on the offender's needs and individualized case plan during the investigation of an

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offender's release plan.

a. Based on the location-specific services as outlined on *PPD 6.3.415(Attachment) ETSS Services by Location*, P&P Officer completes the applicable *PPD 6.3.415(Attachment) ETSS Referral and Offender Agreement Form* with the appropriate location and specific services. *ETSS Referral and Offender Agreement* is:

- 1) reviewed with the offender (by the Officer, or IPPO/program liaison if necessary) and signed;
- 2) reviewed with Officer's supervisor and signed by supervisor;
- 3) uploaded into offender's OMIS record; and
- 4) forwarded to the provider.

b. When availability is confirmed by the provider and a start date established, provider will return *ETSS Referral and Offender Agreement* to the Officer and to [CORETSS@mt.gov](mailto:CORETSS@mt.gov) for service verification purposes.

3. If during the service period the P&P Officer determines it is appropriate to change the frequency of selected services (i.e., # of UA's, check-ins), the Officer notifies the ETSS provider and makes a chronological entry in offender's OMIS record.

4. If during the service period the P&P Officer determine it is appropriate to add new services or remove existing services, he/she will update the original *ETSS Referral and Offender Agreement* to indicate the changes made and submit to the provider. A chronological entry in offender's OMIS record is made.

5. Upon receipt of the corresponding *PPD 6.3.415(Attachment) ETSS Notice of Completion Form* from the provider, P&P Officer will upload the *Notice* into offender's OMIS record.

### C. AVAILABLE SERVICES:

1. When selecting services, the least restrictive options should be chosen and the least number of services selected in order to address the offender's case management response and to achieve the purpose of ETSS.

2. Location-specific services are described on *PPD 6.3.415 (Attachment) ETSS Services by Location* and in the applicable *PPD 6.3.415(Attachment) ETSS Referral and Offender Agreement Form*.

3. Enhanced/Transitional services may include:

- a. one (1) one-on-one meeting with the ETSS service provider per week or as directed by the supervising P&P Officer or Hearings Officer;
- b. up to daily offender check-ins with provider staff which may include, but is not limited to, breathalyzer testing, meeting verifications, job verification;
- c. up to three (3) random drug/alcohol tests per week as designated by the supervising P&P Officer;
- d. development of a weekly itinerary in the community with periodic verification by provider staff;
- e. evidence-based, cognitive behavioral-based treatment/programming;
- f. job development services such as preparing resumes and preparing for interviews;
- g. 24-hour Secure, Continuous, Remote, Alcohol Monitoring (SCRAM) or other drug/alcohol testing mechanisms as approved by PFB;

- h. electronic/GPS monitoring; and
- i. assistance with application processes for needed services, including but not limited to:
  - 1) treatment/programming,
  - 2) behavioral health peer support services,
  - 3) family services, and
  - 4) reentry services:
    - housing,
    - public assistance (OPA/Medicaid),
    - budgeting and financial planning,
    - veterans,
    - vocational (Job Service/Vocational Rehab), and
    - educational.

#### **D. GENERAL REQUIREMENTS FOR ETSS PROVIDERS:**

1. Prior to implementation of services and annually will provide in-service training to P&P Officers.
2. The training shall include information about the service provided by the contractor, the referral process, communication strategies for providing status updates to supervising P&P Officers, and other information about the services as requested by PFB.
3. All cognitive-behavioral programming must be approved through the Department's program approval process.
4. The provider will complete an orientation with the offender upon placement into the program and review the agreement.
5. The provider will provide status updates when requested and contact the supervising P&P Officer for any significant issues related to the offender, e.g., failed drug/alcohol test, failure to check-in daily, etc.
6. Provider staff will maintain written documentation of all scheduled meetings and communications relating to participating offenders, provide documentation to supervising P&P Officer when requested, and report on services completed at the end of the ETSS period.
7. Provider will email *ETSS Referral and Offender Agreement* to [CORETSS@mt.gov](mailto:CORETSS@mt.gov) upon an offender's initial referral or a change (i.e., additions or removal) of service(s). Email subject line must read: "Location: Offender last name, first name, DOC#; ETSS 'Referral' or 'Change.' "
8. Within three (3) working days of an offender's completion of services, provider will complete and email *PPD 6.3.415(Attachment) ETSS Notice of Completion* to [CORETSS@mt.gov](mailto:CORETSS@mt.gov) and the supervising P&P Officer. Email subject line must read: "Location: Offender last name, first name, DOC#; ETSS Completion."
9. A certificate of successful completion of cognitive-behavioral programming must be provided to the offender.

**IV. CLOSING:**

Questions regarding this procedure should be directed to the POII, Deputy Chief, Probation & Parole Bureau Chief, or Programs and Facilities Bureau.

**V. FORMS:**

PPD 6.3.415 (Attachment)	ETSS Services by Location
PPD 6.3.415 (Attachment)	ETSS Referral and Offender Agreement Form (A-C)
PPD 6.3.415 (Attachment)	ETSS Notice of Completion Form (A-C)



## COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS RESTRICTED PROCEDURES AND FORMS

The following procedure(s) and related form(s) are **restricted**; if you have authorization, please click the links below to continue.

### [PFB 6.2.422 RD Facility Escapes](#)

- [PFB 6.2.422 \(B\) RD Escape Record and Checklist](#)
- [PFB 6.2.422 \(G\) RD Information for Escape Prosecution](#)