



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

Procedure:	PFB 6.1.201 PLACEMENT DETERMINATION, REFERRAL, AND SCREENING
Effective Date:	07/01/2023 Page 1 of 18
Revision Date(s):	12/01/2023
Reference(s):	46-18-201, MCA; 46-18-203, MCA; 46-23-1002, MCA; 46-23-1004, 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; 61-8-731, MCA
Signature / Title:	/s/ Scott Eychner, Community Corrections Facilities 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 facilities contracted with the Community Corrections Facilities and Programs Bureau (FPB) will follow established guidelines and procedures to determine appropriate placement of offenders committed to the Department and refer offenders to available programs for placement and treatment.

II. DEFINITIONS:

BOPP – Board of Pardons and Parole.

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.

Criminogenic 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).

Current Risk and Needs Assessment – An assessment tool version as required by *PPD 1.5.1200 Risk and Needs Assessments for Case Management* is current if completed in the past 12 months and the offender has experienced no life-altering events during that period.

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

DOC Commitment – 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.

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.

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 or in a Community Corrections program/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, criminogenic needs, and the *DOC Placement Directive*.

Placement Decision – The decision made by Department staff and/or assessment center staff regarding which program(s) an offender must complete. This decision cannot be made until after all screening committee results have been reviewed.

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

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.

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.

Supplemental Tools – Other assessments and/or evaluations used with the MORRA and/or WRNA assessments that aid in identifying an offender’s risk category. This includes crime-specific risk assessments (sexual, DUI), static/acute assessments, and 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 supplemental tools, court- or BOPP-ordered requirements, criminal history, placement history, victim input, public safety concerns, institutional behavior, correctional status, and offender request.

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- a. Probation and Parole staff 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 OMIS record will be maintained by the referral source throughout the placement determination and referral processes for all offenders referred to facilities for screening. Designated DOC staff will complete OMIS chronological entries of all facility screening results.

B. PLACEMENT DETERMINATION PROCESS AND MAKING REFERRALS:

1. Depending on the location of the offender and offender case type, staff making determinations regarding potential placements and subsequent referrals for screening must follow the specific processes and requirements outlined in *Attachment 1* through *Attachment 5*:
 - a. **Prescreening Process:** Use *DOC Placement Directive Attachment 1* and *Prescreening Requirements Attachment 2* for offenders who:
 - 1) have not yet been sentenced and have a plea agreement for a DOC Commitment; or
 - 2) have a new case and a revocation pending simultaneously, if a PSI was ordered in the new case. These are considered prescreening cases.
 - b. **New DOC Commitments Process:** Use *DOC Placement Directive Attachment 1* and *New DOC Commitments Placement Requirements Attachment 3* for offenders who:
 - 1) are new DOC Commitments; or
 - 2) have had their probation revoked by the Court and were sentenced to a DOC Commitment.
 - c. **DOC Revocations Process:** Use *DOC Placement Directive Attachment 1* and *DOC Revocations for Placement Requirements Attachment 4* for offenders who are:
 - 1) revoked from Conditional Release; or
 - 2) Community Corrections facility revocations or probationers or parolees who have only a pending revocation.
 - d. **Board of Pardons and Parole Process:** Use the *Guidelines for Placements from Secure Facility Attachment 5* for offenders from secure facilities or Community Corrections facilities who are under the jurisdiction of the BOPP.
2. 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.C.7. below*), staff will discuss the provisional acceptance with the offender and provide a timely response to the screening coordinator.
3. The referral source will make an OMIS chronological entry detailing when the referral was submitted and where it was sent.

C. FACILITY SCREENING COMMITTEE:

1. Facility screening committees shall consist of a minimum of three (3) members and facilities are encouraged to support diversity among committee members. The following positions should be represented on the membership on the committee and are not mutually exclusive:

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- a. one local law enforcement officer;
- b. one Probation and Parole Officer; and
- c. one member of the public.

Note: Facilities should make every effort to encourage attendance by screening committee members. However, screening may still be completed even if only some of the members are in attendance.

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. Facility screening committees may only accept placement referrals from Department or contracted assessment/sanction center staff. 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. Facility screening committees 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 screening meeting will be delayed, the committee will notify the Contract Manager in advance by email and provide the reason for the delay.
 - b. If a referral must be held past the 10 business days or past the established schedule approved by the Contract Manager, pending clarification or because more information is needed, the specifics must be noted on the *PFB 6.1.201 (E) Screening Report*.
5. At each screening meeting, the committee must review each referral and consider each offender's criminogenic needs, responsivity issues, supplemental assessments, and the requirements of the *DOC Placement Directive Attachment 1*. Blank answers on offender

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- 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.
- a. 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.
 - b. 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 committee may deny a referral only for the following reasons and must include a narrative description of the reason on the *FPB 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 (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 screening committee 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).

However, the committee 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.C.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 an OMIS chronological entry 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 OMIS.
 - 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 requirement(s) is not accepted, the facility screening committee may deny the offender pursuant to III.C.6.f. above.
8. All screening meeting results must be reported to the Contract Manager and referral source. The facility will submit the *Screening Report* form by email to coraccdreports@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 2/5/2023)." 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. **For prerelease centers only:** Prerelease center's Screening Coordinator will forward all denied referrals based on offender case type to the next facility in an established screening rotation within 3 business days of the screening meeting except as otherwise directed in *Prescreening Requirements Attachment 2*. The Screening Coordinator will note on the *Screening Report* form if the screening committee denied an offender and the facility was the last in the specified screening rotation as required by *Attachments 3, 4, and 5*.
10. If the local screening committee 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.
11. Each contracted facility will arrange an annual meeting between its screening committee members and FPB staff.

D. 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 Probation and Parole staff.
2. Offender warrants/detainers do not necessarily prevent an offender's placement. Please refer to the specific case type attachments for directions on considering warrants/detainers (*Attachments 2, 3, and/or 4*).
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* and *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 DOC 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.

IV. CLOSING:

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

V. FORMS:

- PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement*
PFB 6.1.201 (B) Prescreening Referral for Placement
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

VI. PROCEDURAL ATTACHMENTS:

- PFB 6.1.201 DOC Placement Directive Attachment 1*
PFB 6.1.201 Prescreening Requirements Attachment 2
PFB 6.1.201 New DOC Commitments Placement Requirements Attachment 3
PFB 6.1.201 DOC Revocations for Placement Requirements Attachment 4
PFB 6.1.201 Guidelines for Placements from Secure Facility Attachment 5

DOC PLACEMENT DIRECTIVE ATTACHMENT 1



Greg Gianforte, Governor | Brian M. Gootkin, Director

TO: Probation and Parole Staff
Programs and Facilities Bureau Staff
The Court Administrator and Judicial Branch
All County Attorneys
All Public Defenders and Defense Attorneys
Community Corrections Providers

FROM: Brian Gootkin, Director, Department of Corrections

DATE: June 30, 2021

RE: HB 2: Offender Prescreening and Placement

As directed by HB 2, effective July 1, 2021:

- Probation and Parole staff will complete prescreening of offenders where a PSI is ordered and there is a plea agreement for a DOC commitment.
 - Per HB 2: “Prescreening will not be completed for offenders who have a plea agreement for a suspended or deferred sentence, a prison commitment, or when no PSI is ordered.”
- When a PSI is ordered and there is a plea agreement for a DOC commitment, Probation and Parole staff will provide a placement recommendation to the Court that is based on the risk/needs evaluation (assessment) of the offender using the guide provided on page 2 of this memo.
- When determining placement of an offender already on supervision or in cases where no PSI was ordered, DOC staff will do so based on a risk/needs assessment and using the guide provided on page 2 of this memo.
- In placing offenders in treatment facilities, DOC staff shall rely on risk and needs assessment tools and the underlying offense. Behavioral health assessment tools will be used to determine an offender’s treatment dosage and needs. Clinical Substance Use Disorder (SUD) evaluations are no longer required by the DOC before placement in a treatment facility.
 - Treatment facilities will conduct SUD evaluations upon offender arrival at the facility and treatment and programming will be delivered according to the dosage indicated.
 - If the Court orders an SUD evaluation as part of the PSI process, the evaluation will be completed; however, it is not necessary for screening.

DOC Placement Determination Guidance, per HB 2 (2021):

If the Court recommended a placement in an original sentence or revocation sentence, follow the recommendation. If the DOC is unable to follow the recommendation, DOC will document the reason and provide notification to the Court of the reason within 40 days, as required by SB 47.

If Court didn't recommend a placement:

- If low risk*, community supervision placement UNLESS offender:
 - Is homeless,
 - Has a recent history of behavior that indicates a need for greater structure,
 - Was convicted of an offense that has a statutory requirement for placement,
 - The offense/violation represents a repeating offense pattern (i.e. repeated DUIs or multiple instances of domestic violence/violations of protective orders),
 - Has a victim under 12, or
 - Has a victim who died as the result of an offense.
- If moderate risk*, a facility placement (treatment only or prerelease center only) or combination of placements (treatment + prerelease center) may be appropriate if a higher level of structure is indicated by:
 - Offense history,
 - Placement/treatment** history,
 - Offender non-compliance on supervision,
 - Sustained drug use in the community despite interventions, and
 - Severity of the offense.
- If medium or high risk* on the WRNA or high or very high risk* on the MORRA, a facility placement or combination of placements** is required. If no facility will accept the offender, the DOC will document the instance and determine the most appropriate alternative placement to address the offender's risk/needs while maintaining public safety; the placement will likely be prison. In rare circumstances, a recommendation might include community placement in a structured setting such as treatment court, ISP, etc. based on an offender's particular circumstances.

*use the MORRA and WRNA. For sex offenders (SO), a SO-specific risk assessment, along with the MORRA or WRNA, will be used. Placement will be based on whichever assessment risk score is higher. The MORRA and WRNA risk levels are as follows:

MORRA	WRNA
Low	Low
Moderate	Moderate
High	Medium
Very High	High

**if offender need for substance use treatment is indicated, placement should be at a shorter-length program (90-days) if the offender has no prior residential treatment placements. If offender need for substance use treatment is indicated and the offender has previously been to a residential treatment placement, the offender will be considered for the 9-month treatment placement.

PRESCREENING REQUIREMENTS ATTACHMENT 2

A. PRESCREENING PLACEMENT DETERMINATION PROCESS:

1. Probation and Parole staff will complete prescreening of offenders who have one or more pending felony charges where a PSI is ordered and there is a plea agreement for a DOC Commitment on at least one of the pending cases. If an offender has multiple pending cases, especially in more than one county, the *PFB 6.1.201 (B) Prescreening Referral for Placement (Prescreening Referral)* form may be submitted for one or more of the causes while the others have not yet been adjudicated or sentenced. However, *Prescreening Referral* forms will not be submitted for a case that has a plea agreement for a suspended or deferred sentence or a prison commitment, or when no PSI is ordered.
 - a. Offenders who have a new case and a revocation pending simultaneously are considered prescreening cases if a PSI was ordered in the new case.
 - b. Probation and Parole staff will make referrals based on the risk/needs assessment of the offender as outlined in the *DOC Placement Directive Attachment 1*.
 - c. 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 prior to the *Prescreening Referral* being submitted.
 - d. Staff will inform the offender of the referral(s) being made and the reason(s) for the referrals, and will explain the prescreening process. Prior to making the referral, staff making the referral must confirm the offender will consent to placement if accepted by a program/facility. 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 after sentencing.

B. PRESCREENING APPLICATION PROCESS:

1. Probation and Parole staff must complete the *Prescreening Referral* form and *PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement ("Application")*. Full narrative answers must be provided on the *Prescreening Referral* by staff for every question ("see PSI" or "see OMIS" are not appropriate answers and the *Prescreening Referral* will be returned for completion).
 - a. A search of offender chronological entries and documents in OMIS is required to verify that all documented restraining orders and court-ordered no-contact requirements are accurately reflected on the *Prescreening Referral*.
 - b. **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 *Prescreening Referral*. Not all warrants/detainers will prohibit an offender's placement:
 - 1) Misdemeanor warrants will not prevent an offender's placement;
 - 2) 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; and
 - 3) Immigration detainers are a civil matter and will not prevent an offender's placement.
2. At the time of application, the offender will identify the prerelease center (PRC) that is their preference for placement.
 - a. If the offender is a sex offender, they are eligible for the following PRC programs:

- 1) Female: Missoula PRC, Passages PRC, and Great Falls PRC (Great Falls PRC eligibility criteria: offender must reside in Cascade County for 1 year or more prior to conviction; offender must have immediate family currently residing in Cascade County; offender must have a tier designation at the time of sentencing; offender must have been prescreened and approved by a local MSOTA sex offender therapist, and offender must have been prescreened and approved by the local P&P Sex Offender Specialist.)
 - 2) Male: Alpha House PRC, Great Falls PRC (*see eligibility criteria above*), Helena PRC, and Missoula PRC
- b. The documents listed below will be submitted **simultaneously** to all PRC screening committees 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) *Prescreening 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 related to the current placement process
 - 2) Facility Screening Committee will meet regularly to review *Application* forms and *Prescreening Referral* forms and the other documents listed above so that the referred offender can be screened within 10 business days.
 - 3) If, at the time of a PRC screening committee meeting during the 10-business-day screening period, an offender has already been accepted by 2 or more PRC screening committees, the screening committee may defer screening unless that PRC is the referred offender's first choice of placement. The reason for deferral should be listed as "Multiple PRC approvals in place during prescreening" on the *PFB 6.1.201 (E) Screening Report*.
 - 4) PRCs will not forward denied or deferred prescreening documents. PRC staff will delete any denied referrals.
3. The referral source must document in an OMIS chronological entry the specific referral(s) made.

C. PRESCREENING PLACEMENT DECISION

1. After the facility screening meeting, the facility will notify the referral source and FPB of the screening results by sending the *PFB 6.1.201 (E) Screening Report* by the end of the next business day.
 - a. Referral source must wait the required 10-business-day period to ensure all facilities have had the opportunity to screen the offender prior to making the determination for placement as follows:

1) If the offender is accepted by their preferred PRC, the offender will go to that center.

2) If the offender is accepted by more than one non-preferred PRC, the offender will go to the center listed after the preferred PRC in the placement order indicated to the right. There are exceptions to the placement order based on victim concerns, offender separation concerns, and facility wait list times as outlined in C.2. below.

<p><u>Male PRC Placement Order:</u> Butte, Helena, Great Falls, Alpha House, Missoula, Gallatin Reentry. <u>Male SO PRC Placement Order:</u> Helena, Great Falls, Alpha House, Missoula. <u>Female PRC Placement Order:</u> Butte, Great Falls, Passages, Missoula. <u>Female SO PRC Placement Order:</u> Great Falls, Passages, Missoula.</p>
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- b. Referral source must inform the offender and PRC Screening Coordinators of the screening results and which placement was determined immediately above.
- c. If the offender is denied by all of the programs to which staff made referrals, the placement decision will be made after sentencing.

2. Prescreening Placement Exceptions for PRC Placements:

- a. Generally, the offender will go to the facility identified using the direction given above. However, should the facility have an estimated waiting period longer than 6 weeks at the time of acceptance (and the offender has no treatment placement requirement before the PRC placement), the offender may be placed in the facility next in the placement order that has open beds or beds available in the next 2 weeks. The *Community Corrections Bed Availability* website <https://cor.mt.gov/Facilities/CommunityCorrectionsBedAvailability> displays estimated waiting periods.
- b. If an alternative PRC is identified as appropriate due to an extended waiting period or other circumstances at the initially identified prerelease center (for example, outbreak status, separation needs, victim opposition, etc.), the offender may opt to wait for the preferred PRC. The offender may be placed in a hold bed (30-day limit) or assessment center while waiting for their bed.
- c. If an offender is placed at an alternative PRC, the referral source must notify the initially identified PRC and document the alternative placement and the reason for the alternative placement in an OMIS chronological entry.

D. FORMS:

- PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement*
- PFB 6.1.201 (B) Prescreening Referral for Placement*
- PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)*

NEW DOC COMMITMENTS PLACEMENT REQUIREMENTS ATTACHMENT 3

A. PLACEMENT DETERMINATION PROCESS:

1. Upon sentencing to the Department of Corrections with specific recommendations made by the court for placement, staff will make referral(s) to the facilities recommended by the court as outlined in the *DOC Placement Directive Attachment 1*.
 - a. For new DOC commitments, *PPD 4.6.300 (E) DOC Commitment Pending Placement Notice* must be completed by the P&P Officer or staff of the assessment/sanction center after acceptance by a facility screening committee, but prior to placement, and the form must be submitted as directed in *PPD 4.6.300 DOC Commitments*.
2. If there was no PSI completed prior to sentencing and the court did not make a specific recommendation for placement, staff will follow the placement determination process as outlined in the *DOC Placement Directive Attachment 1*.
3. New DOC commitments may be referred by Probation and Parole while offender is in the community or jail, or by an assessment/sanction center. If Probation and Parole staff are unable to determine the best placement for an offender, or the offender needs clinical evaluations or assessments which cannot be obtained in the community, the case should be staffed with a supervisor and the offender may be placed at the following assessment/sanction center for placement determination and referral:
 - a. new male DOC commitments to MASC (or as a MASC Diversion to START or Pine Hills Correctional Facility); or
 - b. female DOC commitments to Passages ASRC.
4. Staff will review all relevant information contained in the offender's case records and criminal history to properly summarize the offender's information in descriptive narratives on the *PFB 6.1.201 (C) Referral for Placement (Referral)* form.
 - a. Staff making the referral must verify that any known felony warrants, detainers, or pending felony matters are communicated clearly on the *Referral* form. Not all warrants/detainers will prohibit an offender's placement:
 - 1) Misdemeanor warrants will not preclude placement;
 - 2) 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; and
 - 3) Immigration detainers are a civil matter and will not preclude placement.
 - b. 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.
 - c. The stacking of referrals to multiple treatment programs and/or multiple PRC programs is not allowed unless there is justification for successive programs. Approval for stacking must be obtained prior to making the referral by submitting a request and justification to correquests@mt.gov.
5. 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, Department staff should follow the established placement refusal process.

B. APPLICATION PROCESS

1. Staff must complete the *Referral* form and *PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement (Application)*. Full narrative answers must be provided on the *Referral* by staff for every question (“see PSI” or “see OMIS” are not appropriate answers and the *Referral* will be returned for completion).
 - a. A search of offender chronological entries and documents in OMIS is required to verify that all documented restraining orders and court-ordered no-contact requirements are accurately reflected in the *Referral*.
2. The documents listed below will be submitted to the facility screening committee(s) electronically through the file transfer service or by e-mail. Paper documents will no longer be sent by referral sources or accepted by facilities.
 - a. Documents submitted electronically for new DOC commitments include:
 - 1) *Referral*
 - 2) *Application*
 - 3) *Approved PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s) (if applicable)*
 - 4) PSIs completed within the last 3 years (if available)
 - a) Attach plea agreement and affidavit if not included in PSI for current/pending offenses only
 - b) Provide plea agreement and affidavit if no PSI is available for current/pending offenses only
 - 5) Judgments (or VOCs) for all cases the offender is serving on (if available)
 - 6) Information(s) for all cases the offender is serving on (if available)
 - 7) Recent behavioral health reports/evaluations (SUD or Mental Health) (if available)
 - 8) Report(s) of Violation related to the current placement process
3. Applications to prerelease centers (PRCs) will follow the established screening rotation which allows for an offender to be considered by other PRC programs if denied by the preferred center. Staff will indicate on the *Referral* which of the screening rotations (indicated below) the *Application* is to follow as well as the offender’s preferred PRC. The *Application* will begin at the preferred PRC’s spot in the rotation. If no preferred PRC is indicated, the *Application* will be sent to the first PRC in the specific rotation indicated on the *Referral*.
 - a. **Male Rotation:** Butte PRC – Helena PRC – Great Falls PRC – Alpha House PRC – Missoula PRC – Gallatin Reentry Program.
 - b. **Male Sex Offender Rotation:** Helena PRC – Great Falls PRC – Alpha House PRC – Missoula PRC.
 - c. **Female PRC Programs Rotation:** Butte PRC – Great Falls PRC – Passages PRC – Missoula PRC.
 - d. **Female Sex Offender Rotation:** Great Falls PRC – Passages PRC – Missoula PRC.
4. Staff making the referral must respond timely to any inquiries made by a facility screening committee to clarify any information or provide additional information as needed.
 - a. Staff may arrange for the offender to have a telephonic or in-person interview with the facility screening committee’s Screening Coordinator.
5. The referral source must document in an OMIS chronological entry the specific referral(s) made.
6. If an offender is denied by all PRC programs, staff making the referral must contact the Screening Coordinators to determine if the reason for denial can be addressed and resolved. If it can be resolved, the staff making the referral will submit a new *Application* and *Referral* (do not resubmit the previous information) and make all OMIS chronological entries throughout the process. If the reason for denial cannot be resolved, the staff making the referral will determine the next best placement for the offender using the *DOC Placement Directive Attachment 1*.

C. FORMS:

<i>PFB 6.1.201 (A)</i>	<i>Offender Application for Prerelease or Treatment Placement</i>
<i>PFB 6.1.201 (C)</i>	<i>Referral for Placement</i>
<i>PFB 6.1.201 (D)</i>	<i>Approval of Offender Placement with Escape Conviction(s)</i>
<i>PPD 4.6.300 (E)</i>	<i>DOC Commitment Pending Placement Notice</i>

DOC REVOCATIONS FOR PLACEMENT REQUIREMENTS ATTACHMENT 4

A. PLACEMENT DETERMINATION PROCESS FOR DOC REVOCATIONS FOR PLACEMENT:

1. This process applies to all conditional release revocations as well as offenders terminated from a community corrections residential facility or probationers or parolees who have only a pending revocation. All referrals will be made following the placement determination process as outlined in the *DOC Placement Directive Attachment 1*. Staff will use the offender's current risk and needs assessment to establish overall risk. If the offender does not have a current assessment or the assessment cannot be located, Assessment Center staff will complete a risk assessment as required in Department procedure.
 - a. Staff will review all relevant information contained in the offender's case records including all disciplinary hearing dispositions and criminal history to properly summarize in descriptive narratives on the appropriate form the offender's current circumstances, strengths, needs, and potential barriers.
 - 1) A search of offender chronological entries and documents in OMIS is required to verify that all documented restraining orders and court-ordered no-contact requirements are accurately reflected on the *PFB 6.1.201 (C) Referral for Placement (Referral)*.
 - b. Staff will require the offender to undergo other clinical evaluations (such as substance use disorder or mental health evaluations) as part of this determination process if 1) indicated by the risk and needs assessment results or other screening tools used in this process, or 2) if ordered by the court as a condition. The recommendations made by clinical evaluation will be used by staff to match the offender to a program/facility that can best address the offender's specific needs.
 - c. 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.
 - d. Staff making the referral must verify that any known felony warrants, detainers, or pending felony matters are communicated clearly on the *Referral*. Not all warrants/detainers will prohibit an offender's placement:
 - 1) Misdemeanor warrants will not preclude placement;
 - 2) 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; and
 - 3) Immigration detainers are a civil matter and will not preclude placement.
 - e. 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.
 - f. The stacking of referrals to multiple treatment programs and/or multiple PRC programs is not allowed unless there is justification for successive programs. Approval for stacking must be obtained prior to making the referral by submitting a request and justification to correquests@mt.gov.
 - g. 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.
 - h. 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 for placement while at an Assessment Center, Department staff should follow the established placement refusal process.

B. APPLICATION PROCESS:

1. Staff must complete the *Referral* form and *PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement (Application)*. Full narrative answers must be provided on the *Referral* by staff for every question (“see PSI” or “see OMIS” are not appropriate answers and the *Referral* will be returned for completion).
 - a. A search of offender chronological entries and documents in OMIS is required to verify that all documented restraining orders and court-ordered no-contact requirements are accurately reflected in the *Referral*.
2. The documents listed below will be submitted to the facility screening committee(s) electronically through the file transfer service or by e-mail. Paper documents will no longer be sent by referral sources or accepted by facilities.
 - a. Documents submitted electronically for DOC Revocations (revoked from CR or facility) include:
 - 1) *Referral*
 - 2) *Application*
 - 3) Approved *PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)* (if applicable)
 - 4) PSIs completed within the last 3 years (if available)
 - 5) Judgments (or VOCs) for all cases the offender is serving on (if available)
 - 6) Information(s) for all cases the offender is serving on (if available)
 - 7) Recent behavioral health reports/evaluations (SUD or Mental Health) (if available)
 - 8) Reports of Violation/disciplinary hearing information related to the current placement process
3. Applications to prerelease centers (PRCs) will follow the established screening rotation which allows for an offender to be considered by other PRC programs if denied by the preferred center. Staff will indicate on the *Referral* which of the screening rotations (indicated below) the *Application* is to follow as well as the offender’s preferred PRC. The *Application* will begin at the preferred PRC’s spot in the rotation. If no preferred PRC is indicated, the *Application* will be sent to the first PRC in the specific rotation indicated on the *Referral*.
 - a. **Male Rotation:** Butte PRC – Helena PRC – Great Falls PRC – Alpha House PRC – Missoula PRC – Gallatin Reentry Program.
 - b. **Male Sex Offender Rotation:** Helena PRC – Great Falls PRC – Alpha House PRC – Missoula PRC.
 - c. **Female PRC Programs Rotation:** Butte PRC – Great Falls PRC – Passages PRC – Missoula PRC.
 - d. **Female Sex Offender Rotation:** Great Falls PRC – Passages PRC – Missoula PRC.
4. Staff making the referral must respond timely to any inquiries made by a facility screening committee to clarify any information or provide additional information as needed.
 - a. Staff may arrange for the offender to have a telephonic or in-person interview with the facility screening committee’s screening coordinator.
5. The referral source must document in an OMIS chronological entry the specific referral(s) made.
6. If an offender is denied by all PRC programs, staff making the referral must contact the Screening Coordinators to determine if the reason for denial can be addressed and resolved. If it can be resolved, the staff making the referral will submit a new *Application* and *Referral* (do not resubmit the previous information) and make all OMIS chronological entries throughout the process. If the reason for denial cannot be resolved, the staff making the referral will determine the next best placement for the offender using the *DOC Placement Directive Attachment 1*.

C. FORMS:

- PFB 6.1.201 (A)* *Offender Application for Prerelease or Treatment Placement*
PFB 6.1.201 (C) *Referral for Placement*
PFB 6.1.201 (D) *Approval of Offender Placement with Escape Conviction(s)*

GUIDELINES FOR PLACEMENTS FROM SECURE FACILITY ATTACHMENT 5

A. PLACEMENT DETERMINATION PROCESS FOR BOARD OF PARDONS AND PAROLE (BOPP) CASES:

1. The following guidance is applicable to offenders in a secure facility or a community corrections facility and who are under the jurisdiction of the Board of Pardons and Parole.
2. Offenders may be referred only by Department staff if the BOPP granted an offender parole contingent upon completion of a prerelease center (PRC) 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.
3. 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. A search of offender chronological entries and documents in OMIS is required to verify that all documented restraining orders and court-ordered no-contact requirements are accurately reflected on the *PFB 6.1.201 (C) Referral for Placement (Referral)*.
4. Staff making the referral must verify that any known felony warrants, detainers, or pending felony matters are communicated clearly on the *Referral* form. Not all warrants/detainers will prohibit an offender's placement:
 - a. Misdemeanor warrants will not preclude 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; and
 - c. Immigration detainers are a civil matter and will not preclude placement.
5. 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.
6. The stacking of referrals to multiple treatment programs and/or multiple PRC programs is not allowed unless there is justification for successive programs. Approval for stacking must be obtained prior to making the referral by submitting a request and justification to corerequests@mt.gov.
7. 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.

B. APPLICATION PROCESS:

1. Staff must complete the *Referral* and *PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement (Application)*. Full narrative answers must be provided on the *Referral* by staff for every question ("see PSI" or "see OMIS" are not appropriate answers and the *Referral* will be returned for completion).
2. The documents listed below will be submitted to the facility screening committee(s) electronically through the file transfer service or by e-mail. Paper documents will no longer be sent by referral sources or accepted by facilities.

- a. Documents submitted electronically for BOPP cases include:
 - 1) *Referral*
 - 2) *Application*
 - 3) Approved *PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)* (if applicable)
 - 4) PSIs completed within the last 3 years (if available)
 - 5) Judgments (or VOCs) for all cases the offender is serving on (if available)
 - 6) Information(s) for all cases the offender is serving on (if available)
 - 7) Recent behavioral health reports/evaluations (SUD or Mental Health) (if available)
 - 8) Reports of Violation/disciplinary hearing information related to the current placement process
 - 9) Parole report related to the current parole hearing
 - 10) Applicable BOPP Disposition

3. Applications to prerelease centers (PRCs) will follow the established screening rotation which allows for an offender to be considered by other PRC programs if denied by the preferred center. Staff will indicate on the *Referral* which of the screening rotations (indicated below) the *Application* is to follow as well as the offender's preferred PRC. The *Application* will begin at the preferred PRC's spot in the rotation. If no preferred PRC is indicated, the *Application* will be sent to the first PRC in the specific rotation indicated on the *Referral*.
 - a. **Male Rotation:** Butte PRC -- Helena PRC – Great Falls PRC – Alpha House PRC – Missoula PRC – Gallatin Reentry Program.
 - b. **Male Sex Offender Rotation:** Helena PRC – Great Falls PRC – Alpha House PRC – Missoula PRC.
 - c. **Female PRC Programs Rotation:** Butte PRC – Great Falls PRC – Passages PRC – Missoula PRC.
 - d. **Female Sex Offender Rotation:** Great Falls PRC – Passages PRC – Missoula PRC.

4. Staff making the referral must respond timely to any inquiries made by a facility screening committee to clarify any information or provide additional information as needed.
 - a. Staff may arrange for the offender to have a telephonic or in-person interview with the facility screening committee's Screening Coordinator.

5. The referral source must document in an OMIS chronological entry the specific referral(s) made.

6. If an offender is denied by all PRC programs, staff making the referral must contact the Screening Coordinators to determine if the reason for denial can be addressed and resolved. If it can be resolved, the staff making the referral will submit a new *Application* and *Referral* (do not resubmit the previous information) and make all OMIS chronological entries throughout the process. If the reason for denial cannot be resolved, the staff making the referral will notify the BOPP that the offender was not approved by any PRC programs.

C. FORMS:

- PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement*
PFB 6.1.201 (C) Referral for Placement
PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)