

## 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](mailto: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.</p> <p><u>Male SO PRC Placement Order:</u> Helena, Great Falls, Alpha House, Missoula.</p> <p><u>Female PRC Placement Order:</u> Butte, Great Falls, Passages, Missoula.</p> <p><u>Female SO PRC Placement Order:</u> Great Falls, Passages, Missoula.</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

- 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)*