



DEPARTMENT OF CORRECTIONS
PROGRAMS AND FACILITIES BUREAU
OPERATIONAL PROCEDURE

Procedure:	PFB 6.1.202 ADMINISTRATIVE TRANSFERS
Effective Date:	01/23/2020 Page 1 of 4
Revision Date(s):	08/11/2021
Reference(s):	53-1-203, MCA; DOC/BOPP Memo of Understanding
Signature / Title:	/s/ Megan Coy, Programs and Facilities Bureau Chief

This procedure is referenced as ACCD 4.6.200 Administrative Transfers/Overrides in Section 3.G. Offender Management; 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:

The Program and Facilities Bureau’s contract facilities will follow established procedures when administratively transferring an offender from a facility to an assessment/sanction facility, Montana State Prison, or Montana Women’s Prison.

II. DEFINITIONS:

Administrative Transfer – A management decision whereby an offender is moved from one correctional facility to another of equal or greater level of custody for non-disciplinary or behavioral reasons. Transfer is usually a temporary move, but may become permanent due to other circumstances.

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.

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

Relevant Medical and/or Mental Health Information – Circumstances or situations regarding an offender’s medical and/or mental health needs that impacts the placement of the offender in a PFB facility.

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 PFB FACILITY:

1. General Information

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- a. When an offender placed at a PFB facility is not be able to complete the facility's program for non-disciplinary reasons, he/she may be removed from the facility through an administrative transfer. These reasons may include:
 - 1) needed medical assessment/stabilization,
 - 2) need for mental health assessment/stabilization, or
 - 3) separation needs.
- b. 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.
- c. The Board of Pardons and Parole (BOPP) must be notified prior to any parolee being returned to Montana State Prison (MSP) or Montana Women's Prison (MWP).

2. Mental Health Stabilization Transfer to Assessment Center

- a. Facilities may request an administrative transfer of an offender to an assessment center facility for mental health stabilization.

3. Transfers to MSP/MWP

- a. Facility staff may request an administrative transfer of a DOC/MSP inmate 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 PFB Bureau Chief, in conjunction with the BOPP, may extend the offender's stay. An email request is sent to corao@mt.gov.

C. PROCEDURES AND RESPONSIBILITY:

1. Sending facility staff will discuss possible administrative transfer of offender with supervisor and review circumstances regarding offender.
2. Sending facility staff will contact the PFB Bureau Chief or designee to discuss and review the offender's circumstances and all information regarding the reason for the transfer, including all relevant medical and/or mental health information.
3. If transfer to assessment center is deemed necessary, PFB Bureau Chief or designee will staff with assessment center administrator, mental health professional, and IPPO.
4. If transfer to MSP/MWP is deemed appropriate, PFB Bureau Chief or designee will:
 - a. verify that the offender is not a probationer;
 - b. confer with the following:
 - 1) for male offenders: CSD, MSP Command Post (for potential admission), and MDIU Admissions (for potential admission and bed availability); or
 - 2) for female offenders: CSD, MWP Treatment and Reentry Program Manager, and MWP Admissions Officer.

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5. *PFB 6.1.202(A) Request for Administrative Transfer* is completed by the sending IPPO or PRC Liaison.
 - a. The *Request* must include the offender's circumstances and all information regarding the reason for the transfer, including a contact person for relevant medical and/or mental health information.
 - b. Document must be named as follows: *Offender last name, first name, DOC #: Facility: AT*
 - c. *Request* is forwarded to Facility Administrator or designee for signature.
6. **Offender will not be transported to MSP/MWP until *Request for Administrative Transfer* has been approved and paperwork is forwarded IMMEDIATELY to CSD Administrator and MDIU/MWP Admissions.**
7. *Request* is submitted electronically by the Facility Administrator or designee to corao@mt.gov. Email subject line must read as follows: *Offender last name, first name, DOC#: Facility: AT*
8. *Request* will be forwarded by the Administrative Assistant to cormedical@mt.gov for the CSD Administrator's or designee's review and signature and to the PFB Bureau Chief.
 - a. For medical/mental health, CSD will include a medical and/or mental health plan for the offender on the *Form*;
 - b. CSD Administrator or designee will return *Request* to corao@mt.gov and PFB Bureau Chief.
9. *Request* is reviewed by the PFB Bureau Chief or designee and returned to corao@mt.gov.
10. *Request* is returned to the sending IPPO or PRC Liaison by the Administrative Assistant.
 - a. If approved, copies will be included to the following on a need to know basis:
 - 1) CSD (cormedical@mt.gov);
 - 2) Facility Administrator;
 - 3) Assessment center facility administrator, mental health professional, and IPPO;
 - 4) Onsite medical and mental health supervisors;
 - 5) MSP Admissions Manager/MWP Lieutenant on Duty (if applicable);
 - 6) MSP/MWP Records;
 - 7) Other appropriate persons.
 - b. If transfer to assessment center is approved:
 - 1) Sending facility staff will contact receiving facility staff to confirm transfer and transport of offender as soon as possible.
 - 2) Offender paperwork is transferred with the offender:
 - a) approved *PFB 6.1.202(A) Request for Administrative Transfer*;
 - b) medical/mental health/medication records; and
 - c) whether offender will return to sending facility, if known at time of transfer.
 - 3) Receiving facility staff will ensure all appropriate persons are notified of the offender's transfer.
 - 4) If the offender is transferred to a mental health pod, receiving assessment/sanction facility will notify the following persons:
 - a) PFB Bureau Chief or designee;
 - b) CSD (cormedical@mt.gov); and
 - c) MSP/MWP Mental Health Director.
 - c. If transfer to MSP/MWP is approved:

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- 1) Paperwork is forwarded by the sending IPPO or PRC Liaison prior to transfer of offender.
- 2) Sending facility staff will contact MSP Admissions Manager/MWP Lieutenant on Duty to confirm transfer and transport of offender as soon as possible. Offender paperwork is transferred with offender:
 - a) approved *PFB 6.1.202(A) Request for Administrative Transfer*;
 - b) medical/mental health/medication records; and
 - c) whether offender will return to sending facility, if known at time of transfer.
11. MSP/MWP staff or the facility IPPO will meet with offender and document progress every 15 days in offender's OMIS chronologicals and communicate to Bureau Chief or designees throughout offender's stay.
12. Medical and/or mental health progress will be monitored and communicated weekly to CSD (cormedical@mt.gov) by the receiving facility's onsite medical and/or mental health staff.
13. Offender's bed will be held by the sending facility as an "off-site" count for up to 30 days, at which time an assessment for further needs will be made by PFB.
14. 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.
15. To return offender back to the sending facility or to community:
 - a. From the assessment center: Offender is transported back to the facility or to community.
 - b. From MSP/MWP:
 - a) Paperwork must be sent to MSP/MWP Records; and
 - b) Offender is transported back to the facility or to community by the sending facility administrator.
16. For the offender whose needs are too excessive and cannot be met at receiving assessment center, and he/she cannot be returned to the sending facility, IPPO will consult with the PFB Bureau Chief, CSD (cormedical@mt.gov), MSP/MWP medical/mental health, and the Warden or designee if necessary to determine if the offender may be administratively transferred to MSP/MWP.
 - a. Once deemed stable, MSP/MWP and CSD will coordinate with the IPPO or designee for an administrative transfer back to the assessment center, the original placement, or other placement if appropriate.
 - b. If the offender needs to remain at MSP/MWP, the procedures in *PPD 4.6.202 Secure Placements* will be followed by the sending facility.

IV. CLOSING:

Questions regarding this procedure should be directed to the Programs and Facilities Bureau Chief or Probation & Parole Bureau Chief.

V. FORMS:

PFB 6.1.202 (A) Request for Administrative Transfer