



**DEPARTMENT OF CORRECTIONS
PROBATION AND PAROLE DIVISION
OPERATIONAL PROCEDURE**

Procedure:	PPD 4.6.202 SECURE PLACEMENTS	
Effective Date:	01/20/2015	Page 1 of 4
Revision Date(s):	11/03/2015; 10/17/2016; 12/19/2016; 03/25/2019	
Reference(s):	PPD 4.6.300; PPD 6.4.206; 53-1-203, MCA; DOC/BOPP Memo of Understanding	
Signature / Title:	/s/ Kevin Olson, Probation and Parole Division Administrator	

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:

Probation and Parole Division employees will follow established procedures when transferring an offender from the community to prison.

II. DEFINITIONS:

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.

Programs and Facilities Contract Manager – The Department’s employee who acts as the liaison for services and monitors the contractual agreements between the Department and PPD contract treatment facilities and prerelease centers.

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.

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 PPD facility.

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.

VINE-Victim Information and Notification Everyday – An automated telephone, email, and text notification system that the Department purchases on contract from Appriss, Inc., which provides location and custody status updates about adult offenders under Department supervision.

III. PROCEDURES:

A. GENERAL GUIDELINES FOR SECURE PLACEMENTS:

Subject: SECURE PLACEMENTS

1. Probationers cannot be sent to Montana State Prison (MSP) or Montana Women's Prison (MWP) unless their probation is first revoked by the court and a prison sentence or DOC commitment is given.
2. Offenders newly committed to the DOC, on parole or conditional release supervision, or placed at a PFB facility may be transferred to a secure facility if found to be inappropriate for their current placement, or any further placement, due to disciplinary reasons, assessment results, or placement refusals.
3. This may include the inability to place an offender at a PFB facility for the disciplinary reasons or assessment results, as well as:
 - a. offender is a public safety risk based on criminal history and as demonstrated by recent behavior. Justification must be made during staffing;
 - b. offender has a confirmed and extraditable felony warrant – attach copy of the warrant to secure placement request if possible;
 - c. court mandates, statutory requirements, or necessary/appropriate treatment or programming are not available at PFB facilities. These cases must be staffed with the Probation & Parole Bureau Chief (e.g., SOP2 or WATCH);
 - d. offender placement refusal;
 - e. program terminations and failures due to program non-compliance and disciplinary termination;
 - f. Board of Pardons and Parole (BOPP) requires return to MSP/MWP; or
 - g. offender has pending felony charges:
 - 1) Parolee – BOPP will be contacted to make decision regarding secure placement.
 - 2) Conditional release offender – is not automatic secure placement; may be placed in jail as PPD hold pending placement decision.
 - 3) PFB facility offender – hearing is held to determine placement.
4. **Medical and/or mental health issues should not be the sole justification for a secure placement.**

B. SECURE PLACEMENTS:

1. A determination may be made that a parolee, conditional release offender, or new DOC commitment is not a viable candidate for community placement and MSP/MWP is the most appropriate option.
 - a. **Parolees, conditional release offenders, and offenders in PFB prerelease or treatment facility:** Determined by Hearings Officer following appropriate hearing procedures.
 - b. **New DOC commitment in jail:** Determined by Deputy Chief (DC) and/or POII after staffing case with Probation & Parole (P&P) Bureau Chief. Ensure the following documents are available in OMIS for staffing:
 - 1) Verification of Commitment or certified court order
 - 2) Pre-Sentence Investigation Report
 - 3) Report of Violation.
 - c. **Offenders in assessment/sanction center:** Determined by facility staff during placement. Determination is staffed with PFB Bureau Chief or designee. Appropriate staff submits *PPD 4.6.202(A) Request for Secure Placement*.
2. **Submission of *PPD 4.6.202(A) Request for Secure Placement*:**
 - a. When completed by appropriate staff, *PPD 4.6.202(A) Request for Secure Placement* will describe offender's circumstances and all information regarding the reason and justification

for the secure placement, and include the following when applicable:

- 1) type of hearing and type of violations (compliance or non-compliance); and
 - 2) whether there is relevant medical and/or mental health information.
- b. *Request* must be saved as follows: “Offender last name, first name: Facility/P&P: Secure Placement.”
- c. *Request* is submitted electronically to corao@mt.gov. Email subject line must read: “Offender last name, first name, DOC#: Facility/P&P: Secure Placement.”

3. Review of *PPD 4.6.202(A) Request for Secure Placement*:

- a. Once submitted to corao@mt.gov, the PPD Administrative Assistance will forward the *Request* as follows:
- 1) From MASC, Passages ASRC, or START, or if offender is an escapee: To the PFB Bureau Chief or designee. Upon Bureau Chief or designee’s review and signature, *Request* is returned to corao@mt.gov.
 - 2) To the BOPP members if offender is under BOPP jurisdiction. Upon BOPP’s review and signature, *Request* is returned to corao@mt.gov.
 - 3) To the PPD Administrator or designee if offender is under DOC jurisdiction. Upon PPD Administrator or designee’s review and signature, *Request* is returned to corao@mt.gov.
- b. Once returned, a chronological entry is made regarding the approval or denial. The *Request for Secure Placement* is uploaded into OMIS record and distributed by the PPD Administrative Assistant to referring sources and others as follows:
- 1) **If approved**, copies to:
 - a) Facility Administrator for offenders in PFB facility;
 - b) BOPP for all parolees;
 - c) Contract Placement Bureau Administrative Officer;
 - d) MSP/MWP Records;
 - e) MDIU Admissions for males or MWP Admissions Officer for females; and
 - f) Clinical Services Division and, if applicable, MSP or MWP Medical Services Manager.
 - 2) **If denied, request is returned to the referring sources.** If the secure placement recommendation is rejected, referring source can request a discussion and review with the BOPP/PFB Bureau Chief/PPD Administrator or designees.

4. Transfer of Offender to Secure Placement:

- a. The referring source will complete *PPD 4.6.300(A) Notification and Placement Warrant* for the determined placement and forward to the appropriate parties as noted on the *Notification*:
- 1) The approved *PPD 4.6.202(A) Request for Secure Placement* is transferred with offender.
 - 2) Once placement has been determined:
 - a) P&P offender – supervising P&P Officer forwards field file to BOPP;
 - b) PFB facility offender – offender file put together with all relevant documents by IPPO/PRC Liaison and forwarded to the BOPP.
- b. Upon approval, transport details will be determined by MSP/MWP and sending facility. The approved *PPD 4.6.202(A) Request for Secure Placement* is transferred with offender.
- c. Appropriate changes are made to offender’s OMIS record reflecting the location change. This initiates notifications to any registered victim(s) regarding the offender’s placement in MSP/MWP.

C. OFFENDER PLACEMENT REFUSALS:

1. If an offender refuses to participate in a program or requests to quit a program, facility staff, PFB, and/or PPD staff will discuss the offender's reasons and the consequences of quitting with the offender using *PPD 4.6.202(B) Offender Placement Refusal*.
 - a. The outcome will be provided to the facility's administrator and IPPO/PRC Liaison and the Programs and Facilities Contract Manager and documented in OMIS.
 - b. If offender refuses to sign the *Placement Refusal* form, facility staff or the IPPO will write "Offender refuses to sign form" across the form and sign the form, and document offender refusal to sign in OMIS record.
2. If the offender refuses to stay in the program, he/she will be sent to MSP or MWP by following the procedures of Section B above.
3. *PPD 4.6.202(B) Offender Placement Refusal* will be attached to and submitted with *PPD 4.6.202(A) Request for Secure Placement*.

IV. CLOSING:

Questions regarding this procedure should be directed to the Deputy Chief, P&P Bureau Chief, or the Programs and Facilities Bureau.

V. FORMS:

PPD 4.6.202 (A)	Request for Secure Placement
PPD 4.6.202 (B)	Offender Placement Refusal
PPD 4.6.300 (A)	Notification and Placement Warrant