



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

Procedure:	PPD 6.3.201 ADMINISTRATIVE AND SIGN-UP PROCEDURES FOR COMMUNITY SUPERVISION
Effective Date:	07/29/2019 Page 1 of 7 plus attachment
Revisions Date(s):	04/28/2021
Reference(s):	PPD 1.5.200; PPD 1.5.501; PPD 1.5.1000; PPD 1.5.1200; PPD 3.1.2000; PPD 3.1.2400; PPD 4.6.300; PPD 4.6.301; PPD 4.6.302; PPD 6.3.401; DOC 1.5.13; 41-5-2503, MCA; 44-6-103, MCA; 45-9-202, MCA; 46-18-203, MCA; 46-18-237, MCA; 46-18-241, MCA; 46-18-261, MCA; 46-23-1004, MCA; 46-23-1011, MCA; 46-23-1021, MCA; 46-23-1031, MCA; 53-1-201, MCA; 20.7.1101, ARM; 20.25.702, ARM
Signature / Title:	/s/ Katie Donath, Acting Probation and Parole Division Administrator

I. PURPOSE:

Probation and Parole Division staff will use consistent procedures and forms to ensure offenders are advised of the sentencing order of the District Court and the legal force and effect; the conditions of community supervision imposed by the court, Board of Pardons and Parole, and/or the Department; and the offender’s responsibilities while on community supervision.

II. DEFINITIONS:

CDFS-Conditional Discharge from Supervision – As defined in §46-23-1020, MCA, 1) a discharge from supervision by the Department of Corrections for the time remaining on the sentence imposed if the probationer or parolee complies with all the conditions imposed by the District Court or the Board of Pardons & Parole; and 2) a release from the obligation to pay supervision fees imposed as part of a sentence or as terms of parole or probation.

Community Supervision – Probation, parole, conditional release, or any form of supervision in the community by a Department probation and/or parole officer.

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

Offender Case Files – The primary records for adult and youth offenders that may include, but are not limited to, certified documents that authorize the Department to maintain legal custody and/or supervise the offender, reports, classification, treatment programs, and grievances; utilized to provide basic physical, biographical, or historical information about an offender, and to aid placements, custody, classification, treatment, and supervision.

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.

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.

Registration Agency – The police department of the city or town in which an offender resides; or the sheriff’s office of the county in which an offender resides if the residence is in a place other than a city or town.

RIL-P&P Regional Intelligence Liaison – An individual appointed by the Deputy Chief to track street gang activity within a specific region/city and is the liaison to the Montana Analysis and Technical Information Center (MATIC) and Rocky Mountain Information Network (RMIN).

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.

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. ADMINISTRATIVE PROCEDURES:

A. GENERAL PROVISIONS:

1. Supervising Probation & Parole (P&P) Officers will follow administrative procedures in conjunction with:
 - a. *PPD 1.5.1200 Risk and Needs Assessments for Adult Case Management;*
 - b. *PPD 4.6.300 DOC Commitments*
 - c. *PPD 4.6.301 Offender Self-Surrender;*
 - d. *PPD 4.6.302 Conditional Release of DOC Commitment; and*
 - e. *PPD 6.3.401 Case Management for Adult Offenders.*

2. Administrative and sign-up procedures occur for offenders received into the community under P&P supervision in the following ways.
 - a. *Probation:*
 - 1) A District Court judge sentences the offender to serve a period of probation or suspended commitment time and imposes conditions of said term.
 - 2) An offender’s prison sentence expires and there is suspended time to follow. Offender may also discharge a sentence with probation time to follow from a PFB program/facility when placed there as a prison inmate.
 - 3) An offender’s parole status expires and there is suspended time to serve.
 - 4) A District Court judge sentences the offender to the Department’s jurisdiction but requires the offender to be released to community supervision upon sentencing.
 - 5) An offender on conditional release status goes to probation while in the community.

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- b. *Parole*: When an offender sentenced to a prison term is released by the BOPP prior to his/her prison discharge date and placed in a PFB program/facility or into the community on parole status.
 - c. *DOC Probation*: An offender sentenced to the Department and court-ordered to be released to community supervision upon sentencing or disposition. This offender is signed up to probation conditions of supervision.
 - d. *Conditional Release (CR)*: An offender who was committed to the Department and is ultimately deemed appropriate and approved for release on community supervision (see *PPD 4.6.302 Conditional Release of DOC Commitment*).
 - e. *Offender Self-Surrender*: Release of an incarcerated DOC commitment who 1) has a conditional release pending or 2) is approved for placement in an approved PFB facility and waiting for an available bed in the facility (see *PPD 4.6.301 Offender Self-Surrender*).
3. When a revocation is pending in a jurisdiction other than the supervising jurisdiction, the supervising jurisdiction will continue to supervise the offender until sentencing. The jurisdiction initiating the revocation is responsible for completing all paperwork associated with the revocation procedures.

B. VICTIMS:

1. If not done previously during the presentence investigation process, the supervising P&P Officer will contact victims regarding future notifications about the offender, i.e., travel to certain areas, hearing outcomes, potential release, etc.
 - a. Officer provides contact information and an opportunity for the victim to ask questions or share concerns.
 - b. Victim should provide the method of contact for any notification (e.g., text, email, phone call).
 - c. Officer ensures victim is included in offender's OMIS record and documents victim's decision regarding notifications, including the preferred method of contact.
 - d. Officer may determine designated travel districts are necessary for the offender based on safety concerns for the victim.
2. Officer will provide the Department's website, www.cor.mt.gov/Victims, to the victim and explain the website provides important information on victim rights, safety, programs, contacts, and notification registration.

C. OFFENDER'S ARRIVAL IN COMMUNITY:

1. For an adult offender new to Department supervision, an OMIS record is formally established at the time of sentencing:
 - a. creation of offender profile records if not done during pre-sentence investigation;
 - b. entry of court case information;
 - c. entry of offenses; and
 - d. entry of sentencing conditions.
2. For all offenders, supervising P&P Officer will:
 - a. review court order, pre-sentence investigation report (PSI) if one was completed, and current risk and needs assessment(s) if available;

- b. ensure offender has a risk and needs assessment(s) pursuant to *PPD 1.5.1200 Risk and Needs Assessments for Adult Case Management*.
 - c. develop a case plan and supervision strategy pursuant to *PPD 6.3.401 Case Management for Adult Offenders*.
 - d. complete urinalysis following *PPD 3.1.2000 Offender Drug and Alcohol Testing*.
 - e. complete *PPD 3.1.2400(A) STG/Street Gang Activity Questionnaire* if not done previously and forward to appropriate RIL. Copy is retained in offender's OMIS record and OMIS STG chronological entry is made noting completion of form.
 - f. complete required sign-up procedures pursuant to Section IV. C. below.
3. Probation Offenders Incarcerated in Another State: The supervising P&P Officer will create a field file and enter OMIS information for probation offenders on supervision in Montana, but who are incarcerated in another state, and forward the field file to the Interstate Compact Section (Interstate) for monitoring. Interstate will provide a notification to the out-of-state facility holding the offender and request they be contacted if any release is going to be initiated. Interstate will give reporting instructions to the offender when he/she is released from the facility. If the offender chooses to interstate to another state, the Interstate Compact Section will facilitate the transfer.

IV. SIGN-UP PROCEDURES:

A. OFFENDER TO BE RELEASED FROM A FACILITY TO COMMUNITY SUPERVISION:

1. Prior to release of offender, the IPPO, PRC Liaison, or P&P Officer will:
 - a. Have an NCIC/CJIN check completed by the nearest regional P&P Office to confirm there are no outstanding detainers or warrants on offender:
 - b. If applicable, at least 10 days prior to release, registered victim(s) must be notified of the following information and notification documented (follow *PPD 4.6.302 Conditional Release of DOC Commitment* for offenders being conditionally released):
 - 1) change in location and custody status;
 - 2) date of release;
 - 3) community in which the offender will reside; and
 - 4) victim has opportunity to respond with written or oral input within five (5) days. Provide the P&P Officer's name to whom the victim should respond, including Officer's address, and phone number.
 - c. Coordinate with the assigned supervising P&P Officer in the community to schedule reporting instructions.
2. The following staff will complete the sign-up:
 - a. IPPO:
 - 1) offenders paroling from prison,
 - 2) offenders discharging prison sentence from prison with probation to follow, and
 - 3) offenders being conditionally released from a PFB treatment or assessment/sanction center.
 - b. PRC Liaison:
 - 1) prerelease offenders being released to a region other than where the prerelease is located or to an interstate transfer.

c. P&P Officer:

- 1) offenders discharging prison sentence in a prerelease with probation time to follow,
- 2) offenders being conditionally released from prerelease, jail, or at revocation to ISP,
- 3) offenders transferring in-state,
- 4) DOC Probationer releasing from jail, and
- 5) offender placed on self-surrender.

3. If applicable, IPPO, PRC Liaison, or P&P Officer completes and uploads into offender's file the appropriate paperwork for:

- a. DNA testing if not completed (see *DOC Policy 1.5.13, DNA Testing/Collection of Biological Sample*); and/or
- b. Sexual/Violent Offender Registration at least 10 days prior to release (see *PPD 1.5.1000 Sexual and Violent Offender Registration and Level Designation*).
 - 1) If it is determined that a tier level designation was not imposed at the time of sentencing, follow the procedures outlined in *PPD 1.5.1000* to request a level designation from the court.

4. IPPO, PRC Liaison, or P&P Officer emails notification of offender releasing to MSP/MWP Records Department for notifications required by statute.

5. Issue offender *Travel Permit-OMIS* following procedures of *PPD 6.3.404 Probation & Parole Offender Travel*.

B. PAROLEE GRANTED CDFS DISCHARGING BALANCE SUSPENDED:

1. A parolee who received a CDFS, but will discharge his/her parole status to suspended time will have been given a date to report to a P&P office to begin the suspended time on *PPD 4.6.205(D) Conditional Discharge Information*.

2. Upon reporting, the supervising P&P Officer will complete the following:

- a. a NCIC check for outstanding warrants;
- b. a MORRA CST or WRNA PPA;
- c. sign-up as outlined below in part C.; and
- d. OMIS entries.

3. The offender will be required to report as directed by *PPD 1.5.1200 Risk and Needs Assessments for Adult Case Management* and *PPD 6.3.401 Case Management for Adult Offenders* until such time he/she is eligible for a court-ordered CDFS (see *PPD 4.6.205 Conditional Discharge from Supervision*).

C. OFFENDER REPORTING TO P&P FOR COMMUNITY SUPERVISION:

1. P&P Officer will print, read, and explain to the offender each required sign-up form. After review, all forms will be uploaded to the offender's file as one sign-up packet:

- a. *DOC Policy 1.5.13 (Attachments) Requirement to Provide Biological Sample Letter-OMIS and Documentation of DNA Test Collection* if offender has not previously provided a DNA sample. When *Documentation* is returned to supervising Officer, a copy is given to the offender and applicable OMIS entries are made.

- b. *Prison Rape Elimination Act of 2003 Offender Sign-up Packet*. Offender signs *PPD 1.1.1700 (C) Offender PREA Acknowledgment* documenting receipt and review of PREA and complaint information.
 - c. *PPD 6.3.401(C) Monthly Report* when required.
 - d. *PPD 6.3.101(B) Offender MIIG-P&P Acknowledgement*.
 - e. *PPD 6.3.201(A) Residence Visits*. This form is also reviewed with other residents of offender's home when applicable.
 - f. Section I of *PPD 6.3.201(B) Firearms and Voting Regulations*. Form is retained in offender's file.
 - g. *PPD 6.3.201(C) Supervision Fees-Offender Rights & Responsibilities*. Officers will approximate an offender's total supervision fees that will be due during the offender's supervision to establish a baseline and make a chronological entry on the approximation. Future waivers or time periods that fees are not required to be paid (i.e., when offender is not on supervision) are not included in the approximation.
 - h. Appropriate *conditions of supervision* are generated in OMIS based on offender's supervision status. Offender initials to acknowledge understanding of each condition and signs the form.
 - 1) If re-signing is due to a change in offender's status, Officer may note on previous *Conditions* any change in travel district(s) and then review each condition with offender, with offender re-initialing each condition and re-signing and dating form.
 - i. *PPD 6.3.201(J) Wage Garnishment Statement* if there is court-ordered restitution.
 - j. *PPD 6.3.201(K) Change to Residence/Phone#/Employer*.
2. If applicable, supervising P&P Officer will verify a sexual or violent offender has complied with the statutory obligation to register with the local registration agency (see *PPD 1.5.1000 Sexual and Violent Offender Registration and Level Designation*):
- a. Officer will:
 - 1) record or verify the offender's intended address;
 - 2) provide offender with *PPD 1.5.1000(A) Duty to Register Letter*;
 - 3) complete *SVOR Registration Form* with offender and:
 - a) forward a copy to the Department of Justice or e-mail to dojsvor@mt.gov; and
 - b) document DOJ notification was completed.
 - 4) copies of *Letter* and *SVOR* registration are retained in OMIS record.
 - 5) Sexual offenders ordered to have no contact with a victim and/or any persons under the age of 18, must complete OMIS-generated *PPD 6.3.201(D) What Does "No Contact" Mean?*
 - b. If it is determined that a tier level designation was not imposed at the time of sentencing, follow the procedures outlined in *PPD 1.5.1000* to request a level designation from the court.
 - c. Officer must contact the registration agency to verify the original registration as well as any subsequent changes. The offender must also complete the *SVOR-Change of Address Form*. Officer will forward a copy to the Department of Justice or e-mail to dojsvor@mt.gov and maintain documentation that this DOJ notification was completed.
3. Employer Notification:
- a. Offenders convicted of an offense involving theft from an employer:
 - 1) The P&P Officer will generate *PPD 6.3.201(I) Employer Notification Letter* from OMIS at sign-up as required by §46-23-1004, MCA.

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- 2) Officer will document employer and verification in OMIS record.
- b. All other offenders under P&P supervision are required by the conditions of supervision to notify their employer of their status on probation, parole, or conditional release.
 - 1) P&P Officers are required to verify that the employer is aware of the offender's supervision status. This can be accomplished by letter or phone contact.
 - 2) Officer will document employer and verification in OMIS record.
 - 3) If an offender is self-employed or works for an independent contractor, P&P Officer will determine whether there are appropriate parties that need to be notified.
4. The supervising P&P Officer, PO Tech, or Administrative Support will complete the following:
 - a. *Photographs (see also page 8 attachment)*: Photograph the offender using both a frontal face-only view (no smiling) and a head-only profile view (right view). The frontal face-only view used as the main photo, and the head-only profile view in Other Photo section, should be updated each time an offender's appearance changes (glasses, facial hair, tattoos and/or scarring). **Photos will be reviewed every three (3) years and replaced if necessary.**
 - b. Ensure all OMIS information has been entered.
5. *OMIS Chronological Entries*: Supervising P&P Officer will document the initial contact with offender. All contact and any change pertaining to the offender that affects the accuracy of information stored in OMIS, such as change in custody level or location, address, gender, life-status, should be documented in the chronological history on an ongoing basis throughout the offender's supervision.
6. For probationers, an in-home contact is completed within 45 days of sign-up to address the following:
 - a. verify offender's home address and conduct visual inspection;
 - b. assess home environment for Officer safety (may draft a floor plan of home);
 - c. observe and determine lifestyle factors;
 - d. meet significant others, family members, other residents of home;
 - e. observe residence for contraband, weapons, illegal or dangerous objects (if visual inspection provides reasonable suspicion that the offender has items banned by conditions of supervision, conduct a search pursuant to *P&P 60-4 Searches of Offender's Person, Vehicle, Residence/Confiscation of Offender's Property*;
 - f. observe residence for cable/computer/internet capabilities if offender is a sex offender and/or has restrictions; and
 - g. observe neighborhood for potential public safety issues such as high crime area (gang graffiti), schools/parks (sex offenders), or other vulnerable neighbors.
7. If the court revokes and reinstates an offender and the offender remains in the supervising jurisdiction, the supervising P&P Officer will sign the offender to new conditions of supervision.

V. CLOSING:

Questions concerning this procedure shall be directed to the POII, Deputy Chief, or Probation & Parole Bureau Chief.

VI. FORMS:

PPD 6.3.201 (A)	Residence Visits
PPD 6.3.201 (B)	Firearms and Voting Regulations
PPD 6.3.201 (C)	Supervision Fees-Offender Rights & Responsibilities
PPD 6.3.201 (D)	What Does "No Contact" Mean?
PPD 6.3.201 (E&F)	Conditions of Probation and Parole
PPD 6.3.201 (G&H)	Conditions of ISP
PPD 6.3.201 (I)	Employer Notification Letter
PPD 6.3.201 (J)	Wage Garnishment Statement
PPD 6.3.201 (K)	Change in Residence/Phone#/Employer
PPD 1.5.1000 (A)	Duty to Register Letter
PPD 1.5.1000 (C)	Request for Sexual Offender Level Designation
PPD 3.1.2400 (A)	STG/Street Gang Activity Questionnaire
PPD 4.6.302 (A&B)	Conditions of Conditional Release
PPD 6.3.401 (C)	Monthly Report
PPD 6.3.101 (B)	Offender MIIG-P&P Acknowledgement
DOC 1.5.13 (B)	Requirement to Provide Biological Sample Letter
DOC 1.5.13 (C)	Documentation of DNA Test Collection
DOJ	Sexual-Violent Offender Registration Form

OFFENDER PHOTOS IN OMIS

1. Photos will be updated each time an offender's appearance changes (glasses, facial hair, tattoos and/or scarring), but will be reviewed at least every three (3) years and replaced if necessary. Some key triggers for new photo:
 - Offender has discharged from an institution or returned from interstate to community supervision,
 - Facial hair growth or removal [i.e., beards],
 - Hair length [going from short to long hair or vice versa],
 - Last picture is over three years old, and/or
 - If you recognize the last photo you have doesn't fit with what is contained in the procedure.
2. **Offender should not be smiling in any photo.**
3. Photograph the offender using both a frontal face-only view (no smiling) and a head-only profile view (right view). The frontal face-only view is used as the main photo and the head-only profile view is in Other Photo section of the Profile Listing.
4. Make sure there is adequate lighting and use the background provided by DOC which is 18% gray with a smooth flat surface; there should be NO paneling, desks, height bar, bulletin boards, etc., in the background of the photo.
5. There should be NO hats, uniform logos or name badges showing. Do NOT include the name of the offender or any dates in the picture.
6. Always capture the full-face or frontal face-only view (no body included) and use this view as the main photo in Main Offender Listing Screen in OMIS. The camera should be focused from the nose to the ears with the nose as center.
7. For offenders who normally wear eyeglasses, the frontal face-only view should be captured of the offender without glasses. An additional view should be captured of the offender wearing the eyeglasses and uploaded into the Other Photo section of the Profile Listing.
8. Ensure that the camera is the same distance from the offender for both the frontal face-only view and the head-only profile. (It may be helpful to put tape on the floor where the client photo will be taken so that they will stand in the same spot for all photos.)
9. Photos must be saved as ".jpg" format and 640x480 in size, or multiples thereof. Changing the extension of a photo to ".jpg" after it has been saved will not work. Photos do not need to be kept once entered into OMIS.
10. Keep in mind interstate compact unit is also impacted by the quality of our photos. The national standards are:
 - 1) Face is recognizable and visible,
 - 2) Photo is in portrait view (height greater than width),
 - 3) Photo is in color and is sharp with no visible pixels or printer dots, and
 - 4) Background doesn't detract from the offender's face.