I. PURPOSE:
Probation & Parole Bureaus’ staff will follow established procedures for the in-state transfer of an offender’s community supervision to another in-state location.

II. DEFINITIONS:

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

Continuum of Care – An integrated network of treatment services and modalities designed to meet an offender’s changing needs as that offender moves through the treatment and recovery process.

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.

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. PROCEDURES:

A. ELIGIBILITY FOR TRANSFER:

1. An in-state transfer should be in the best interest of the offender to optimize the offender’s success.

2. If an offender is not in compliance with his/her conditions of supervision, and an in-state transfer is in his/her best interest, a Hearings Officer will consider transfer of supervision as it relates to the goal of re-establishing compliance through interventions determined applicable by PPD 6.3.101(A) Montana Incentives/Interventions Grid for Adult Probation & Parole (MIIG-P&P).
B. TRANSFER PROCEDURES AND RESPONSIBILITIES:

1. When an in-state transfer is being considered, the offender will provide a home address, employment, and any treatment information at the new location.

2. When applicable, notification to registered victims(s) is made and documented in OMIS chronologicals. The following information is provided:
   a. community in which the offender will reside;
   b. date of transfer; and
   c. victim has opportunity to respond with written or oral input within five (5) days. Provide the name of the P&P Officer to whom the victim should respond, including Officer’s address and phone number.

3. The supervising P&P Officer verifies the information provided by the offender.

4. When information is verified, Officer submits request to supervisor for review and approval or denial. If supervisor approves:
   a. Supervisor contacts P&II at receiving P&P office for coordination of transfer and assignment of case to receiving P&P Officer.
   b. Sending Officer and receiving Officer staff case to provide a continuum of care and discuss the issues warranting a transfer and any concerns regarding the transfer.
   c. Travel Permit-OMIS and reporting instructions are given to offender.
   d. OMIS Entries:
      1) Sending Officer will complete a chronological entry regarding offender’s transfer plan; and
      2) Receiving Officer will change offender’s location and add new supervising officer.

5. Case Management:
   a. If offender has had a life-altering event, the former supervising P&P Officer and the new supervising Officer, through staffing with respective supervisors, may deem a risk and needs reassessment is necessary (see PPD 1.5.1200 Risk and Needs Assessments for Adult Case Management).
   b. An established case plan and supervision strategies will be maintained pursuant to PPD 6.1.203 Case Management for Adult Offenders.

6. Sign-Up to Community Supervision:
   a. With any in-state transfers, the new supervising P&P Officer should review the offender’s file and determine if a new conditions of supervision form should be generated and signed by offender.
   b. The current conditions of supervision may be reviewed with the offender with focus on the possible change in travel district. The offender should re-sign and date somewhere on the form or a new form may be generated. This documents and supports that the conditions were reviewed should the offender have to answer to violations of supervision.
   c. If there is court-ordered restitution, the Wage Garnishment Statement-OMIS is required. The Department will not move to garnish wages unless the offender fails to pay restitution.
   d. 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):
1) A sexual/violent offender must register a change in residence, name, student or employment status or transient status with the registration agency last registered with, in person, within three (3) business days.
   a) Officer must contact the registration agency to verify the offender has registered these changes.
   b) 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.

e. Supervising P&P Officer will ensure the appropriate notification is made to offender’s employer:
   1) As required by §46-23-1004, MCA, PPD 6.3.201(I) Employer Notification Letter is generated from OMIS and sent to the employer if offender was convicted of an offense involving theft from an employer. Officer will document notification in OMIS record; or
   2) Pursuant to the conditions of supervision, the offender must notify the employer of his/her status on probation, parole, or conditional release. Officer will verify this notification was made and document in OMIS record.

f. The appropriate initial home contact should be made within 45 calendar days of the transfer in accordance with offender’s case plan and appropriate supervision strategies (PPD 6.1.203 Case Management for Adult Offenders).

IV. CLOSING:

Questions concerning this procedure shall be directed to the POII or Deputy Chief.

V. FORMS:

Appropriate Conditions of Supervision and other sign-up forms (see PPD 6.3.201 Administrative and Sign-Up Procedures for Adult Community Supervision).