



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

Policy No. DOC 4.2.2	Subject: SPECIAL NEEDS OFFENDERS
Chapter 4: FACILITY/PROGRAM SERVICES	Page 1 of 2
Section 2: Classification	Effective Date: Jan. 1, 1998
Signature: /s/ Mike Ferriter, Director	Revised: 02/22/12

I. POLICY

The Department of Corrections facilities and programs will identify, assess, and manage offenders with special needs, including those who are potentially vulnerable and potentially dangerous, to provide safe housing, adequate protection, and programmatic resources to meet their needs.

II. APPLICABILITY

All divisions, facilities, and programs Department-owned and contracted, as specified in contract.

III. DEFINITIONS

Facility/Program – Refers to any division, prison, secure care correctional facility, correctional or training program, or community-based program under Department jurisdiction or contract. This term includes the facility building or residence, including property and land owned or leased and operated by the Department.

Separation Needs – Documentation that substantiates the need to separate potentially harmful contact between specific offenders.

Special Needs Offenders – Offenders who may require accommodations, arrangements, or programming different from the general population offender. Special needs offenders may include, but are not limited to, developmentally disabled, mentally ill, physically handicapped, chronically ill, chemically dependent, and others considered vulnerable or predatory who may require special protection or management.

IV. DEPARTMENT DIRECTIVES

A. Identification and Management

1. The facility/program administrator, or designee, will establish procedures to:
 - a. identify special needs offenders in accordance with the provisions of this policy and [*DOC Policy 4.2.1, Offender Classification System*](#);
 - b. comply with classification recommendations or separation needs directives when making housing, program, and work assignments;
 - c. address the safety and case management needs of youth offenders who may be committed to adult facilities;
 - d. investigate offender requests for status change or protection;
 - e. reassess classification status, placements, and assignments, as needed;
 - f. monitor offender adjustment and behavior to ensure the most appropriate management options are implemented;
 - g. activate the disciplinary process when required; and
 - h. document all information pertaining to offender special needs management.

Subject: SPECIAL NEEDS OFFENDERS**B. Vulnerable and Predatory Offenders**

1. The facility/program administrator, or designee, will establish procedures to:
 - a. require that offenders are screened within 24 hours of arrival at the facility to identify potential vulnerabilities or tendencies of acting out with sexually aggressive behavior;
 - b. ensure that offenders identified as high risk with a history of sexually assaultive behavior are assessed by a mental health or other qualified professional;
 - c. require that offenders with a history of sexually assaultive behavior are monitored and counseled by a qualified professional;
 - d. ensure that offenders identified as at risk for sexual victimization are assessed by a mental health or other qualified professional; and
 - e. require that offenders at risk for sexual victimization are monitored and counseled by a qualified professional.

C. Offender Orientation

1. The facility/program administrator, or designee, will establish procedures to provide:
 - a. offender orientation in accordance with [DOC Policy 4.1.2, Offender Reception and Orientation](#);
 - b. instructions by which offenders may communicate with staff in accordance with [DOC Policy 3.3.5, Offender/Staff Communication Methods](#);
 - c. information on the rights, programs, and services available to all offenders with special needs, e.g., physically or developmentally disabled offenders, and where and how to access those services; and
 - d. information on the prevention, intervention, and confidential reporting of sexual abuse or assault toward any offender under Department jurisdiction or contract.

V. CLOSING

Questions concerning this policy should be directed to facility or program classification manager.

VI. REFERENCES

- A. [53-1-203, MCA](#)
- B. 4-4281, 4-4305; *ACA Standards for Adult Correctional Institutions, 4th Edition*
- C. 4-4281-2, 4-4281-4, 4-4281-5, 4-4312-1; *ACA Standards Supplement, 2008*
- D. 3-JTS-5B-07; *ACA Standards for Juvenile Correctional Facilities, 2003*
- E. [DOC Policies 3.3.5, Offender/Staff Communication Methods](#); [4.1.2, Offender Reception and Orientation](#); [4.2.1, Offender Classification System](#)

VII. ATTACHMENTS

None