



STATE OF MONTANA
BOARD OF PARDONS AND PAROLE
POLICY DIRECTIVE

Policy No. BOPP 4.3	Subject: Institutional Screening
Chapter 4: OPERATIONAL PROCEDURE	Page 1 of 4
Section 3: Institutional Screening	Effective Date: 10/2/2024
Signature: /s/ Steve Hurd	Revised:

I. POLICY

The Board of Pardons & Parole (BOPP) has a collaborative working relationship with Department of Corrections (DOC or Department) (administratively attached -See 2-15-112; 2-15-121; 2-15-124; 46-23-215; 46-23-202; 46-23-203; 46-23-1002; 46- 23-1021, MCA). Together, the two entities administer an institutional screening (IS) process to prepare inmates who are within fourteen months of parole eligibility or discharge for release to the community. The BOPP IS Coordinator will ensure the collaborative working relationship is in good standing. During this process, the IS staff will treat crime victims with dignity and respect and comply with victim notification statutes. The IS Coordinator will promote, respect, and follow all Department policies in carrying out duties relative to the position given the statutorily established, administratively attached relationship between the BOPP and the DOC.

II. APPLICABILITY

DOC Inmates who are within fourteen months of parole eligibility (P.E.) or discharge. (Note: MCA 53-1-203 also authorizes this process for offenders within 14 months of their discharge date, but the DOC Policy Directive does not allow consideration of those nearing discharge.)

III. DEFINITIONS

BOPP – Montana Board of Pardons and Parole

Board – Montana Board of Pardons and Parole Department

DOC – Montana Department of Corrections.

IPPO – Institutional Probation & Parole Officer. The new title is DOC Case Specialist.

IS – Institutional Screening

MCA – Montana Code Annotated – The current statutes of the State of Montana.

P.E. – Parole Eligibility Date

PRC – Pre-release center.

SO – Sexual Offender

VO – Violent Offender

Subject: **Institutional Screening**

Victim/Witness Coordinator – A BOPP employee who communicates with victims about upcoming IS action involving the offenders.

I. BOPP DIRECTIVES:**A. Composition of IS panel:**

1. The IS panel for secure facilities is composed of the following:
 - a. The Department's IS Coordinator
 - b. The BOPP's IS Coordinator
 - c. The designated Department representative from the secure facilities.
 - d. The IS panel members may assign a designee for coverage.
 - e. The IS process is not a public board, and its decisions are not subject to public participation. Potential placement in treatment or a pre-release center prior to parole eligibility is a privilege, not a right.

B. IS Process:

The IS Coordinators from the BOPP and DOC will run a report monthly to determine who is eligible to see the IS panel the following month. The IS Coordinators will review it and assign inmates to a Facility Case Manager to review the eligibility criteria.

1. The unit case managers will review the applications in accordance with the criteria on the Institutional Screening Initial Eligibility Checklist - DOC 4.6.15 (A).
2. The case managers will review the IS process with the offenders who have passed the initial screening and confirm their interest in participating.

C. Screening Requirements:

1. Eligible offenders must meet the criteria below:
 - a. Is currently in the physical custody of the DOC in a secure placement.
 - b. Be within fourteen months of parole eligibility or discharge date.
 - c. Clear conduct for 120 days.
 - d. Compliant with treatment recommendations/requirements.
 - e. No active detainers or warrants.
 - f. Has not been reviewed for IS during the current secure placement (unless requested by IS Coordinators).
 - g. No parole restriction preventing placement.
 - h. Has not failed or refused recommended treatment/programming within the last 180 days.
 - i. Has not failed or refused a community corrections placement within the last 180 days.

Subject: Institutional Screening

2. In making decisions, the IS panel will consider the following factors:
 - a. Time until parole eligibility/discharge.
 - b. Current risk assessment.
 - c. Compliance with recommended treatment/programming.
 - d. The nature of the offense
 - e. Whether the offender is required to register as a sexual or violent offender upon release.
 - f. Victim input.
 - g. Overall conduct during current sentence.
 - h. The offender's expressed interest in placement in treatment or pre-release.
 - i. Any other factor that may be relevant based on the individual circumstances of the offender being considered.
3. As the Board is committed to the right of victims to be heard in a public forum if they so choose, the Board representative is unlikely to approve an IS placement for sexual or violent offenders through the IS process without them seeing the BOPP.
4. The IS panel may, at its sole discretion conduct an interview with the offender as part of the decision process. If the IS panel chooses to conduct an interview, it may be conducted either in-person or via video or telephone conference.
5. Offenders who have already seen the BOPP and received a disposition are not eligible for IS placements that are inconsistent with those dispositions. In other words, an offender who has been given conditions that are required to be met and had a subsequent Board hearing scheduled must comply with the conditions stipulated. The only exception to this would be an offender who is within 14 months of discharge. In that case, the IS panel has more flexibility.
6. Any single factor may be sufficient to deny an eligible inmate's potential placement outside of the secure facility prior to the offender's parole eligibility date.

D. Victim Notification

1. The IS Coordinators will work with the BOPP Victim/Witness Coordinators to ensure that victim notification is made. The BOPP is committed to ensuring that victims voices are heard. The IS panel will be sensitive to victim concerns when making placement decisions.

E. Screening

1. The IS panel will meet monthly to decide on the cases. They will review each case with the criteria outlined in §46-23-208, MCA. The vote must be unanimous to approve. Those who are approved will be referred to the IPPO to initiate the referral process. Those who are denied will be routed back to the case manager to notify the

Policy No. BOPP 4.3	Chapter 4: Operational Procedure	Page 4 of 4
Subject: Institutional Screening		

offenders. Chronological notes will be made of all decisions.

2. The criteria from §46-23-208, MCA includes the following: The circumstances of the offense, the social history and prior criminal record, institutional conduct, employment, attitude in prison, whether he/she has taken advantage of opportunities for treatment, the reports of any evaluations made, the maturity, sense of responsibility, and development of traits and behaviors that will increase the likelihood of the offender conforming behavior to the law, as well as the other factors listed in the statute.
3. The decisions of the IS panel are not subject to appeal or grievance. Inmates who are denied will have the opportunity to seek release through the regular Board process once they become parole eligible.

F. Transitional Living

1. Offenders who have been approved for an early placement via IS are not eligible for a transitional living placement until they have been seen by the Board and granted a parole.

G. Parole Board Appearances

1. Those offenders who have been approved for placement in treatment or a PRC by the IS process and are scheduled to see the Board may choose to waive their Board appearance until after they have been in a PRC program for three or four months so that they may have a more favorable track record to present to the Board. If they have been approved by the IS process, but are denied by a PRC, they must be denied by two complete screening rotations before requesting an appearance with the BOPP. Those who meet this criterion may contact the Board to request an appearance.

II. CLOSING

1. Questions concerning this policy should be directed to Chairman or designee.

III. REFERENCES

- A. MCA §46-23-208
- B. MCA §53-1-203

IV. ATTACHMENTS

Institutional Screening Initial Eligibility Checklist (DOC 4.6.15 (A))