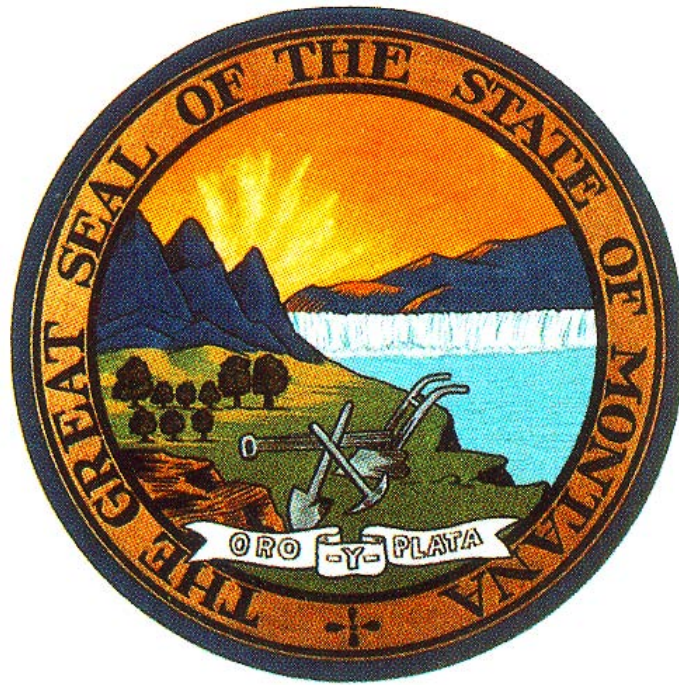


**STATE OF MONTANA  
BOARD OF  
PARDONS AND PAROLE**



**Law & Justice Interim Committee**

**Respectfully submitted by Executive Director Fern Osler**

**1002 Hollenbeck Road, Deer Lodge, MT 59722**

**1-406-846-1404**

**December 2011**

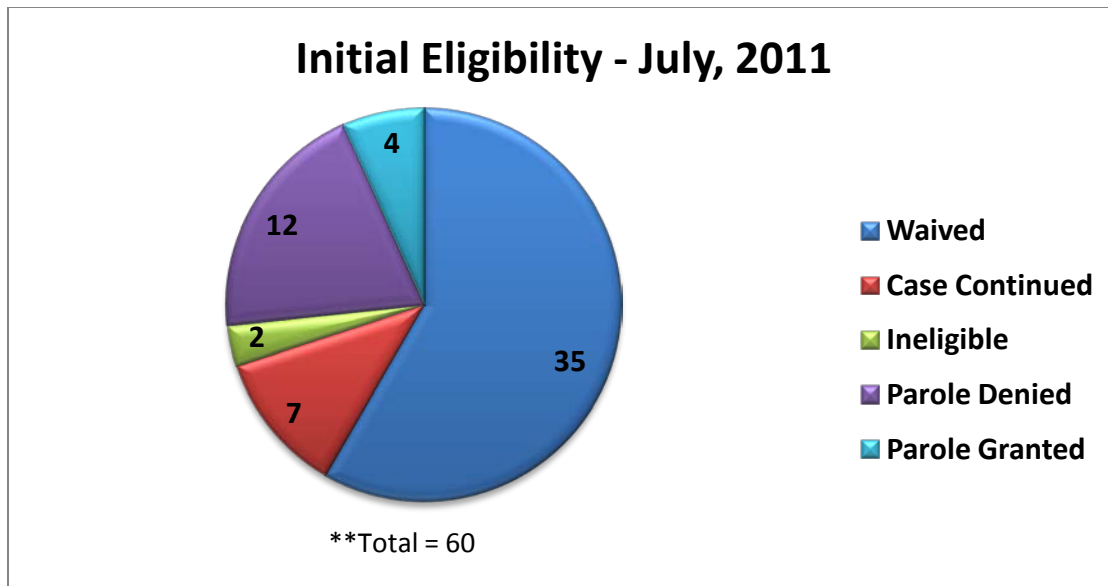


Figure 1

60 offenders appeared on the July 2011 Initial Eligibility list provided by the MSP Records Department. Of the 60 offenders, 23 were past their eligibility date. (See attached Initial Eligibility List provided by the Records Department for July, 2011) All offenders sentenced to a DOC or MSP prison term receive a parole eligibility date, but an offender is not under the jurisdiction of the Board until they arrive at MSP. Other reasons an offender may be past their eligibility date when they appear on the list could be due to missing certified judgment orders, additional jail time credit, or conduct issues.

16 offenders appeared before the Board at their Initial Appearance

4 offenders were granted parole

12 offenders were denied parole

4 of those offenders denied parole received endorsements for community placement and were allowed to request a subsequent hearing near completion of their community placement (25%)

1 offender requested pass to discharge (10%)

1 offender had a poor parole plan (had not established verifiable employment and/or residence) (10%)

1 offender refused to participate in recommended treatment (10%)

5 offenders were denied based on one or more of the following criteria (45%):

Nature of the Offense; Multiple Offenses; Pattern of Similar Offenses; Poor History Under Supervision; Objection to Release from Citizenry or Criminal Justice Authorities; Previous Criminal History (see figure 2)

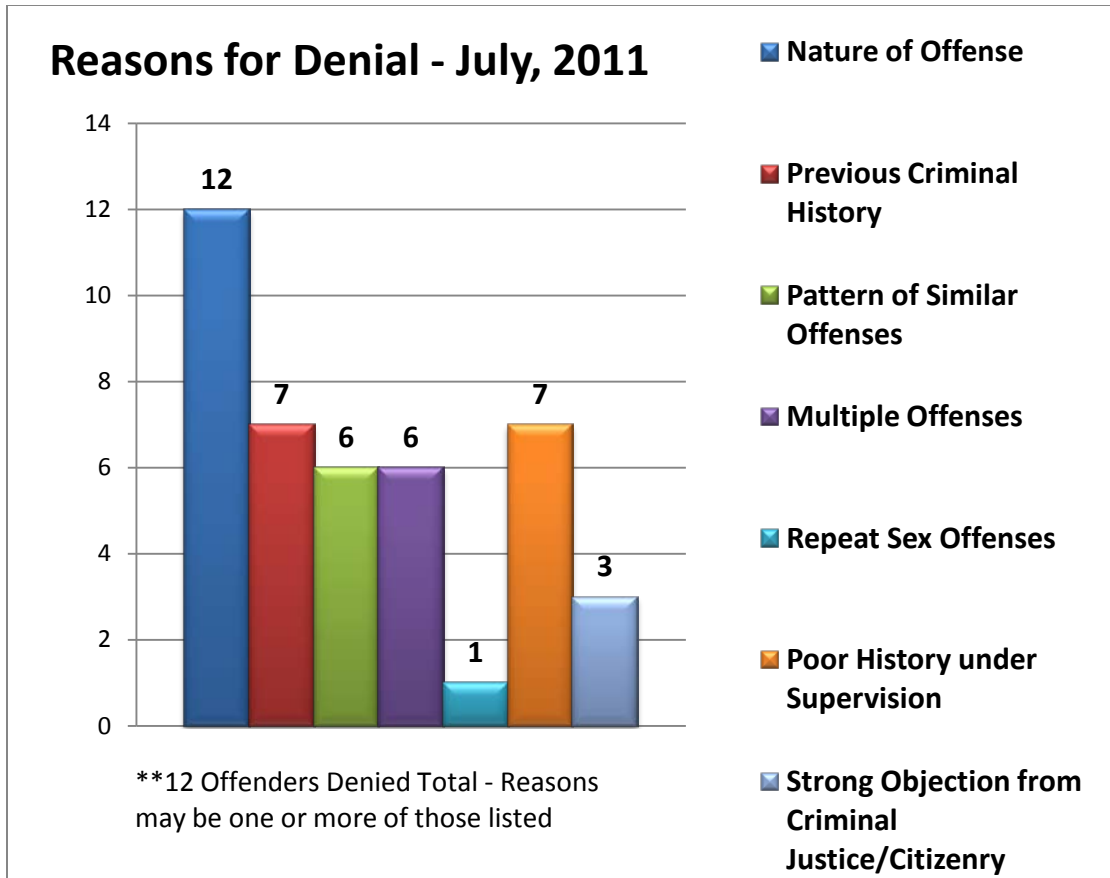


Figure 2

7 cases were continued

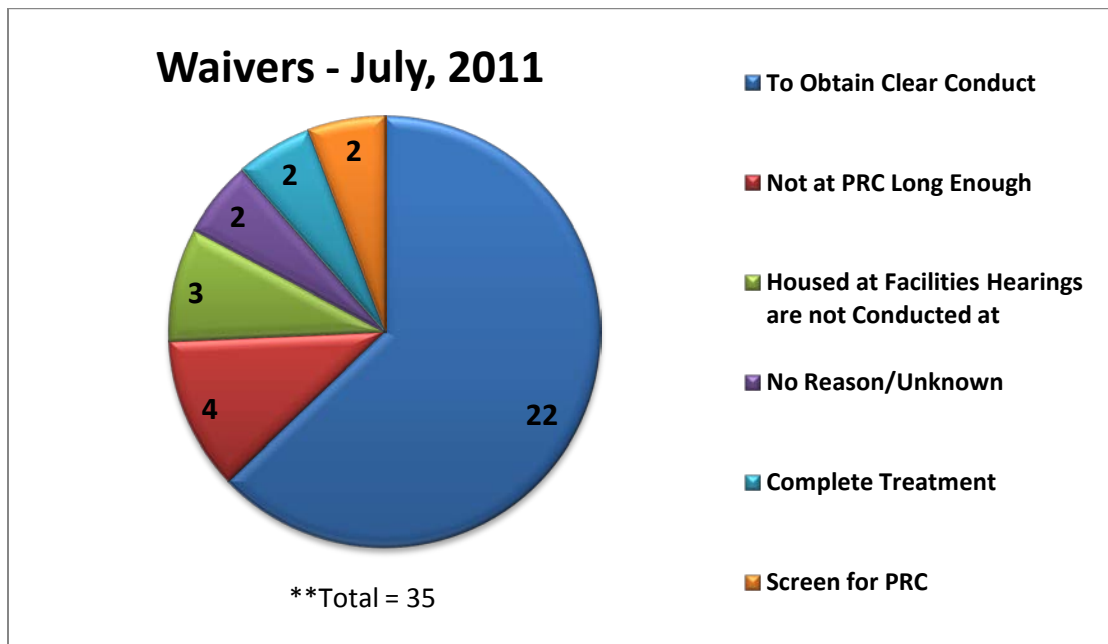
1 to obtain a psychological report (14%)

3 had just arrived at MSP and had not met the 120 day clear conduct requirement (42.5%)

2 were housed at Dawson County Correctional Facility in Glendive. The Board only conducts hearings at Dawson County Correctional Facility on even numbered months (28.5%)

1 was on leave to court (14%)

2 offenders were determined to be ineligible for parole as they had not completed treatment as required by their sentencing judgment



**Figure 3**

35 offenders waived their initial appearance. If an offender does not specify a return date, they are automatically scheduled for a hearing in six months. Offenders are only allowed two consecutive waivers.

22 offenders had just arrived at MSP and had not met the 120 day clear conduct requirement

4 offenders had not achieved an appropriate amount of residency in pre-release (4 or 5 months)

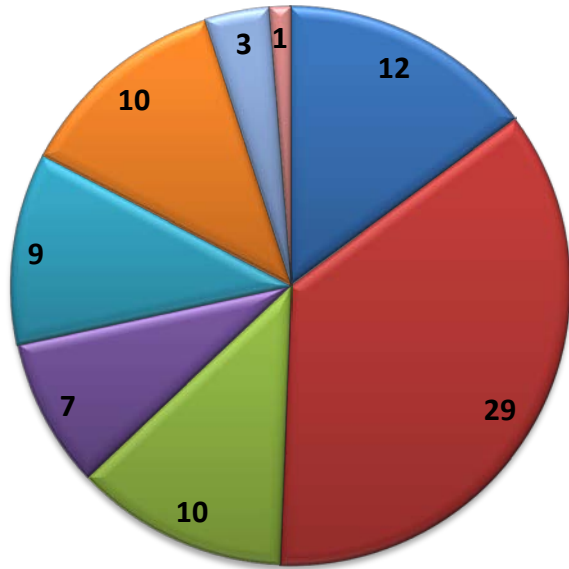
3 offenders were at facilities where the Board does not conduct hearings at and need to complete the program

2 offenders did not provide a reason

2 offenders intended to complete recommended treatment programs prior to their hearing

2 offenders to be screened for pre-release placement

## Granted Parole upon completion of Treatment/Programming but still Incarcerated



- Failed Community Placement - pending rescission hearing
- Waiting for Community Placement
- Denied by Community Placement
- Waiting for Treatment
- Misconduct - 120 days required prior to transfer
- Refuses Treatment/Programs
- Attending Required Treatment/Programs
- Pending PO Approval

\*\*Total = 81  
As of November 17, 2011

Figure 4

## Parole Granted but Still Incarcerated



- Pending PO Approval
- No Plan Submitted
- Misconduct
- Return from Furlough

\*\*Total = 6  
As of November 17, 2011

Figure 5