

Montana State Legislature

Exhibit Number: 6

**State of Montana
Dept of Corrections
Community Corrections Division
Probation and Parole Bureau
*“Alternatives to Incarceration”***

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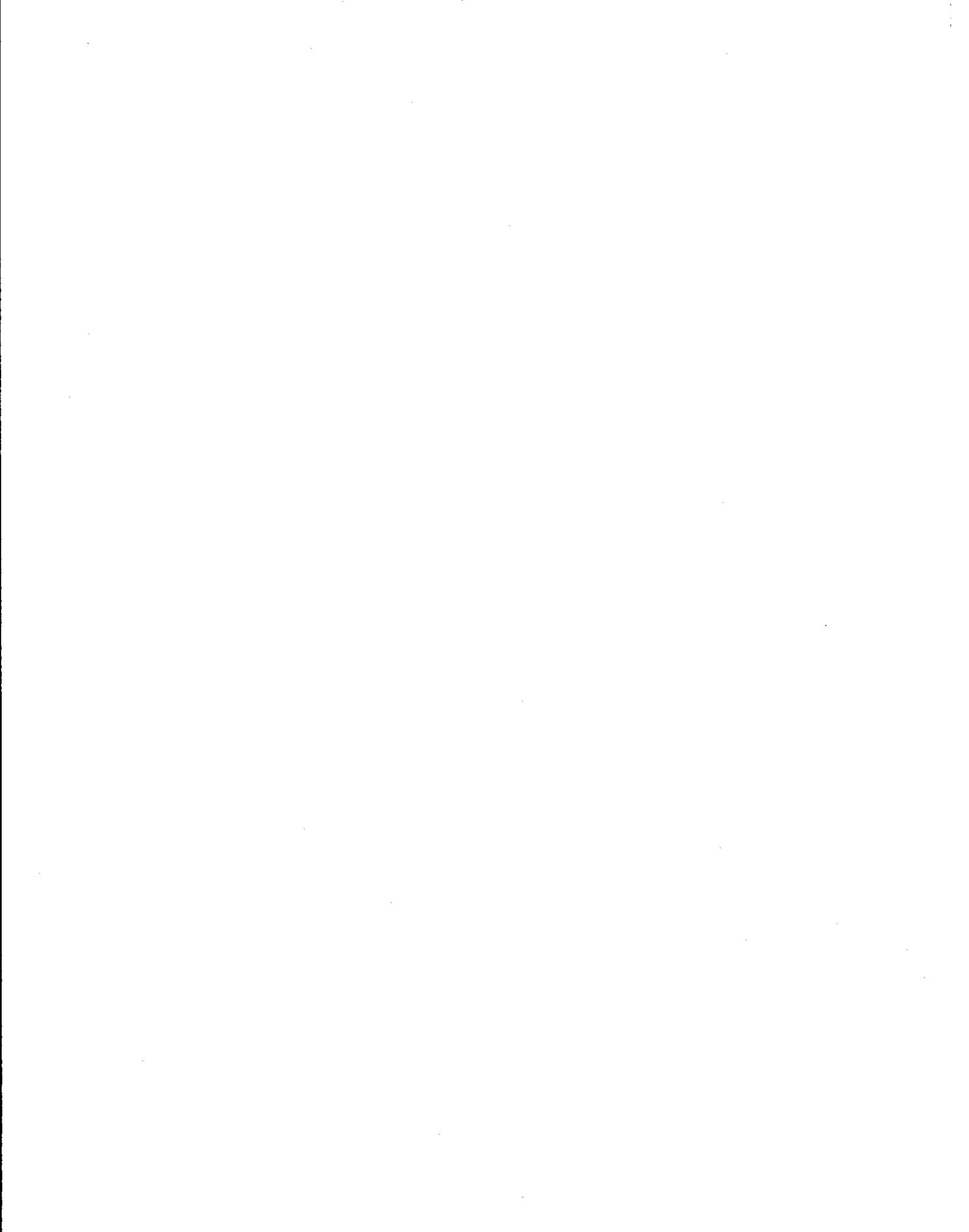


EXHIBIT 6
DATE Jan 13, 2005
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**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
COMMUNITY CORRECTIONS DIVISION**

**PROBATION AND PAROLE
BUREAU**

ALTERNATIVES TO INCARCERATION

January 2005

**Governor Brian Schweitzer
State of Montana**

**Director Bill Slaughter
Dept of Corrections**

**Mike Ferriter, Administrator
Community Corrections Division**

HISTORY

In 1955, the Adult Probation & Parole Bureau was established by the Montana Legislature.

As stated in Statutes 46-23-1001 through 46-23-1106, MCA, the Department of Corrections was given the authority to:

- ❖ appoint probation and parole officers and other employees necessary to administer this part;
- ❖ authorize probation and parole officers to carry firearms, including concealed firearms, when necessary. The department shall adopt rules establishing firearms training requirements and procedures for authorizing the carrying of firearms;
- ❖ adopt rules for the conduct of persons placed on parole or probation, except that the department may not make any rule conflicting with conditions of parole imposed by the board or conditions of probation imposed by a court.

In 1995, due to the executive reorganization of Department of Family Services (DFS), and Department of Corrections and Human Services (DCHS), Juvenile Aftercare (Parole), was placed within the new Department of Corrections.

In October 2001, the department created the Juvenile Services Division and Juvenile Parole was placed within that Division. This move leaves the Probation & Parole Bureau responsible for adult offenders only.

PROBATION & PAROLE BUREAU

ALTERNATIVES TO INCARCERATION

The Probation & Parole Bureau is a community-based program, operated by the, Department of Corrections, State of Montana.

Probation is the most prevalent and cost-effective alternative to incarceration used by the courts.

The Probation & Parole Bureau is responsible for the supervision of adult probationers and parolees and offenders on Conditional Release in Montana.

Nearly 75% of all offenders in the Correctional system are supervised in the community.

The Probation and Parole Bureau staffing consists of:

- ❖ Bureau Chief
- ❖ Administrative Support-in Helena Office (1)
- ❖ ACIS Legal Entry Unit/Brady Gun Bill Check (2)
- ❖ Regional Administrators (6 RA's)
- ❖ Probation & Parole Officer II (14 POII's)
- ❖ Adult Probation & Parole Officers (89 PO's)
- ❖ Sex Offender Officers/Victim Services Advocate (5)
- ❖ Intensive Supervision Program Officers (15 ISP Officers)
- ❖ Institutional Probation & Parole Officers (10 IPPO's)
- ❖ Probation & Parole Officer Technicians (8 PO Tech's)
- ❖ Administrative Support (19)

The bureau's "alternatives to incarceration" programs are as follows:

- ❖ Intensive Supervision Program which includes Electronic Monitoring
- ❖ Sex Offender Officers/Victims Specialists-Specialized officers supervising sex offenders and violent offenders with a focus on victim services
- ❖ Jail Sanctions Program and/or the Probation Violator Prison Diversion Program
- ❖ Case Management & Supervision Standards for all offenders
- ❖ Probation Officer Technicians assisting officers in most rural areas
- ❖ Drug and Alcohol Testing
- ❖ Intensive Treatment Services (ITS) (Only Billings and Missoula)
- ❖ ISP Sanction: Just Initiated November 2004 – Combination of Intensive Supervision and CD Treatment with each ISP Team

PROBATION & PAROLE STAFFING

RESPONSIBILITY & DUTIES

REGIONAL ADMINISTRATORS (RA) (6)

RAs are responsible for all budgets and personnel issues in their perspective region. They also are the Hearing Officers for Adult On-Site (Parole Revocation) Hearings. The RA assesses and classifies all DOC commitments, felony offenders committed to the DOC for appropriate placement in the correctional system. RA's supervise the POIIs.

PROBATION & PAROLE OFFICERS II (POII) (14)

POII's are the first line supervisors who assist the Regional Administrator. The POII does the work of the RA in the RA's absence. POII's provide supervision for the Probation & Parole Officers and administrative support.

In those communities that have Prerelease centers, the POII's are also the liaisons to the Prerelease Centers (PRC) in their community for the Department of Corrections. In this capacity, they participate on the PRC board and are members of the screening committee, screening all offenders applying for acceptance into a PRC. POII's are the Hearings Officer for inmates in the PRC or ISP, who are served with severe and major violations. They also serve as Hearings Officers for On-Site or Preliminary Hearings on parole violators, due process hearings on Conditional Releases, Prerelease Centers and ISP offenders.

POII's supervise the Intensive Supervision Programs in their area. The POII at Montana State Prison provides supervision and direction to the Institutional Probation & Parole Officers (IPPO) at the Montana State Prison and Treasure State Correctional Training Center (Boot Camp). This POII is also responsible for the basic operation and training of all IPPOs at the three Regional Prisons located in Missoula, Great Falls and Glendive, Crossroads (CCA), a private prison in Shelby, the WATCH program and the Montana Women's Prison in Billings.

ADMINISTRATIVE SUPPORT (19)

The workload of the Administrative Support staff is heavy and varied. They support Probation & Parole staff and their subsequent services. Their work is complex due to the legal ramifications and the felony offenders they interact with daily. In urban offices, two administrative staff provides administrative support for 18-25 officers. Administrative Support staff is responsible for the collection of offender data that is entered into the ACIS/PRO-Files management information system for the Department of Corrections.

PROBATION OFFICER TECHNICIAN (PO Tech-8)

PO Technicians were recently developed in order to provide enhanced assistance to the Probation & Parole Officers in the more rural areas where there is only one or two officers in a large geographical area.

PO Technicians are required to successfully complete the MLEA Probation & Parole Basic training course. They assist the Probation & Parole Officer in duties such as offender urinalysis testing; gathering information for Pre-Sentence Investigations and Report of Violation; home contacts with the offender; employer contacts and other collateral contacts with law enforcement. PO Technicians also provide the officer with administrative services, including the data entry into ACIS.

ADULT PROBATION & PAROLE OFFICERS (89)

Probation & Parole Officers provide numerous services to their communities and the state. They have several bosses and wear many hats. To be effective, they balance the often-conflicting duties of being a counselor and a cop.

Even though they are Department of Corrections employees, they are responsible to the District Court Judges in the twenty-three Judicial Districts in the State of Montana. The District Court Judges order Probation & Parole to investigate and prepare Pre-Sentence Investigation (PSI) reports on felony offenders. The PSI report assists the District Court Judge in sentencing felony offenders to the most appropriate placement available.

Probation & Parole Officers also provide many functions for the Board of Pardons & Parole. The BOPP is a quasi-judicial board, appointed by the Governor, whose executive function is only attached to the department.

Officer's daily work involves daily contact with felony offenders, judges, law enforcement, victims, attorneys, and treatment providers. Officer's main responsibility is the effective monitoring, supervision, and counseling of offenders sentenced to serve probation by the court and parole offenders released from incarceration by the BOPP. In addition, officers supervise the offenders placed on conditional release.

An average day for an officer includes visiting the homes, workplace, or treatment provider of the offender assigned to their caseload. It may include a search of the offender's home and often times, seizure of contraband. Officers have the authority to arrest offenders and carry firearms.

Officers collect urine specimens from offenders to test for alcohol and illegal drug use. Officers also monitor restitution payments to the victim, fines to the court and collect supervision fees from the offender.

The officer's ultimate goal is controlling the offenders' behavior through sanctions and

programming, while providing community safety.

INTENSIVE SUPERVISION PROGRAM OFFICERS (ISP-15)

The Intensive Supervision Program, developed in 1987, was a pilot project in Billings and was financially supported by a grant from the Board of Crime Control. The offenders served by this program are inmates, high-risk parolees or higher risk/need diversion (probationary) offenders.

ISP monitors and supervises the offender at an intensive level, while the offender works and supports themselves and their family in a community. Offenders are mandated to work, pay restitution, volunteer for community service, attend programming and treatment, while under the close watch of the ISP Officer.

The Intensive Supervision Program, which includes electronic monitoring, is designed to provide a cost-effective alternative to incarceration for adult felony offenders. ISP provides supervision for higher risk offenders. If not for the Intensive Supervision Program, many of these offenders would have been sentenced to prison or returned to prison as probation or parole violators.

During Phase I (the first two months) of Intensive Supervision, the offender is monitored electronically with an ankle bracelet. For those with a history of alcohol abuse, the officer uses the intoxilizer unit. Offenders on the Intensive Supervision Program may be sentenced to probation as a diversion, released on parole (either released from incarceration or in lieu of return to the prison) or on inmate status. Most, if not all, of these offenders would be incarcerated if this program did not exist.

One goal of restorative justice is at hand when the offender pays victim restitution, self-reliance, and completes community service hours.

Another goal of the Intensive Supervision Program is to provide intense supervision to an offender on a daily basis while requiring that offender to work and be responsible for his daily life needs. The main goal of this program is to provide the department with a cost-effective alternative to incarcerating offenders in prison, providing the punishment, public safety, and treatment objectives of the Department.

ISP teams are located in the following communities:

- ❖ Billings (4)
- ❖ Great Falls (3)
- ❖ Missoula (4)
- ❖ Bozeman (2)
- ❖ Butte (2)