

## ADULT PROBATION AND PAROLE OFFICERS

### LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

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### Background Materials and Research

**Topic Summary:** Probation and parole officers work for the Department of Corrections and supervise adult individuals who have been sentenced by a court to probation or individuals who are released from prison by the parole board. Probationers remain subject to the sentencing court, and parolees remain subject to the Board of Pardons and Parole. Laws related to the supervision of probationers and parolees are in [Title 46, chapter 23, part 10, MCA](#). Qualifications for probation and parole officers are contain in [section 46-23-1003, MCA](#). Officers work in 23 field offices across 6 regions, including officers who work in a correctional facility to assist offenders who are nearing release to the community.

The Judicial Branch employs juvenile probation officers and the Department of Corrections employs juvenile parole officers, neither of which are covered in this primer.

#### Legislative Services Division Materials:

#### Other Materials:

[Probation and Parole Division website](#)

[2017 Probation and Parole Division report to the Legislature](#) (also known as “The Rainbow Book”)

“Where Does the Time Go? An Examination of Adult Probation/Parole Officer Workload in Montana,” UM researcher, P&P Division staff, CSG Justice Center: copy not available online but contact Rachel Weiss at 406-444-5367 for an emailed or printed version.

### Introduced Legislation

2017

[Senate Bill No. 60](#) -- Chapter Number Assigned -- AN ACT GENERALLY REVISING CRIMINAL JUSTICE LAWS; REVISING PRESENTENCE INVESTIGATION LAWS; REQUIRING A PRELIMINARY OR FINAL REPORT TO BE PROVIDED TO THE COURT WITHIN 30 DAYS; REQUIRING A PROBATION AND PAROLE OFFICER TO USE A VALIDATED RISK AND NEEDS ASSESSMENT AS PART OF THE INVESTIGATION AND REPORT; ALLOWING THE DEPARTMENT OF CORRECTIONS TO USE EMPLOYEES WITH SPECIFIC TRAINING TO PREPARE PRESENTENCE REPORTS; REQUIRING THE DEPARTMENT TO PROVIDE INITIAL AND ONGOING TRAINING TO PROBATION AND PAROLE OFFICERS; REQUIRING THE DEPARTMENT TO USE AND REGULARLY VALIDATE ITS RISK ASSESSMENT TOOL; AND AMENDING SECTIONS 46-18-111, 46-18-112, 46-23-1004, AND 53-1-203, MCA.

[Senate Bill No. 63](#) -- Chapter Number Assigned -- AN ACT REVISING LAWS RELATED TO SUPERVISION OF PROBATIONERS AND OF DEFENDANTS SERVING A DEFERRED OR SUSPENDED SENTENCE; REVISING THE PROCESS TO REVOKE A DEFERRED OR SUSPENDED SENTENCE FOR VIOLATIONS OF CONDITIONS; ALLOWING A PROBATION AND PAROLE OFFICER TO FILE A PETITION TO TERMINATE THE TIME REMAINING ON A DEFERRED OR SUSPENDED SENTENCE; CREATING A DEADLINE AFTER WHICH THE DEFERRED OR SUSPENDED SENTENCE IS TERMINATED; CREATING A SCHEDULE FOR CONDITIONAL DISCHARGE RECOMMENDATIONS FOR PROBATIONERS; REVISING PROCEDURES FOR AN INFORMAL PROBATION VIOLATION HEARING; REQUIRING THE DEPARTMENT OF CORRECTIONS TO IMPLEMENT AN INCENTIVES AND INTERVENTIONS GRID; REQUIRING THE DEPARTMENT TO PROVIDE TRAINING RELATED TO THE INCENTIVES AND INTERVENTIONS GRID; PROVIDING DEFINITIONS; AMENDING SECTIONS 46-18-203, 46-18-208, 46-23-1011, 46-23-1015, AND 53-1-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

**2015**

[House Bill No. 141](#) -- (S) Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A COURT'S APPROVAL OF A PROBATION OFFICER RECOMMENDATION TO ALLOW A FELONY DUI OFFENDER TO OPERATE A MOTOR VEHICLE WHILE ON PROBATION; AMENDING SECTIONS 61-5-208 AND 61-8-731, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

**2013**

[House Bill No. 211](#) -- (H) Died in Standing Committee -- AN ACT ALLOWING PROBATION AND PAROLE OFFICERS TO CARRY TASERS; AND AMENDING SECTION 46-23-1002, MCA.

**2011**

None

**2009**

None