

Montana Department of Corrections



Montana Youth: Pathways into Corrections



- Youth Court sentence
- 208 sentence
- 206 sentence



41-5-1513: Youth Court Sentence



- Youth is found delinquent by a judge
- Committed a felony
- Four misdemeanors in one year



41-5-208: Transfer of Supervision to District Court after Juvenile Disposition

- Most youth adjudicated in Youth Court to the DOC have a 208 stipulation
- Gives the judge the ability to extend jurisdiction into adult supervision (18th birthday).



41-5-208: Judges' Options



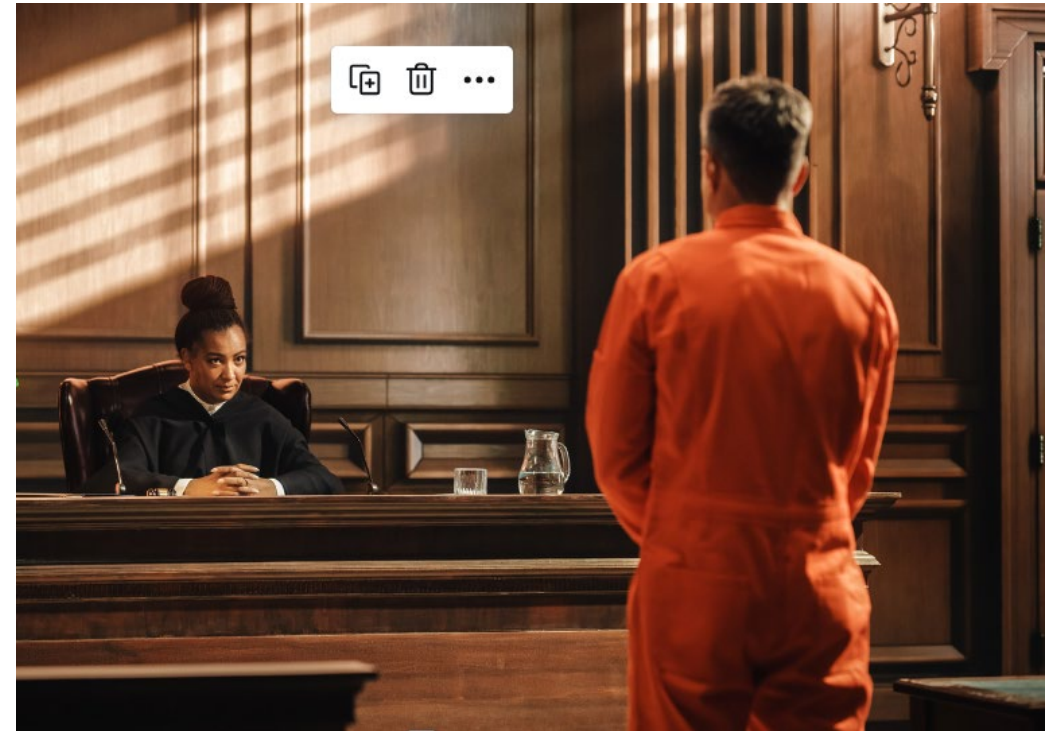
- May be incarcerated in a state adult correctional facility if the youth was adjudicated for a felony offense, or prerelease center; or
- Be supervised by the department.
- The district court's jurisdiction over a case transferred under this section terminates when the youth reaches 25 years of age.



41-5-208: Department Options



- May be placed directly on adult Probation and Parole in the community
- May be placed at MASC and screened for prison, treatment, or prerelease



41-5-206: Filing in District Court prior to formal proceedings in Youth Court

- Youth as young as 12 years of age can be charged as an adult for certain crimes.
- For most crimes, youth must be older than 16.
- The DOC holds these youth until the age of 18 at Pine Hills Correctional Facility.



41-5-206: Filing in District Court prior to formal proceedings in Youth Court.

- Judge sentences youth to Montana State Prison.
- Most youth charged with a 206 are transferred to MASC and screened when they turn 18.



Mental Health: Screenings Prior



- Misdemeanor youth must have a mental health professional recommend placement (41-5-1513).
- Sex offenders receive a psychosexual evaluation.



Mental Health: Removing a youth with a mental disorder



- Administrative Rule 20.9.210
- Apply to facilities in Montana and then out of state for Medicaid placements.



Youth on Supervision



Criminally convicted youth

- Total – 28 (5/8/24)
- Community supervision
 - Billings – 3
 - Bozeman – 1
 - Helena – 2
 - Hamilton – 1
- 21 are in custody (jail, prerelease, MASC, prison)

“208 Transfers”

- Total – 47 (5/8/24)
 - Missoula – 13
 - Helena – 10
 - Great Falls – 6
 - Billings – 15
 - Havre – 1
 - Kalispell - 1

P&P: Connecting Youth with Resources



- Schools
- Enhanced/Transitional Supervision Services (ETSS)
- Treatment referrals
- Transitional Assistance Requests
- Youth crisis/homeless shelters
- Job Service
- Native American resources – Urban Indian Health, Helena Indian Alliance, etc.





Questions?