



MONTANA BOARD OF PARDONS AND PAROLE

Mission Statement: *The Montana Board of Pardons and Parole is committed to a parole and pardon system that promotes fair and consistent decisions based on public safety, victim concerns, successful inmate re-entry and sensible use of state resources. Further, the board uses evidence-based strategies and technologies in decision-making to promote risk reduction; collaborates with available community and state stakeholders to promote positive reintegration; and implements policies and procedures that promote best professional practices.*

Throughout the last biennium, in addition to its important work related to the preparation for, and conducting of, parole/revocation/rescission hearings, the Montana Board of Pardons and Parole (BOPP) focused much of its effort on reviewing its operations and evaluating how it interfaces with stakeholders.

Early in the biennium, the board referred to a January 2019 report in which the Criminal Justice Oversight Council provided recommendations to the board to guide its work. Areas of focus included:

- ***Administrative rules***
- ***Victim services***
- ***Policy***
- ***Hearing data***
- ***Document imaging***
- ***Conversion of board records to the Offender Management Information System (OMIS)***

Data extraction, interpretation, and presentation were of high importance to the board, and in October 2021, BOPP was able to present statistical data on its website. Taking that commitment to data to the next level, the board completed

a conversion of its records from hard-copy files to OMIS, and from OMIS 2 to OMIS 3. Thanks to the imaging and uploading of data to OMIS, stakeholders — like the Montana Department of Corrections — can access BOPP records in real time rather than requesting a hard file or copy to review dispositional information and scheduled hearings.

By organizing its data in this manner, BOPP was able to identify deficits in the data including missing future hearing dates, missing hearing types, and more. The board also reviewed the last five years of hearing data to address any content concerns. The creation of a data quality dashboard for the board to manage day-to-day operations and hearings has allowed for more efficient operations and improved reporting ability.

As part of the board's dedication to the collection of accurate data and putting it to productive use, BOPP invited the Crime and Justice Institute (CJI) to discuss the findings of its revocation study conducted on behalf of the DOC regarding individuals on community supervision. CJI continues to partner with the board thanks to funding from Arnold Ventures. The institute's work, including the revocation analysis, is helping the board to make progress in addressing revocation trends.

Significant effort was dedicated to attaining accreditation through the American Correctional Association. To accomplish that, BOPP worked with the DOC's legal counsel to review and update Administrative Rules to comport with changes made in the 2017 Montana Legislative Session. These were published by the Montana Secretary of State on July 8, 2022.

Finally, the board improved its level of customer service in several ways. BOPP has been working closely with the DOC's Victim Services team whose members have been supporting victims through the process leading up to BOPP hearings and beyond. In addition, the board adopted newly created policy and updated an inmate orientation manual for the parole

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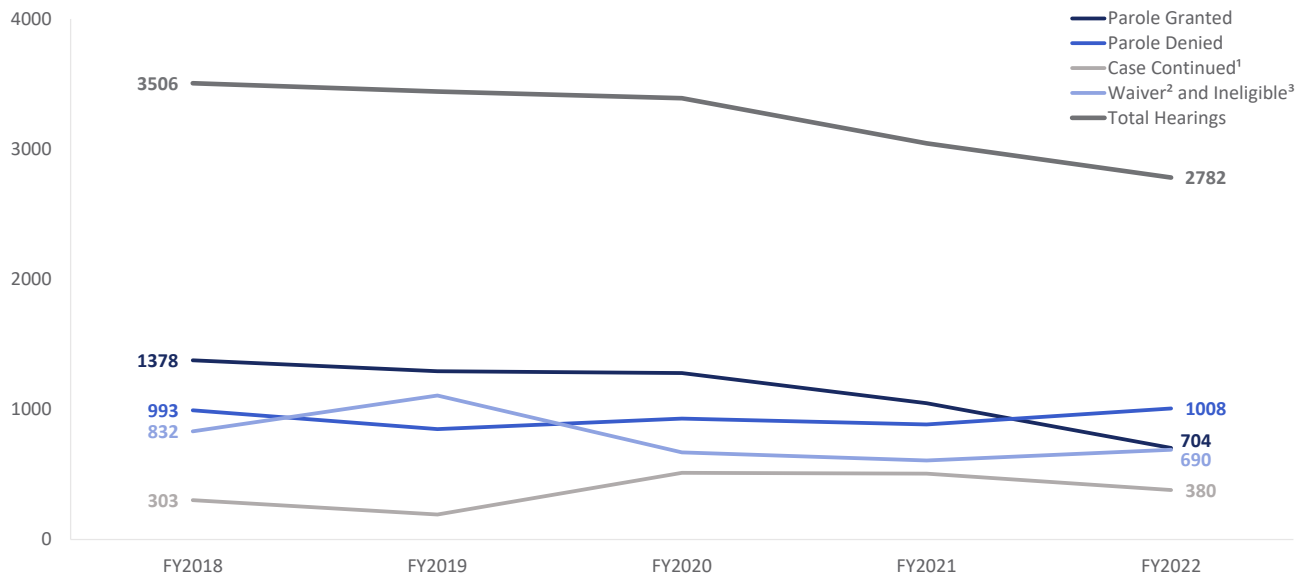
Steven Hurd – Chairman
 Jimmy Patelis
 Kristina Lucero
 Darrell Bell
 Brad Newman
 Joseph McElroy - Chief of Staff

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and executive clemency process. Not only will the manual assist inmates, but it will help the public to understand the process.

In response to the incarceration rate of Native Americans in Montana, and in turn, the number of Native Americans who come before the BOPP, the board hosted a training at MSU about indigenous identity and historical and intergenerational trauma. The presentation included research from Native American scholars about how to use a historical context to alleviate barriers and support healing from a holistic approach.

TOTAL NUMBER OF MONTANA BOARD OF PARDONS AND PAROLE HEARINGS AND HEARING OUTCOMES, STATE FISCAL YEAR 2018-2022



¹Case Continued: If an inmate refuses to waive due to their misconduct, (the Board cannot accept an unsigned waiver if they refuse), the case manager notifies the Board. In turn, the Board will send an inmate "Case continued" disposition articulating the reason and nature of circumstances. At that time, an inmate will automatically be scheduled for a hearing in 6 months. If an inmate would like to see the Board prior to said 6 months, a request can be made to the Board. Inmates may request to see the Board with legal counsel present during the scheduled hearing. The hearing will be case continued until legal counsel can be present (in most cases, legal counsel will notify the Board in advance) A continued disposition is rendered.

²Waived: If an inmate does not have clear conduct; is not ready to see the Board (examples include not completed programming; no parole plan) and is not interested in parole consideration, a waiver is sent from the case manager or inmate with an explanation to the Board. During Pre-parole school, institutional staff will identify the aforementioned. If the Board notices misconduct, and a waiver has not been sent, the Board staff notifies institutional staff of misconduct, and a waiver will be generated reflecting not having clear conduct.

³Ineligible: The inmate has not completed court ordered treatment or satisfied restriction by the Court. In these cases, the inmate is not parole eligible until such programming or restriction has been satisfied, rendering the inmate not eligible for a parole hearing.

Data obtained from the Montana Department of Corrections' Offender Management Information System (OMIS) on 12/01/2022.

Many variables have impacted increase or decrease of parole board hearings since the professionalization of the board. For example, inmate population; sentencing trends and types of convictions; board resetting violent and sexual offenders' reappearances up to 1-6 years.

Parole grants and denials have been affected by revocation

trends. It is important to point out the board no longer grants another parole at 120 days (clear conduct) after sustaining a new conviction or violation of parole conditions. In the last three years, the Board has denied parole 600 times in revocation cases, granted 195. Of the total of 795 total revocation hearings of the 600 denied, 526 involved new criminal conduct.