

MT Department of Corrections Glossary

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206 Case (Criminally Convicted Youth)

- Any youth who is convicted in adult court pursuant to 41-5-206, MCA, except a youth convicted of crime that carries a possible punishment of life, death, or 100 years in prison is a criminally convicted youth.
- From MCA 41-5-206:
 - (1) the youth charged was 12 years of age or older at the time of the conduct alleged to be unlawful and the unlawful act would if it had been committed by an adult constitute: (see MCA 41-5-206 for list of applicable unlawful acts).
 - (2)-(5) are filing procedures, see (6) and (7) for CCY information
 - (6) If a youth is found guilty in district court of an offense enumerated in subsection (1) and any offense that arose during the commission of a crime enumerated in subsection (1), the court shall sentence the youth pursuant to 41-5-2503 and Titles 45 and 46. If a youth is acquitted in district court of all offenses enumerated in subsection (1), the district court shall sentence the youth pursuant to Title 41 for any remaining offense for which the youth is found guilty. A youth who is sentenced to the department or a state prison must be evaluated and placed by the department in an appropriate juvenile or adult correctional facility. The department shall confine the youth in an institution that it considers proper, including a state youth correctional facility under the procedures of 52-5-111. However, a youth under 16 years of age may not be confined in a state prison facility. During the period of confinement, school-aged youth with disabilities must be provided an education consistent with the requirements of the federal Individuals With Disabilities Education Act, 20 U.S.C. 1400, et seq.
 - (7) If a youth's case is filed in the district court and remains in the district court after the transfer hearing, the youth may be detained in a jail or other adult detention facility pending final disposition of the youth's case if the youth is kept in an area that provides physical separation from adults accused or convicted of criminal offenses.
- Due to the MCA statute being **41-5-206 (Filing in District Court Prior To Formal Proceedings in Youth Court)**, this is commonly referred to as a **206 Case**.

208 Transfer

- Designates a youth who has had supervisory responsibility transferred from juvenile probation services to adult probation services.
- From MCA 41-5-208: Transfer of supervisory responsibility to district court after juvenile disposition -- nonextended jurisdiction and nontransferred cases. (1) After adjudication by the court of a case that was not transferred to district court under 41-5-206 and that was not prosecuted as an extended jurisdiction juvenile prosecution under part 16 of this chapter, the court may, on the youth's motion or the motion of the county attorney, transfer jurisdiction to the district court and order the transfer of supervisory responsibility from juvenile probation services to adult probation services. A transfer under this section may be made to ensure continued compliance with the court's disposition under 41-5-1512 or 41-5-1513 and may be made at any time after a youth reaches 18 years of age but before the youth reaches 21 years of age.
- If, at the time of transfer, the youth is incarcerated in a state youth correctional facility, the district court may order that the youth, after reaching 18 years of age:
 - (a) be incarcerated in a state adult correctional facility if the youth was adjudicated for a felony offense, boot camp, or prerelease center; or
 - (b) be supervised by the department.
- (6) The district court's jurisdiction over a case transferred under this section terminates when the youth reaches 25 years of age.
- Due to the MCA statute being **41-5-208 (Transfer of Supervisory Responsibility To District Court After Juvenile Disposition – Nonextended Jurisdiction and Nontransferred Cases)**, this is commonly referred to as a **208 Transfer**.

A

Absconder

- An offender who absconds from community supervision.

Absconding

- When an offender deliberately makes the offender's whereabouts unknown to a probation and parole officer or fails to report for the purposes of avoiding supervision and reasonable efforts by the probation and parole officer to locate the offender have been unsuccessful.

Administrative Decision

- An action by the Board on an inmate/offender/parolee that is undertaken without the offender being present such as addition of special conditions for a parolee already in the community.

Administrative Segregation

- A non-punitive housing status for offenders whose continued presence in the general population may pose a serious threat to life, property, self, staff, other offenders, or to the facility's security or orderly operation, e.g., an offender may be housed in administrative segregation during an investigation of alleged violations.

Administrator

- The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Administrative Segregation

- A separate area inside a prison in which prisoners are confined to their cells at all times except for limited outdoor exercise, showers and specific needs such as a medical visit. Segregation is used to manage offenders who have violated prison rules.

Admission/Discharge Report (ADR)

- The mandatory reporting form completed by staff when offenders move from one program location to another.

Advocacy

- Writing, speaking and acting on behalf of crime victims.

Advocate/Supporter

- A pre-approved person who provides cash donations, gifts, arts and craft supplies, or comparable products or services for offender use or consumption.

Age Out

- When a youth reaches the age of 18, also known as the age of majority or legal adult, a youth may no longer be under the custody and supervision of the Youth Services Division (YSD); this term may refer to offenders up to the age of 25 in accordance with the provisions provided for in 41-5-208, MCA.

Agency

- All executive branch departments, those agencies allocated to the state board of education, and those institutions in the Department of Corrections and in the Department of Public Health and Human Services. All boards, commissions and related staff attached to an executive department for administrative purposes are considered part of the department for purposes of these rules.

Alpha House

- The pre-release center located in Billings, Montana, which houses male offenders.

Alternative Secure Care (Alt-Secure)

- The adult community corrections' facilities or programs where offenders are placed as an alternative to incarceration in secure care facilities.

Americans with Disabilities Act (ADA) Coordinator

- The individual assigned from the Office of Human Resources to facilitate ADA compliance for employees and the public.

Ancillary Services

- Offender medical and dental supplies and equipment as authorized by the facility.

Annual/Biennial Review Cases

- Offenders previously seen and heard by the Board whose cases are scheduled for an administrative progress review either yearly or biennially.

Arsonist

- Any person who has been convicted of the offense of arson as defined in § 45-6-103, MCA, or negligent arson as defined in § 45-6-102, MCA.

Assessment Center

- A PPD facility/program that evaluates the needs of offenders for placement in the community.

Average Daily Count (ADC)

- The number of inmates within a prison system on any given date.

B

Behavior Management Plan (BMP)

- A standardized plan on which facility staff place an offender to end the dangerous and/or assaultive conduct. The BMP will be in effect for six months, during which time the unit management team, in conjunction with a mental health professional, may activate the plan when the offender engages in the conduct the plan seeks to end.

Biological Sample

- The removal of cheek cells by using a buccal swab of a type authorized by the Department of Justice or a vial or other container of blood.

Body Cavity Search

- A manual or instrument inspection of an offender's anal or vaginal cavities.

Brady Act & Lautenberg Amendment

- Any person who has been convicted of a misdemeanor crime of domestic violence or is the subject of a court order of protection for “an intimate partner or child of such intimate partner” cannot lawfully possess a firearm or ammunition (Title 18, U.S.C., Section 922(g) (91)).

Buccal Swab

- The removal of cheek cells by means of a sterile swab.

BOPP

- The Montana Board of Pardons and Parole. (See Parole Board)

Butte Pre-Release Center

- The pre-release center in Butte, Montana, housing both men and women offenders, abbreviated-BPRC.

C

Capital Offense

- An offense for which the District Court imposed the death penalty.

Cascade County Detention Center (Great Falls Regional Prison)

- The regional prison in Great Falls, Montana, which houses both county jail offenders and prison inmates.

Case File

- A file that contains standardized documents and information relating to specific actions and events related to a case.

Caseload

- The number of cases assigned to and handled by an officer (e.g., judicial officer, pretrial officer, probation officer, parole officer, jail or prison case manager, etc.).

Case Management

- The act of managing an offenders treatment and planning for discharge

Case Plan

- A defined set of requirements, expectations and/or goals for an offender to complete during their incarceration.

Census Check

- A count taken in housing units or other locations during periods between official counts to determine if offenders are in their assigned areas.

CHAIN

- An automated computer alert system with a set of standards and protocols used by the Department of Corrections to report incidents that occur within applicable divisions, facilities and programs.

Chain of Custody

- A process used to maintain and document the chronological history of the evidence.

Charge

- A formal allegation that a specific individual(s) has committed a specific offense.

Child Abuse

- As defined by state law, any physical, emotional or sexual trauma to a child for which no reasonable explanation, such as an accident, can be found.

Child Support Orders

- An order from any Child Support Enforcement Division or from a court of competent jurisdiction directing the payment of offender funds for child support.

Chronic Offenders

- Individuals who commit a disproportionate number of serious crime and delinquency and who persist in their criminality.

Citation

- A written order issued by a law enforcement officer directing an alleged offender to appear in a specific court at a specific time in order to answer to a criminal charge.

Classification

- An objective process conducted upon entry into jail or prison that assesses a detainee or inmate’s risks of engaging in harmful behavior or of being harmed while incarcerated, determining the type of housing and program access.

Classification System

- A method that uses an objective scoring system to appropriately recommend offender custody levels based on verifiable case information, facility security levels, degree of required supervision, and available program resources.

Clerk of Court

- An employee of a court who oversees administrative functions, especially managing the flow of cases through the court.

Close Associate

- Persons, other than immediate family members, who may be considered friends or business partners through known associations.

Clothed Body Search

- The manual body search of an individual that requires the removal of outer clothing, e.g., coats, hats, gloves; emptying of pockets; and inspection of papers, bags, books, or other carried items (also referred to as a pat search).

Cognitive Behavioral Therapy (CBT)

- A problem-focused approach designed to help people identify and change the dysfunctional beliefs, thoughts, and patterns of behavior that contribute to their problems.

Commissary/Canteen

- An on-site outlet where offenders may purchase an assortment of personal need items and snack foods that have been approved by facility management.

Commit or Commitment Status

- A term of incarceration, as provided in Title 45 for the offense, at a county detention center or at a state prison to be designated by the department of corrections: MSP Commit, MWP Commit, DOC Commit, DPPHS Commit

Commutation

- The mitigation of a criminal punishment through the substitution of a lesser sentence for a greater one.

Community Corrections

- A component of the criminal justice system that offers programs and services in the community and/or viable alternatives to incarceration for individuals at various stages of the criminal justice process. Community corrections may include pretrial programs; behavior change strategies; restitution, fines and fee collection; probation and parole supervision; electronic monitoring; community service; day reporting centers; and residential facilities.

Community Courts

- Neighborhood-based courts that focus on creative partnerships and problem solving to address local problems in the justice system. These courts provide speedy adjudication of minor crimes and misde-meanors, as well as restitution, social service referrals and supervision of adjudicated people.

Community Detention Centers

- A short-term, locally based incarceration facility close to where the defendant or inmate resides.

Community Screening Committee

- A committee that consist of members of the local community, which may include, but is not limited to law enforcement, county commissioners, business owners or other interested parties.

Community Service

- Performance of labor or services in the public's interest without pay for the benefit of a community, non-profit organization, or government agency as required by a diversionary condition or sentence for a specified period of time. In some jurisdictions, individuals can perform volunteer service in lieu of paying a fine or serving jail time. May be individually tailored or as part of a work crew.

Community Worker

- An offender that has went through a vetting process

Community Work Program

- Work programs located in the community for eligible offenders provided for governmental agencies or nonprofit organizations with supervision provided by the agency or organization.

Community Work Projects

- Short-term work projects at state-owned or leased properties or in community settings requiring facility supervision.

Community Work Program Manager

- The MCE Business Specialist responsible for the oversight of the Community Work Program to include assisting in the selection of offenders, random checks of offenders in the community, training for Community Supervisors and reporting to the MSP Command Post of any suspicious activity by offenders while involved in the programs.

Community Work Program Supervisors

- The staff member(s) from a governmental agency or nonprofit organization designated to supervise offenders in a community work program.

Community Work Project Supervisors

- The division or facility staff member(s) who supervise inmates on community work projects.

Complex

- An area that can be easily defined as containing a group of structures or specific use area.
 - At MSP, the following compounds exist: Low Security, High Security, Maximum Security, Reception/MDIU, RAC, Industries, Infirmary, Ranch

Concurrent Sentence

- Prison terms for two or more convictions to be served simultaneously, rather than one sentence following after the other. As a result, the person's actual time under correctional supervision is equal to their longest sentence.
- See also: Sentence

Conditional Release

- The release to the community of an inmate under the auspices of the Department of Corrections and subject to their rules. This release is not parole release. These inmates will no longer remain eligible for parole consideration during their release. Should a Conditional Release inmate violate the conditions of his/her release and be designated to the MSP/MWP, they would then become eligible for parole when prison records advises the minimum time has been served on their sentence.

Confidential

- Information to be shared only by order of a court or with those whose official capacity dictates their absolute need to know.

Confidential Record

- A record to which there is restricted access.

Connections Corrections Program (CCP)

- A 60-day residential chemical dependency treatment program for male offenders, with two locations, in Butte and Warm Springs, Montana.

Consecutive Sentence

- A sentence that commences after the completion of another sentence. All sentences are assumed to be consecutive unless ordered to be consecutive by the court. This occurs when at least two terms are to be served one after the other. Note: If an inmate has appeared before the parole board for any action on one sentence and then is convicted of another crime, the sentence is generally consecutive. The Board may allow service of that term at any time, this is referred to as commencement of a consecutive term.

Continuous Accommodations

- Accommodations that are constant, on a permanent or semi-permanent basis.

Contraband

- Any item possessed by an offender or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

Contract

- A written or verbal agreement between a Department of Corrections division/facility/program and any other governmental, public, or private entity for the procurement of goods or services of any type. The term includes all written or verbal agreement; leases; Memorandums of Understanding (MOU); letters of agreement; mutual aid agreements between the Department and other state or local government entities that define the safety and security roles of all parties in the event of an incident requiring assistance from the other governmental entities; and subsequent amendments of said documents, regardless of whether there is any Department financial obligation. The term does not include hardware/software maintenance agreements; Service Level Agreements (SLA) with the Department of Administration; service agreements for office machines or telephone systems; software licensing agreements; revenue generating agreements; or Purchase Orders issued in accordance with the procurement delegation agreement. Contract Facility – A secure facility for adult males under Department contract.

Contract Liaison/Contract Monitor

- The staff member designated to oversee contract terms and compliance and serve as the primary contact between the Department and the contracted service provider.

Contract Placement Bureau (CPB)

- The Department bureau that places and monitors offenders in private and regional prison facilities consistent with security needs, effective programming, community safety, and concerns of crime victims.

Contracts for Information Services

- Include, but are not limited to, contracts for system analysis, design, development, maintenance, enhancement, operation or administration. Systems include data systems and any networks or communications facilities supporting such systems.

Contact Staff

- Staff who have frequent offender contact as a normal function of their jobs, to include, but not limited to: administrators; correctional officers; drill instructors; correctional counselors; investigators; teachers; work supervisors; probation and parole officers; mental health and health care providers and staff, and staff working in offices where offenders may be assigned full-time work

Controlling Sentence

- The sentence(s) that, based on a District Court Judgment, requires the longest period of time served to parole eligibility.

Conviction

- A judgment of guilt against a criminal defendant.

Conviction Overturned

- An offender's guilty verdict has been reversed. This is usually performed through Appeals or Writs.

Correspondence

- Letters, sent and received.

Court

- Government entity authorized to resolve legal disputes. Judges sometimes use "court" to refer to themselves in the third person, as in "the court has read the briefs."

Court Case Number (Same as Cause Number or Docket Number)

- A number that uniquely identifies a Court Case. Each Jurisdiction (Federal, State, County, Foreign) may have a different methodology for formulating a Court Case Number

Court Document

- An official document filed by the Court

Court Ordered Payment

- An order from a court of competent jurisdiction directing offender fund payments to a payee that may include, but are not limited to, fees, fines, surcharges, and restitution.

Crime

- A facility-related action or incident that may result in the filing of criminal charges.

Crime Scene

- The location where an illegal act took place, and comprises the area from which most of the physical evidence found in the planning, execution, or commission of a crime is retrieved.

Crime Victims Advisory Council

- The volunteer board appointed by the Department director, composed of crime victims and others closely associated with crime victims. The council provides the Department with direction on policy and legislation affecting victims of felony crimes committed by adults.

Criminal Conduct

- A charge or conviction of a violation of city, county, state or federal law including all felonies and serious misdemeanors, including but not limited to: assault, sexual assault, traffic violations, i.e., hit and run, driving under the influence (DUI), reckless driving, or other violations by staff that could result in the imposition of a jail sentence and/or suspension or revocation of the violator's driver license.

Criminal Investigation

- A formal investigation to discover whether there is probable cause to believe that criminal conduct has occurred and investigated by a law enforcement agency having jurisdiction (LEAJ) or by a Department of Corrections criminal investigator with consent of the LEAJ.

Criminal Investigator

- A Department of Corrections investigator in the Office of Investigations with sworn Peace Officer authority established through a Memorandum of Understanding with the Montana Department of Justice, Division of Criminal Investigations.

Criminally Convicted Youth

- Any youth who is convicted in adult court pursuant to 41-5-206, MCA, except a youth convicted of crime that carries a possible punishment of life, death, or 100 years in prison is a criminally convicted youth. a youth under 16 years of age may not be confined in a state prison facility. See 206 Case

Criminogenic Risks/Needs

- Offender need areas, which are related to criminal conduct and which, when addressed in correctional treatment, can be impacted to reduce the overall or specific risk for recidivism.

Criminology

- The scientific approach to the study of criminal behavior and society's reaction to it.

Cross Count

- Two consecutive visual counts of each offender by two officers to ensure count accuracy, typically conducted during the official count.

Crossroad Correctional Center (CCC)

- The privately run prison in Shelby, Montana, designed to hold 664 adult male offenders, abbreviated-CCC.

Cultural Competence

- Possession of knowledge and skills by professionals that enables effective work in cross-cultural situations.
- Synonyms: Cultural Sensitivity

D

Dangerous Conduct

- Conduct that threatens the security and/or orderly operation of the facility, encourages or incites a disruptive atmosphere, or creates a serious health hazard; e.g., conduct that may include destruction of state property, sexual misconduct, and self-injurious conduct that is not the result of a serious mental illness.

Dangerous Drug

- The meaning as defined in § 50-32-101(6), MCA.

Dawson County Correctional Facility

- The regional prison in Glendive, Montana, which holds both county jail offenders and prison inmates.

Day Reporting

- The service that is provided by the Department or a contractor to provide enhanced supervision that may include daily contact with assigned staff, BA/UA testing, and/or employment and counseling services.

Dead Time

- The time from intensive
- the issuing of the warrant to the date of the prisoner's return to the custody of Montana law enforcement, the department, or the department's agent and the determination whether this time should be counted as time under this term. This also includes time served in another state for a crime committed while on parole.

Defendant

- An individual against whom a criminal proceeding is pending.

Defense Attorney

- A lawyer specializing in the defense of individuals and companies charged with criminal conduct. Some criminal defense lawyers are privately retained, while others are employed by the various jurisdictions with criminal courts for appointment to represent indigent persons; the latter are generally called public defenders.

Deferred Sentence

- Imposition of sentence is deferred and the person is most always placed under the supervision of DOC. Can apply for a Conditional Discharge from Supervision after meeting certain conditions. Can apply for an early release after serving half of term and meeting certain conditions. At the end of the deferral period, the person can return and petition the court to withdraw the guilty plea, have the charges dismissed, and the record expunged. (Removes from permanent criminal record)

Department or MDOC

- The Department of Corrections as authorized in 2-15-230, MCA.

Designated Staff

- The administrators, staff members, or "subject matter experts" from each division or facility designated to coordinate with the policy unit to ensure accurate and timely policy review and revision.

Designee

- The person designated to act on behalf of the person responsible for specific decisions or actions.

Detainee

- An individual who is awaiting trial for an alleged crime and held in a local jail.

Diploma

- A certificate issued from an accredited school indicating a student has successfully completed the minimum requirements prescribed by a state education agency.

Direct Supervision

- Method of offender management that ensures continuing direct contact between offenders and staff by posting staff near offenders with a heavy reliance on personal interaction for offender supervision.

Disability

- A physical or mental impairment that substantially limits one or more of a person's major life activities, a person who has a history of such an impairment, or a person who is perceived by others as having such an impairment. See Americans with Disabilities Act of 1990 42 USC 12010, as amended.

Discharge Date

- The date on which the offender finishes a prison, Department of Corrections, or Department of Public Health and Human Services term of incarceration or parole.

Discharge Balance Suspended

- Refers to when an offender has completed the incarceration portion of their sentence, however has a probationary term to follow.

Disciplinary Detention

- A punitive confinement determined by a due process impartial hearing that separates offenders from the general population for serious rule violations.

Disciplinary Hearing

- A hearing conducted by a Hearings Officer that provides applicable due process requirements for DOC-committed offenders on inmate or conditional release status to confront violations of ACCD facility or conditional release rules.

Disposable Income

- An offender's income minus deductions by the PIE program and deductions for child support. Disposable income may not be less than the indigent benchmark.

Disposition

- The action taken regarding records no longer needed for current Department business. Includes transfer to a storage facility, transfer to another department or agency, transfer to permanent archives, or destruction.

Disposition

- The final judicial decision, which terminates a criminal proceeding by a judgment of acquittal or dismissal or which states the specific sentence in the case of a guilty plea or conviction. In juvenile court, it is the final decision and orders of the court.

Diversion

- Diversionary programs remove the defendant's case from further steps in criminal or juvenile justice case processing if the defendant participates in specified activities. Diversionary programs operate at the "front-end" of criminal/delinquency processing by screening for appropriate participants. Diversion can take place along with community policing citation and release programs. It can operate through pre-trial services programs, probation, prosecutors, judges, or other supervised programs. Diversionary programs incorporate rehabilitative elements such as drug treatment. Many drug courts, teen courts, and TASC (Treatment Accountability for Safer Communities) programs are diversion projects. The elements of diversion include early screening, referral to non-criminal justice agencies and programs, suspension of proceedings, or dismissal of case upon completion of requirements for diversion.

DOC Commitment

- A commitment by the District Court of an adult offender or criminally convicted youth to the authority of the Department for placement in a state correctional facility or community corrections program. §46-18-201, MCA.

Domestic Violence

- Refers to violence between spouses, or spousal abuse but can also include cohabitants and non-married intimate partners.

Driving Under The Influence Of Alcohol (DUI, DWI, OUI)

- The operation of any vehicle or boat after having consumed a quantity of alcohol sufficient to potentially interfere with the ability to maintain safe operation. This limit is legally defined, by mandate of Congress, as having a blood alcohol level of 0.08% or above.

Driving Under The Influence Of Drugs

- The operation of any vehicle or boat while the driver's attention or ability is impaired through the intake of a narcotic or an incapacitating quantity of another drug.

Drug Courts

- Specialized courts dedicated to processing illegal drug abuse cases and engaging individuals in treatment while under court supervision.

Drug Or Alcohol Testing

- Administration of testing technologies, such as breath analysis, urinalysis, blood, hair analysis, skin patch, sweat, and others, to detect the use of alcohol or other specific illegal substances.

Dual Diagnosis

- A term that denotes that the individual has two or more physical or mental disorders.

Due Process

- In criminal law, a procedural protection of those constitutional rights that guarantee that a defendant will receive a fair and impartial trial or hearing.

DWI/DUI Courts

- Specialized courts dedicated to processing the DWI offender and engaging offenders in treatment while under court supervision.

Distance Education

- Educational process that occurs when the student and teacher are not necessarily at the same location or interacting at the same time, using on-line or other forms of technology.

DNA

- Deoxyribonucleic Acid. 11

DNA Record

- DNA identification information stored in the DNA identification index for purposes of establishing identification in connection with law enforcement investigations or supporting statistical interpretation of the results of DNA analysis. The DNA record is considered the objective form of the results of a DNA analysis, such as the numerical representation of DNA fragment lengths, autoradiographs and the digital image of autoradiographs, and discrete allele assignment numbers.

DNA Testing

- DNA analysis of materials derived from the human body for the purposes of identification.

DOA

- The Department of Administration.

DOC Commit

- An offender who is sentenced to the Department, assessed at MASC or Passages' assessment/sanction center, and may be placed in a state prison or community program.

DOC Commitment

- A commitment by the district court of an adult offender, criminally convicted youth, or extended jurisdiction youth, for placement in a state correctional facility or program operated by the Department or under the authority of the Department pursuant to Mont. Code Ann. § 46-18- 201(3)(d)(i) (2009).

DOC Direct Commit

- An offender who is placed directly into a community program.

DOC ID Number

- Means the Department of Corrections identification number assigned to each offender, previously referenced as the AO number.

Document

- An object upon which information is written, transcribed, or recorded.

Documentation

- Written notes, audio/videotapes, printed forms, sketches, and/or photographs that form a detailed record of the scene, evidence recovered, and actions taken during the search of the crime scene.

DOC Commitment

- A commitment by the District Court of an adult offender or criminally convicted youth for placement in a state correctional facility or program operated by the Department or under the authority of the Department pursuant to §46-18-201, MCA.

Docket Dismissed

- Termination of a court case in which no legal decision has been made.

Dry Cell Procedures

- Procedures for placing and observing an offender in a room or cell without plumbing fixtures or running water to intercept rectally-inserted contraband to prevent its conveyance into the facility.

E

Electronic Monitoring System (EMS)

- A term used to refer to methods of recording or transmitting information about an offender's location with an electronic device, including radio frequency monitoring and satellite-based monitoring.
- Use of technological devices to increase effectiveness in supervising and tracking individuals who are required to abide by a curfew, a structured schedule allowing for work, school or treatment, and otherwise are required to remain in or avoid certain areas as a condition of release or a sentence.

Eligible Offender

- An offender who committed an offense prior to January 31, 1997, and whom a court sentenced to Montana State Prison, the Montana Women's Prison, the Department of Public Health and Human Services (DPHHS), or the Department of Corrections (DOC). An eligible offender is serving the sentence of imprisonment, or commitment, or is on parole for the offense.

Elkhorn Treatment Center

- Methamphetamine treatment program for female offenders in Boulder, Montana.

Emergency Count

- An official, unscheduled count taken in an emergency situation, e.g., a disturbance or a suspected escape, to immediately account for each offender.

Emergency Situations

- Any significant disruption of normal facility or agency procedure, policy, or activity caused by riot, escape, natural disaster, employee action, or other serious incident.

Employment Readiness And Work Programs

- Offer job skills training, apprenticeships, on-the-job training, and employment placement activities, which are used to increase an individual's employability and capacity to meet his or her financial obligations.

Enhanced Supervision Program (ESP)

- A 30- to 90-day program developed by PPD, provided by contracted prerelease centers (PRC), and only available in areas covered by a PRC. Offenders under Probation & Parole (P&P) supervision are referred by a P&P Officer through a disciplinary hearing.

Escape

- The unlawful departure of an inmate from within a security perimeter or the unlawful departure or fleeing of an inmate from custody at any time during a transport outside a security perimeter.

Executive Clemency

- Application for clemency -- definitions. (1) (a) "Clemency" means kindness, mercy, or leniency that may be exercised by the governor toward a convicted person. The governor may grant clemency in the form of: (i) the remission of fines or forfeitures; (ii) the commutation of a sentence to one that is less severe; (iii) respite; or (iv) pardon. (b) "Pardon" means a declaration of record that an individual is to be relieved of all legal consequences of a prior conviction. (2) A person convicted of a crime need not exhaust judicial or administrative remedies before filing an application for clemency, except that an application may not be filed with respect to a sentence of death while an automatic review proceeding is pending before the Montana supreme court under 46-18-307 through 46-18-310. The board shall consider cases of executive clemency only upon application. All applications for executive clemency must be made to the board. An application for executive clemency in capital cases may be filed with the board no later than 10 days after the district court sets a date of execution. Applications may be filed only by the person convicted of the crime, by the person's attorney acting on the person's behalf and with the person's consent, or by a court-appointed next friend, guardian, or conservator acting on the person's behalf. After a hearing panel has considered an application for executive clemency and has by majority vote favored a hearing, the hearing panel shall cause an investigation to be made of and base any recommendation it makes on: (a) all the circumstances surrounding the crime for which the applicant was convicted; (b) the applicant's criminal record; and (c) the individual circumstances relating to social conditions of the applicant prior to commission of the crime, at the time the offense was committed, and at the time of the application for clemency. (3) A hearing panel may recommend that clemency be granted or denied. In noncapital cases, if the hearing panel recommends that clemency be denied, the application may not be forwarded to the governor and the governor may not take action on the case. In capital cases, the hearing panel shall transmit the application and either a recommendation that clemency be granted or a recommendation that clemency be denied to the governor. The governor is not bound by any recommendation of the hearing panel, but the governor shall review the record of the hearing and the hearing panel's recommendation before granting or denying clemency. The governor has the final authority to grant or deny clemency in those cases forwarded to the governor. An appeal may not be taken from the governor's decision to grant or deny clemency.

Extended Review

- Those offenders the Board has determined to be more appropriately reviewed over a longer period of time than annually/biennially.

Evidence-Based

- Conclusions drawn from rigorous research studies that have been replicated numerous times with defined, measurable outcomes about the effectiveness of an intervention or process.

Excessive Force

- A measure of physical coercion beyond what is necessary to control participants in a conflict.

F

Facility

- A place, institution, building (or part thereof), set of buildings, structure, or area that is used for the confinement of offenders.

Facility/Program

- Refers to any division, prison, secure care correctional facility, correctional or training program, or community-based program under Department jurisdiction or contract. This term includes the facility building or residence, including property and land owned or leased and operated by the Department.

Facility Design Capacity

- The facility population capacity based on offender single cell occupancy, including infirmary, detention, and administrative segregation beds.

Facility or System Emergency Capacity

- The facility or system offender population capacity that will compromise the classification system, the safety of staff and offenders, and the security of the facility. The population capacity excludes a portion of temporary holding cells, e.g., infirmary, administrative segregation, mental health, detention, and pre-hearing confinement beds. Emergency capacity is reached when the population is at that level or higher for more than seven consecutive days.

Facility or System Operational Capacity

- The maximum facility or system population capacity at which daily operations may be conducted without compromising staff and offender safety and facility and public security. This capacity may include multiple cell occupancy in a portion of available beds and excludes a portion of temporary holding cells, e.g., infirmary, administrative segregation, mental health, detention, and pre-hearing confinement beds.

Facility Health Services Administrator

- The health authority or nursing supervisor responsible for offender health care services at each facility.

Facility Intelligence Coordinator

- The individual at each facility assigned by the Department director, or designee, to provide security threat group intelligence information to the Department's STG Coordinator, disseminate information to staff, and provide updates as needed.

Facility Volunteer Coordinator

- A qualified Department employee responsible for organizing, monitoring, and managing the program or facility's volunteer program.

Faith-Based Programs

- Programs that are grounded in religious values and practices.

Federal Ward

- A youth who is held in the custody of the federal government. These youth include undocumented immigrant youth and those youth held in the custody of the Bureau of Indian Affairs.

Fees

- Payments individuals are ordered to make to a court, probation department, or other agency for services.

Felon

- A person convicted of a felony crime.

Felony

- Generally, a range of crimes that can be punished by a sentence of a year or more of incarceration or community corrections supervision.

Field Training Officer (FTO)

- An experienced staff member who serves as a training supervisor of the new jail/corrections officer within the facility for a specific number of hours; requires the new officer to perform tasks such as searches and headcounts, etc.; and observes and evaluates the trainee's job performance in these tasks.

Felony Offense

- Any offense under the Montana Code Annotated for which the maximum potential sentence under statute is death, or imprisonment in a state prison for a term exceeding one year.

Fines

- Court-ordered or statutorily required payments to a designated agency, such as court administration, as part of a criminal penalty or diversion program.

Flat

- Reaching the end of the court-imposed sentence.

Flat Discharge

- Refers to when an offender has completed his/her sentence or term and does not have a probation term to follow their incarceration.

Forfeiture

- Economic penalties that involve permanent or temporary seizure of assets or personal property.
- Synonyms: Impoundment

G

Gallatin County Pre-Release Center

- The pre-release center in Bozeman, Montana, which houses male offenders.

Gate Money

- Monetary benefit provided to eligible inmates at the time of discharge or parole from the custody and supervision of a secure adult facility up to \$100.

General Educational Development (GED)

- The GED is a nationally recognized alternative to the high school diploma. To obtain a GED, one must pass a test that consists of five sections: reading, science, social studies, math, and writing.

Global Positioning System (GPS)

- This type of system uses satellites to determine the location of a transmitter worn by an individual by tracking coordinates. By using the satellite monitoring and remote tracking, individuals can be monitored and tracked to their current location.

Good Time Credit

- The number of days deducted from a sentence by jail or prison authorities for good behavior, the absence of violations or for other reasons.

Grant Web Information System (GWIS)

- xxx

Great Falls Transition Center

- The pre-release center in Great Falls, Montana, housing both men and women offenders, abbreviated-GFTC.

Grievance Coordinator

- The staff member assigned to administer, investigate, and respond to offender grievances. The responsibilities of this position may also apply to that person's designee.

Group Home

- A residential facility that operates in a home like setting designed to provide supervision, counseling and other services to housing a specific type of detainee, sentenced individual or someone released from incarceration.

GWIS (Grant Web Information System)

- See **Grant Web Information System**

H

Halfway House

- Residential facility for probationers who are court ordered to stay at the facility during some portion of their community supervision. Parolees who are exiting prison may be required to stay at one of these facilities as an adjustment period to re-entering the community.

Health Care Record

- Written or electronic documentation of an offender's health care.

High School Equivalency

- A battery of tests, such as the HiSET or GED, that measures a person's academic skills as compared to a high school graduate.

HIPAA

- The Health Insurance Portability and Accountability Act (1996) which defines nationally recognized regulations for the use and disclosure of an individual's health information.

Hearing

- The personal appearance of an inmate before the Board for release consideration, Executive Clemency, or revocation.

Hearing Officer

- The appointment of a Board Member, Board staff, or other paroling authority for purposes of conducting a hearing.

Helena Pre-Release Center

- The pre-release center located in Helena, Montana, abbreviated-HPRC.

Hobby Supervisor

- The person appointed by the administrator to oversee the hobby program in the facility.

Housing Area Hobby

- The creation of hobby craft projects located in a housing area; limited to projects not requiring caustic/toxic/flammable chemicals, and tools or materials with the potential of compromising the safety or security of the facility.

I

Ignition Interlock

- A technological device that limits access to or prohibits motor vehicle operation if the driver has been drinking. This technological device logs activity on the device and tracks violations.

Immediate Family Member

- An offender's legal spouse, natural or adoptive parents and children, siblings, grandchildren, grandparents, corresponding in-law, person verified as being primarily responsible for raising the offender in the absence of a parent and any other member of the offender's household.

Immediate Use of Force

- Action that staff may immediately take in response to an emergency situation that constitutes a serious threat to the safety of staff, offenders, or other individuals, or to property or facility security and order. It applies when circumstances do not permit advance planning, consultation, or approval by a higher ranking staff member.

Incident

- Any event or near-miss that could potentially cause an accident or contribute to an injury.

Incident Commander (IC)

- The individual with overall authority and responsibility for conducting all incident activities and managing all operations at the incident site.

Inclusion Zone

- A feature of satellite-based monitoring that determines an area in which the offender is required to stay for predetermined periods of time (i.e., home, work, or rehabilitation programs).

Income

- Any compensation for work or money earned by the offender from the sale of hobby items.

Independent Study

- Assigned or approved individual study opportunities, i.e., correspondence courses, reading material, audio/video tapes, and web-based training.

Indictment

- A document that outlines the charge or charges against a defendant.

Indigent Status

- The status applied to an offender whose previous month's and current financial activity indicates that he or she has insufficient funds to purchase hygiene or legal supplies from the facility canteen.

Inmate

- A term often used to denote an individual convicted of an offense and committed to the care, custody and control in a jail, prison or community corrections setting.

Intensive Supervision Program (ISP)

- Community supervision of an individual that requires daily or frequent reporting to a probation or parole officer, along with participation in other programs and adherence to other monitoring requirements. This program involves more direct interaction between the probationer/parolee and the supervising officer than regular probation or parole.
- Provides increased supervision of offenders in the community, including drug and alcohol monitoring; Uses electronic monitoring, including GPS technology; Increases emphasis on offender accountability, including employment and treatment options where necessary; Locations: Missoula, Bozeman, Butte, Great Falls, and Billings

Intermediate Sanctions

- A range of sentencing options from least restrictive to scaling up to more restrictive – including brief periods of incarceration.

Interstate Compact (PPD 4.6.203 – Interstate Commission Procedures)

- The Interstate Commission for Adult Offender Supervision (ICAOS) was created to promote cooperation and coordination among the states and U.S. Territories in the transfer of supervised offenders across state boundaries. The ICAOS provides oversight and assistance in administering the Interstate Compact for Adult Offender Supervision, which was approved in 2002. All 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands are signatories to the Compact. This Compact has the authority of federal law and supersedes any state law to the contrary. All state and federal courts and administrative bodies must abide by the rules of this Compact.
 - Definitions:
 - Receiving State – The state assuming supervision of an offender at another state's request.
 - Sending State – The state requesting the transfer of an offender's supervision.
 - Refer to PPD 4.6.203 – Interstate Commission Procedures for complete information on Interstate Compact Eligibility Requirements and Program Details.

Infectious Bodily Fluids

- Human blood or other potentially infectious body fluids including semen, urine, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, and any bodily fluid visible with contaminated blood.

Initial Appearance

- Those offenders who have been certified by prison records to have served the minimum time necessary to be eligible for parole consideration on a term of imprisonment as directed by a District Court Judge.

Initial Response Team

- Regardless of local title, the group of personnel trained to be first responders to situations that compromise safety and security.

Injury

- As defined in Mont. Code Ann. § 39-71-119(1)(a-c)(2) (2014), (a) internal or external physical harm to the body that is established by objective medical findings; (b) damage to prosthetic devices or appliances, except for damage to eyeglasses, contact lenses, dentures, or hearing aids; or (c) death. (2) An injury is caused by an accident.

Inmate Representatives

- Inmates approved by the facility administrator to represent the offender population.

Inmate Welfare Funds (IWF)

- The account that is in the state special revenue fund that is the repository for net proceeds from inmate canteen purchases and inmate telephone use, cash proceeds from the disposition of confiscated contraband, and any public money held for the needs of inmates and not otherwise allocated; also referred to as Inmate Welfare Account.

Inmate/Prisoner/Offender

- Any person sentenced by a State District Court to a term of confinement in a State correctional institution or program.

Inquiry

- A preliminary review of an incident, complaint, or report of misconduct conducted by or at the direction of an approving authority to determine an appropriate course of action.

Intensive Challenge Program (ICP)

- The "bootcamp" like program for women offenders' at the Montana Women's Prison. It is from 3-6 months in duration, usually followed by an Aftercare program.

Intensive Supervision Program (ISP)

- Administered by the Department including the use of electronic monitoring. This program is available in Missoula, Billings, Great Falls, Butte, and Bozeman.

Intermediate Weapons

- The application of any weapon or object, which is not part of the human body, to control resistance or assault, and may include: restraints, chemical or inflammatory agents such as CS, CN or OC, impact weapons such as collapsible batons, riot batons, riot shields, conductive energy devices (tasers/stun guns), and may also include emergency or improvised weapons such as flashlights and radios.

Interstate Case State

- The State of interest/stewardship of an Interstate Offender concerning Interstate Compact cases.

Interstate Case Number

- Case Number assigned to an Interstate Compact case.

J

Jail

- A facility in the local community operated by a sheriff, a county government or through a regional authority designed to hold individuals awaiting trial or serving short (generally less than one year) sentences.

Jail Direct Supervision

- A type of jail design where the jail officer is placed inside the inmate housing unit with no physical barriers.

Jail Services

- Services offered to inmates to aid in rehabilitation or to provide some sort of assistance, such as healthcare, food services, recreation, mail, commissary, barber, property, and libraries.

Jury

- The group of persons selected to hear the evidence in a trial and render a verdict on matters of fact. A jury may also participate in the sentencing phase of a trial, after a finding of guilt, recommending to the judge the sentence to be imposed.

Juvenile

- A person not yet of legal age. The age for criminal justice purposes depends upon jurisdiction and application, but is typically 16 or 18.

Juvenile Delinquency

- A special justice category created for young offenders, usually those between 7 and 18 years of age.

Juvenile Delinquent

- A juvenile who is found to violate the law, including status offenses not applicable to adults.

Juvenile Detention Facility

- A usually secure facility for juveniles who are awaiting trial that may also be used as a post-adjudication placement. It is generally reserved for the more serious and chronic juvenile defendants or offenders.

Judge

- A judge presides over court proceedings, either alone or as a part of a panel of judges. The powers, functions, method of appointment, discipline, and training of judges vary widely across different jurisdictions. The judge is supposed to conduct the trial impartially and in an open court. The judge hears all the witnesses and any other evidence presented by the parties of the case, assesses the credibility and arguments of the parties, and then issues a ruling on the matter at hand based on his or her interpretation of the law and his or her own personal judgment. In some jurisdictions, the judge's powers may be shared with a jury.

Jurisdiction or Jurisdictional Authority

- The entity that has court authority to decide a legal issue.

L

Less Lethal Force

- Physical force not intended nor reasonably expected to cause serious injury or death.

Lethal Force

- Force that may reasonably be expected to cause serious injury or death.

LexisNexis

- A stand-alone computerized offender legal system subscribed to through LexisNexis used in correctional facilities to meet the legal research needs of their inmates.

License Suspension

- Removal of the privilege to practice a profession or operate a vehicle. These are administrative, not judicial, sanctions.

Local County Corrections Department

- County or local agency that operates the local jail, but is not a sheriff's office.

Local Law Enforcement Officer

- An employee of a local law enforcement agency who is an officer sworn to carry out law enforcement duties and normally carries a firearm. Examples are sheriffs, deputy sheriffs, chiefs of police, city police officers, etc.

Liberty Interest

- The offender committed the crime prior to March 20, 1989.
 - Change in Montana Code Annotated Section 46-23-201 (1989)
 - The 1989 Legislature amended the parole statute and changed the word "shall" to "may". This was effective on March 20, 1989. It is significant in that all crimes committed after this date fall under the new statute and eliminated "liberty interest" in parole (Board of Pardons and Parole vs. Allen).
- A right that the Due Process Clauses of the state and federal constitutions confer on an individual.
 - **Due Process Clause:** The Fifth and Fourteenth Amendments to the United States Constitution each contain a due process clause. Due process deals with the administration of justice and thus the due process clause acts as a safeguard from arbitrary denial of life, liberty, or property by the Government outside the sanction of law.

Locked Housing

- Cells designated for pre-hearing or temporary confinement, disciplinary detention, administrative segregation, special management, and/or maximum security offender housing

M

Mail

- All mail, including correspondence, publications, and packages.

Managed Care

- A health care delivery system managed to balance quality of services, access to care, and containment of costs.

Managed Care RN

- Coordinates the health care delivery system by cost containment efforts and utilization review for all offenders residing in Department facilities.

Marsy's Law

- A constitutional amendment setting rights for crime victim effective July 1, 2017. **Repealed on November 1, 2018 by the Montana Supreme Court due to unconstitutionality of changing multiple aspects with a single referendum.**

Medical Co-Pay

- A fee charged by the Department of Corrections for certain offender health services. This fee does not apply to probationers sentenced to the Treasure State Correctional Training Center or youth facilities and programs.

Medical Director

- The physician designated by the Department director to oversee the health care of offenders under Department jurisdiction.

Medical Review Panel (MRP)

- A group of health care professionals that includes the medical director, at least two additional health care providers (one of whom must be a physician), and the Department managed care RN, all of whom are designated to review complex health care requests and cases, protested denials of care, and general issues relevant to offender health services and managed care. 20

Mental Health Professional

- A licensed clinical social worker, licensed psychologist, or other licensed professional counselor trained in the critical incident trauma-debriefing model and has an understanding of, and experience with, correctional employees.

Mental Health Treatment

- A court imposed condition to require an individual to undergo evaluation and treatment for a mental disorder. Treatment may include psychiatric, psychological, and sex offense-specific evaluations, inpatient or outpatient counseling, and medication.

Misdemeanor

- A crime (e.g., petty theft, prostitution, public intoxication, simple assault, vandalism, etc.) that can be generally punished by a sentence of no more than twelve months of incarceration or community corrections supervision.

Mitigating Factors

- Extenuating elements present in a crime that the judge can take into account at the time of sentencing, which may result in a lesser sentence.

Motivational Interviewing (MI)

- Motivational Interviewing (MI) is a person-centered style of communicating that helps people explore and resolve ambivalence about changing specific, maladaptive behaviors. This person-centered style is both directive—guided by the agent toward specific behavior change—and offender centered—attentive to the offender’s needs, wants, and beliefs about the change process.

Mentor

- A volunteer who provides educational assistance, support, or motivation to offenders on an individual or group basis.

Missoula Assessment and Sanction Center (MASC)

- Formerly the Missoula Regional Prison. This center will assess DOC commitments to determine appropriate placement, according to the DOC. It may also be used to house offenders as a sanction center.
- The Missoula Assessment and Sanction Center (MASC) is a 144-bed correctional assessment facility for male offenders located in the Missoula County Detention Facility. The program operates under a cooperative agreement between the Department of Corrections and the Missoula County Detention Facility.
- MASC’s purpose is to determine the most appropriate placement for offenders through clear, accurate and impartial assessments. MASC provides these assessments to community corrections programs that screen offenders for potential placement rather than sending them directly to prison. Offenders committed to the Department of Corrections are given mental health, chemical dependency and sex offender assessments as needed. Offenders may be placed in treatment programming while at MASC prior to being considered for placement in a community program.
- MASC houses offenders who:
 - have been accepted into a program and are waiting to be placed in that program
 - need evaluations (testing), assessment, and individual and/or group counseling
 - are being sanctioned for violating the conditions of their supervision (other than those who commit an additional felony offense).
- MASC offers alternatives to prison without compromising the safety of Montana communities by ensuring that offenders are appropriately placed. About 77 percent of offenders entering MASC are diverted from prison to community-based programs.

Miranda Warning

- Formal notice given to a staff member by an assigned criminal investigator of the staff member’s constitutional right to have legal representation in a criminal investigation.

Miscellaneous Revenues

- Revenue generated from food sales and cash proceeds from the sale of confiscated contraband.

Misconduct

- May be defined as major or minor within Department policies or facility procedures; involves violation of Department rules, policies, or procedures including, but not limited to: DOC Policy 1.3.2 Employee Performance and Conduct, and DOC Policy 1.1.17 Prison Rape Elimination Act of 2003 (PREA), and/or state or federal law.

Missoula Life Skills Center

- The pre-release center in Missoula, Montana, housing both men and women offenders, abbreviated-MLSC.

Mistreatment

- Actions that violate the human rights of offenders including unwarranted physical acts and acts that adversely affect offender mental or emotional well-being including abusive treatment such as threats, harassment, cursing, and shouting.

Monitoring Instrument

- The Quality Assurance Office internal document designed as a policy and standards-based checklist to assess division, facility or program compliance with Department policies, facility operational procedures, contractual obligations, and statutory requirements.

Monitoring Review

- A review and inspection of all Department and contracted division, facility or program operations to assess compliance with Department policies, operational procedures, and contractual obligations.

Monitoring Review Team

- Quality Assurance Office staff members, and other Department staff as determined appropriate by the Quality Assurance Director to participate in a monitoring review.

Montana Correctional Enterprises (MCE)

- The Department division that operates work and training programs at Department and contracted facilities, including agriculture, industries, vocational education, license plate factory, food factory, canteen, and the offender hobby store.

Montana Offender Reentry and Risk Assessment (MORRA)

- A standardized and validated evidence based instrument used to assess the probability of a male offender recidivating and to identify risk factors and criminogenic needs to assist service providers in prioritizing appropriate programming and ensuring efficient allocation of resources.

Montana Prisoner Transport System

- The Department adult offender transportation system located at the Montana State Prison in Deer Lodge, Montana.

Montana State Prison (MSP)

- Male Secure Facility located in Deer Lodge, Montana and designed to maintain a population of 1300, who are classified into one of eight custody levels.

Montana Women's Prison (MWP)

- Female Secure Facility located in Billings, Montana and houses approximately 265 adult female offenders.

Movement Sheet

- A report, distributed to Department facilities/programs and affected agencies, that tracks and documents offender moves.

MSP Command Post

- The location at Montana State Prison where all DOC prisons and facilities, including contracted facilities, prerelease centers, and youth correctional and placement facilities, report all Priority I incidents.

MSP Commit

- An offender sentenced to the Montana State Prison.

Mutual Aid Agreement

- Written agreement between agencies and/or jurisdictions in which they agree to assist one another upon request, by furnishing personnel and equipment.

MWP Commit

- An offender sentenced to the Montana Women's Prison.

Near-Miss

- Any incident that potentially could lead to an injury and/or warrants an investigation for future prevention.

Need to Know

- The staff member requesting information must have that information in order to properly and adequately perform his or her job related duties and responsibilities.

Net Offender Pay

- Monies remaining after payment of all applicable taxes and authorized deductions.

N

Nexus

- The methamphetamine treatment program for male offenders in Lewistown, Montana.

Non-Contact Staff

- Staff members who do not have frequent and continuous contact with offenders as a normal function of their job performance; e.g., staff in administrative offices.

Non-Offender

- A non-offender is a juvenile who is subject to the jurisdiction of the juvenile court, usually under abuse, dependency, or neglect statutes, for reasons other than legally prohibited behavior of the juvenile. Such cases are referred to by various names including Children in Need of Services (CHINS), Children in Protective Services (CHIPS), and Families in Need of Services (FINS).

O

Offender

- Any individual in the custody or under the supervision of the Department of Corrections or its contracted service providers. The term includes former offenders for whom less than one year has elapsed since discharge from Department custody or supervision.

Offender Americans with Disabilities Act (ADA) Coordinator

- The individual assigned from the Clinical Services Division to facilitate ADA compliance for offenders.

Offender Case Files

- The electronic or hard copy record used for offender management that contains legal documents, reports, and offender records to include, but not limited to, material regarding custody, classification, treatment programs, and community supervision.

Offender Community Presentation

- Program that allow eligible offenders to leave the confines of an assigned facility/program, under supervision, for the purpose of assuming increased personal responsibility, skills and development through community presentations; intended to be a benefit to the community.

Offender Library Work (OLW)

- An offender assigned to work in a facility library in the Offender Legal Assistance Program to perform the duties outlined in the OLW job description.

Offender Monies

- Offender money received from any source.

Offender Organization

- An organization recognized and approved by the facility administration as outlined in DOC Policy 5.5.2, Offender Organizations.

Offender Personal Property

- Allowable, non-facility issued offender property items.

Offender Treatment Programs

- Programs designed to assist with offender rehabilitation that range from outpatient individual and group education, counseling, and therapy to specialized inpatient therapeutic communities and intensive treatment units.

Offender Trust Account

- An account maintained by a secure correctional facility for the placement and disbursement of offender monies.

Offender/Staff Request (OSR)

- An official Department form, commonly referred to as a “kite,” designed for offenders to communicate with staff and by which staff may respond to offenders.

Official Count

- A periodic, scheduled daily count taken to account for each offender in the facility.

Official Duty Station

- An agency’s place of work where employees are normally located. 23

Official Visitors

- Visitors to a facility acting in an official capacity, e.g., law enforcement, correctional personnel, judges, licensed attorneys, legislators, and others on official business.

Ohio Youth Assessment System (OYAS)

- A standardized and validated evidence-based instrument used to assess the probability of a youth recidivating and to identify risk factors and criminogenic needs to assist service providers in prioritizing appropriate programming and ensuring efficient allocation of resources.

OMIS-Offender Management Information System

- The Department’s electronic data collection and reporting system.

Out of Home Placement

- Placement of youth in a program, facility, or home, other than a custodial parent’s home, for purposes other than preadjudicatory detention.

Outcount

- A count taken on offenders who are out of their housing units during an official count with the results tabulated into the official total.

Override

- A management decision to place an offender at a different custody level from what is indicated by the objective classification system

P

Passages

- The women's multi-function pre-release, sanction and treatment center in Billings, Montana.
- Passages is a women's community based correctional facility serving State and Federal inmates. The facility, located at 1001 South 27th Street in Billings, Montana, includes an inpatient Alcohol and Drug Treatment unit (ADT), an intake unit that provides assessments, sanctions, and acute mental health care, and a pre-release (or re-entry) unit. The first clients of Passages were received January 19, 2007.

Passages ADT: Alcohol and Drug Treatment Program

- Alcohol and Drug Treatment (ADT) at Passages is a 45 bed Level III.5 Inpatient treatment program for female offenders with a length of stay of 60 or 90 days. ADT is comparable to Connections Corrections in the men's system.
- Women can be referred to ADT in several ways:
 - From the Assessment, Sanction and Revocation Center (ASRC) at Passages;
 - From a Probation Officer in the community due to continued use of chemicals while on supervision;
 - From the Montana Women's Prison;
 - From an Intervention Hearing due to use while in another community corrections facility.
- While at treatment all the residents will be in the following groups:
 - Matrix model of drug and alcohol treatment
 - Dialectic Behavioral Therapy (DBT) skills group
 - Cognitive Principles and Restructuring (CP&R)
 - Untangling Relationships
 - Victimology
 - Parenting
 - Guided Relaxation.
- Based on individual needs, Gambling and Trauma are also offered.
- Each woman is assigned a Licensed Addiction Counselor (LAC) and a case manager for individual sessions.

Passages ASRC: Women's Assessment, Sanction, Revocation Center

- The ASRC is a 50 bed unit for women offenders located at Passages. This unit serves the same functions as the Missoula Assessment and Sanction Center (MASC) and the Sanction, Treatment, Assessment, Revocation and Transition Center (START) do in the men's system, which is...
 - Those newly sentenced women offenders with DOC sentences are brought to ASRC for assessment to determine the appropriate level of care and custody;
 - Offenders who are revoked from their placements might ordinarily be transferred to the prison are provided a second chance for community placement by addressing concerns;
 - Women offenders who are not revoked from placement, but whose behavior warrants disciplinary action, may be placed in ASRC as a sanction;
 - Lastly those who request removal from treatment programming are transferred to the ASRC unit and given the opportunity to consider or rethink this decision in lieu of transfer to the Montana Women's Prison.
 - The ASRC also serves to provide mental health stabilization services for women offenders with acute needs.
- All residents of the ASRC program at Passages participate in treatment programs to aid preparation for community placement. These programs consist of Matrix chemical dependency group, Responsible Living, Dialectic Behavioral Therapy (DBT), and Cognitive Principles and Restructuring (CP&R). Additional individual session and groups may be recommended by the treatment team as needed.

Passages CAP: Culinary Arts Program

- The Passages facility has a well equipped, newly constructed kitchen facility. The Culinary Arts Program (CAP) provides food service training and employment support for up to 15 offenders referred from the Montana Women's Prison. These women offenders will be within 24 months of release eligibility, with the ideal candidate within 18 months of release. Program enrollees will receive classroom instruction, in-house food service experience, work release in the community, job placement assistance, and will complete a pre-release program during the last six months of placement. The goals of CAP are:
 - To provide appropriate offenders an extended period of job training, treatment, and supervision in a community corrections setting;
 - To provide training and support so as to enable offenders to obtain employment in the food service industry at above minimum wage in positions that offer an opportunity for advancement;

- To support the operation of the Alternatives, Inc. Food Service Department;
- To provide reliable, well trained workers for local restaurants, banquet facilities, bakeries, and other food related industries;
- To maximize the use of community resources and community involvement in support of program participants.

Passages PRC: Women’s Pre-release Center

- This 65 bed residential facility occupies the first floor of the Passages facility located at 1001 South 27th Street. During their six month stay these offenders hold employment, participate in treatment groups and life skills training, and maintain a drug and alcohol free lifestyle. They are supervised on a twenty-four hour per day basis. Focus is on reentry to the community as productive citizens.

Pardon

- A declaration of record that an individual is to be relieved of all legal consequences of a prior conviction.
- A decision to release an inmate from a confinement facility, prior to the expiration of his or her sentence, and place him or her under the supervision of a community supervision agency subject to specific terms and conditions of release. The term is often used for the legal status of a juvenile released from a correctional facility. The term “aftercare” may be utilized in these circumstances.

Parole

- The release of an inmate into the community prior to the completion of a sentence subject to the orders and conditions of the Board and the supervision of the Department.

Parole Board

- The Board of Pardons and Parole as authorized in 2-15-2302 and 46-23-104, MCA.

Parole Eligibility

- The earliest possible date a person may be released from confinement to parole supervision.

Parole Violator at Large

- An offender released on parole who has allegedly violated the terms and conditions of their parole by failing to report for which a warrant of arrest has been issued.

Parole upon Completion

- An offender must complete some form of programming, such as chemical dependency or pre-release, and would receive their parole when the Board receives confirmation of completion of the programming.

Passed to Discharge

- An offender/inmate has been reviewed and his case has been continued until his/her term is completed.

Peace Officer

- The definitions of a “peace officer” are governed by state law, and therefore vary by jurisdiction. A peace officer generally refers to any employee of a state, county, or a municipality, a sheriff or other public law enforcement agency, whose duties include arrests, searches and seizures, execution of criminal and civil warrants, and is responsible for the prevention or detection of crime or for the enforcement of the penal, traffic or highway laws. The Peace Officer definition may also include those deputy sheriffs whose duties include the care, custody and control of inmates in a jail setting.

Peace Officer Standards and Training (POST)

- In some states, the POST provides peace officers with the training and certification mandated by a state, including the authority to carry firearms, concealed or otherwise, subject to the written firearms policy created by the agency employing the peace officer.

Physical Evidence

- Any tangible object, material, or impression that connects a perpetrator to the commission of a crime.

Picture Count

- A count that verifies offender identities through direct comparison with their picture identification cards.

Polygraph

- An electronically based testing procedure designed to discern whether an individual is being truthful in response to a series of questions posed to him/her by measuring biological responses.
- Synonyms: Lie detector test

Postsentence Investigation Report (Post PSI)

- Similar content to a Presentence Investigation Report, but generally shorter in nature. These are created for out of state offenders without a PSI or for instate cases that did not have a Presentence Investigation conducted, usually in the case of a plea bargain..
- Synonyms: Postdispositional investigation report

Posttraumatic Stress Disorder (PTSD)

- A psychological condition resulting from a violent event that evokes intense fear, terror and helplessness; a debilitating stressful reaction to a trauma that may last for months or years. It can be experienced not only by crime victims, but also by those who help the victims.

Preponderance Of Evidence

- Level of proof generally required in civil matters. Evidence that outweighs the opposing evidence, or sufficient evidence to overcome doubt or speculation.

Presentence Investigation Report (PSI)

- Preparation of a written report presenting an individual's background data and assessment information to assist the court in determining an appropriate sentence or sentencing conditions and follow-up treatment or services.
- Synonyms: Predispositional investigation report

Pretrial

- A period of time referring to the phase of a criminal defendant's case beginning at arrest and ending at final disposition. The term is often misused to refer to a pretrial services agency or program, or to pretrial services supervision.

Pretrial Risk Assessment

- The method by which a pretrial services program/agency or individual identifies and categorizes the risk of pretrial misconduct presented by a particular defendant based upon the information gathered before the bail hearing. The risk assessment can be either subjective or objective. Subjective assessments are based on an evaluation of the defendant by the interviewer, who draws on his or her prior experience to assess release appropriateness. Objective assessments are based on procedures and conclusions supported by research and national organizations, such as the National Association of Pretrial Services Agencies and the American Bar Association, through their published standards.

Pretrial Supervision

- The act of managing, directing, or overseeing a defendant who has been released from secure custody during the pretrial phase of a criminal case, ideally to reasonably ensure both court appearance and public safety. It is often re-phrased as "pretrial services supervision," and used to refer to supervision by a pretrial services program or agency, engaged to provide oversight for compliance with all conditions of bail bond to further the dual purpose of bail. Because commercial bail bondsmen are only concerned with court appearance, their oversight in any particular case could arguably be considered a more limited form of "pretrial supervision," but likely never "pretrial services supervision."

Prison

- Secure facility generally operated by a state or the federal government in which adult felons are incarcerated. Private companies may also run prisons under the regulatory oversight of a government entity. Six states (Connecticut, Rhode Island, Vermont, Delaware, Alaska, and Hawaii) have an integrated correctional system that combines jails and prisons.

Private Prisons

- Privately owned and operated companies that contract with federal or state correctional agencies to provide confinement facilities and programs.

Probation

- A sentencing option whereby an individual who has been found guilty of a crime is permitted by the court to remain in the community under supervision with or without having to serve any jail time. Failure to satisfy the conditions (which may include the requirement for reporting to a supervision officer, paying fines and restitution, attending treatment, and maintaining law abiding behavior) may result in stricter sanctions or revocation of the right to remain in the community. While the judge maintains jurisdiction over the sentence, the supervision or monitoring may be provided by a government entity or by a private provider under contract to the governmental entity or the court.

Probation Conditions

- Court requirements that a probationer must abide by or fulfill during the course of probation supervision.

Protective Custody

- The segregation of a detainee or inmate within a jail, prison or other secure facility for his or her own safety.

Public Information

- Information prepared, owned, used, or retained by any public agency relating to the transaction of official business, regardless of form, except for confidential information that must be protected against public disclosure under applicable law.

Public Information Officer (PIO)

- An official spokesperson designated by the administrator to provide facility or program information to the public.

Public Record

- Public information that is fixed in any medium and is retrievable in usable form for future reference and designated for retention by the state records committee, judicial branch, legislative branch, or local government records committee.

Planned Use of Force

- Use of force when time and circumstances allow the opportunity for advance planning, consultation, and approval by a higher ranking staff member.

Post Chart

- A list or chart that outlines all facility positions, work locations, shifts or hours of work, and other applicable information.

Post Orders

- A written description of the post duties and responsibilities assigned to staff.

PREA Coordinator

- The Department position responsible for administration and management of the Department-wide PREA program including but not limited to, compliance, policy and procedure development, staff training, offender education, and records and statistical tracking.

Pre-Hearing/Temporary Confinement

- A short-term, non-punitive housing status that is used to safely and securely control high-risk or at-risk offenders.

Premium Hobby Craft Activities

- Designated hobby/craft activities possessing the highest earning potential and requiring large investments; activities generally require workspace in the hobby craft shop.

Prescription Medication

- A drug or medicine prescribed by a certified medical practitioner, whether the medication was prescribed to the person having possession of the medication, or to another person.

Prison Industry Enhancement Certification Programs (PIECP)

- A program administered by MCE that has been certified by the Department of Justice, Bureau of Justice Assistance to allow the interstate sale and distribution of offender-produced goods developed by the cost center.

Prison Issues Board

- Administrators and staff from Department and contracted facilities and prisons who meet to discuss and coordinate the policy and operational functions of the facilities.

Private Information

- Includes information in which an individual or corporation has a right of privacy; which, if released, would threaten the safety or security of a person or institution; which impacts the legitimate correctional interests of the Department; or, which is confidential criminal justice information; and, information about an offender's progress, or any other information specific to the offender's programming, whether court-ordered or not.

Probation

- The suspension or deferral of a prison or Department commitment by the District Court. The District Court retains jurisdiction and the offender is placed under community supervision subject to the conditions imposed by the court.

Probation and Parole (P&P)

- Supervision and case management services for adult probation, parole and conditional release offenders. Includes services provided by Institutional P&P Officers (IPPO) located in the Department and PPD facilities.

Probation and Parole Division (PPD)

- The Division oversees the probation and parole regional offices, interstate transfers, and the facilities providing assessments and sanctions, training, prerelease, and treatment services.

Probation and Parole Division Administrator

- The individual responsible for the overall administrative functions of the PPD and its programs and facilities. The administrator reports directly to the Department Deputy Director.

Procedure

- An internal management document developed at the division, facility, or program level that provides staff with direction on how to implement a Department policy, required action, or program.

Procurement

- An acquisition with or without cost, buying, purchasing, renting, leasing, or otherwise acquiring any supplies or services. It includes all functions that pertain to obtaining of any supply or service, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. It does not include the acquiring of supplies or services by gift.

Professional Relationship

- A staff relationship with offenders maintained through well-defined professional boundaries and the highest ethical standards of honesty, integrity, and impartiality pursuant to DOC Policy 1.3.2, Attachment: Code of Ethics.

Professional Service Volunteer

- An individual who provides a volunteer service that requires a certificate or license by state law, such as an attorney, doctor, psychologist.

Program Manager (PM)

- The position that is the expert in their field and is usually an administrator or their designee. The PM is the lead on a grant, implements all programmatic requirements, and is responsible for meeting all grant conditions.

Program Files

- The record that accompanies offenders under Department jurisdiction from one facility or program to another that includes all pertinent legal documents, educational, rehabilitation, and health care records used to assist in offender management.

Pronouncement Date or Sentence Pronounced Date

- The date that the Judge pronounces the sentence handed down to an offender.

Prosecuting Attorney (Prosecutor)

- The prosecutor is the chief legal representative of the prosecution. The prosecution is the legal party responsible for presenting the case in a criminal trial against an individual accused of breaking the law.

Proper Identification

- A government-issued identification card with photograph, physical description, and dates of issue and expiration. Pro Se – The offender represents himself or herself in court without an attorney.

Public Information

- Includes age, name, date of birth, race, gender; date of commitment or release; date eligible for parole; date execution of sentence/commitment begins; court documents, unless expressly sealed by court order; date of execution of warrant; FBI number; fine(s) imposed; full term expiration date; jail credit time; facility of confinement; supervising program; participation or nonparticipation in a court-ordered program; judicial district of confinement and /or release; mandatory release date, if any; method of commitment or discharge; court docket number; offense; probation/parole action (2-6-101, MCA).

Public Information Officer (PIO)

- An official spokesperson designated by the administrator to provide facility or program information to the public.

Public Record

- Any paper, correspondence, form, book, photograph, microfilm, magnetic tape, computer storage media, map, drawing or other document, including all copies thereof, regardless of physical form or characteristics, that have been created or received by a state agency or local government in connection with the transaction of official business. It includes all records or documents required by law to be filed with or kept by the Department.

Public Record for Juvenile Offenders

- Except as provided in 41-5-215, MCA, youth court records on file with the clerk of court, including reports of preliminary inquiries, petitions, motions, other filed pleadings, court findings, verdicts, orders, and decrees are public information until the record is sealed in accordance with 41-5-216, MCA.

R

Racial Profiling

- As defined by 44-2-117, MCA the detention, official restraint, or other disparate treatment of an individual solely on the basis of the racial or ethnic status of the individual.

Rapid-Result Screening Tests

- On-site field-test kits that use immunoassay technology to identify the presence of drugs in a biological specimen at a particular minimum concentration.

Reasonable Accommodation

- In accordance with section 504 of the Rehabilitation Act of 1973 and Title I of the Americans with Disabilities Act of 1990, any modification or adjustment to a job application process, a job, an employment practice, or the work environment that makes it possible for an individual with a disability to enjoy equal benefits and privileges of employment.

Reasonable Suspicion

- A conclusion drawn from specific, objective facts which would permit a reasonable and experienced correctional staff person to suspect that an individual or set of circumstances poses a threat to facility security, or to the health, safety, and security of offenders, staff, visitors, contractors, or community members, including, but not limited to, committing, or conspiring or attempting to commit a crime or rule violation.

Reasonable Suspicion Search

- The search of person, property, or area where there is a reasonable suspicion that a law or policy has been violated.

Recidivism

- There are numerous definitions for this term. Among them are: an arrest for a new offense; a violation of supervision conditions; a conviction for a new offense or a return to custody; committing a new offense within 3 years.

Recommendations

- Verbal or written suggestions to the court regarding the conditions of release or detention appropriate for the case at hand.

Rescission

- An action of the Board that annuls or voids a prior disposition granting parole.

Reclassification

- The assignment of a position from one occupational job code to another or the allocation of a position from one occupational pay range to another or a combination of the two. These changes are based on a review of current duties and responsibilities.

Record

- A body of recorded information which may be manually or electronically recorded and maintained.

Recordable Injuries

- Injuries which go beyond minor injuries requiring only first aid treatment, and may involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job.

Regional Prisons

- Prisons that are operated by several jurisdictions jointly by mutual agreement, with each jurisdiction contributing funds for operations and staffing. Montana has two: Great Falls Regional Prison and Dawson County Correctional Facility (DCCF)

Rehabilitation

- The individual is provided the opportunity and means to change his or her behavior, thinking processes and circumstances to reduce the possibility of further criminal behavior.

Reintegration

- The process of helping a detainee or inmate rebuild former ties to the community and establish new ties after release from jail or prison.
- Release on Own Recognizance (ROR)
- A release secured by a defendant's written promise to appear in court.

Release from Custody

- Placing an offender outside the confines of a state correctional facility, i.e., discharge, conditional release, parole, probation, intensive supervision, prerelease, or other community placement within or outside the State of Montana.

Religious Activities Coordinator

- An individual designated to coordinate religious programming for offenders.

Request a Return (BOPP)

- An offender is generally advised to complete some type of programming, such as chemical dependency, sex offender, CPR, pre-release, and upon completion, the offender may request a return to the Board for parole consideration.

Residential Drug Treatment

- Treatment facilities in which individuals are required to reside for a period of time in order to receive services to address substance abuse issues.
 - See also: [Substance Abuse Treatment](#)

Responsible Health Authority

- The individual, regardless of local title, responsible for the facility's clinical services.

Restitution

- Compensation to victims or communities by the probationer or parolee to offset or mitigate the loss or damage that has occurred as the result of the crime.

Restorative Justice

- A criminal justice concept that focuses on offender accountability and healing for victims, families, communities, and offenders.
- A victim-centered approach that views crimes as a violation against individuals, their families and communities, and seeks to repair the harm done. This is accomplished through mediation, reparation and empowerment of both victim and offender. It requires the offender to take responsibility for his or her actions.

Retention Schedule

- A listing of records with the corresponding time periods for which they must be kept.

Revenue Generating Contract

- An agreement between the Department and another entity with the intended purpose of generating revenue to the division/facility/program from the sale of goods or provision of services. (1.2.9)

Review

- The informal administrative process of considering the conduct and progress of an inmate/prisoner to determine if a reappearance or parole is appropriate.

Revocation

- A legal process by which the court, a hearing officer, and/or paroling authority determines whether the probationer or parolee who is not complying with the terms of his or her release is to be returned to jail or prison, or a stayed sentence to incarceration is vacated and the individual is remanded to jail or prison.

Risk Assessment

- The assessment conducted to review vulnerabilities and weigh controls against cost, benefits and efficiency.
- The MDOC conducts several different types of Risk Assessments on offenders: Recidivism Risk (MORRA/WRNA), Supervision Level Risk, Parole Risk...

Rules

- The conditions, limitations, and restrictions upon which parole is subject.

S

Sanction, Treatment, Assessment, Revocation, & Transition Center (START)

- A highly structured, intensive treatment modality designed to return offenders to community placement in an effort to divert prison placements.

Satellite-Based Monitoring

- A type of electronic monitoring made up of a network of satellites that transmit signal information to a monitoring center and/or device to determine location of a receiving device placed on an offender.

Secure Adult Facility

- Facilities that include Montana State Prison, Montana Women's Prison, Dawson County Correctional Facility, Cascade County Correctional Facility, and Crossroads Correctional Facility.

Secure Perimeter

- The outer portions of a facility that provide for secure confinement of offenders. The perimeter design may vary depending on the facility security classification.

Security Threat Group (STG)

- A group of two or more individuals with a common interest, bond, or activity typically characterized by criminal or delinquent conduct. Separation Needs – Documentation that substantiates the need to separate potentially harmful contact between specific offenders.

Self Surrender

- ❖ Self Surrender: Release of an incarcerated DOC commitment who 1) has a conditional release pending or 2) is approved for placement in an approved PPD facility and waiting for an available bed in the facility. The offender must meet established criteria and remains in the custody and control of the PPD. ([PPD 4..301: Offender Self-Surrender](#))

Sentence

- The penalty imposed by a particular District Court for a specific felony offense.

Sentence Commencement

- To begin service of a consecutive sentence which was imposed after reception and for crimes committed in prison or while on parole, furlough, or supervised release without the granting of parole, for parole eligibility purposes only.

Serious Mental Illness

- A clinical disorder of thought, mood or anxiety included under Axis I of the DSM; i.e., schizophrenia, major depression, bi-polar disorder, PTSD, or panic disorder. It does not include personality disorders; i.e., borderline, antisocial, or paranoid personality disorders.

Service Providers

- This term includes contracted persons or other vendors providing service whose assignment is primarily on Department premises, e.g. facility or program office.

Sexual Abuse of an Offender by Another Offender

- Sexual acts, sexual contact or any other intentional touching, either directly, through the clothing or with an object, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation, in which the victim does not consent, is coerced by overt or implied threats of violence, or is unable to consent or refuse.

Sexual Abuse of an Offender by a Staff Member or Service Provider

- Sexual acts, sexual contact or any other intentional contact, either directly, through the clothing or with an object, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks; any attempt, threat, or request by a staff member or service provider to engage in these activities; any display by a staff member or service provider of his or her uncovered genitalia, buttocks, or breast in the presence of an offender; or voyeurism by a staff member or service provider, when these acts are unrelated to official duties or where the staff member or service provider has the intent to abuse, arouse, or gratify sexual desire.

Sexual Harassment

- In accordance with 3-0630, Montana Operations Manual (MOM), sexual harassment is defined as: 1. Unwelcome verbal or physical conduct of a sexual nature when: (a) submission to the conduct is implicitly or explicitly made a term or condition of employment or receipt of usual and customary services or privileges from a client perspective; (b) submission to or rejection of the conduct is used as the basis for an employment or service/privilege decision affecting the individual; or (c) the conduct has the

purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working or living environment. 2. Sexual harassment also includes harassment directed toward a person because of gender, a pattern of sexual favoritism, or harassment because of a person's sexual orientation.

Sexual Harassment

- Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender directed toward another or repeated verbal comments or gestures of a sexual nature to an offender by a staff member or service provider.

Sexual Misconduct

- Includes sexual abuse of an offender by another offender, sexual abuse of an offender by a staff member or service provider, sexual harassment and voyeurism.

Sexual Offense

- The offenses contained in the definition of that term in § 46-23-502, MCA.

Sexual or Violent Offender

- A person who has been convicted of or, in youth court, found to have committed or been adjudicated for a sexual or violent offense.

Shadow Board

- A board or cabinet used for tool storage with shadows painted in the exact size and shape of each tool to ensure missing tools are immediately noticeable.

Shift Relief Factor

- The process used to determine the number of staff necessary to fill posts and positions determined essential for safe and secure facility operation. (3.1.34)

Short Term or Guest Volunteer

- A person who provides volunteer services for a single event or within a limited time frame.

Short Term Worker

- A person who: a. is hired by an agency for an hourly wage established by the agency; b. may not work for the agency for more than 90 days in a continuous 12-month period; c. is not eligible for a permanent status; d. may not be hired into another position by the agency without a competitive selection process; and e. is not eligible to earn the leave and holiday benefits or the group insurance benefits.

Situational Accommodations

- Accommodations that are temporarily needed based on circumstances.

Special Diet

- A therapeutic or religious diet approved in accordance with this policy.

Special Management

- A non-punitive housing status for offenders who request removal from the general population or require protection for their safety and well-being.

Special Needs Offenders

- Offenders who may require accommodations, arrangements, or programming different from the general population offender. Special needs offenders may include, but are not limited to, developmentally disabled, mentally ill, physically handicapped, chronically ill, 31 chemically dependent, and others considered vulnerable or predatory who may require special protection or management.

Specialized Response Team

- Regardless of local title, a team of personnel trained to resolve disturbances, effect hostage rescue through tactical means, and control perimeter security and crowds; members must successfully pass the POST certified Basic Swat course within the first year of participation.

Specialized Training

- Training that requires staff to maintain necessary knowledge and skills and demonstrate their technical competencies on a predetermined basis.

Specialty Instructor Training

- Training to qualify instructors to deliver training in specialty areas, such as firearms, first aid, CPR, and defensive tactics.

Staff Development and Training Bureau

- Provides course curriculum development, training, technical assistance, and training records management for the Department.

Staffing Analysis

- Determining the right number of staff in the right place at the right time doing the right things or tasks.

Standing Training Committee

- A committee composed of the program training specialists and the Professional Development Bureau staff.

Stand-Alone Computer

- A computer that is not attached to any network.

Stand-Up Count

- A count that requires offenders to stand at their cell doors or end of beds to demonstrate they are physically present and not deceiving the observer through the use of dummies or other simulations.

STG Coordinator

- The individual assigned to coordinate security threat group intelligence information on behalf of the entire Department.

Subpoena

- A written order issued by a judicial officer requiring a specified individual to appear at a designated time and specific court.

Substance Abuse Treatment

- Treatment may include inpatient or outpatient counseling. Prisons and jails may offer substance abuse education and treatment to sentenced individuals.

Summons

- A written order issued by a judicial officer, which may be a probation officer, requiring a person accused of a criminal offense or the violation of the terms and conditions of probation to appear in a designated court at a specific time to answer the charge or allegation.

Suspended Sentence

- All of the imposed term is suspended and the person is most always placed under the supervision of DOC. Can apply for a Conditional Discharge from Supervision after meeting certain conditions. Can apply for an early release after serving two thirds of term and meeting certain conditions. Becomes permanent entry on criminal history.
- Suspended Sentences can be All Suspended, None Suspended, or Partially Suspended.

Sworn Jail Staff

- Uniform jail staff who have law enforcement powers, such as the power of arrest, and who receive training that meets state and agency standards.

Subject Matter Expert (SME)

- The administrator or designated staff member, representing a division, facility, or program to coordinate with the Policy Unit to ensure accurate and timely policy review and revision.

Substantiated

- An event was investigated and determined to have occurred.

System Emergency Capacity

- The system secure care population capacity that will compromise the classification system, the safety of staff and offenders, and the security of the secure care system. System emergency capacity is at least 90% of maximum capacity and is reached when the system population is maintained at this level or higher for seven consecutive days.

T

Technical Assistance (TA)

- Services provided by a federal or state agency or a private foundation to help the Department develop or improve programs.

Technical Violation

- A probationer or parolee's violation of the conditions of sentencing or release, but not a violation of criminal statute. Violations are reported to the sentencing judge, a hearing officer, or a paroling authority to determine the seriousness of the violation and to determine the response.

Temporary-Release Programs (Jail)

- Programs that allow jail or prison inmates to leave the facility for short periods to participate in approved community activities.

The Prison Rape Elimination Act of 2003 (PREA)

- The Prison Rape Elimination Act of 2003 (PREA, P.L. 108-79) was passed by Congress and signed into law by President George W. Bush in September 2003, the first ever federal legislation to address the sexual abuse of persons in the custody of federal, state, local, and private prisons, jails, police lock-ups, juvenile detention facilities, and community confinement facilities, PREA established a zero tolerance for sexual abuse within correctional settings and called for the development of national standards for the detection, prevention, and reduction of sexual abuse in confinement, the collection of data on the incidence of sexual abuse in correctional settings, and the delivery of training and technical assistance to assist jurisdictions in addressing prisoner rape. The Attorney General of the United States promulgated national PREA standards effective August 20, 2012. States that fail to certify compliance with the PREA Standards through audits could be subject to a 5% reduction in federal grant funds from the U.S. Department of Justice for prison programs.

Trauma

- The experience of interpersonal violence including sexual assault/abuse, physical abuse, neglect, loss, and/or the witnessing of violence, terrorism, and disasters (National Association of State Mental Health Program Directors (NASMHPD)).

Telephone Revenues

- Proceeds generated from offender collect calls and calling card sales.

Term

- The total period of time for which an inmate was ordered to serve in a State correctional institution or program.

Timeliness

- Information is entered as close to the triggering event as possible

Tool Crib

- A stationary or mobile locked secure area used for tool control, storage, and issue.

Tool Control Officer

- A designated staff person responsible for facility tool inventory, marking, storage, accountability, and use.

Treasure State Correctional Training Center (TSCTC)

- Correctional boot camp for adult male offenders, located in Deer Lodge, Montana, which utilizes methods of accountability, strict discipline, regimentation, and physical fitness based on a military format.

Treatment Providers

- Department or contracted staff who are trained and qualified to provide education, counseling and treatment services to the offender population.

Tribal Government

- A state or federally-recognized Indian tribe within the State of Montana.

Triggering Event

- Any change that affects the accuracy of information stored in Department information systems, e.g., change in custody level or location, address, gender, life-status.

U

Unclothed Body Search

- A visual inspection of an individual's unclothed body and thorough search of the unworn clothing to detect concealed contraband (also referred to as a strip search).

Undue Familiarity

- Conversation, contact, personal or business dealing between an employee and offender under the supervision of the Department which is unnecessary, not a part of the employee's duties, and related to a personal relationship or purpose rather than a legitimate correctional purpose.

Unfounded

- An event was determined not to have occurred.

Unit

- A self-contained living area, ideally housing fewer than 150 but not more than 500 offenders; staff members have decision-making authority for institutional programming and living conditions for assigned offenders within broad rules, policies, and guidelines established by the Department and/or administrator.

Unit Investigation

- A formal internal investigation conducted primarily by facility-designated investigatory staff to discover whether a violation of facility policy/procedure has occurred.

Universal Precautions

- All human blood or blood products and other potentially infectious body fluids are treated as if known to be infectious for Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV), Hepatitis C Virus (HCV), and other blood-borne pathogens.

Unsubstantiated

- Evidence was insufficient to make a final determination that the event occurred.

Use of force

- Use of force describes the amount of effort required to compel compliance of a lawful order or direction by an unwilling individual. The levels, or continuum, of force include basic verbal and physical restraint, less-lethal force and lethal force.

•

V

Validation

- A process through which a member or associate of a security threat group is officially recognized through use of the STG validation worksheet.

Vendors

- Individual service providers who sell goods or services to the facility including delivery, maintenance, or other service providers not contracted to the Department of Corrections.

Victim

- The person against whom a felony crime has been committed, or a family member of that person. Other individuals may be recognized as victims on a case-by-case basis.
- A person who suffers loss of property, bodily injury, or death as a result of: the commission of an offense; the good faith effort to prevent the commission of an offense; the good faith effort to apprehend a person reasonably suspected of committing an offense; the estate of the deceased or incapacitated victim or a member of the immediate family of a homicide victim; a governmental entity that suffers loss of property as a result of the commission of an offense in this state; or an insurer or surety with a right of subrogation to the extent it has reimbursed the victim of the offense for pecuniary loss. A victim does not include a person who is accountable for the crime arising from the same transaction.

Victim-Offender Dialogue

- A voluntary program that allows a victim as defined above, or an adult acting on behalf of a victim who is under age 18, to discuss the impacts of the crime with the offender in the presence of a trained facilitator.

Victim Impact Statement

- Prior to sentencing of a defendant, the court permits victims to voice their sense of trauma and victimization that resulted from the criminal actions of the offender to the sentencing authority.

Victim Information and Notification Everyday (VINE)

- An automated telephone, email and text message notification system that DOC purchases on contract from Appriss, Inc., which provides location and custody status updates about adult offenders under DOC supervision.

Victim Information Officer (VIO)

- A facility or program staff person who provides information about offenders in the facility or program and about DOC programs for victims.

Victim Programs Manager (VPM)

- A Department employee located in the Director's Office who manages victim programs and policies, responds to victims' requests for information and referrals, educates victims about the post-conviction criminal justice system, provides victim services training, and represents victim interests in all Department matters.

Video Conferencing Services (VCS)

- Services provided by the Department of Corrections through the Department of Administration including:

VisionNet

- The vendor-provided services used by the DOC and Montana Court System. MetNet – Montana Education Telecommunications Network. TeleMed Consortium – Includes REACH (Montana Telemedicine Network; Benefis Hospital, Great Falls); EMTN (Eastern Montana Telemedicine Network; Deaconess Hospital, Billings); and PHTN (Partners in Health Telemedicine Network; St. Vincent Hospital, Billings). Point-to-Point conferencing among Department of Corrections video sites. (1.7.5)

Violent Offense

- The offenses contained in the definition of that term in § 46-23-502, MCA. Visitors – Individuals visiting or touring the facility in an unofficial capacity.

VLAN

- A network that is created specifically for offender use and is administered by the Department staff.

Volunteer

- Any person who has been approved to provide services for Department programs without compensation.

Volunteer Coordinator

- A qualified Department employee responsible for organizing, monitoring, and managing the facility or program volunteer program.

Volunteer Group

- Two or more individuals working together to achieve a common goal or provide a regular service in response to an identified need, e.g., Alcoholics Anonymous, Prison Fellowship, Homeward Bound, T.E.A.M. Mentoring.

Voyeurism

- An invasion of privacy of an offender by a staff member or service provider for reasons unrelated to official duties

W

Waiver (Parole Board Waiver)

- An offender will voluntarily postpone either a parole board appearance or their appearance at a final revocation hearing before the full Board. Waivers of appearance are usually only accepted twice and must have Board staff approval for any subsequent waivers. An inmate may waive their parole board appearance for a maximum of 6 months.

WAN (Wide Area Network)

- The State of Montana Wide Area Network.

Warrant

- Court authorization, most often for law enforcement officers, to conduct a search or make an arrest.

Work Release

- A program in which detainees or inmates in secure or non-secure residential facilities are permitted to be employed in the community, look for employment, or participate in other educational programs, but return to the facility at the close of each day.

Waste

- All garbage, rubbish, and other decomposable and non-decomposable liquid and solid waste that accumulates from facility buildings, residences, and grounds.

Women's Risk/Needs Assessment (WRNA)

- A standardized and validated evidence-based instrument used to assess the probability of a female offender recidivating and to identify risk factors and criminogenic needs to assist service providers in prioritizing appropriate programming and ensuring efficient allocation of resources.

Warm Springs Addictions, Treatment, & Change Program (WATCH)

- A six month intensive cognitive/behavioral-based addictions treatment community for 4th or subsequent DUI offenders, with two locations, in Butte and Warm Springs, Montana.

Writ

- An order from a higher court directing a lower court to take some kind of action, typically filed in extraordinary situations where an appeal isn't an option.

Y

YMS

- Acronym for the Department's Youth Management System.

Youth Services Division (YSD)

- The division within the Department of Corrections responsible for all services to youth committed to the Department.

Youth Sexual or Violent Offender

- A person who in youth court has been found to have committed or been adjudicated for a sexual or violent offense.

Youth with Adult Sentences

- An individual under the age of 18 who has been committed to the Department or sentenced to prison in accordance with the Youth Court Act including a criminally convicted youth or a youth with an adult sentence pursuant to 41-5-1605, MCA the Extended Jurisdiction Prosecution Act.