

# OFFENDER HOUSING

Montana Department of Corrections

Presentation to Montana Criminal Justice Oversight Council

Wednesday, Oct. 27, 2021



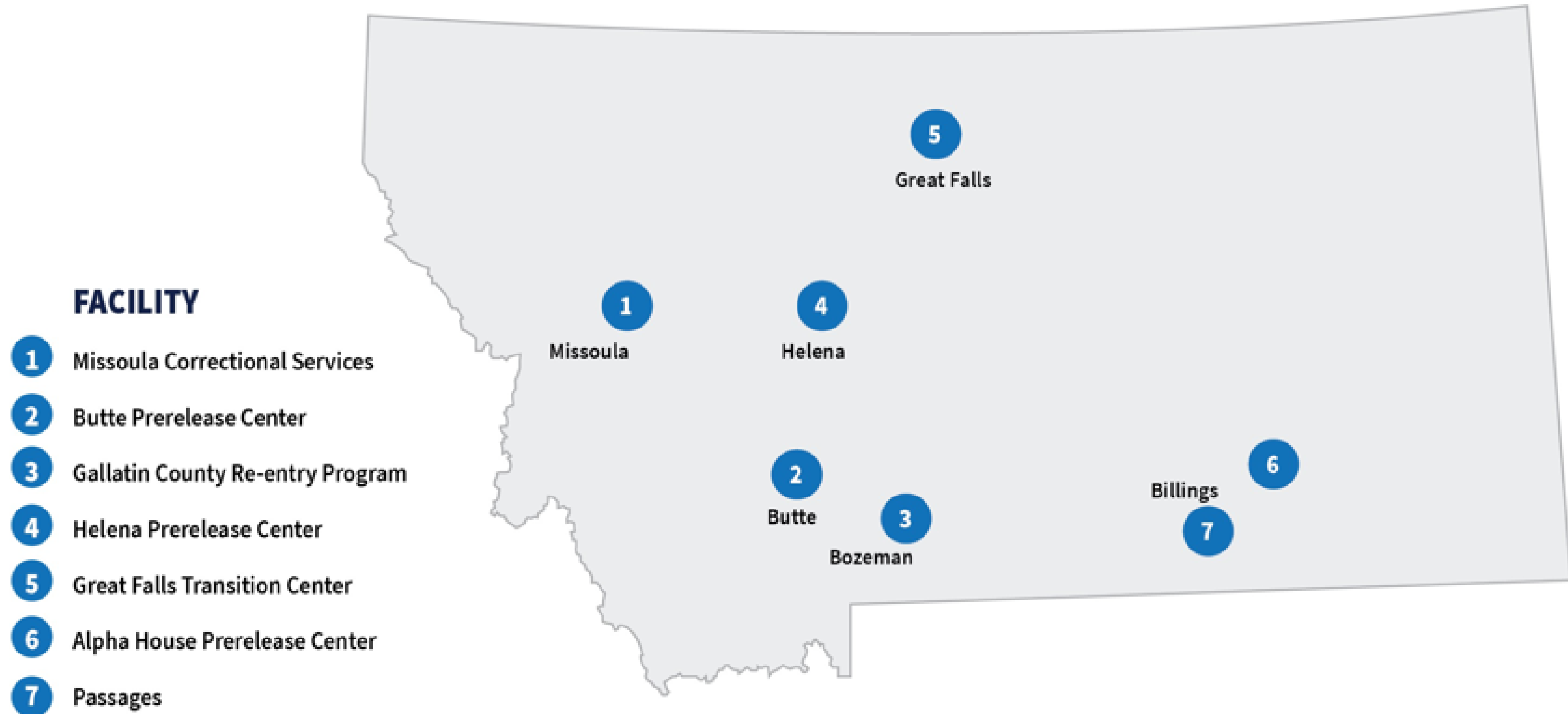


# Montana Prerelease Centers & Offender Reentry

# What is a Prerelease Center?

- Generally six-month programs designed to help offenders transition from a secure facility back into the community, as well as provide an alternative to incarceration.
- Offenders work in the community but live at the center.
- Travel in the community is according to a pre-approved schedule and is subject to security checks.
- Each offender has an individualized case plan comprised of treatment and programming identified through court orders, risk and needs assessments, offender goals, etc. Treatment and programming can be offered in-facility or in the community.

# Montana Prerelease Centers



# Some Considerations



- Centers are located in population centers.
- Each facility has a local screening committee that determines acceptance or denial.
- Not all facilities take all offender types (e.g. sex offenders, arsonists).
- Offenders with special needs who don't fit the traditional mold for prerelease center residents can be difficult to place.



# Sentencing Commission and Senate Bill 65

AN ACT GENERALLY REVISING LAWS REGARDING  
ESTABLISHING A LEGISLATIVE POLICY REGARDING  
THE MONTANA STATE PRISON OR OTHER DEPARTMENT  
A SUPPORTIVE HOUSING GRANT PROGRAM TO  
CONTROL; ALLOWING THE DEPARTMENT TO PROVIDE HOUSING ASSISTANCE TO CERTAIN  
OFFENDERS; REQUIRING THE DEPARTMENT TO COLLECT CERTAIN INFORMATION; EXPANDING  
RULEMAKING AUTHORITY FOR THE DEPARTMENT OF CORRECTIONS AND THE BOARD OF CRIME  
CONTROL; AND AMENDING SECTIONS 46-23-1002 AND 53-1-203, MCA.

# History

SB 65 was introduced in the 2017 Montana Legislature as part of the Justice Reinvestment suite of bills.

A significant factor in offenders not being paroled is their inability to secure appropriate housing in the community.

The legislation was intended to improve access to housing for offenders returning to communities after incarceration by allowing the DOC to provide housing assistance. (This did not receive funding in the 2017 session.) In addition, the bill created a supportive grant program to be administered by the Montana Board of Crime Control.

The 2019 Montana Legislature funded the rental voucher program by providing \$200,000 annually for this purpose.

The DOC adopted ARM20.13.108 to clearly define offender eligibility and allowable expenses.

In 2021, the Montana Legislature provided that wrongful conviction claimants are entitled to a housing voucher pursuant to 46-23-1041 while the action is pending.

# What are rental vouchers?



- Used to assist parolees with rent for a maximum of three months, based on financial eligibility requirements contained in ARM.
- Eligible Offenders: Those re-entering the community directly from prison, or from a residential treatment program to which the offender was conditionally paroled from prison, are eligible for rental vouchers.



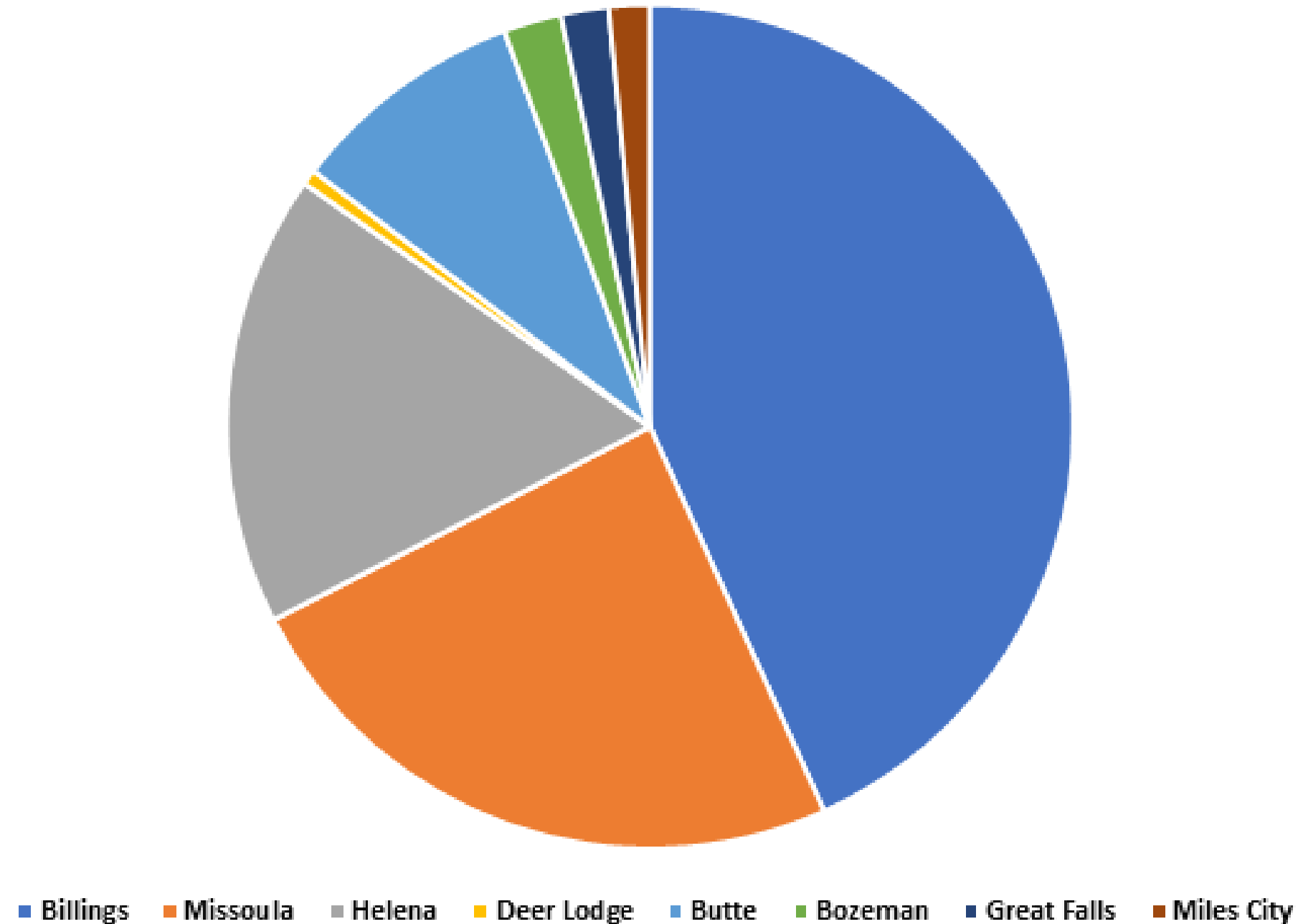
# What are rental vouchers?



- Requests are made by DOC staff to the Programs & Facilities Bureau and are reviewed according to procedure and ARM.
- The department has no contractual relationship with landlords under the rental voucher program.
- Payments are distributed directly to landlords by the department, on behalf of an offender, after the residence has been determined appropriate. Payments are not made directly to offenders.

# Rental Voucher Usage

Expended Rent Vouchers FY21 Q4 (4/1/2021 - 6/30/2021)



**Billings: \$16,625 (6 vendors)**  
**Missoula: \$9,295 (7 vendors)**  
Helena: \$6,675 (5 vendors)  
**Deer Lodge: \$225 (1 vendor)**  
**Butte: \$3,470 (3 vendors)**  
**Bozeman: \$850 (1 vendor)**  
Great Falls: \$700 (1 vendor)  
**Miles City: \$600 (1 vendor)**

**Total: \$38,440**  
**(COVID19-related = \$23,665)**

# What are transitional assistance funds?

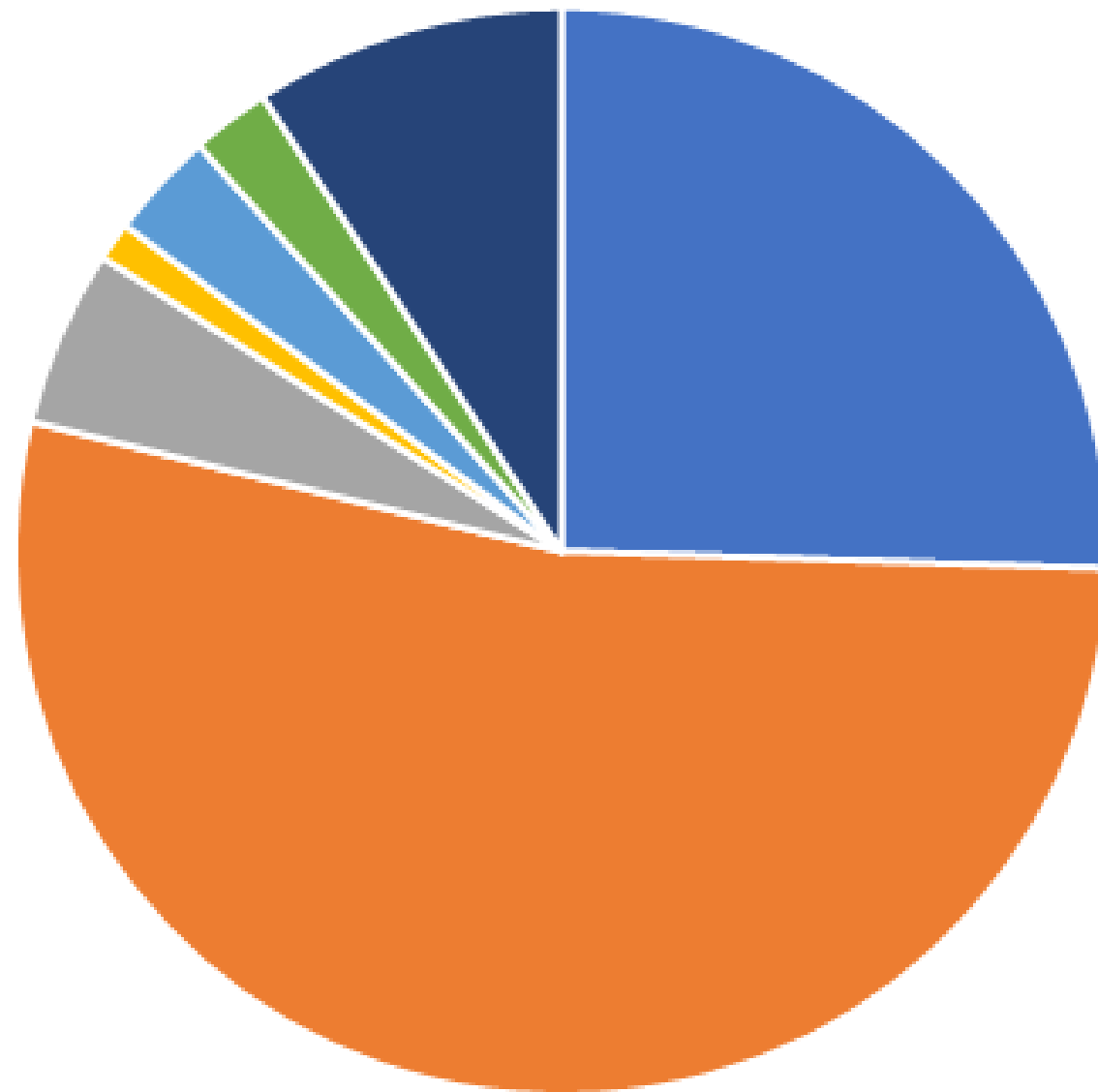


- Requests are made by DOC staff to the Programs & Facilities Bureau and are reviewed according to procedure.
- May be used for justifiable expenses supportive of offender success in the community. (e.g. rent, rent deposits, transportation, emergency housing, treatment/programming costs, etc.)
- Payments are distributed directly to landlords by the department, on behalf of an offender, after the residence has been determined appropriate. Payments are not made directly to offenders.

# Transitional Assistance Usage

(Housing-related expenses only)

Expended Transitional Assistance (housing related)  
FY21 Q4 (4/1/2021 - 6/30/2021)



■ Missoula ■ Billings ■ Helena ■ Glendive ■ Whitefish ■ Hamilton ■ Butte

Missoula: \$3,601.59 (5 vendors)

Billings: \$7,532 (7 vendors)

Helena: \$743.66 (2 vendors)

Glendive: \$162 (1 vendor)

Whitefish: \$450 (1 vendor)

Hamilton: \$331 (1 vendor)

Butte: \$1,300 (1 vendor)

**Total: \$14,120.25**

# Probation and Parole: Helping Ensure Offender Success in the Community

To help ensure offender success in the community, Probation and Parole officers must review offender release plans. In so doing, they consider the following:

- Appropriateness of residence
- Adequacy of employment
- Risks, needs and community resources
- Special conditions that would enhance the prospects of success
- Victim input

# Factors to Consider: Appropriateness of Residence

- Are there firearms in the home?
- Is there alcohol or drugs in the home?
- Does the offender have their own room in which to sleep?
- Are there other people on supervision who live in the residence? If a single-family home, is the other person on supervision in the home in compliance with supervision?
- Is there dog at the residence? If yes, is the dog aggressive?
- Do family/friends cohabitating in the residence agree to remove firearms/alcohol from residence?
- If residence is group living situation (such as sober living home), is the person who operates the home amenable to communication with probation and parole? Will they respond to concerns from probation and parole? Are there currently any concerns/issues going on at the home?
- Regarding sex offenders- are there children under the age of 18 in the home?

# Challenges Related to Sober Living Homes



- Current challenges include:
  - No regulatory structure exists for these types of residences except local zoning and habitability.
  - Questions on applicability of the landlord/tenant act to these residences.
  - No contractual relationship; DOC has no authority to require return of funds when appropriate.
  - Inconsistent application processes and resident expectations.

QUESTIONS?



MONTANA DEPARTMENT OF  
**CORRECTIONS**