



COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU OPERATIONAL PROCEDURE

Procedure:	PFB 6.1.201 PLACEMENT DETERMINATION, REFERRAL, AND SCREENING
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This procedure is referenced as ACCD 4.1.100 Screenings for Incarcerated Adult Offenders in Section 2.B. Program Requirements; Screening/Eligibility, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Connections Corrections Program (CCP), Elkhorn, Nexus, START, and WATCH Contract.

I. PURPOSE

All FPB contract facilities will follow this procedure to determine appropriate placement of offenders committed to the Department and refer offenders to available programs for placement and treatment.

II. DEFINITIONS

Criminogenic Needs – Attributes that are directly linked to an offender’s risk to re-offend and should be addressed to achieve lower recidivism rates (identified as primary and secondary risk factors).

Current Assessment – A risk assessment is current if completed in the past 12 months and the offender has experienced no life-altering events during that period.

DOC Commitment (DOC Commit) – A commitment by the District Court of an adult offender or criminally convicted youth to the authority of the Department for the determination of offender’s appropriate placement; or the Court may require the offender be released to community supervision upon sentencing or disposition. 46-18-201, MCA.

Exclusionary Criteria – A set of clinical, community, and/or legal reasons for the exclusion of certain offender types from participation in a program. Offender lack of motivation is not an appropriate exclusionary criterion.

Facility Screening Committee – A group of people representing the community, facility, and Department that screens offenders referred to a program or facility for acceptance or denial.

Hearings Officer – A Department employee who, as an impartial person, conducts hearings for offenders on community supervision, in a community corrections program/facility, or in a secure facility.

Placement Determination – The process used by Department staff and/or assessment center staff to decide the best placement of an offender based on an offender’s current risk assessment or criminogenic needs.

Responsivity – Addresses the non-criminogenic or non-predictive hurdles or barriers in an offender’s life that may influence the offender’s response to programming/treatment and thereby affect the offender’s risk to reoffend.

Secondary Assessments – Other assessments and/or evaluations used in conjunction with the overall and domain-specific scores of a risk assessment to aid in refining the offender’s needs. These include crime-specific risk assessments (for example, sexual, DUI, substance abuse, and intimate partner violence) or clinical evaluations.

Up to 90-Day Intervention Referral – A probation, parole, or conditional release offender referred for placement in a community corrections facility for up to 90 days by a Hearings Officer in accordance with the *Montana Incentives and Interventions Grid for Probation and Parole* and resulting from an intervention hearing. 46-23-1015, MCA and 46-23-1024, MCA.

Up to 9-Month Revocation Referral – A probation or parole offender referred for placement in a community corrections facility for up to 9 months as a requirement of the court or Board of Pardons and Parole and resulting from a revocation hearing. 46-18-203, MCA and 46-23-1025, MCA.

III. PROCEDURES

A. GENERAL PROVISIONS

1. The purpose of a placement referral is to give the offender the most appropriate placement opportunity to address criminogenic needs as determined by current risk assessments and secondary assessments, court- or BOPP-ordered requirements, criminal history, placement history, victim input, public safety concerns, institutional behavior, correctional status, and offender request.
 - a. The Department will complete prescreening of offenders where a PSI is ordered and there is a plea agreement for a DOC Commitment. Prescreening will not be completed for offenders who have a plea agreement for a suspended or deferred sentence or a prison commitment, or when no PSI is ordered.
2. Chronological entries in the offender's record in the offender management system will be maintained by the referral source throughout the placement determination and referral processes for all offenders referred to facilities for screening. Designated Department staff will complete in the offender management system chronological entries of all facility screening results.

B. PLACEMENT DETERMINATION PROCESS

1. When determining placement of an offender already on supervision or in cases where no PSI was ordered, authorized staff will do so based on court recommendations; a current risk/needs assessment; offender placement and supervision histories; the offender's current behavior; and the case characteristics, including severity of the offense and victim impacts.
2. Determination of placement type:
 - a. If the offender is low risk on the MORRA or on a secondary assessment, placement on community supervision is appropriate UNLESS the offender:
 - 1) is homeless;
 - 2) has a recent history of behavior that indicates a need for greater structure;
 - 3) was convicted of an offense that has a statutory requirement for placement;
 - 4) has a repeating offense pattern (for example, repeated DUIs or multiple instances of domestic violence/violations of protective orders);
 - 5) has a victim under 12; or
 - 6) has a victim who died as the result of an offense.
 - b. If the offender is moderate risk (for male offenders) or low/moderate or moderate risk (for female offenders) on the MORRA or a secondary assessment, a facility placement or combination of placements may be appropriate based on:
 - 1) offense history;
 - 2) placement/treatment history;
 - 3) offender non-compliance on supervision;
 - 4) sustained drug use in the community despite interventions; and/or
 - 5) severity of the offense.
 - c. If the offender is high or very high risk (for male offenders) or high risk (for female offenders) on the MORRA or a secondary assessment, a facility placement or combination of placements is required.

3. Determination of need for residential treatment placements:
 - a. If offender need for residential substance use treatment is indicated, placement should be at a shorter-length program (for example, 90 days) if the offender has no prior residential treatment placements in a Department- or Department-contracted facility. Longer-term residential treatment should be considered if the offender has previously completed a treatment program.
 - b. Referral to DUI-specific treatment programs is appropriate for offenders convicted of felony DUI or felony DUI-related offenses, and for offenders on community supervision who demonstrate DUI-related behaviors, such as conviction of misdemeanor DUI offenses.
4. Determination of need for prerelease center placements:
 - a. Placement in a prerelease center is appropriate when;
 - 1) the offender has demonstrated a clear need for the structure provided by a prerelease center;
 - 2) the offender lacks access to community-based support and/or resources, including suitable housing, vocational, or educational services; or
 - 3) the severity of the current offense warrants custodial placement rather than placement on community supervision.
5. Placement of offenders from a secure facility occurs when:
 - a. the offender has been recommended for a community corrections placement through the Institutional Screening process; or
 - b. the BOPP granted an offender parole contingent on completion of a prerelease center and/or treatment program. If an offender has appeared before the BOPP and received a disposition that does not support a placement, staff will not make a referral.

C. PLACEMENT REFERRAL PROCESS

1. Referrals for placement in Department or Department-contracted community corrections facilities may only be initiated by staff or entities authorized by the Department. The referral source must respond timely to any inquiries made by a facility screening committee to clarify information.
 - a. Staff may arrange for the offender to have a telephonic or in-person interview with the facility screening committee's screening coordinator.
 - b. If a provisional acceptance is offered (*see III.D.7. below*), staff will discuss the provisional acceptance with the offender and provide a timely response to the screening coordinator.
2. Cases managed by Probation and Parole staff:
 - a. All placements for offenders managed by Probation and Parole staff will be referred to the Department's Placement Unit using *PFB 6.1.201 (B1) Placement Unit Referral* form and *PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement ("Application")* and emailing them to corplacement@mt.gov.
 - b. This includes the following referral types:
 - 1) Prescreening of offenders who have not yet been sentenced and have a plea agreement for a DOC Commitment or have a new case and a revocation pending simultaneously and a PSI was ordered in the new case.
 - 2) Newly sentenced DOC Commitments (both new offenses and those where a probation sentence was revoked and a DOC Commitment resulted from the revocation).
 - 3) Up to 90-day referrals for offenders on community supervision (all types) who have been ordered by a Department Hearings Officer to complete the placement in response to violations.
 - 4) Up to 9-month referrals for offenders on probation or parole who have been ordered by the Court or the BOPP, respectively, to complete the placement during revocation proceedings.
 - 5) Not-to-exceed-one-year referrals for offenders newly sentenced to probation and ordered by the Court to complete the placement as a condition of supervision.

- c. The referring Probation and Parole staff will determine the placement type appropriate for the offender, using the criteria in III.B above.
 - d. The Placement Unit will complete the placement referral and facilitate any resulting offender placements.
3. Referral to residential treatment facility placements:
 - a. Referral will be determined in accordance with III.B.3 above.
 - b. The simultaneous referral of an offender to multiple treatment placements is not authorized.
 - c. For 9-month treatment referrals, subsequent placement in a prerelease center is required unless authorized by the FPB Chief or designee. The prerelease center placement must be identified prior to the offender's movement to the treatment facility.
 - d. For 90-day treatment referrals, subsequent placement in a prerelease center is optional.
 - e. If the offender is required to complete a prerelease center program following the treatment placement, the prerelease center placement must be identified prior to the offender's movement to the treatment facility, unless otherwise approved by the FPB Chief or designee.
 - 1) For those not identified as needing a prerelease center following treatment, appropriate release plans should be communicated.
 - 2) If an offender requires a Conditional Release to return to the community, the Conditional Release plan must be approved prior to the offender's movement to the treatment facility.
 - 3) Any offender who will be discharging to suspended time, or flat discharging, should have a clearly identified plan of release noted in the offender's chronological notes.
 4. Referral to prerelease center placements:
 - a. Referral will be determined in accordance with III.B.4 above.
 - b. At the time of the application, the offender will identify the prerelease center that is their preference for placement.
 - c. The Department's Placement Unit will develop and implement an objective tool and process to be used to determine which prerelease center(s) are the most appropriate for an offender based on factors including, but not limited to, county of origin, prior placement history, and victim impact.
 - 1) The referral will be sent to a facility or facilities for screening in accordance with the Placement Unit's tool and process. Facility screening shall be conducted by the facility in accordance with III.D below. If more than one facility is identified through use of the tool for initial screening, the referral will be sent to all identified appropriate facilities to screen at the same time.
 - 2) Should the first round of screening not produce an acceptance of the offender, a second round of screening will be sent to the remaining appropriate prerelease centers according to the tool and process.
 - 3) If no facility will accept the offender, designated staff will document and determine the most appropriate alternative placement to address the offender's risk/needs while maintaining public safety.
 - d. All referrals to prerelease centers, including those initiated by the Placement Unit, secure facilities, or assessment/sanction centers, will follow the tool and process established by the Placement Unit.
 5. Prior to making a placement referral, a search of offender chronological entries and documents in the offender management system is required to verify that all documented restraining orders and court-ordered no-contact requirements are accurately reflected on the *Referral*.
 6. Warrants/Detainers/Pending Felony Matters: Staff making the referral must verify that any known felony warrants, detainers, or pending felony matters, including revocations, are communicated clearly on the *Referral*. Not all warrants/detainers will prohibit an offender's placement:

- a. Misdemeanor warrants will not prevent an offender's placement.
 - b. Felony offenses that are still pending will be considered on a case-by-case basis after consult with the receiving facility and FPB. Factors to consider are severity of offense, timeliness of case resolution, the court's willingness to allow remote appearances, and the receiving facility's ability to accommodate remote appearances.
 - c. Immigration detainers are a civil matter and will not prevent an offender's placement.
7. If an offender has an escape conviction within the past 3 years, *PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)* must be submitted to the FPB Chief or designee at corao@mt.gov for approval before making the referral.
 8. Staff will consider any victim input and information as well as orders of protection and/or restraining orders or requests for no contact before making the referral.
 9. It may be appropriate for the offender to repeat a previously completed program after considering the offender's identified risks and needs, prior performance in previous placements, length of time since prior program completion, and programming received since the prior program participation.
 10. Staff will inform the offender of the referral(s) being made and the reason(s) for the referrals. Staff making the referral must confirm the offender will consent to placement if accepted by a program/facility prior to making the referral. If the offender does not readily consent, Motivational Interviewing techniques should be used to gain the offender's consent. If the offender persists in refusal, staff should consider placement at an assessment center. If the offender persists in refusal for placement while at an assessment center, authorized staff should follow the established placement refusal process.
 11. Referral Application Requirements:
 - a. The documents listed below will be submitted to the facility screening coordinator electronically by the file transfer service or by e-mail. Paper documents will no longer be sent by referral sources or accepted by facilities.
 - 1) Documents submitted electronically for prescreening cases include:
 - a) *Referral* form
 - b) *Application*
 - c) Approved *PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)* (if applicable)
 - d) PSIs completed within the last 3 years (if available)
 - (1) Attach plea agreement and affidavit if not included in PSI for current/pending offenses only
 - (2) Provide plea agreement and affidavit if no PSI is available for current/pending offenses only
 - e) Judgments (or VOCs) for all cases the offender is serving on (if available)
 - f) Information(s) for all cases the offender is serving on (if available)
 - g) Recent behavioral health reports/evaluations (SUD or Mental Health) (if available)
 - h) Reports of Violation, hearing documentation, and/or violation responses related to the current placement process

D. FACILITY SCREENING

1. Facilities may, but are not required to, use screening committees to review referrals from the Department.
2. To better align with the *Correctional Programs Checklist* and evidence-based practices, all FPB contracted prerelease centers and treatment facilities must develop criteria for offenders within the facility's screening policy/procedure that may be used to exclude an offender's participation in the facility's program.
 - a. The specific criteria will be provided on *PFB 6.1.201 (G) Community Corrections Facility*

- Exclusionary Criteria (Facility Exclusionary Criteria)* and submitted to correquests@mt.gov for review, with the policy/procedure, within 30 days from the effective date of this procedure for the current fiscal year.
- b. Exclusionary criteria will not discriminate against offenders based upon the offender's race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status, except as required by male-only and female-only facilities and the placement(s) available to transgender offenders.
 - c. Within 15 business days of receipt of criteria, FPB staff will provide input or coordinate with facility staff on clarification of submitted criteria.
 - d. Finalized criteria will be used for the following fiscal year.
 - e. If the facility wishes to make changes to the criteria during the year, a new *Facility Exclusionary Criteria* form will be submitted for FPB review prior to implementation.
 - f. Facility Administrators and assigned Contract Manager will meet annually to review criteria in place and/or possible need for revisions to criteria.
3. Facilities may only accept placement referrals from Department-authorized entities. Referrals from outside parties such as attorneys, offender family members, offenders, the court, or other facility screening committees may not be accepted for screening.
 4. Facilities will consider and accept or deny referrals within 10 business days (not including state holidays) beginning the next business day after receipt or upon an established schedule as approved by the Contract Manager.
 - a. If a referral must be held past the 10 business days pending clarification or because more information is needed, the specifics must be noted on the *PFB 6.1.201 (E) Screening Report*.
 5. Referral Consideration:
 - a. The facility must review each referral and consider each offender's criminogenic needs, responsivity issues, supplemental assessments, and whether the facility can address the needs of the offender.
 - b. Blank answers on offender application should not be considered by committees as an indication of offender lack of interest or motivation as all offender information should be confirmed in the referral form by the referral source.
 - c. The Screening Coordinator will note if potential accommodations may be needed for any offender accepted into the program due to known physical or mental limitations of an offender.
 - d. It is the policy of the Department of Corrections that discrimination against offenders based upon the offender's race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status is expressly forbidden except as required by male-only and female-only facilities and the placement(s) available to transgender offenders.
 6. The facility may deny a referral only for the following reasons and must include a narrative description of the reason on the *PFB 6.1.201 (E) Screening Report*:
 - a. The offender meets one of the program's established exclusionary criteria per their program's written policy (must note on the *Screening Report* the specific exclusionary criteria the offender meets);
 - b. The offender presents an unacceptable level of risk of harm to other facility offenders or staff as demonstrated by specific behavior within the previous one year (must note on the *Screening Report* the specific behavior and date or range of dates of the behavior);
 - c. The offender's criminogenic needs identified by the referral source or the screening

- committee cannot be addressed by the program (must note on the *Screening Report* the specific needs that cannot be addressed);
- d. The offender has insufficient time remaining on the offender's sentence to benefit from the program;
 - e. The referral was incomplete or information was not provided when requested (note specifically what is missing and the dates it was requested);
 - f. Offender refused provisional acceptance;
 - g. The location of this facility is inappropriate for the offender at this time due to victim input, separation needs, co-defendant placement, strong objection by law enforcement, or other concerns related to a conflict of interest (must note on the *Screening Report* the specific reason the facility location is inappropriate);
 - h. The facility is full and has a long waiting list which would prevent timely placement;
 - i. The referral source withdrew the referral; or
 - j. The offender will not be able to complete the requirements of the program with or without a reasonable accommodation. This reason must be staffed with the FPB Contract Manager or FPB Case Manager and the referral source prior to the denial.
 - k. **For prerelease centers only:** Offender's behavior presents an unacceptable level of risk to community public safety at this time and is not currently appropriate for placement into the prerelease center (must note on the *Screening Report* the specific behavior and date of the behavior).
7. The facility may provisionally accept an offender with recommended conditions of acceptance that include local requirements to participate in their program (for example, sex offender treatment, batterer's intervention, inmate worker, extended stay, a specific period of clear conduct). However, the facility may not require placement in another program/facility not already identified by the referral source as a provision of acceptance or make a referral to another program/facility (*see the requirements of III.D.3. above*).
 - a. If a provisional acceptance is made, the *Screening Report* must list this status and the conditions of acceptance.
 - b. The referral source and offender must agree to the requirement(s) prior to acceptance. The referral source must review the *Referral* form with the offender and obtain the offender's signature of acceptance on the form. Staff must note the agreement in a chronological entry in the offender management system and return a copy of the signed form to the facility screening coordinator.
 - 1) For offenders in jail, the review may occur by telephone and must include review of all acceptance conditions. Staff must document the conversation in the offender management system.
 - 2) If there is a short period of time between facility acceptance and offender transfer to the facility, offender transfer should not be delayed pending the review, and the review may be completed by facility staff upon the offender's arrival. If the requirement is not accepted by the offender and they are already at the facility, facility staff shall contact the referral source or the Contract Manager, who shall facilitate removal of the offender from the facility.
 - 3) In the event the provisional requirement(s) is not accepted, the facility screening committee may deny the offender pursuant to III.D.6.f. above.
 8. All screening results must be reported to the Contract Manager and referral source. The facility will submit the *Screening Report* form by email to coraccdreports@mt.gov within 3 business days after the screening committee meets, with the email subject line as follows: "Facility, Report Name, Date (for example, Nexus Screening Report 12/5/2025)." The full denial reason must be stated for each offender in the report with any required notes based on the denial reason.
 - a. Any questions regarding screening results should be directed to the facility screening coordinator first.
 - b. Any disputes regarding screening decisions may be forwarded to FPB at

correquests@mt.gov after the referral source attempts to resolve the issue with the facility screening coordinator.

9. If the facility accepts an Up to 90-Day Intervention Referral or an Up to 9-Month Revocation Referral, the offender's placement must be expedited by the facility due to the limited amount of time allowed in the placement.
10. Facility screening processes are subject to observation by FPB staff.

E. FINAL PLACEMENT DECISION AND OFFENDER TRANSFER

1. An offender may not be placed until notice of acceptance has been received from the facility and there is a confirmed bed available. For offenders placed directly from county jails, the offender cannot be placed/transferred until the *PPD 4.6.300 (A) Notification and Placement Warrant* is completed by Department staff.
2. Offender warrants/detainers do not necessarily prevent an offender's placement.
3. If accepted as an Inmate Worker or into the Culinary Arts Program and prior to placement, the referral source and facility will follow the requirements of *PFB 6.2.466 Inmate Workers* or *PFB 6.2.440 Culinary Arts Program*.
4. If, for any reason, it is determined the offender will not be placed in the facility or facilities by which the offender was accepted, the referral source or other Department staff member should notify the applicable facility or facilities of the offender's alternate placement as soon as possible.
5. Assessment centers and secure facilities must transfer an offender with a minimum 30-day medication supply. If it is not possible to provide a 30-day supply, the sending facility staff will communicate the specific reasons/circumstances with the placement facility staff prior to placement.
6. Each facility will manage their wait list and will determine bed dates for their facility. Bed date information is not to be released to the offender or general public for security reasons. The facility will inform the referral source of the offender's anticipated bed date and will make any transportation requests as needed and/or make transportation arrangements for the offender to be moved to the facility. The FPB may provide direction regarding waiting list management.

IV. CLOSING

Questions about this procedure should be directed to the FPB or the facility screening coordinator.

V. REFERENCES

A. 46-18-201, MCA; 46-18-203, MCA; 46-23-1011, MCA; 46-23-1015, MCA; 46-23-1021, MCA; 46-23-1024, MCA; 46-23-1025, MCA; 46-23-1028, MCA; 53-1-203, MCA

VI. FORMS

PFB 6.1.201 (A) Offender Application for Prerelease or Treatment Placement
PFB 6.1.201 (B1) Placement Unit Referral
PFB 6.1.201 (C) Referral for Placement
PFB 6.1.201 (D) Approval of Offender Placement with Escape Conviction(s)
PFB 6.1.201 (E) Screening Report
PFB 6.1.201 (F) Program Referral
PFB 6.1.201 (G) Community Corrections Facility Exclusionary Criteria