



**DEPARTMENT OF CORRECTIONS
PROBATION AND PAROLE DIVISION
OPERATIONAL PROCEDURE**

Procedure No.: PPD 5.1.103	Subject: OFFENDER TRAVEL
Reference: DOC 3.1.30; 46-23-1011, MCA; 46-23-1021, MCA; 46-23-1023, MCA; 46-23-1115, MCA; 53-1-203, MCA	Page 1 of 6
Effective Date: 12/07/15	Revision Dates:
Signature / Title: /s/ Kevin Olson, Probation and Parole Division Administrator	

This procedure is referenced as ACCD 5.1.103 Offender Travel in Section 3.F. Offender Management; Transportation/Travel/Driving Privileges, 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:

The Probation and Parole Division will establish procedures for any travel requested by offenders on community supervision or placed in a contract facility.

II. DEFINITIONS:

Chaperone – Person authorized by the facility’s approval process to accompany an offender on pass time; has shown himself/herself to be a responsible party and not under any correctional supervision. Chaperone will be the same sex as the offender, unless he/she is a spouse, parent, adult child, grandparent or sibling of offender, or has been approved by the facility’s administrator.

Contract Manager – The Department’s employee who acts as the liaison for services and monitors the contractual agreements between the Department and PPD contract treatment facilities and prerelease centers.

Immediate Family Member – An offender’s legal spouse, natural or adoptive parents and children, siblings, grandchildren, grandparents, corresponding in-law, or person/legal guardian documented as being primarily responsible for raising the offender, and any other member of the offender’s household.

PPD-Probation and Parole Division – The Division oversees the Probation & Parole regional offices, interstate transfers, and the facilities providing assessments and sanctions, training, prerelease, and treatment services.

Provisional Travel Permit – An in- or out-of-state travel permit issued to an offender to travel to another district or state with the intent to transfer supervision through Probation & Parole.

Temporary Travel Permit – An in-state or out-of-state travel permit issued to an offender for the purpose of employment, personal business, education, or treatment with the intent to return to his/her assigned district or the state.

III. PROCEDURES:

A. PROBATION & PAROLE (P&P)

1. General Requirements:

- a. When verbal approval for travel has been given, P&P Officer will document all pertinent

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travel details in offender's OMIS Chronological History.

- b. When a travel permit is generated in OMIS, a chronological entry is also generated and the P&P Officer may add any further information to the entry as deemed necessary.
- c. Before approving *PPD 5.1.103(B) P&P Offender Travel Permit Request* submitted by an offender, P&P Officer reviews chronological notes, file materials, and court-, BOPP-, or DOC-ordered supervision conditions. Offender should be demonstrating compliance with supervision requirements.
- d. Travel permits may be approved consistent with the offender's supervision level:
 - i. Level I – limited to maximum of 7 days.
 - ii. Level II – limited to maximum of 15 days.
 - iii. Level III – limited to maximum of 30 days.
 - iv. Level IV – limited to 90 days.
 - v. Level V – limited to maximum of 180 days.
- e. Offenders classified level I, II, III, or those who possess special conditions restricting travel, should have a printed, complete travel permit for in-state travel outside their designated travel district; however, verbal travel permits may be granted to a level III offender for up to 48 hours for in-state travel only.
- f. Offenders classified level IV and V may travel in-state without a travel permit unless they will be outside of their travel district(s) for longer than 30 days. They must then receive written or verbal approval.
- g. Each travel permit is generated in OMIS, reviewed for accuracy and completeness, and saved and retained in OMIS. Printed permit is signed by P&P Officer and offender, and a copy is given to offender. Original is placed in offender's field file.
 - i. If the offender is transferring to another district, copies of in-state provisional travel permit and reporting instructions are forwarded by fax or email to the receiving P&P Officer or administrative support staff for distribution in the office. In the case where verbal permission is given, a fax or email still must be sent.
 - ii. IPPO/POII will complete a provisional travel permit for an offender leaving a facility and discharging to suspended sentence, paroling, released on conditional release, or placed on furlough. In-state receiving P&P Officer is informed of travel authorization and copy of permit must be sent to the receiving Officer or administrative support staff by fax or email.
- h. Travel Permit Extensions: Supervision standards and telephone contacts are continued until the offender returns to the state and return reporting instructions must then be followed.
 - i. RA or POII must approve or disapprove extensions for levels I, II, III offenders
 - ii. Verifications of extensions and verbally authorized extension information are documented in offender's OMIS chronological history.

2. Registered Sexual and/or Violent Offenders:

- a. A requested travel permit shall be approved or denied after P&P Officer has reviewed the following:
 - i. the sexual offender's level designation and risk and needs assessment;
 - ii. the offender's compliance with sexual offender treatment program;
 - iii. the offender's compliance with registration laws;
 - iv. the offender's chronological history for compliance with supervision conditions, court-ordered sanctions, restitution, etc.; and
 - v. the offender's employment and residence.
- b. If the permit is denied, offender is given the reasons for the denial.

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- c. All out-of-state travel for sexual/violent offenders will be staffed with and approved by a POII or RA.

3. Travel for Employment:

- a. When an offender's employment requires travel to and from several states, P&P Officer will verify the need for the offender to work out-of-state pursuant to section 4.c.
- b. If the offender is employed as a "long haul" truck driver, offenders will provide an itinerary and report by telephone according to their supervision level. Verification of the offender's whereabouts is made by contacting the employer or the trucking company's dispatcher, or by other means in the instance of a self-employed truck driver.

4. Out-of-State Travel: A printed travel permit will be required for all out-of-state travel.

- a. P&P Officers on probationary status must review requests for out-of-state travel permits with the RA/POII prior to approval. Officers will note staffing in the chronological notes.
- b. The procedures of *PPD 4.6.1200 Interstate Commission Procedures* are followed for offenders traveling out-of-state for the purpose of interstate transfer. One copy of provisional out-of-state permit is sent to the Interstate Compact Section for transfer cases only.
- c. If a temporary out-of-state travel permit is allowed for employment, education, or treatment, verification must be made by contacting the employer, school, or treatment agency.
 - i. Verification is up to the P&P Officer's discretion for one day travel for medical or other treatment, job seeking, training, etc.
 - ii. Verification will be made for permanent employment or other long-term approved out-of-state activities when the offender travels out of Montana and returns daily.
 - iii. The temporary travel permits and the verifications in these situations will be within the time period established by the offender's supervision level.
 - iv. Out-of-state travel permits for vacation purposes for offenders on levels I, II, and III will include a specific address where the offender will be located. Discretion should be used when verifying and approving the travel itinerary, travel companions, and destination. These decisions will be based on the nature of the proposed vacation and the offender's level and supervision history.

5. Out-of-Country Travel: Offenders requesting to travel outside of the United States must be directed to the Deputy Compact Administrator or PPD Administrator or designees. It will then be determined whether further approval by the sentencing court for probationers, or the BOPP for parolees, is necessary.

B. PPD FACILITIES

1. General Requirements:

- a. Offender's travel request may be denied if it results in a significant staff shortage that may affect the safe and orderly operation of the facility or if there are insufficient funds for the travel. Exceptions can be made on a case-by-case basis.
- b. Bedside Visits and/or Attendance of Funeral Services
 - i. The Administrator or designee will inform an offender in a timely manner of the verifiable death or critical illness of a confirmed immediate family member.
 - ii. An offender may request travel for a bedside visit for critical illness and/or to attend a funeral service.
 - iii. Bedside visits will only be permitted for an immediate family member that is in imminent risk of death as determined by a physician or other medical professional.

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- iv. Bedside visits will only occur in a hospital, hospice care center, or nursing home. Requests for other locations will be reviewed on a case-by-case basis.
- v. Travel to a graveside funeral service may not be approved unless the only funeral service is at a cemetery.
- c. The facility will establish permanent sign-in/out logs to detail offender destination; reason for trip; where offender may be reached; expected time of return and actual time of return. The Itinerary section (page 2) of *PPD 5.1.103(C) Facility Offender Travel Request* may be used as the log.
- d. When overnight travel is anticipated and approved, offenders will stay in a county detention center unless other arrangements have been approved by the Contract Manager or designee, such as another PRC.

2. Prerelease Center (PRC) Travel Restrictions:

- a. All out-of-city travel, with the exception of travel for employment, will be restricted to 15 miles from the PRC unless approved by the PRC Administrator, Prerelease Liaison and Contract Manager or designees. Offender travel will be escorted by PRC personnel if required by the Contract Manager or designee.
- b. Reasons for offender out-of-city travel include court appearances, medical reasons, and bedside visits and/or attendance of a funeral for an immediate family member (as outlined in section 1.b.), however, other reasons may be considered on a case-by-case basis.
- c. PRC Administrator, in concurrence with the Prerelease Liaison, may authorize offender travel for employment up to 70 miles from the respective PRC. Employment travel in excess of 70 miles requires additional approval from the Contract Manager or designee.
- d. Out-of-state travel by PRC offenders will not be permitted unless pre-approved by the Department Director or designee and will require a chaperone.
- e. An offender may not be absent from the facility without written authorization from the PRC Administrator, Prerelease Liaison and Contract Manager or designees.
- f. Offenders will not operate any personal vehicle belonging to them or others and are not generally permitted to operate motor vehicles. An offender who may have a specific need to operate an employer's motor vehicle on a public roadway as a function of his or her job shall do so only with the written permission of Contract Manager;:
 - i. *PPD 5.1.103(D) Facility Application for Offender Driving Privileges* will be completed and signed by offender and submitted to his/her counselor/case manager;
 - ii. Additional approvals and signatures are obtained, including any special conditions or comments; and
 - iii. *Application* is submitted to Contract Manager or designee at correquests@mt.gov for final approval. Email subject line must read as follows: "Facility; offender last name, first name, DOC #; Driving Authorization."
- g. There will be no extensions of approved travel unless approved by the Contract Manager or designee.

3. Treatment Facility Travel Restrictions:

- a. No out-of-state travel is allowed.
- b. An offender must be escorted at all times during approved travel.
- c. Transportation:
 - i. Standard vehicles with a minimum of one (1) staff per every three (3) offenders present must be used to transport offenders for medical appointments, etc. Transporting staff must be of the same gender as offender(s). If mixed gender transport is required, one (1) staff of each gender must be present.

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- ii. Upon return to facility, escorting staff will brief the supervisor on the offender's demeanor and behavior following the visit. The supervisor will notify the facility mental health staff if offender's demeanor indicates a need for religious or mental health counseling.
- iii. Escorting staff are authorized to terminate the travel at any time if it is determined they cannot maintain their own security or safety, or that of the public or offender. If travel is terminated, the escorting staff will file an incident report upon return to the facility, including a copy to the Contract Manager.
- iv. Escorting staff may complete a search of the vehicle prior to departure and before the offender is placed back in the vehicle anytime the offender has left the vehicle.

4. Travel Requests:

- a. The offender and case manager initiate a request for travel by submitting *PPD 5.1.103(C) Facility Offender Travel Request* to the Facility Administrator, or designee. The Case Manager should verify that all proposed travel arrangements, including all drivers, are legitimate.
 - i. Administrator or designee will consider each travel request individually with consideration given to the offender's behavior, progress in program participation, and the risk the offender may pose to the community.
 - ii. Administrator may consult with Department personnel, if applicable (i.e. security threat group coordinator, American Indian liaison).
 - iii. Ineligibility for travel may be based on one or more of the following factors:
 - 1) a documented criminal history that includes a disposition for an escape or escape attempt from within the secure perimeter of a jail or correctional facility, from a work detail, or while on a transport by a correctional or law enforcement agency;
 - 2) a documented criminal history that includes absconding from probation, parole or community supervision;
 - 3) a documented prison history that includes possession of contraband for escape or materials used to remove restraints;
 - 4) a documented history of physical assault against correctional staff or law enforcement officers;
 - 5) the offender's presence in the community could present a threat to the safety of staff, the offender, or the public;
 - 6) the offender has had a mental status evaluation by Department mental health staff that indicates the leave would not be in the best interest of the offender or public safety;
 - 7) the offender currently has a pending discipline for a serious major rule violation, or has had two (2) or more serious rule violations within the past six (6) months; or
 - 8) the offender has failed to demonstrate program compliance.
 - iv. Administrator or designee will forward *PPD 5.1.103(C) Offender Travel Request* to IPPO/Prerelease Liaison for review and signature. *Request* is then submitted to Contract Manager.
- b. All *Travel Requests* must be submitted to the Contract Manager at correquests@mt.gov at least two (2) business days prior to travel. Exceptions to the 2-business day notice will be considered on a case-by-case basis by the Contract Manager and verbal permission may be given, however, *Travel Request* must be completed and submitted by email within 24 hours. Email subject line must read as follows: "Facility name: offender last name, first name, DOC #, Travel Permit."
- c. For employment travel up to 70 miles from the PRC, the PRC Administrator and Prerelease Liaison will verify the *Travel Request* details and complete the form. If the *Travel Request* is

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not supported by both PRC Administrator and Prerelease Liaison, the Contract Manager or designee will make the final determination for approval or denial.

- d. For employment travel beyond 70 miles from the PRC, the PRC Administrator and Prerelease Liaison, or designees, will verify the *Travel Request* details, then complete and submit the form for consideration to the Contract Manager at correquests@mt.gov. Email subject line must read as follows: "Facility name; offender last name, first name, DOC #; Travel Permit." The Contract Manager or designee may place additional restrictions/requirements on the travel arrangements.

5. Facility Notification Requirements: Upon approval of *PPD 5.1.103(C) Facility Offender Travel Request*, the appropriate facility personnel will consider necessary notifications based on victim notification registrations and the offender's crime (law enforcement authorities, county attorney, and the P&P office of the city in which the offender will be traveling).

6. Offender Responsibilities

- a. The offender, offender's family, or others will be financially responsible for all expenses related to the travel.
- b. Offender must comply with all conditions established in the travel plans. Failure to comply will be cause for disciplinary action, up to arrest and detention pending action by the Department. Any violations of the law while on travel pass may result in prosecution of the offender.
- c. In the event of an emergency, the offender will immediately contact the facility for direction. The Facility Administrator, or designee, will inform the Contract Manager or designee of the circumstances and request assistance if necessary.

IV. CLOSING:

Questions concerning this policy should be directed to the RA, POII, or Contract Manager.

V. FORMS

- PPD 5.1.103 (A) Travel Permit - OMIS
- PPD 5.1.103 (B) P&P Offender Travel Permit Request
- PPD 5.1.103 (C) Facility Offender Travel Request
- PPD 5.1.103 (D) Facility Application for Offender Driving Privileges