



ADMINISTRATIVE RULES OF MONTANA



20.7.1101 CONDITIONS ON PROBATION OR PAROLE

- (1) The offender is under the supervision of the department, subject to all requirements of a law-abiding citizen, and rules and regulations of adult probation and parole, including any sanctions.
- (2) The offender must obtain prior approval from his/her supervising officer before taking up residence in any location. The offender shall not change his/her place of residence without first obtaining permission from his/her supervising officer or the officer's designee. The offender must make the residence open and available to an officer for a home visit. The offender will not own dangerous or vicious animals and will not use any device that would hinder an officer from visiting or searching the residence.
- (3) The offender must obtain permission from his/her supervising officer or the officer's designee before leaving his/her assigned district. For any in-state travel, the offender must confer with their supervising officer about the travel permit policy.
- (4) The offender must personally contact his/her supervising officer or designee when directed by the officer.
- (5) The offender is prohibited from using, owning, possessing, transferring, or controlling any firearm, ammunition (including black powder), weapon, or chemical agent such as oleoresin capsicum or pepper spray.
- (6) Upon reasonable suspicion that the offender has violated the conditions of supervision, a probation and parole officer may search the person, vehicle, and residence of the offender, and the offender must submit to such search. A probation and parole officer may authorize a law enforcement agency to conduct a search, provided the probation and parole officer determines reasonable suspicion exists that the offender has violated the conditions of supervision.
- (7) The offender must notify his/her supervising officer within 72 hours whenever the offender has a change in circumstances of employment or alternative approved programming, or any contact with law enforcement.
- (8) The Montana Board of Pardons and Parole and the sentencing court have the authority to order the offender to abide by additional conditions and such conditions must be contained in the judgment or parole decision.

Authorizing statute(s): 2-4-201, 46-23-1011, 53-1-203, MCA

Implementing statute(s): 46-23-1011, 46-23-1021, MCA

History: NEW, 1978 MAR p. 1330, Eff. 8/30/78; AMD, 1990 MAR p. 1560, Eff. 8/17/90; AMD, 1992 MAR p. 1482, Eff. 7/17/92; AMD, 2008 MAR p. 1145, Eff. 6/13/08; AMD, 2024 MAR p. 2146, Eff. 9/7/24.