



ADMINISTRATIVE RULES OF MONTANA



20.7.913 ADMISSION TO THE PROGRAM AND AFTERCARE

- (1) The department shall recommend for admission to the program eligible offenders and other offenders committed to the custody of the department who the department deems will benefit from the treatment program and who are not otherwise disqualified by their institutional conduct or incapacity to complete treatment.
- (2) A local screening committee, consisting of the following individuals, shall review the department's recommendation:
 - (a) one department employee;
 - (b) one person appointed by the contractor;
 - (c) a law enforcement officer appointed by both the sheriff of the county in which the center resides and the police department of the city if the center resides inside city limits; and
 - (d) a member of the public who resides in the city or county and appointed by the city council or county governing body depending on whether the center is located inside the city limits of a city.
- (3) The screening committee shall have the final determination regarding the admission of any offender to the facility.
- (4) Each committee member shall have one vote. In the case of a tie vote, the facility administrator will cast a vote to break the tie.
- (5) If the committee rejects an offender, the committee must in writing state its reasons for the rejection. The committee may reject offenders for any of the following reasons:
 - (a) the offender presents an unacceptable level of risk to the safety of other offenders or staff;
 - (b) the offender presents an unacceptable level of risk to himself or herself;
 - (c) the offender presents an unacceptable escape risk; or
 - (d) the offender has needs beyond services the center can provide.
- (6) The committee may rescreen an offender if additional relevant information is presented or after the offender has had a period of stabilization.
- (7) Upon successful completion of the residential program and on the recommendation of a licensed clinical professional, the department may require an offender to complete community-based aftercare. At the discretion of the department, the department may place eligible offenders in a prerelease center to complete community-based aftercare or may identify an appropriate alternative placement.

Authorizing statute(s): 53-1-203, MCA

Implementing statute(s): 53-1-201, 53-1-203, MCA

History: NEW, 2005 MAR p. 1917, Eff. 10/7/05; AMD, 2018 MAR p. 1730, Eff. 8/25/18.