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Lewis and Clark County

Criminal Justice Services Department

July 2, 2019

Dear Colleague,

On behalf of the Lewis and Clark County Criminal Justice Coordinating Council (CJCC), I take great pleasure in presenting you with a copy of the Pretrial Services Program Manual of Policies and Procedures. This Manual represents hours of work and the continuing evolution of the Criminal Justice Services Department, which began in December 2017 as a priority of the CJCC.

Like our evolution and our continuing adaptation to Lewis and Clark County's changing criminal justice system, this Manual will always be a work-in-progress. All department employees are expected to become familiar with the policies and procedures contained herein and are encouraged to offer suggestions for revision.

Questions and suggestions regarding Pretrial Services Program policies and procedures should be directed to the Criminal Justice Services Department staff.

I greatly appreciate your hard work, loyalty and your dedication to the cause of justice in Lewis and Clark County.

In Peace,

Kellie G McBride

Kellie Goodwin McBride
Director

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Mission Statement

To promote the safety of the citizens of Lewis and Clark County, the efficient and just treatment of defendants and offenders, the protection and healing of victims, and to work toward prevention of crime and the reduction of recidivism.

Vision Statement

The Lewis and Clark County Criminal Justice Services Department strives to embrace innovation and integrity while recognizing legal and evidence-based practices in order to effectively and efficiently address the evolving needs of the County's criminal justice systems.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Program Goals

It is the intention of Pretrial Services Program to:

- provide objective, comprehensive information to the court, prosecution and defense regarding each in-custody defendant for use in the bail determination;
- recommend the least restrictive bail sufficient to ensure the appearance of the defendant at court, reduce the risk of recidivism while awaiting disposition of the case, enhance public safety and promote the integrity of the judicial process;
- provide effective community supervision and monitoring of court ordered conditions of release for all eligible defendants; and
- reduce recidivism and promote appearance by collaborating effectively with community based resources for treatment, education, employment and housing.

Program Objectives

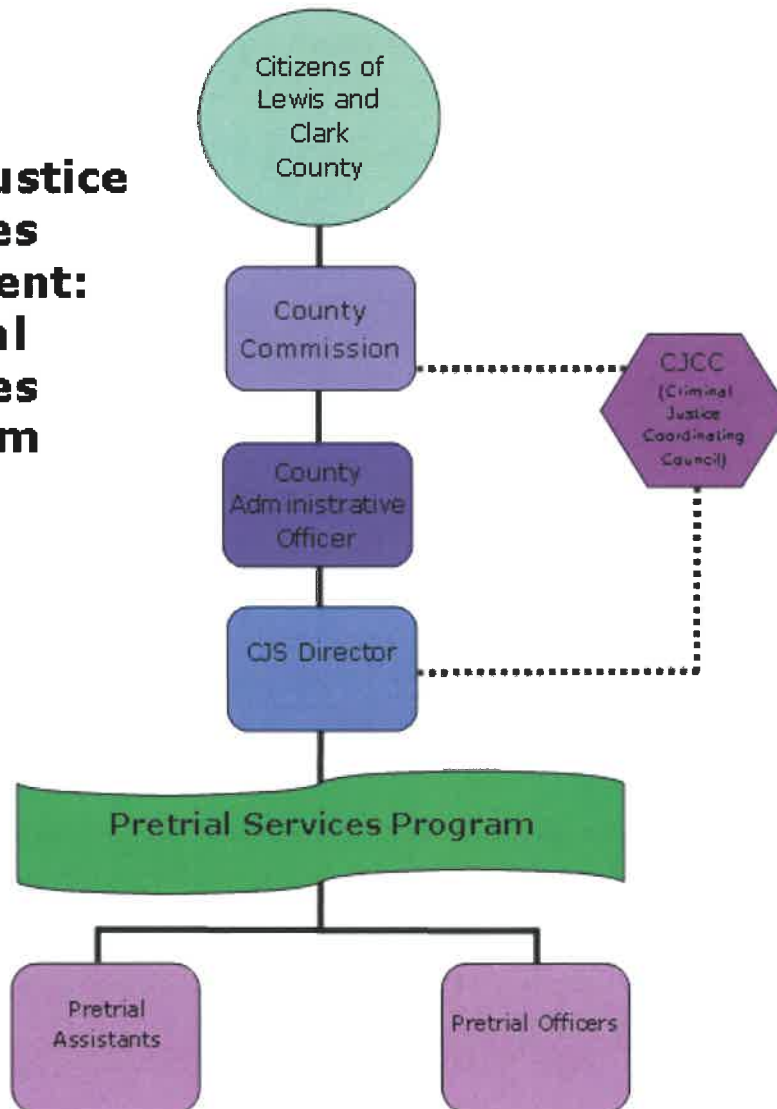
In order to realize the goals established, it is the intention of Pretrial Services Program to:

- use an objective, validated risk assessment tool on all in-custody defendants prior to initial appearance;
- appropriately consider the purpose of bail and the constitutional guarantees afforded the accused when recommending conditions or combinations of conditions designed to assure appearance while reducing risk of re-offense for all in-custody defendants;
- address criminogenic factors in the criminal justice population by embracing principles of legal and evidence based practices such as motivational interviewing, objective risk assessment, and referral to evidence based treatment interventions for all defendants eligible for supervision; and
- ensure defendants in supervision receive phone call or text reminders of their court dates and appointments with their Pretrial Officer.

Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program

Organizational Chart

**Criminal Justice
Services
Department:
Pretrial
Services
Program**



Whenever a contradiction might occur, Lewis and Clark County Human Resources Policies and Procedures supersede these Pretrial Services Standard Operating Procedures.

Provisions of these policies will be followed unless they conflict with negotiated labor contracts which will take precedence to the extent applicable.

It is the policy of the Pretrial Services Program that in the event any Program policy and procedure is held invalid by any tribunal of competent jurisdiction, the remaining Program policies and procedures shall remain in full force and effect. The Pretrial Services Program is a program of the Criminal Justice Services Department, which is a Department of Lewis and Clark County. The Program will always defer to County policy and procedure.

Questions concerning these policies should be directed to the Criminal Justice Services Department.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policies & Procedures

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**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Archival of Supervision Files

Policy #: 3-1

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of Lewis and Clark County's Pretrial Services Program to manage defendant related supervision files as economically as possible while preserving essential information for future use. To this end, all supervision files will be maintained through the Program's Information Management System (IMS) for a period of five (5) consecutive and continuous years following case closure.

Procedure: In order to accomplish Policy #3-1 the following procedures are to be observed:

- (1) At the conclusion of any period of supervision, the case will be marked closed in the IMS with the effective date, and all associated paper files will be shredded.
- (2) It is the responsibility of the Program staff to continuously cull supervision files to identify those files that are subject to the archival process.
- (3) Paper documents to be uploaded to the IMS include, but are not limited to, the Pretrial Services Program contract signed by the Defendant, and any Releases of Information signed by the Defendant.
- (4) All other paper documents associated with the defendant's supervision will be shredded or otherwise destroyed, when the case is closed.

Policy 3-1 meets NAPSA Accreditation Standard 4.06

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Cell Phone Use - Staff

Policy #: 3-2

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of Lewis and Clark County's Pretrial Services Program to provide, to staff, such communication equipment as is deemed appropriate to facilitate the discharge of its mission. Additionally, it is the policy of the Program to provide designated staff with cell phones, subject to Program fiscal constraints and the proper use practices described below. In all cases, staff will follow the Lewis and Clark County Communications Policy.

Procedure: In order to accomplish Policy #3-2 the following procedures are to be observed:

- (1) Cell phones issued to staff are the property of the Lewis and Clark County Pretrial Services Program and are restricted in their use to business-related purposes.
- (2) Staff should be sensitive to call plan limitations and make every effort to reasonably limit the duration of calls.
- (3) Staff who are issued cell phones are expected to use the phones with care and report any damage to the phones to their immediate supervisor within 48 hours of any damage.
- (4) The use of cell phones in public places should always occur consistent with Program policies regarding confidentiality and sensitivity to potential annoyance to others within hearing distance.
- (5) For the safety of staff and the motoring public, the use of cell phones at any time while operating a motor vehicle is prohibited.
- (6) When representing the Program at public functions, meetings, or court hearings, cell phones should be operated in silent mode or turned off.
- (7) Staff may not to use their personal cell phones to send texts related to work.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Certification & Annual Training - Staff

Policy #: 3-3

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of Lewis and Clark County's Pretrial Services Program to promote leadership, enhance professionalism, and increase credibility of staff throughout their career with the Department.

Procedure: In order to accomplish Policy #3-3 the following procedures are to be observed:

- (1) Subject to fiscal constraints and availability, all staff will successfully complete, as a condition of employment, the National Association of Pretrial Service Agencies (NAPSA) certification process within 18 months of the date of hire and maintain NAPSA certification, as a condition of continued employment by the Program.
- (2) Subject to fiscal constraints and availability, all staff will successfully complete, as a condition of employment, the NAPSA training entitled, "Pretrial 101" within one year of the date of hire.
- (3) Waivers of the certification and training requirements may be granted by the Criminal Justice Services Department Director when fiscal constraints have precluded affected staff from successfully completing required certification or training.
- (4) All staff are required to successfully complete 24 hours of job-related training annually. Subject to fiscal constraints, the program will contribute financially toward the cost of such annual training.
- (5) Per Montana Code Annotated, all Pretrial Officers will successfully complete, as a condition of employment, the Montana Law Enforcement Basic Program for Probation and Parole Officers within twelve (12) months of the date of hire, earn their Peace Officer Standardized Training (POST) certification, and maintain their POST certification.

Policy 3-30 meets NAPSA Accreditation Standard 1.05

Policy 3-30 meets NAPSA Accreditation Standard 1.06

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Confidentiality

Policy #: 3-4

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that defendant records are not classified as "confidential."

Procedure: In order to accomplish Policy #3-4 the following procedures are to be observed:

(1) At the discretion of the assigned Pretrial Officer, defendant records may be distributed to, or shared with other agencies or individuals in support of the defendant's health and wellness. During the routine intake process following program assignment, a Connect release of information (ROI) should be prepared and provided to defendants for signature. The Connect ROI will allow local area service providers to share pertinent information about the defendant. Refusal to sign an ROI may constitute grounds for the Pretrial Officer to file a violation with the court.

(2) Information will be equally shared with the office of the County Attorney, the Public Defender, and the court(s) of jurisdiction whenever information is requested by one of these entities, or when a Pretrial Officer deems it necessary to share information.

(3) When Pretrial Services Program staff is made aware of confirmed danger(s) presented by a defendant because of their occupation or place of work, the defendant's Pretrial Officer will immediately notify the prosecuting attorney's office. The prosecuting attorney's office will be responsible for notifying the place of employment of the potential danger(s).

(4) Pretrial Services Program staff are mandated reporters and are legally required to report any suspicion of child abuse or neglect to the relevant authorities.

(5) Pretrial staff may contact a defendant's place of employment, school, family, or friends as stated in the Pretrial Services Contract reviewed with the defendant, and signed by the defendant.

(6) A release of information is not deemed necessary for the sharing or distribution of defendant information within the Program.

Lewis and Clark County, Pretrial Services Program Standard Operating Procedures, July 2019

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Dress Code

Policy #: 3-5

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that all staff will dress in a manner appropriate to the work occasion and in such a manner as to communicate the high degree of professionalism to which the Program aspires.

Procedure: In order to accomplish Policy #3-5 the following procedures are to be observed:

- (1) Unless instructed otherwise, acceptable or standard attire for Program staff for routine employment-related events is defined as "business casual."
- (2) Clothing may not display text likely to cause offense.
- (4) All attire should be clean and free of excessive wrinkles and footwear should be clean and free of the need of repair.
- (5) Staff will be informed whenever an employment-related event requires more or less formal attire than "business casual" in advance of any such event.
- (6) Staff is strongly urged to keep a dress blazer, appropriate for court appearances, in their vehicles or office for unscheduled court appearances.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Holiday Observance & Office Closings

Policy #: 3-6

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to observe certain days throughout the year designated as federal and state holidays on which government offices are closed for business by closing the Program office(s), in accordance with Lewis and Clark County's Personnel Policies.

(1) The following are legal holidays:

- a. New year's Day, January 1
- b. Martin Luther King Day, third Monday in January
- c. President's Day, third Monday in February
- d. Memorial Day, last Monday in May
- e. Independence Day, July 4
- f. Labor Day, first Monday in September
- g. Columbus Day, second Monday in October
- h. Veteran's Day, November 11
- i. Thanksgiving Day, fourth Thursday in November
- j. Christmas Day, December 25
- k. State-wide Election Day in November of even years.

Policy 3-6 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Leave - Accrued

Policy #: 3-7

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to grant employees annual vacation leave, sick and personal leave in accordance with Lewis and Clark County's Personnel Policies.

Policy 3-7 meets NAPSA Accreditation Standard 1.01

Policy 3-7 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Leave - Miscellaneous

Policy #: 3-8

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to permit employees to be absent from work on a short-term basis for a variety of reasons in accordance with Lewis and Clark County's Personnel Policies.

Procedure: In order to accomplish Policy #3-8 the following procedures are to be observed:

(1) **BEREAVEMENT LEAVE:** Upon the death of a member of the employee's immediate family, a Regular, Seasonal or Temporary status employee will be granted up to twenty-four (24) hours of paid bereavement leave. Immediate family is defined as the employee's spouse, parents, spouse's parents, grandparents, spouse's grandparents, brothers, sisters, household dependents, brothers-in-law, and sisters-in-law. Bereavement leave may be extended using vacation leave and sick leave, with proper authorization.

(2) **FAMILY AND MEDICAL LEAVE:** Employees are eligible for family and medical leave if they have worked the county for at least one (1) year and for 1,250 hours over the previous twelve (12) month period. Family and medical leave for up to twelve (12) weeks in a twelve (12) month revolving period will be granted to Regular status employees for any of the purposes described below. The twelve (12) month period will begin on the date the employee requests leave. Employees using family and medical leave will be reinstated to their original job, or to an equivalent position with equivalent pay, providing they have indicated a desire to return to work at the end of the leave period. During the first 12 weeks of leave, the employee will receive health plan coverage according to the terms and conditions that were in effect for the employee prior to the request for leave. Employees must still make the employee portion of health plan contributions while on family and medical leave. Unpaid leave will be granted for any of the following reasons:

- (a) to care for the employee's child after birth, or placement for adoption or foster care;
- (b) to care for the employee's spouse, son, daughter, or parent, who has a serious health condition;

(c) for a serious health condition that makes the employee unable to perform the employee's job;

(d) for any qualifying exigency arising from the fact that the spouse, son, daughter or parent is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation; or

(e) to care for a spouse, son, daughter, parent or next of kin who is recovering from a serious illness or injury sustained in the line of duty while on active duty. [In this case only, the caregiver is entitled to 26 weeks of leave in a single twelve (12) month period.]

(3) JURY DUTY: The County will compensate an employee at their regular wage when the employee takes time off to comply with a proper summons or subpoena for jury duty or service as a witness. The employee will collect all fees and allowances payable as a result of the service and forward the fees to the Finance Director. The fees will be applied against the amount due the employee from the County for the time off with pay.

Expenses or mileage allowance paid by the court will not be collected.

If an employee elects to charge the time off against accrued vacation credits or compensatory time, no fees and allowances paid need to be reported the Finance Director and will not be deducted from the employee's wage for the period of time charged to vacation credits or compensatory time.

(4) MILITARY LEAVE: Military leave will mean a period of absence from employment for the purposes of attending regular encampments and training courses of the military forces of the United States. Military leave with pay, not to exceed 120 working hours in a calendar year, will be granted to employees who have been employed continuously for six months and who are members of the organized State Militia, National Guard, Reserved Corps, or other military forces of the United State.

Policy 3-8 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Office Maintenance

Policy #: 3-9

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that all Program offices will be maintained by staff in such a condition as to ensure safety and cleanliness, instill confidence and communicate a high degree of professionalism.

Procedure: In order to accomplish Policy #3-9 the following procedures are to be observed:

- (1) All offices must be cleaned, at least, bi-weekly; such cleaning will include vacuuming carpeted floors or mopping non-carpeted floors and the cleaning of work surfaces including desk tops, file cabinets, etc.
- (2) Trash removal must be conducted and properly disposed of, at least, weekly.
- (3) For the safety of staff, defendants, and visitors, offices should be maintained free of clutter and electrical and trip hazards.
- (4) Safety hazards identified by staff should be brought to the immediate attention of the appropriate building supervisor.
- (5) All files not in current use must be stored properly in file cabinets.
- (6) Adequate cleaning supplies should be maintained and may be ordered through the routine Program requisition process.
- (7) Offices may be personalized or decorated according to local staff tastes and preferences provided such personalization or decoration is not contradictory to the mission and goals of the Program or detracts from the degree of professionalism to which the Program aspires.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Paper Reduction

Policy #: 3-10

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that every effort will be made to conserve resources and reduce operating costs by creating, storing and disseminating documents, communications, etc., electronically whenever possible.

Procedure: In order to accomplish Policy #3-10 the following procedures are to be observed:

- (1) Written communications with defendants will occur through the texting software and maintained in the defendants' online Information Management System (IMS) files.
- (2) Defendant file and case notes will continue to be entered into the IMS data system.
- (3) All court filings are emailed to the office of the County Attorney, the defense, and, if requested, to the court. These court filings are maintained in the IMS data system.
- (4) Routine communications with defense and prosecuting attorneys, judicial Officers, and others may be created, disseminated and maintained electronically and noted in the IMS data system.
- (5) Archived records will be maintained in "hard copy" format.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Performance Reviews

Policy #: 3-11

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow the employment policies of Lewis and Clark County and to regularly conduct reviews of employee job performance in order to identify strengths and weaknesses of individual employees; take corrective action when necessary, acknowledge employee accomplishments, and ensure employee cooperation in furtherance of the Program mission.

Procedure: In order to accomplish Policy #3-11 the following procedures are to be observed:

- (1) The performance review is intended to stimulate and facilitate discussions between the employee and the supervisor on the performance of job duties. Performance reviews recognize good work, provide an opportunity to offer suggestions leading to improvements in the employee's work and identify possible career development opportunities.
- (2) New employees will receive frequent and regular critique of job performance from the appropriate supervisor, a formal six-month performance review, and a formal twelve-month performance review.
- (3) Permanent employees will be evaluated annually on, or about, the anniversary date of employment.
- (4) Employees who have assumed a new position due to transfer or promotion will be given a performance appraisal after three months and six months from the effective date of the transfer or promotion.
- (5) An employee subject to a corrective action plan, as a consequence of the performance review process, may be reviewed to assess the success of the imposed corrective action plan for a period not to exceed six months from the effective date of the corrective action plan.
- (6) The employee's immediate supervisor will give the performance review and rate the execution of the duties and responsibilities pertaining to the position held by the employee using the forms and software prescribed by Lewis and Clark County Human Resources. The form authorized by Human Resources will Lewis and Clark County, Pretrial Services Program Standard Operating Procedures, July 2019

in all cases include a place for the signatures, or electronic authorization if done through software, of the assigned evaluator and affected employee. Additionally, the authorized form will provide space for the affected employee to indicate concurrence, disagreement, general comments or notice of appeal.

(7) Performance reviews will be forwarded to the Human Resources Director for inclusion of the appraisal in the employee's personnel file.

(8) Observations, conclusions, and recommendations of the assigned evaluator contained in the performance review may be appealed to the Criminal Justice Services Department Director, whose decision is final unless the Director is the assigned evaluator, in which case all appeals are submitted to the Chief Administrative Officer.

Policy 3-11 meets NAPSA Accreditation Standard 1.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Professional Conduct

Policy #: 3-12

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow the employment policies of Lewis and Clark County and that certain rules and regulations regarding employee behavior are necessary for the efficient operation of the Program, the safety and benefit of all staff and the effective furtherance of the Program mission. Conduct that interferes with operations, discredits the Program, or is offensive to defendants or other employees will not be tolerated. Reference Lewis and Clark County Performance and Conduct Policy Number 1.2.9.

Procedure: In order to accomplish Policy #3-12 the following procedures are to be observed:

(1) All employees are expected at all times to conduct themselves in such a manner as to promote the best interests of the Program. Such conduct includes, but is not necessarily limited to:

- (a) Complying with all Program policies and procedures.
- (b) Reporting to work and court hearings punctually and prepared.
- (c) Dressing appropriately for the duties to be discharged.
- (d) Treating all other employees, criminal justice professionals, and defendants courteously.
- (e) Submitting all reports in a timely manner.

(2) Unacceptable performance and conduct for County employees includes, but is not limited to, the following:

- (a) Violation of law.
- (b) Violation of policy, directives, or other employer regulations.
- (c) Neglect or failure to carry out assigned duties and responsibilities
- (d) Committing theft, damage, or unauthorized use or possession of County property.
- (e) Assaulting, endangering, stalking, or maliciously intimidating or harassing another person.
- (f) Verbal or physical threats to personal or collective safety (including, but not limited to, the display of weapons, shouting, swearing, name calling and sarcastic comments);.

- (g) Threatening gestures, statements, behaviors or actions (public or private behaviors that are threatening, intimidating, humiliating, or offensive).
- (h) Abuse of authority (unsubstantiated negative evaluations, arbitrary instructions or unsafe assignments)
- (i) Interference with work performance (sabotaging, undermining, or ensuring failure of another employee);
- (j) Fighting;
- (k) Falsifying any official record;
- (l) Unauthorized dissemination of confidential information;
- (m) Abuse of sick leave or excessive tardiness
- (n) Unauthorized use of County time, equipment, or facilities for private business or personal use;
- (o) Failure to remain alert and vigilant while on the job;
- (p) Employee negligence resulting in damage or loss of County property;
- (q) Failure to maintain a courteous, productive and otherwise acceptable working relationship with fellow workers and the general public;
- (r) Use of any illegal drugs;
- (s) Use or misuse of any prescribed or over-the-counter substance that may impact the effective performance of duties and responsibilities not reported in advance to the appropriate supervisor;
- (t) Sabotaging, impeding, interfering, or failing to cooperate with any authorized County investigation;
- (u) Failure to timely report policy violations, or job-related illegal or unethical behavior to the appropriate authority; and
- (v) Failure to timely self-report an arrest, conviction, or professional disciplinary action against a professional license required by the position..

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Communication and Community Outreach

Policy #: 3-13

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to proactively communicate to the citizens of Lewis and Clark County, on a continual and regular basis, salient information relative to the general topics of pre-conviction bail and the role of Pretrial Services Program as it relates to those topics. Additionally, it is the policy of the Program to provide information to the specific stakeholders in the Lewis and Clark County criminal justice system, as deemed appropriate, regarding the aforementioned topics, the implication(s) of pending legislation or the need for legislation, as it relates to pre-conviction bail supervision, as well as the role and accomplishments of the Program in the County criminal justice system and the management thereof. Reference the Lewis and Clark County Communications Policy.

Procedure: In order to accomplish Policy #3-13 the following procedures are to be observed:

(1) The Program will utilize the Lewis and Clark County Communication and Community Outreach Coordinator and follow County policy and procedure for public information dissemination.

(2) The Criminal Justice Services Department Director will consult with the Communication and Community Outreach Coordinator at least every six (6) months in order to develop and adjust, as needed, an annual public information campaign, elements of which must be consistent with the goals of the Program, the mission of the Program, and include "talking points" for Program staff use; any public information campaign must be approved by the Department Director and Communication and Community Outreach Coordinator before being initiated.

(3) All Program staff will be invited to offer suggestions, based on issues or needs identified, for inclusion in any public information campaign and forward such suggestions to the Department Director for conveyance to the Communication and Community Outreach Office.

(4) It is the responsibility of Program staff to regularly apprise the Director of developments that might impact the Program, its mission, or service delivery. Such advisories may include, but are not limited to, Lewis and Clark County, Pretrial Services Program Standard Operating Procedures, July 2019

local political trends or events and, discussions with significant local stakeholders including prosecutors, judges, law enforcement heads, local politicians, etc.

(5) The Department Director will distribute among Program staff a copy of the annual public information campaign and any subsequent adjustments thereof. Whenever possible, the public information campaign and "talking points" should be included in, if not form the basis of, any public speaking remarks by Program staff.

(6) The Department Director will distribute among Program staff, in advance, a copy of any news release issued to the media.

(7) It is the responsibility of all Program staff to notify the Department Director in advance of any speaking engagement or formal meeting with any on the topic of pretrial services). Similarly, it is the responsibility of all Program staff to brief the Department Director after any public speaking engagement or formal meeting with any criminal justice stakeholder.

(8) All media requests for information regarding the Program should be referred to the Communication and Community Outreach Coordinator.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Severability

Policy #: 3-14

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that in the event any Program policy and procedure is held invalid by any tribunal of competent jurisdiction, the remaining Program policies and procedures shall remain in full force and effect. The Pretrial Services Program is a program of the Criminal Justice Services Department, which is a Department of Lewis and Clark County. The Program will always defer to County policy and procedure.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Subpoena Service

Policy #: 3-15

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to facilitate good citizenship among staff by making every reasonable effort to accommodate staff required to testify in a court of law, pursuant to the service of a subpoena.

Procedure: In order to accomplish Policy #3-15 the following procedures are to be observed:

- (1) Upon service of a subpoena requiring a court appearance, the affected employee will notify the Department Director or their designee by email or telephone of the service, the date(s) required for the court appearance, the identification of the court, and whether the required testimony is Program-related or personal.
- (2) By the end of two (2) business days following notification to the Director, a copy of the subpoena will be provided to the Director or their designee.
- (3) In the event that the subpoena (duces tecum) compels the production of Program related documents, the affected employee must alert the Director or their designee to that specific requirement.
- (4) If the required testimony is personal and the affected employee receives payment for testimony, including mileage, they may elect to keep the payment provided the employee uses benefit time for the required testimony. If no benefit time is available, the affected employee may elect to take the required day(s) without pay.
- 5) If the required testimony is Program-related, the affected employee must forward the payment received, including mileage, to the Department Director, who will ensure that any balance of payment after deduction for routine employment compensation is returned to the affected employee.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Staff Supervision

Policy #: 3-16

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to provide quality assurance supervision for all Program staff to ensure that the duties and responsibilities of all Program staff are, in fact, discharged consistent with established best practices and Program policies and procedures.

Procedure: In order to accomplish Policy #3-16 the following procedures are to be observed:

- (1) Supervisors will, randomly, review case files, identify and address specific case management strengths and weaknesses, identify local issues that affect service delivery, meet with stakeholders as time permits, and discuss issues of importance to Pretrial Officers and Assistants, including staffing and support needs.
- (2) Pretrial Officers should notify the supervisor whenever the Officer contests an observation or finding.
- (3) If a disagreement cannot be resolved, the Pretrial Officer may appeal the Department Director. If the supervisor is the Department Director, the Pretrial Officer may appeal to the County Chief Administrative Officer, or their designee, whose decision is final.
- (4) All Program staff are strongly encouraged to inform the Supervisors and Management Team of issues and developments in their respective service areas that have the potential to affect service delivery and/or the Program's mission, as well as offer any suggestions for changes in the policies and procedures.

Policy 3-16 meets NAPSA Accreditation Standard 2.03

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Supervision File Order

Policy #: 3-17

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure that all aspects of supervision are sufficiently documented and all defendant files are maintained in a consistent manner.

Procedure: In order to accomplish Policy #3-17 the following procedures are to be observed:

(1) Staff will utilize a cloud-based Information Management System (IMS) software to enter and maintain documentation including, but not limited to: communication, case notes, court dates, text messages, conditions of release, violations, test results, courts of jurisdictions, charges, dispositions, addresses, phone numbers, arrest release dates, photos, etc.

(2) A paper file will be developed for each defendant and color coded by supervision level. Green folders are used for Level 3 defendants, blue folders for Level 2, and manila folders for Level 1 defendants. Files will be labelled with defendant's last name, first name, date of birth, and Public Safety Assessment score. Files will contain hard copies of court documents with Judges' signature, and personal information defendants have provided, including a completed Program contract and demographics questionnaire.

(3) Defendants who have been assigned to the Pretrial Services Program in the past will have their prior supervision paperwork incorporated into the current supervision file.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Transfer of Supervision

Policy #: 3-18

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to facilitate the supervision of defendants ordered to the Program by the Courts, consistent with the Program mission and applicable law. To this end, the transfer of supervision to another program or locality may be indicated, as determined by (a) the interests of justice; (b) actual physical residence; and/or (c) employment elsewhere during routine reporting hours. Transfer of supervision to another county is, in all instances, discretionary on the part of the receiving county.

Procedure: In order to accomplish Policy #3-18, the following procedures are to be observed:

- (1) When a Pretrial Officer determines that a transfer of supervision is appropriate, the Pretrial Officer will ascertain whether a pretrial program exists in the defendant's county of residence.
- (2) If there is a pretrial program in the defendant's county of residence, the initiating Officer will follow the receiving county's protocol to determine if a transfer of supervision is appropriate or possible.
- (3) If a transfer of supervision is accepted, the originating Officer will compile and forward to the receiving county a copy of the:
 - (a) Transfer Memo, including Reporting Instructions;
 - (b) Program Contract;
 - (c) Intake Form;
 - (d) Chart Notes;
 - (e) Bail Bond/Conditions of Release/Judgment & Commitment;
 - (f) Investigative Report(s) regarding Instant Offense(s);
 - (g) Supervision Violation Documents, if any;
 - (h) Release(s) of Information; and
 - (j) Photograph.

(4) All court-related filings arising from transferred supervision will be forwarded to the originating Officer for processing and distribution.

(5) In the case of a transfer to an out of county jurisdiction, the file material noted above in section (3), will be provided to the receiving county prior to any actual transfer in order to assist the potential receiving county in its decision to accept or reject a request for transfer of supervision.

(6) No defendant will ever be permitted to leave the originating county jurisdiction and travel to the receiving county prior to acceptance of supervision unless such travel is authorized in writing by the court of jurisdiction.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Supply Requisition

Policy #: 3-19

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to make every reasonable effort to provide staff with adequate office resources in order to accomplish the mission of the Program, subject to contractual limitations and fiscal responsibility.

Procedure: In order to accomplish Policy #3-19 the following procedures are to be observed:

- (1) The Program will designate one or more staff to be responsible for processing all supply requisitions submitted by the staff.
- (2) Staff will submit a list of supplies requested to the designated staff person(s).
- (3) Upon receipt, the designated staff will forward a copy of the supply requisitions to the Department Director for review and approval.
- (4) Upon notification of the approval of the Department Director, the designated staff will submit a consolidated order to selected suppliers, requesting delivery to Program office.
- (5) It is the responsibility of staff to recognize any errors in supplies delivered. The designated staff will resolve all delivery errors with the appropriate supplier.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Firearms

Policy #: 3-20

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to protect the safety and security of staff, the general public, and defendants accessing services. Pretrial Officers will respond to all situations based on their knowledge, skills, abilities, and training.

Procedure: In order to accomplish Policy #3-20 the following procedures are to be observed:

(1) While Pretrial officers are certified in firearms proficiencies through the Montana Law Enforcement Academy POST training, maintain their proficiency certification annually, and are authorized by State statute to carry firearms, it is the practice of the Program to not use firearms in the course of duty. Pretrial Staff will not carry firearms in the course of duty. While weapons will not be used in the course of discharging program duties and responsibilities, all Pretrial Officers will be required to obtain and maintain their POST certification which includes weapons training.

(2) Pretrial Officers will respond to any perceived threat in a reasonable manner, including at the request of a Police Officer, Sheriff's Deputy, and/or Highway Patrol Officer. Acts of a reasonable person are those acts necessary to protect self, public, and the community.

(3) For the purposes of this policy the term "weapons" is defined as, but not limited to: firearms, sheath knives, explosive devices, pepper spray, mace, and martial arts equipment. The only standing exception to this definition is a "utility" or "pocket" knife used for such routine functions as opening cartons, etc.

Policy 3-20 meets NAPSA Accreditation Standard 1.08

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Employment At-Will

Policy #: 3-21

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow the employment policies of Lewis and Clark County and the State of Montana. The State of Montana enacted the Wrongful Discharge From Employment Act (WDFEA) to balance the need to protect employees from wrongful terminations with an employer's need for protection from employee poor performance or bad behavior. Lewis and Clark County Human Resources Performance and Conduct Policy Number 1.2.9 addresses disciplinary procedures and reasonable job-related grounds for dismissal based on a failure to satisfactory perform job duties, disruption of the operation, and other legitimate reason.

Policy 3-21 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Equal Employment Opportunity

Policy #: 3-22

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow the employment policies of Lewis and Clark County. The County's Non-Discrimination and Equal Employment Opportunity Policy states:

"The County observes a policy of non-discrimination: no individual will be discriminated against with regard to compensation, terms, conditions, or other privileges of employment because of race, ancestry, color, mental or physical disability, religion, national origin, sex, age, marital status, creed, ex-offender status, physical condition, political belief, public assistance status, or sexual preference except where these criteria are reasonable bona fide occupational qualifications.

The County is committed to Equal Employment Opportunity (EEO) recruitment guidelines as promulgated by federal and state law ..."

Policy 3-22 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Hours of Work

Policy #: 3-23

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that routine operational work hours are Monday through Friday from 7:00 AM to 5:00 PM inclusive. The duration of the standard full time work week is 40 hours. For the purposes of computing various employment benefits the work week is defined as beginning 12:00 AM on Sunday and concluding at 11:59 PM on Saturday.

Requests to work at home must be submitted to the appropriate supervisor in advance.

Policy 3-23 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Orientation and Training

Policy #: 3-24

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to provide orientation programs and training for new employees and to offer continuing education opportunities for existing employees, as deemed appropriate and subject to fiscal constraints.

Procedure: In order to accomplish Policy #3-24 the following procedures are to be observed:

- (1) All newly hired staff in Pretrial Officer positions will be POST certified upon hire, or complete within twelve (12) months of hire. POST certification is achieved through attendance to, and graduation from the POST training for Probation and Parole Officers offered by the Montana Law Enforcement Academy.
- (2) All Program staff will complete at least twenty-four (24) hours of training annually and submit supporting documentation of such training to the Program for record-keeping purposes. For the purposes of this policy, training events included in general staff meetings will not be credited toward the required hours of annual training.
- (3) The Program will apprise staff of educational and training opportunities in order to facilitate completion of required annual training.

Policy 3-24 meets NAPSA Accreditation Standard 1.04

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Outside Employment

Policy #: 3-25

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow Lewis and Clark County Human Resource Policy regarding outside employment. Employees may maintain outside employment with employers other than the County. Employees who hold positions with other employers must notify the Criminal Justice Services Department Director and Human Resources Director. In the event a conflict arises between the outside employment and the County position, the employees will give precedence to the County position.

In the event the Criminal Justice Services Department Director maintains outside employment, they must provide written notice of employment to the Chief Administrative Officer.

Policy 3-25 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Overtime

Policy #: 3-26

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow Lewis and Clark County Human Resource Policy regarding Overtime.

Procedure: In order to accomplish Policy #3-26 the following procedures are to be observed:

(1) Overtime Guidelines for Non-Exempt Employees: Employees required to work overtime and eligible to receive overtime pursuant to the Fair Labor Standards Act must be paid at the rate of 1-1/2 times their current hourly wage for all time worked for the County in excess of 40 hours per week. Compensatory time should be administered in accordance with:

- (a) The Department Director will authorize all overtime in advance of its occurrence. Unless the employee requests compensatory time in lieu of overtime, all overtime will be reported in the pay period when it is accumulated and paid accordingly.
- (b) Non-exempt employees entitled to overtime compensation may be given the option of earning and using compensatory time in lieu of overtime compensation. Compensatory time (comp time) granted to non-exempt employees must be granted at the rate of 1-1/2 hours for every hour of overtime worked.
- (c) Compensatory time should be used at the earliest possible date. The Department Director should ensure that compensatory time does not accumulate to more than twenty-four (24) hours per employee. Any deviation from the twenty-four (24) hour accumulation limit must be requested in writing and must be authorized by the Human Resources Director.
- (d) The use of compensatory time is subject to Department Director approval. Whenever possible, accumulated comp time should be used prior to termination of employment with the County. Unused accumulated comp time must be cashed out when the non-exempt employee terminates employment with the County.

(2) Exempt Compensatory Time Guidelines – Exempt Employees: The Fair Labor Standards Act generally presumes that an exempt employee is paid a wage and has a work schedule that may vary from a standard forty (40) hour workweek. The County recognizes that the duties and responsibilities of exempt employees vary widely and require various measures to ensure the smooth operation of the County. Exempt compensatory hours for exempt employees are not intended to provide any compensation in addition to the salaries provided to these employees. Rather, it provides the Criminal Justice Services Department Director and those affected employees greater flexibility in scheduling. All exempt employees will keep records of actual hours worked.

- (a) All exempt employees must have a regular work schedule and the Criminal Justice Services Department Director must authorize all work beyond regular work hours. The Director is responsible for defining and promulgating the terms and conditions of work outside regular work hours. Copies of these terms and conditions must be approved by the Human Resource Director and kept on file at the department office and with the Human Resources Director.
- (b) Hours worked beyond the standard forty-hour work week, by exempt employees, are exempt compensatory hours. Exempt employees in the Pretrial Services Program who work more than 40 hours in a work week may accumulate up to eighty (80) exempt compensatory hours at the rate of one (1) hour earned for one (1) hour worked. Employees must request deviation from the eighty (80) hour accumulation limit from the Department Director. The Department Director will consult with the Chief Administrative Officer before granting the request.
- (c) The use of accumulated exempt compensatory hours is subject to approval by the supervisor.
- (d) There will be no lump sum cash compensation for accrued exempt compensatory hours upon transfer or at the date of termination.
- (e) The County is under no obligation to extend an exempt employee's termination date to allow an exempt employee to take off or use exempt compensatory hours upon termination. However, the Chief Administrative Officer (or designee) may approve the use of exempt compensatory hours to extend an employee's termination date up to eight (80) hours. The extension may be approved when the Chief Administrative Officer determines that:
 - (1) Exempt compensatory hours were accrued upon the supervisor's request in order to complete projects or meet objectives, or
 - (2) The employee has been denied reasonable opportunity to take off exempt compensatory hours.

Policy 3-26 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Policy and Procedure Manual Revision

Policy #: 3-27

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that every employee of the Program receives a current copy of the Policy and Procedure Manual, which is intended to serve as an outline of the Program's personnel, administrative, fiscal, and operational policies.

Procedure: In order to accomplish Policy #3-27 the following procedures are to be observed:

- (1) With prior approval of the Criminal Justice Coordinating Council, the Program may change or amend policies and procedures described in this manual at any time, with or without advance notice.
- (2) A revised manual of policies and procedures will be published and distributed annually among all Program staff no later than November 30th, provided the policies and procedures have been revised or created since the previous edition of the manual.
- (3) Every employee of the Program is required to be familiar with the policies and procedures adopted by the Program to accomplish its mission, goals, and objectives. The Policy and Procedure Manual will be distributed to staff within the first two (2) weeks of employment. It is the responsibility of each and every staff member to be familiar and comply with the most current policies and procedures, as well as, maintain the Manual through subsequent revisions.
- (4) Questions regarding the Program's policies and procedures should be directed to the Criminal Justice Services Department Director.

Policy 3-27 meets NAPSA Accreditation Standard 2.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Program Goals and Objectives

Policy #: 3-28

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to develop and revise, as needed, a Mission Statement, Vision Statement, and statement of Goals and Objectives. Revisions to the Mission Statement, Vision Statement, and statement of Goals and Objectives will be presented to the Criminal Justice Coordinating Council for concurrence. In order to successfully address and realize the mission, vision, goals, and objectives identified by the Program, staff discussion and training regarding the mission, vision, goals and objectives will be conducted at the discretion of the Criminal Justice Services Department Director. A copy of the Program Mission Statement will be displayed prominently in the office reception area.

Policy 3-28 meets NAPSA Accreditation Standard 2.02

Policy 3-28 meets NAPSA Accreditation Standard 2.04

Policy 3-28 meets NAPSA Accreditation Standard 2.05

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Probationary Period

Policy #: 3-29

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow the employment policies of Lewis and Clark County. An employee in the initial period of employment, during which time the work performance and conduct of the employee is appraised to determine whether Regular or Seasonal status will be granted. New county employees have a six-month probationary period. The County reserves the right to extend the probationary period not to exceed an additional six (6) months.

Written documentation from the Criminal Justice Services Department Director stating that the employee has successfully completed their probationary period and is recommended to be removed from probationary status must be received by the Human Resource Director prior to the end of the probationary period. This may be accomplished either through the six-month performance appraisal or through a memo.

Policy 3-29 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Termination of Employment

Policy #: 3-30

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow the employment policies of Lewis and Clark County.

Procedure: In order to accomplish Policy #3-30 the following non-inclusive reasons may be sufficient for dismissal for cause:

- (1) Incompetence or inefficiency in performance of duties.
- (2) Conviction of a criminal offense involving a felony and directly related to or impacting assigned duties and responsibilities.
- (3) Violation of any lawful or official regulation or order, or failure to obey any lawful direction made and given by a supervisor where the violation or failure amounts to an act of insubordination or a breach of proper discipline, or has resulted or might reasonably be expected to result in loss or injury to the County or public.
- (4) Wanton use of offensive conduct or language toward citizens, County officials or other employees while present in the workplace.
- (5) Carelessness and negligence in the handling and control of County property.
- (6) Working in an unsafe manner or in flagrant disregard for safe work practices and procedures.
- (7) Inducing or attempting to induce any County employee to commit an unlawful act or to act in violation of any lawful and reasonable official regulation or order.
- (8) Taking any fee, gift, or other valuable thing in the course of work or in connection with work, for personal use when the fee, gift, or other valuable thing is given with the expectation of receiving a favor or better treatment.

(9) Dishonesty in the performance of duty.

(10) Unauthorized absence from work.

(11) Drinking of alcoholic beverages or using any drug(s) or medication to the extent that the use affects workplace safety or job performance.

(12) Consumption or use of alcoholic beverages or illegal drugs while at work.

(13) Possession, use, distribution, or manufacture of a controlled substance in the work place.

(14) Failure to satisfactorily perform job duties, disruption of the employer's operation, or other legitimate business reason.

Policy 3-30 meets NAPSA Accreditation Standard 1.05

Policy 3-30 meets NAPSA Accreditation Standard 1.06

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: INTENTIONALLY BLANK

Policy #: 3-31

Effective Date:

Revision History:

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Confidential Communications

Policy #: 3-32

Effective Date: July 2019

Revision History:

Policy Statement: While it is the policy of the Pretrial Services Program that defendant records are not classified as “confidential” (see Policy #3-4), it is also the policy of the Pretrial Services Program in all communications, written and oral, to respect the confidentiality of all defendants ordered to the Program consistent with all applicable federal and state regulations and Program policies.

Procedure: In order to accomplish Policy #3-32 the following procedures are to be observed:

- (1) In cases where a Release of Information (ROI) is involved, written communications, including email correspondence generated by the staff in their official capacity as representatives of the Program will contain a "Confidentiality Notice" authorized by the Program.
- (2) ROIs should be prepared and executed by each defendant assigned to the Program at the time of initial meeting and interview, pursuant to Administrative Policy #3-4. The CONNECT ROI is required for each defendant. Depending on the defendant and situation, a Program ROI and/or specific service provider ROI may be required as well.
- (3) Pretrial Officers and Assistants should exercise due diligence to ensure all releases of information remain valid and are revised as circumstances warrant during the term of supervision including the execution of additional releases of information.
- (4) In all communications, including electronic, specific defendant identification will not be provided. The exceptions to this procedure include communications with courts, County Attorney’s Office, Public Defender’s Office, community providers registered with the Connect system, the Sheriff’s Office, the Helena Police Department, and any other entity approved by the Criminal Justice Services Department Director when by-name communication is demonstrably in support of the defendant.

Policy 3-32 meets NAPSA Accreditation Standard 1.01

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Anti-Discrimination

Policy #: 3-33

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of Pretrial Services Program to provide equal opportunity in employment and promotion to all employees and applicants for employment, as well as all persons to whom authorized services may be provided. No person is to be discriminated against in employment and services because of race, color, religion, sex (including pregnancy and gender identity), national origin, political affiliation, sexual orientation, marital status, disability, genetic information, age, membership in any employee organization, retaliation, parental status, military service, or other non-merit factor.

Procedure: In order to accomplish Policy #3-33 the following procedures are to be observed:

(1) The Program will follow the Lewis and Clark County Personnel Policy, Chapter XII: Complaint Procedures: Employee Grievances and Unlawful Discrimination Complaints for investigation of complaints of discrimination arising from employment, application for employment, promotion and services or the denial thereof. Lewis and Clark County Human Resources staff contact information for such complaints is displayed on the County website and in the County's Microsoft Outlook program.

(2) Any employee, or applicant for employment or promotion, who believes they have been discriminated against in violation of this policy may submit a written complaint to the County's Human Resources Director; an oral complaint may be submitted in the event that a complaint in writing is not possible.

(3) The Criminal Justice Services Department Director will investigate all complaints of discrimination arising from the denial of services. The Director's contact information is included in the Pretrial contract for services.

(4) Any defendant denied services, who believes they have been discriminated against in violation of this policy may submit a written complaint to the Criminal Justice Services Department Director; an oral complaint may be submitted in the event that a complaint in writing is not possible.

Lewis and Clark County, Pretrial Services Program Standard Operating Procedures, July 2019

(5) All Program staff are required to cooperate with a designated investigator.

(6) Within five (5) working days of the receipt of the complaint the designated staff person will acknowledge receipt of the complaint in writing and initiate an investigation, a copy of which will be forwarded to the Lewis and Clark County Administrative Officer (CAO).

(7) A written report of the results of the investigation, including any recommendation for remedial action, if deemed necessary, will be forwarded to the County Administrative Officer for review, modification and/or approval within thirty (30) days of the receipt of the complaint. In the event that the CAO determines that additional investigation is required, notification of such determination will be forwarded in writing to the designated investigator and complainant. Written notice of the decision regarding the complaint will be forwarded to the complainant, the designated staff investigator and any staff named in the original complaint within five (5) working days of the final conclusion of the investigation.

(8) Decisions of the CAO are deemed final, subject to the exceptions noted below:

- (a) In the event that the County Administrative Officer or a member of the Management Team is the subject of the original complaint, the complaint is to be directed to the Board of County Commissioners, who will supervise the investigation of the complaint. All time limits, acknowledgements and notifications described above apply to any discrimination complaint investigation conducted by the Board of County Commissioners.
- (b) The decision of the Board of County Commissioners is deemed final.

(9) Defendant complaints arising from adverse decisions during the course of routine supervision are subject to the provisions of Policy and Procedure #5-1 unless the complaint includes the allegation of a violation of Policy #3-32.

Policy 3-33 meets NAPSA Accreditation Standard 1.01
Policy 3-33 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: INTENTIONALLY BLANK

Policy #: 3-34

Effective Date:

Revision History:

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Policy Variance

Policy #: 3-35

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to further the cause of justice in Lewis and Clark County by ensuring that Program staff consistently comply with policies and procedures adopted by the Program and that such policies and procedures are based upon nationally recognized, best evidence-based practices. Additionally, it is the policy of the Program to balance the established practices of the local judicial and prosecutorial authorities, as those practices affect the administration of justice and impact service delivery by Program staff, with nationally recognized best evidence-based practices.

Procedure: In order to accomplish Policy #3-35 the following procedures are to be observed:

- (1) All staff are expected to comply with all Program policies and procedures and are held accountable for such compliance.
- (2) In the event that local judicial and/or prosecutorial practices conflict with established Program policies and procedures, local affected staff may seek an exception from the Program by requesting, in writing, a variance from the conflicting policy and/or procedure.
- (3) Formal requests for a specific variance must be submitted to the Criminal Justice Services Department Director or their designee, and identify the conflicting policy and/or procedure and the justification for the request.
- (4) The Director, or designee, receiving the request for variance will distribute the request among the Program staff and, after discussion, a decision to grant or deny the request, with or without modification and/or conditions, will be forwarded to the requesting staff member. All decisions of the Director, in this regard, are final.
- 5) During the pendency of the request for variance, the existing policy and/or procedure remains in full force and effect.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Equipment Maintenance

Policy #: 3-36

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that every reasonable effort will be made by the Program to provide all staff with the equipment and resources necessary to accomplish the mission and goals of the Program, subject to financial constraints. It is the responsibility of every employee to maintain all issued equipment in proper working order and inform designated staff of any damage or failure to function on the part of issued equipment.

Procedure: In order to accomplish Policy #3-36 the following procedures are to be observed:

- (1) Receipt of all issued equipment will be acknowledged in writing by each employee and in a format authorized by the Program and forwarded to a designated staff person within two (2) working days of receipt of the issued equipment.
- (2) A list of all equipment issued by the Program to each employee will be maintained in each employee's personnel file maintained by the Criminal Justice Services Department.
- (3) Notice of any damage to any issued equipment will be submitted to the designated staff person within one (1) working day of the date of the damage either by telephone or email and a full written report of the event in which the damage occurred will be submitted to the designated staff person initially notified of the damage or equipment failure in a format authorized by the Program.
- (4) No damaged or non-functioning equipment is to be disposed of by an employee unless authorized to do so by the designated staff person.
- (5) If deemed appropriate, the designated staff person may conduct an investigation of the damage event or equipment failure; if such an investigation is conducted, a written report of the investigation will be submitted to the Criminal Justice Services Director and a copy of the report will be forwarded to the appropriate employee.

(6) If the designated staff person concludes that the damage or equipment failure is the result of reckless conduct or willful vandalism attributable to a Program employee, the matter may subject that identified employee to disciplinary proceedings.

(7) Disposition of any disciplinary proceedings in which reckless conduct or vandalism is, in fact, attributed to an identified employee may include, but not be limited to, termination of employment, suspension and financial responsibility for re-imbusement to the Program for replacement of the damaged equipment.

Policy 3-36 meets NAPSA Accreditation Standard 1.01

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Development of Professional Relationships

Policy #: 3-37

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to develop, maintain and strengthen positive professional relationships with the stakeholders in the criminal justice system with whom the Program interacts and, in particular, with the judges, consistent with the mission and goals of the Program. To this end all Program staff should deliberately cultivate positive professional relationships with the respective judges.

Procedure: In order to accomplish Policy #3-37 the following procedure are to be observed:

- (1) Pretrial Officers should request to meet in chambers with judges in Justice, Municipal, and District Courts to introduce themselves to the judges, inform them of availability, presence in the courtroom, provide business cards, and inquire about an acceptable protocol to communicate pertinent information to the Bench in the courtroom, etc.
- (2) Pretrial Officers should request to meet with all judges every two (2) to three (3) months, to discuss the judges' insights on the Program's service delivery, any identified short-comings, suggestions for improvement, areas of strength, etc.
- (3) Pretrial Officers should provide judges with approved "educational" materials, e.g., excerpts from professional journals, NIC, NAPSA, etc., referencing topics in the areas of bail, bail supervision, sentencing, etc. Such materials will be approved for distribution by the Criminal Justice Services Department Director. The Director will forward the same materials to other members of the Criminal Justice Coordinating Council (CJCC).
- (4) Pretrial Officers should always introduce themselves to visiting judges presiding in their respective courts when routinely assigned judges are not available, offering to be of any assistance deemed necessary, their presence in the courtroom, the availability of the Public Safety Assessment reports, providing a business card, inquiring about an acceptable protocol to communicate pertinent information to the Bench in the courtroom, etc.

(5) Depending on whether a protocol is established to communicate information to the Bench in the open courtroom, Pretrial Officers, as a general rule, should inform both the prosecutor(s) and defense attorney(s) prior to proceedings that the Pretrial Officer would like to present during consideration of specific case(s). If the presiding judge is not informed that a Pretrial Officer would like to speak to a specific case, the Pretrial Officer should stand and wait to be acknowledged by the Court, consistent with any established protocol. Comments should always be respectful to all parties, thoughtful, and based upon facts. Opinions offered should be well reasoned and based upon well-established principles; the Court should always be advised what information is verified and what information is simply reported to the Pretrial Officer.

(6) As a general rule, Pretrial Officers should sit in the courtroom in a location that facilitates communication with the Bench; it is never appropriate to occupy a place reserved solely for either the prosecution or defense unless both attorneys are located at the same table. Pretrial Officers should always refer to the presiding judge/justice as, "Your Honor" or "The Court" and attorneys should always be referred to by name, e.g., "Mr. Jones" or "Ms. Smith".

(7) Staff should apprise the Program management in a timely manner of any judge's or attorney's comments in chambers or in open court that could be construed as critical or supportive of the Program.

8) Staff should consider compiling and distributing, to all local chambers, a copy of the Program "Bench Book" that contains a description of Program's services, sample of the supervision contract and standard addenda to the supervision contract, as well as the identification and contact information for Program staff including the Criminal Justice Service Department Director.

Policy 3-37 meets NAPSA Accreditation Standard 1.01

Policy 3-37 meets NAPSA Accreditation Standard 2.08

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Work Environment

Policy #: 3-38

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program, in addition to the standards of professional conduct enumerated in Policy and Procedure #3-12, to promote a productive work environment and not to tolerate any verbal or physical conduct by any employee that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive or hostile environment.

Policy 3-38 meets NAPSA Accreditation Standard 1.01

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Policies and Procedures Manual

Policy #: 3-39

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that every employee of the Program be familiar with the policies and procedures adopted by the Program to accomplish its mission, goals and objectives in a professional and efficient manner consistent with established and nationally recognized "best practices." To this end a Policy and Procedures Manual has been created and will be distributed among all staff routinely within the first two (2) weeks of employment. It is the responsibility of each and every staff member to be familiar and comply with the most current policies and procedures and to maintain the Manual through subsequent revisions. Questions regarding the Program's policies and procedures should be directed to the Criminal Justice Services Department Director.

Policy 3-39 meets NAPSA Accreditation Standard 1.01

Policy 3-39 meets NAPSA Accreditation Standard 2.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Acceptable Use of Network

Policy #: 3-40

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to utilize the electronic communication and information management system maintained and managed by the Lewis and Clark County Information Technology Services (ITS). All users are responsible for ensuring that their electronic activities involving the Network adhere to generally accepted professional standards. Additionally, Program staff will defer to the Lewis and Clark County Communications Policy.

Procedure: In order to accomplish Policy #3-40 the following procedures are to be observed:

- (1) Among the purposes of the Network is to provide access to IMS and all other authorized servers.
- (2) The use of this Network is a privilege and not a right.
- (2) The Program will be reliant on the County's Information Technology Services whose responsibility it is to manage and administer the day-to-day operations of the Network.
- (4) The Network is never to be used for commercial purposes.
- (5) Transmission of any material or communication in violation of federal or state law is prohibited including, but not necessarily limited to:
 - (a) Any information that violates or infringes upon the rights of any other person;
 - (b) Any defamatory, inappropriate, abusive, obscene, profane, sexually oriented, threatening, or racially offensive material;
 - (c) Any information or communication that encourages the use of controlled substances; and
 - (d) Any use of the Network for the purpose of inciting criminal activity.

6) The Network will be maintained and managed by the County's Information Technology Services in such a way as to ensure its accessibility and reliability in the furtherance of the Program mission. To this end, the Systems Administrator(s) will have the right and authority to inspect any and all materials,

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electronic files and communications transferred or stored within the Network by any and all users; consequently, users have no reasonable expectation of privacy with respect to access by the System Administrator(s) or their designees to any files, materials, communications and activity history stored within the Network. Physical and electronic inspections may be conducted at any time without notice and without cause.

(7) Responsible use of the Network requires that users refrain from:

- (a) Interfering with the normal and proper operation of the Network or Internet;
- (b) Adversely affecting the ability of others to use equipment or services; and
- (c) Revealing the personal addresses and telephone numbers of all users.

(8) All Network users will assume full liability, legal, financial or otherwise, for unauthorized, inappropriate or prohibited conduct.

(9) General rules governing access to and use of the Network include:

- (a) All users should conduct themselves professionally and politely in all communications;
- (b) Always use appropriate language;
- (d) Always be respectful of the electronic privacy and rights of other Network users;
- (e) Always be respectful of the electronic property of others; communications and information obtained via the Network should not be redistributed without the author's permission;
- (f) Use only their actual name; the Network does not allow for the creation of false identities; &
- (g) Take reasonable precautions to guard their electronic files carefully.

(10) If a user receives a communication considered inappropriate or in violation of this policy, the user should not respond to the sender of the communication. The user should print the communication and report the incident to their direct supervisor immediately.

(11) Communications perceived to be supportive of criminal activity must be reported to the Systems Administrator(s) immediately.

(12) Each user is responsible for their own passphrase security and not sharing the passphrase with others.

(13) Electronic communications originating under a user's Network ID are the responsibility of the identified user; system logs record the addition, modification and deletion of all files by user ID.

(14) Any vandalism, unauthorized access, hacking or tampering with hardware or software, including, but not necessarily limited to, intentionally introducing electronic virus(es) or illegal software, is strictly prohibited. Physical and/or electronic vandalism will result in the cancellation of Network privileges and can subject the offender to disciplinary action up to and including termination of employment.

Policy 3-40 meets NAPSA Accreditation Standard 4.06

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: General Staff Employment Qualifications

Policy #: 3-41

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to recruit and hire the most qualified applicants to staff Program vacancies as may occur from time to time, consistent with Lewis and Clark County Human Resources Policies, and applicable federal and state laws and regulations.

Procedure: In order to accomplish Policy #3-41 the Program establishes minimum qualifications for employment for all Program Pretrial Officers and supervisory positions. In the case of volunteers and interns qualification "(1)" does not apply. Minimal qualifications include:

(1) The required knowledge, skills, and abilities are typically acquired through a combination of education and experience equivalent to a Bachelor's degree in Criminal Justice, Psychology, Criminology, Sociology, Social Services, or relevant field; and at least one (1) years' experience in a correctional, criminal justice, or community provider setting providing services to defendants and/or offenders.

(2) For Pretrial Officers: POST Certified preferred; or within first year of employment, must attend and successfully complete the Montana Law Enforcement Academy Probation/Parole Officer Training program per Montana Code Annotated 46-23-1003.

(3) Must pass criminal background check.

Policy 3-41 meets NAPSA Accreditation Standard 1.01

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Pre-Hire Background Investigation

Policy #: 3-42

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to recruit and hire the most qualified applicants to staff Program vacancies as may occur from time to time, consistent with applicable federal and state laws and regulations.

Procedure: In order to accomplish Policy #3-42 the following procedures are to be observed:

- (1) The Program conducts background investigations of all applicants for employment by the Program with regard to all information submitted by applicants to the Program, orally or in writing; such investigations will include personal references, employment and criminal histories.
- (2) Applicants will be required to execute all releases of information necessary to conduct such background investigations; a refusal to execute any release of information, required as part of the application process, shall be grounds for immediate rejection of the application for employment.
- (3) All background investigations will be completed prior to the prospective employee's start date.
- (4) Background investigations may include direct contact by an authorized representative of the Program with the personal references provided by the applicant, current and past employers identified by the applicant, local law enforcement agencies, as well as state and federal agencies.

Policy 3-42 meets NAPSA Accreditation Standard 1.03

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Employment Disqualification

Policy #:3-43

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to follow the Lewis and Clark County Personnel Policies, and to recruit and hire the most qualified applicants to staff Program vacancies as may occur from time to time, consistent with applicable federal and state laws and regulations.

Procedure: In order to accomplish Policy #3-43 the following procedures are to be observed:

- (1) An applicant will be denied consideration for employment by the Program for falsification during any part of the employment application process; and
- (2) An applicant will be denied consideration for employment by the Program if the applicant is unable to pass the mandatory criminal background check.

Policy 3-43 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Staff Meetings

Policy #: 3-44

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to conduct general staff meetings for all Program staff in order to apprise staff of salient issues, developments, and trends that affect the Program, as well as, to provide necessary training.

Procedure: In order to accomplish Policy #3-44 the following procedures are to be observed:

- (1) General staff meetings will be conducted weekly, at a consistent, predetermined time and day.
- (2) All Program staff are encouraged to submit suggestions for staff meetings.
- (3) All staff are required to participate in general staff meetings unless excused in advance by the Criminal Justice Services Department Director.

Policy 3-44 meets NAPSA Accreditation Standard 2.11

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Emergency Management

Policy #: 3-45

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure the safety of staff, defendants, and visitors to the Program office during the course of imminent or declared emergencies. Staff are encouraged to call the county Employee Emergency Hotline at 406-447-8020.

Procedure: In order to accomplish Policy #3-45 the following procedures are to be observed:

- (1) As a general rule, when a local court is closed due to extreme or inclement weather, the Program office will not close unless directed by the Lewis and Clark County Chief Administrative Officer.
- (2) In the event that an extreme weather event is predicted, Program staff will take such precautions to protect life and Program resources as deemed appropriate.
- (3) Notices regarding emergency exits and routes of emergency egress will be prominently posted in the Program office and staff will ensure that defendants obtaining services are familiar with such exits and routes of egress. Program staff will rely on the City of Helena Facilities Director, who manages the building occupied by the Pretrial Services Program, to conduct periodic fire drills.
- (4) Guidance and recommendations regarding emergency preparedness and management can be obtained from the City of Helena Facilities Director, who manages the building occupied by the Pretrial Services Program, and/or the Lewis and Clark County Disaster and Emergency Services Coordinator.
- (5) In the event that routine service delivery at the Program facility is significantly disrupted, affected Pretrial Officers will seek guidance from Program management staff regarding the alternative resumption of service delivery. When necessary or appropriate, affected Pretrial Officers will notify the defendants they work with of the disruption and the alternative service delivery plan. Prior to the evacuation of the Program facility, Pretrial Officers will ensure they have a copy of caseload identification and contact information.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: INTENTIONALLY BLANK

Policy #: 3-46

Effective Date:

Revision History:

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Organizational Chart

Policy #: 3-47

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that an organizational chart will be maintained and included in the Program Policy and Procedure Manual; the chart will accurately depict the organizational elements or positions and will be revised and redistributed to all Program staff as changes in the organizational structure occur.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Least Restrictive Bail

Policy #: 3-48

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to voluntarily embrace the protections and rights accorded to all criminal defendants, as enumerated in the 8th Amendment of the US Constitution and Article 2, Declaration of rights in section of 21 of the Montana Constitution. To this end, only those conditions of pre-conviction bail and supervision contract that are reasonable, and least restrictive to ensure the appearance of the defendant in court and the protection of the public, should be recommended by any Pretrial Officer.

Policy 3-48 meets NAPSA Accreditation Standard 2.01

Policy 3-48 meets NAPSA Accreditation Standard 4.01

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title INTENTIONALLY BLANK

Policy #: 3-49

Effective Date:

Revision History:

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Employee Assistance Program

Policy #: 3-50

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to provide a confidential system for employees to resolve personal, financial and legal problems via an employee assistance program. Employee assistance programs are designed to facilitate early intervention in the treatment of an employee's problems before those problems begin affecting job performance. The County's program provides short-term counseling for employees and family members to receive professional counseling and assistance identifying and evaluating a wide range of problems. Services provided by the employee assistance program are voluntary, confidential and free of charge.

Procedure: In order to accomplish Policy #3-50 the following procedures are to be observed:

- (1) Active Regular, Temporary, and Seasonal status employees and their family members are eligible for the employee assistance program services.
- (2) The employee assistance program provides short-term assessment and counseling at no charge to employees or family members. All services are voluntary and will be strictly confidential.
- (3) The employee assistance program counselor may make a referral to outside agencies or resources. Services provided by an outside agency or resource are not part of the program and the employee may be charged for these services.
- (4) Additional information regarding the employee assistance program may be obtained from the Lewis and Clark County Human Resource Department.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Annual Report

Policy #: 3-51

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to prepare and distribute written reports to the Criminal Justice Coordinating Council by the Criminal Justice Services Department Director.

Procedure: In order to accomplish Policy #3-51 the following procedures are to be observed:

(1) The Report, consistent with Policy #'s 5-7, 5-9 and 5-10, will summarize the Program's activities and an analysis thereof based upon data obtained from the various criminal justice data systems, as well as a description of significant trends, developments, projects and events.

(2) Data relied upon will include:

- (a) total number and percent of defendants assigned to the Program for supervision;
- (b) number and percent of defendants assigned to the Program for supervision with simultaneous monetary bond;
- (c) number and percent of defendants assigned to the Program for supervision with additional conditions including, but limited to alcohol and other drug monitoring, and GPS;
- (d) court appearance rate for defendants in pre-conviction status supervised by the Program;
- (e) number and percent of pre-conviction defendants supervised by the Program that successfully completed the term of supervision; and
- (e) number and percent of pre-conviction defendants supervised by the Program that were arrested for law violations and/or violations of conditions while under supervision.

(3) A copy of such reports may be distributed among stakeholders, as needed.

Policy 3-51 meets NAPSA Accreditation Standard 2.09

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Notification to Use Benefit Time

Policy #: 3-52

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure appropriate communication regarding the notification by all Program staff of the intended unscheduled use of benefit time, including vacation, sick, or personal time and to assist the Program management team in guaranteeing continued service delivery during authorized staff absences.

When calling off sick, staff are required to send a group email notification to all Pretrial Services Program staff as far in advance as reasonably possible.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Federal and State Compliance

Policy #: 3-53

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to voluntarily embrace and assure compliance with all federal and state laws and regulations regarding equal employment opportunity, discrimination, workplace safety, minimum wage, family and medical leave, uniformed services employment/reemployment, polygraph testing, union organizing and whistleblowing protection. Additionally, it is the policy of the Program to post, in common access areas of each worksite operated by the Program, informational posters, as required by federal and state law, and provide employees, upon written request, a copy of any informational poster covered by this policy.

Employees may also directly access informational posters required by federal law through the U.S. Department of Labor website:

www.dol.gov/oasam/programs/osdbu/sbrefa/poster/matrix.htm

If an employee believes they have been treated in any manner in violation of federal or state law within the scope of employment by the Program, the aggrieved employee may utilize Lewis and Clark County's complaint procedures, located in the Lewis and Clark County Personnel Policy Manual, Chapter XII: Complaint Procedures: Employee grievances and unlawful Discrimination Complaints.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Federal and State Compliance

Policy #: 3-54

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to acknowledge the participation of employees on various social networking websites and the need to safeguard the integrity, reputation and effectiveness of the Program.

Consistent with Policy #3-12 references to the Program or the description of or communication of conduct on such websites that may jeopardize or compromise the mission of the Agency will not be tolerated and may subject an employee to discipline up to and including termination of employment.

Staff will refer to the Lewis and Clark County Communications policy.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Staff Training re: Defendants At-Risk for Self-Harm or Suicide

Policy #: 3-55

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to make every reasonable effort to ensure that all staff engaged in the delivery of supervision services are trained regularly in the management of defendants identified at-risk for self-harm or suicide .

Procedure: In order to accomplish Policy #3-55 the following procedures are to be observed:

- (1) New employees, during orientation to employment by the Program, will be introduced to the principles, policies and procedures regarding the management of defendants identified at risk for self-harm or suicide.
- (2) All Program employees engaged in the delivery of supervision services will be trained annually in best and evidence-based practices regarding working with defendants identified at-risk for self-harm or suicide.
- (3) All Program employees will be certified in Mental Health First Aid through the State of Montana's eight (8) hour course.

Policy 3-55 meets NAPSA Accreditation Standard 2.03

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Suicide Event De-Briefing

Policy #: 3-56

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to offer an opportunity for Program staff, and affected parties, to review the management of defendants supervised by the Program and identified as at-risk for self-harm or suicide, the supervision of whom concluded in suicide, and offer emotional and professional support to identified affected staff.

Procedure: In order to accomplish Policy #3-56 the following procedures are to be observed:

- (1) The Criminal Justice Services Department Director is responsible for facilitating the formal debriefing of affected staff following a suicide event involving a defendant active in the Program. In the event the Director is unavailable or deemed inappropriate by virtue of conflict of interest to facilitate such a debriefing, the Director may request another Program, Department, or County representative as an alternate facilitator.
- (2) Upon notification of a suicide event, the Director will contact the affected staff to obtain facts and recommendations regarding the suicide event and the necessity to conduct a debriefing.
- (3) If, after discussion with the affected staff, it is deemed appropriate to conduct a debriefing, including whether non-Program parties should be invited to participate, the Director or alternate shall determine the appropriate place, date and time for the debriefing and notify all parties invited to participate. Every effort should be made to conduct such a debriefing in a setting that is comfortable and conducive to frank, empathetic and potentially emotional communication between and among participants.
- (4) A debriefing session will routinely consist of participant introductions including the identification of the relationship with the deceased defendant as well as the opportunity to express observations, feelings arising from the suicide event, and any recommendations regarding change(s) in management of the supervised at-risk population.

(5) The facilitator will be prepared to provide participants with resources to further pursue emotional or psychological support in coping with the suicide event.

(6) The debriefing facilitator will submit a summary report to the Director regarding the debriefing session along with any recommendations.

Policy 3-56 meets NAPSA Accreditation Standard 2.02

Policy 3-56 meets NAPSA Accreditation Standard 2.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Whistleblower

Policy #: 3-57

Effective Date: July 2019

Revision History:

Policy Statement: : In accordance with Lewis and Clark County’s Personnel Policies, it is the policy of the Pretrial Services Program to require all Program staff to observe high standards of professional and personal conduct in the discharge of their duties and responsibilities. All employees of the Pretrial Services Program must exercise honesty and integrity in discharging responsibilities and compliance with all applicable laws and regulations.

Procedure: In order to accomplish Policy #3-57 the following procedures are to be observed:

(1) It is the intention of this policy to encourage and enable all employees, volunteers, and individuals receiving services, to raise serious concerns internally in order to provide the Program the opportunity to address and correct inappropriate conduct and actions. It is the responsibility and obligation of all Program employees and volunteers to report concerns about violations of the Program’s standards of conduct or suspected violations of law or regulations that govern Program operations.

(2) It is contrary to the values of the Program for anyone to retaliate against any employee, volunteer, or individual receiving services, who in good faith, reports a violation of the Program’s standards of professional conduct or a suspected violation of law, including, but not limited to a complaint of discrimination, fraud or violation of any regulation governing the operation of the Program. An employee that retaliates against someone, who has reported a violation in good faith, is subject to discipline up to and including termination of employment.

(3) The Program strongly encourages employees, volunteers and individuals receiving services to share their questions, concerns, suggestions, or complaints with the appropriate supervisor. If communication with the appropriate supervisor is deemed likely to impede resolution, or the response of the appropriate supervisor is deemed inadequate, the reporting employee, volunteer or client may contact such Program employee as designated by the Criminal Justice Services Department Director for that purpose. The reporting employee, volunteer, or individual receiving services, may also submit their

concerns in writing to the Criminal Justice Services Department Director or the Lewis and Clark County Chief Administrative Officer if the concern is in regards to the Director.

(4) All Program employees and volunteers are required to cooperate in any authorized investigation of a submitted report or complaint. Failure or refusal to cooperate in such authorized investigation may subject the non-cooperating employee or volunteer to discipline.

(5) The Criminal Justice Services Department Director will be responsible for ensuring that reports of unprofessional or illegal conduct received will be investigated and resolved. Notice of receipt of such reports or complaints and their resolution will be submitted to the Lewis and Clark County Chief Administrative Officer at least quarterly.

(6) Any employee, volunteer, or individual receiving services filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary matter.

(7) Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible consistent with the need to conduct an adequate investigation.

(8) The supervisor in receipt of the report or complaint will notify the person that submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All such reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Unlawful Discrimination and Sexual Harassment

Policy #: 3-58

Effective Date: July 2019

Revision History:

Policy Statement: In accordance with Lewis and Clark County's Personnel Policies, it is the policy of the Pretrial Services Program to promote a productive work environment and not tolerate verbal or physical conduct by any employee that harasses, disrupts or interferes with another's work performance, or that creates an intimidating, offensive or hostile environment. The County Personnel Policies are located in Policy No 1.2.1.IV.C.

Procedure: In order to accomplish Policy #3-58 the following procedures are to be observed:

(1) Lewis and Clark County is committed to providing a positive atmosphere conducive to employees achieving high levels of performance. It is a policy of Lewis and Clark County to protect the rights of employees to work in an environment free of all forms of unlawful discrimination and harassment, including, but not limited to, sexual harassment.

(2) For the purpose of this policy, unlawful discrimination is defined within the meaning of Title VII of the Civil Rights Act of 1964 and the Montana Human Rights Act. Unlawful discrimination is a failure or refusal to hire any individual or to make a decision with respect to his or her compensation, terms, conditions or privileges of employment because of an individual's race, color, religion, sex, national origin, age, mental or physical disability, sexual partner preference, marital status, receipt of public assistance, political belief and/or ex-offender status. Sex Discrimination includes Sexual Harassment.

(3) The provisions of this policy apply to all Lewis and Clark County work sites, departments, and all employer sponsored activities.

(4) In keeping with this policy Lewis and Clark County, as an employer, will:

- (a) provide a working environment free from unlawful discrimination for all County employees and for visitors to the County's work sites;

- (b) communicate the County's unlawful discrimination and harassment policy and reporting procedures to employees and supervisors;
- (c) recognize the sensitive nature of unlawful discrimination and harassment complaints and will encourage employees to report complaints early and will strive to resolve complaints in a timely and confidential manner; and
- (d) prohibit retaliation against any employee, or witness of any employee, for reporting alleged unlawful discrimination and/or harassment

(5) Lewis and Clark County considers unlawful discrimination and harassment unacceptable behavior and an abuse of authority. Furthermore, unlawful discrimination and harassment is a violation of State and Federal equal employment opportunity and non-discrimination regulations. Employees, applicants or visitors who are subjected to unlawful discrimination and/or harassment should contact the Human Resource Director. Complaints will be investigated through the established unlawful discrimination and harassment claim procedure described in Policy 1.2.12.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Program and Services Assessment by Supervised Defendants

Policy #: 3-59

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to provide all defendants supervised by the Program an opportunity to provide an assessment or comments regarding the extent and quality of services provided by the Program during the term of supervision.

Procedure: In order to accomplish Policy #3-59 the following procedures are to be observed:

- (1) At least thirty (30) days prior to the expected conclusion of the term of supervision Program staff will inform all defendants of the opportunity to voluntarily provide their assessment of the quality of service delivery, including criticism, and any suggestions for changes in service delivery.
- (2) The Program office will maintain and prominently display service delivery explanatory notices to facilitate submission of assessments to the Program.
- (3) The Program contact for all such assessments is the Department Director.
- (4) The Department Director will circulate a copy of all assessments received among Program staff and such assessments will constitute the basis of discussion and, possibly, policy and procedure changes.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Fiscal

Policy Title: Fees - Defendant

Policy #: 4-1

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that defendants ordered to the Program by the judicial authority will not be required to pay a fee or fees to enroll in the Program.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Fiscal

Policy Title: Reimbursement - Employee

Policy #: 4-2

Effective Date: July 2019

Revision History:

Policy Statement: In accordance with Lewis and Clark County's Personnel Policies, it is the policy of the Pretrial Services Program that all Program employees will be reimbursed for transportation, lodging, meals, and certain incidental expenses while traveling on legitimate business for the County. Travel and Training Reimbursement Guidelines may be found in Policy 1.2.10 – Hours of Work, Overtime and Travel, Section E. Travel and Training Reimbursement Guidelines.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Fiscal

Policy Title: Pay Records

Policy #: 4-3

Effective Date: July 2019

Revision History:

Policy Statement: In accordance with Lewis and Clark County's Personnel Policies, it is the policy of the Pretrial Services Program that all Program employees be paid bi-weekly and in a timely manner consistent with all federal and state laws.

Policy Statement: In order to accomplish Policy 4.3, the following procedures are to be observed:

- (1) The County has bi-weekly pay periods based on a Sunday through Saturday workweek. Employees will be paid every other Friday.
- (2) Any change in status, including all pay requests, should be filed with County Human Resources as soon as possible, but no later than noon on Monday following the close of each pay period.
- (3) Pay is subject to withholdings required by state and federal laws, wage contributions to pension and health benefit plans authorized by the employee and court-ordered withholdings such as child support, wage garnishments, etc.
- (4) Employees are responsible for completing and submitting their own personal time sheets. Time sheets will accurately record hours worked, use of leave and use of compensatory time in a given pay period.
- (5) Employees will submit time sheets to the Criminal Justice Services Department Director, who will sign time sheets after completing a review for inconsistencies and errors.
- (6) The Lewis and Clark County Human Resource Director (or designee) may make modifications to time sheets as submitted. The Human Resource Director (or designee) will notify the affected employee and Department Director any time a time sheet is modified.

Policy 4-3 meets NAPSA Accreditation Standard 1.01

Policy 4-3 meets NAPSA Accreditation Standard 1.02

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Fiscal

Policy Title: INTENTIONALLY BLANK

Policy #: 4-4

Effective Date:

Revision History:

Policy Statement:

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Fiscal

Policy Title: Changes in Compensation

Policy #: 4-5

Effective Date: July 2019

Revision History:

Policy Statement: In accordance with Lewis and Clark County's Personnel Policies, the Pretrial Services Program falls under the County's pay matrix. The County's pay matrix is based on a comparison of positions within the organization and the collection of wage survey information from comparable institutions. The annual implementation of the pay plan is subject of approved by the Board of County Commissioners.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Fiscal

Policy Title: Ancillary Services

Policy #: 4-6

Effective Date: July 2019

Revision History:

Policy Statement: In support of the Criminal Justice Services Department’s mission, it is the policy of the Pretrial Services Program staff to assist defendants with identified services and needs. Each Pretrial Officer will use their discretion in determining what ancillary services may be provided or stopped on behalf of a defendant.

Procedure: In order to accomplish Policy #5-22 the following procedure are to be observed:

(1) Miscellaneous: Each Pretrial Officer may, at their discretion, assist the defendants on their caseload with miscellaneous needs, in partnership with area service providers, including, but not limited to: bus passes, toiletry packs, food packs, and backpacks.

(2) Cell Phones = 30-Days: During the initial intake meeting, the Pretrial Officer may authorize a pre-paid cell phone with 30-days of service. The Officer will advise the defendant to begin budgeting to cover the costs after the first 30 days. Officers have the discretion to authorize issuance of a cell phone at a time other than the initial intake meeting, and have the discretion to authorize additional days of service.

(3) PBT Alcohol Testing = 30-Days: When a defendant is ordered Personal Breath Tests (PBT) as a condition of release, the Program may cover the cost to complete PBTs for the initial 30 days with a provider selected by the Program. The Officer will advise the defendant to begin budgeting for costs of PBTs after the initial 30 days. The Program will cease paying for PBTs if there is a violation within the first 30 days. A violation may include, but is not limited to: testing positive, failing to make appointments, failing to test, and/or failing to attend court. The Officer may use their discretion to cover additional testing and/or provide positive incentives.

(4) Random UA Drug Testing = 30-Days: When a defendant is ordered to complete random UA drug testing as a condition of release, the Program may cover the initial 30 days of the testing period at a provider selected by the Program. The Officer will advise the defendant to begin budgeting for costs of random UA drug testing after the initial 30 days. The Program will cease paying for UAs if there is a

violation within the first 30 days. A violation may include, but is not limited to: testing positive, failure to provide a sample, failing to make appointments, and/or failing to attend court. The Officer may use their discretion to cover additional testing and/or provide positive incentives.

(5) SCRAM Alcohol Testing – Not covered: The Program will not cover the costs associated with SCRAM alcohol monitoring.

(6) GPS – Not covered: The Program will not cover the costs associated with GPS monitoring.

(7) Remote Breath (ex: Soberlink) – Not covered: The Program will not cover the cost associated with remote breath monitoring devices like, but not limited to, Soberlink.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Grievance Resolution - Defendant

Policy #: 5-1

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to provide all program participants with a means of grievance resolution free of coercion, fear of retaliation, and respectful of the rights to fairness and due process.

Procedure: In order to accomplish Policy #5-1 the following procedures are to be observed:

- (1) At the time of admission to supervision all defendants will be informed in writing of the Program's grievance resolution policy and procedures.
- (2) When a defendant believes they have a grievance against an employee of the Program, including an adverse decision, the aggrieved defendant may submit a written grievance to the Criminal Justice Services Department Director describing the basis of the grievance in as much detail as possible.
- (3) Upon receipt of the written grievance, the Director will acknowledge receipt in writing to the grievance within five (5) working days and initiate an investigation of the grievance or review of the adverse decision within ten (10) working days. Under routine circumstances the Director will complete all grievance investigations and adverse decision reviews within thirty (30) days and will notify the complainant of the disposition of the grievance within five (5) working days of the completion of the grievance investigation or adverse decision review; and
- (4) When the Director is the subject of the complaint, the program participant may submit their written grievance to the Judicial Officer assigned to their case; the process deadlines described above apply; the decisions of the Judicial Officer are final.

Policy 5-1 meets NAPSA Accreditation Standard 2.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Use of Supervised Defendants as Confidential Informants and Undercover Agents

Policy #: 5-2

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to not inquire into, or interfere with defendants participating as confidential informants and/or undercover agents on behalf of a law enforcement agency.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: INTENTIONALLY BLANK

Policy #: 5-3

Effective Date:

Revision History:

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Home Visits

Policy #: 5-4

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to conduct home visits, both random and scheduled, of defendants supervised by the Program. The purpose of home visits is to ensure public safety, further rehabilitation, monitor compliance, complete a program admission process, and generally accomplish the mission of the Program.

Procedure: In order to accomplish Policy #5-4 the following procedures are to be observed:

- (1) Only those defendants supervised by the Program will be provided opportunity for home visits.
- (2) Pretrial Officers will notify their supervisor prior to making a home visit.
- (3) A Pretrial Officers should be accompanied by another Pretrial Officer, a Pretrial Assistant, another law enforcement professional, a certified corrections officer, a Peer Support Specialist, or any criminal justice professional deemed appropriate by the officer.
- (4) Staff may not conduct a search during their home visit.
- (5) If the staff is refused admittance to the residence to be visited, the visit is to be immediately terminated and staff will leave the residence. UNDER NO CIRCUMSTANCES is an involuntary visit or search to be conducted or authorized by an Officer of the Lewis and Clark County Pretrial Services Program.
- (6) If evidence of violation(s) of bail conditions or terms of a supervision contract are witnessed during the home visit, that evidence will be processed consistent with the principles of best practices established by the Montana Law Enforcement Academy or established local law enforcement practice.
- (7) At all times during the home visit, Program staff will conduct themselves in a professional, courteous manner and be particularly sensitive to the rights and concerns of other occupants of the defendant's residence, and especially minor children.

(8) Upon completion of a home visit, the Officer and staff will thank the defendant and other occupants of the residence for their cooperation, as appropriate.

(9) Upon completing the home visit, the Program supervisor will be notified by the officer that the visit has been completed and all Program staff have departed the residence.

Policy 5-4 meets NAPSA Accreditation Standard 1.08

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Laboratory Confirmation of Positive Urinalysis Tests

Policy #: 5-5

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure defendants on supervision are connected with an approved testing agency(ies) when court mandated to complete testing.

Procedure: In order to accomplish Policy #5-5 the following procedures are to be observed:

- 1) All defendants supervised by the Program and subject to the condition of testing to determine the presence or use of alcohol and/or other drugs will be connected with an approved testing agency(ies).
- (2) The Program may pay for the first 30 days of Personal Breath Tests (PBTs) and/or for the first 30 days of random urinalysis (UAs), unless there is a violation.
- (3) Program staff will file a violation on all defendants testing positive. Violations will be sent to the County Attorney or City Attorney, and the defendant's attorney of record. Violations may also be sent to requesting courts. Violations will be accompanied by a recommendation from the Pretrial Officer that a warrant be, or not be, issued and the reasons for the recommendation.

Policy 5-5 meets NAPSA Accreditation Standard 4.05

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Supervision Violation Management

Policy #: 5-6

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to manage suspected violations of defendants on supervision in a manner consistent with the principles of public safety, the integrity of the judicial process, presumptive innocence, and the mission of the Program.

Procedure: In order to accomplish Policy #5-6 the following procedures are to be observed:

(1) When a Pretrial Officer reasonably suspects a violation of an applicable supervision contract may have occurred, they should initiate an investigation to determine if probable cause exists to believe a violation may, in fact, have occurred.

(2) If, after investigation, the Pretrial Officer is satisfied that such probable cause exists, a violation memorandum detailing the suspected violation along with any supporting documentation should be submitted to the Office of the County Attorney or City Attorney for review. The violation should be sent to any court requesting such notification. Consistent with the principle of neutrality, a copy of any violation memorandum submitted to the Office of the District Attorney or City Attorney should be forwarded to the Defendant's attorney of record and a copy should be retained in the Program supervision file.

(3) The submitted violation memorandum should include a request for review and decision regarding the initiation of bail revocation proceedings.

(4) The submitted violation memorandum should also note the Pretrial Officer's recommendation for or against issuance of a warrant, including the Officer's reason(s).

(5) If the Pretrial Officer is aware that a Warrant of Arrest has been issued, the Officer should inform the Defendant's attorney of record.

(6) If the Pretrial Officer is aware that a Warrant of Arrest has been issued and is active, the Officer will use their best discretion to either:

Lewis and Clark County, Pretrial Services Program Standard Operating Procedures, July 2019

- (a) walk the defendant to the court for the purpose of execution of the warrant; or
- (b) notify local law enforcement.

(7) In the event local law enforcement is contacted on a warrant and the defendant is in the Pretrial Services Program Office, all non- Pretrial Officer staff will vacate the office upon the arrival of law enforcement. Vacating staff will ensure the door is unlocked and close the door behind them.

(8) The Violation Report should address Pretrial Officer's analysis of the Defendant's entire term of supervision to date, including the risk to public safety, risk of flight, treatment issues, criminal history, and potential for positive behavioral change.

Policy 5-6 meets NAPSA Accreditation Standard 3.04

Policy 5-6 meets NAPSA Accreditation Standard 4.04

Policy 5-6 meets NAPSA Accreditation Standard 4.05

Policy 5-6 meets NAPSA Accreditation Standard 4.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Data Collection

Policy #: 5-7

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to collect from staff accurate and reliable data in a timely manner in order to facilitate assessment by the Program of the historical and current state of service delivery, identification of both short term and long term needs, as well as, compilation of reports.

Procedure: In order to accomplish Policy #5-7 the following procedures are to be observed:

A. MANAGEMENT INFORMATION SYSTEM

(1) An Information Management System (IMS) will be maintained by the Program in which authorized staff will be trained and to which authorized staff will have access.

(2) The IMS will contain such data fields as is deemed appropriate in order to provide a reliable repository of information reflecting the supervision activities of staff.

(3) The IMS will contain data fields noting:

- (a) identification of defendants;
- (b) demographic information;
- (c) criminal history;
- (d) release conditions;
- (e) verification of compliance;
- (f) case assignment information;
- (g) court date information;
- (h) termination status; and
- (i) current charges and case number.

B. MANAGEMENT INFORMATION SYSTEM DATA ENTRY

(1) All data entry for new cases must be entered into the Program's Information Management System (IMS) within one (1) working day of assignment to supervised release.

(2) All revisions to existing cases must be entered within one (1) working days of the event necessitating the revision.

Policy 5-7 meets NAPSA Accreditation Standard 1.08

Policy 5-7 meets NAPSA Accreditation Standard 1.09

Policy 5-7 meets NAPSA Accreditation Standard 2.06

Policy 5-7 meets NAPSA Accreditation Standard 2.09

Policy 5-7 meets NAPSA Accreditation Standard 4.06

Policy 5-7 meets NAPSA Accreditation Standard 4.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Court Attendance

Policy #: 5-8

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program for a Pretrial Officer, or a designated assistant, to attend Initial and other Court proceedings, as deemed necessary, in which supervised defendants are conducted. Staff will be prepared to testify if requested in order to inform the presiding judge/justice of the performance of the respective defendant(s) under supervision to date, and to offer any recommendations, save sentencing, upon request.

Procedure: In order to accomplish Policy #5-8 the following procedures are to be observed:

- (1) All Program staff will keep current of required court appearances by defendants they supervise, through court dockets and Full-Court.
- (2) In situations in which a defendant has been granted a transfer to another County's Pretrial Program, the originating Pretrial Officer, will be responsible for keeping the supervising Pretrial Officer apprised of all scheduled court appearances; the supervising Pretrial Officer will forward all Performance Reports to the originating Pretrial Officer for filing and distribution.
- (3) Supervising Pretrial Officers, in the case of transferred supervision, are not presumed to be required to attend sentencing.
- (4) At all court proceedings, supervising Pretrial Officers must be prepared to answer any inquiries by the presiding judge or justice, prosecutor, and/or defense counsel regarding the state of supervision of the defendant.
- (6) Staff will inform the Program Management of any adverse or complimentary comments regarding the Program or its staff during the course of any judicial proceedings that a Pretrial Officer attends.

Policy 5-8 meets NAPSA Accreditation Standard 3.04

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Pre-Arrest Screening

Policy #: 5-9

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure that, consistent with established and nationally accepted best practices, a Public Safety Assessment (PSA) be completed on all Defendants booked into the Lewis and Clark County jail.

Procedure: In order to accomplish Policy #5-9 the following procedures are to be observed:

(1) Pretrial staff will download Public Safety Assessment (PSA) reports by 7:30 am, Monday through Friday, and again by 11:30 am Monday through Friday. The PSAs, completed by the State of Montana Office of Court Administrator will identify all newly arrested Defendants that were unable to post bail and are awaiting initial appearance in the court of jurisdiction.

(2) Pretrial staff will email completed PSAs to the respective courts, County Attorney's Office, City Attorney's Office, Public Defender's Office, and full Pretrial Staff, unless specifically requested by a Court or Office not to receive PSAs.

(3) The Court of jurisdiction may use the completed PSA to determine Defendants' Pretrial assignment.

Policy 5-9 meets NAPSA Accreditation Standard 2.09

Policy 5-9 meets NAPSA Accreditation Standard 3.01

Policy 5-9 meets NAPSA Accreditation Standard 3.03

Policy 5-9 meets NAPSA Accreditation Standard 3.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Program Intake

Policy #: 5-10

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure that, consistent with established and nationally accepted best practices, staff conduct program intakes utilizing the documentary tools and assessment instruments authorized by the Program.

Procedure: In order to accomplish Policy #5-10 the following procedures are to be observed:

- (1) Pretrial Officers will conduct initial assessments of all assigned Defendants upon each Defendants release from the jail when they check into the Program. Such assessments will consist of, but not be limited to, identifying residence and employment plans, treatment status, transportation issues, mental health and trauma screening, and review of the arrest offense(s).
- (2) Pretrial Officers will require each Defendant to sign a release of information (ROI) for the Connect Referral System as well as any identified providers not utilizing Connect when applicable.
- (3) The Pretrial Officer will prepare and review with the Defendant, the proposed supervision contract, which must be executed in the presence of the Officer, or Officer's designee. The Defendant should be informed that refusal to sign the contract will constitute a violation of the court order and will result in a violation filed. Additionally, the Officer will review with the Defendant their obligations and rights occasioned by supervision.
- (4) A copy of the executed supervision contract will be provided to the Defendant and a copy will be incorporated into the supervision file.

Policy 5-10 meets NAPSA Accreditation Standard 2.06
Policy 5-10 meets NAPSA Accreditation Standard 2.09
Policy 5-10 meets NAPSA Accreditation Standard 3.01
Policy 5-10 meets NAPSA Accreditation Standard 3.03
Policy 5-10 meets NAPSA Accreditation Standard 3.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Jail Population Review

Policy #: 5-11

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program for staff to continuously familiarize themselves with the current population of the jail in order to identify those Defendants that might be eligible for the Program and conduct a review or assessment of such Defendants.

Procedure: In order to accomplish Policy #5-11 the following procedures are to be observed:

- (1) Program staff will develop and maintain cordial and professional relationships with jail administration and staff in order to facilitate the reasonable and free flow of inmate population information.
- (2) Program staff will utilize the jail's Offender Management System to maintain familiarity with the inmate housing population. Staff should utilize knowledge of the inmate population reports to identify those Defendants that appear appropriate for the Program and work with the County Attorney's Office, Public Defender's Office, and appropriate courts to advocate for Program placement.
- (3) Pretrial staff will download Public Safety Assessment (PSA) reports by 7:30 am, Monday through Friday, and again by 11:30 am. The PSAs, completed by the State of Montana Office of Court Administrator, will identify all newly arrested Defendants that were unable to post bail and are awaiting initial appearance in the court of jurisdiction.

Policy 5-11 meets NAPSA Accreditation Standard 1.08

Policy 5-11 meets NAPSA Accreditation Standard 3.05

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Admonition

Policy #: 5-12

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program for all Pretrial Officers to exercise due diligence in the preservation of the presumption of innocence and freedom from self-incrimination accorded to every criminal Defendant throughout the entire course of review, assessment, screening and/or supervision conducted by any Pretrial Officer.

Procedure: In order to accomplish Policy #5-12 the following procedure is to be observed:

At the initial intake interview conducted by a Pretrial Officer of every criminal Defendant, the Officer will inform the Defendant orally or in writing of their right to remain silent and freedom from self-incrimination regarding the offense(s) alleged that give rise to the interview and that any statement made by the Defendant is neither confidential nor privileged.

Policy 5-12 meets NAPSA Accreditation Standard 3.06

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Court Date Notification

Policy #: 5-13

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure that each Defendant supervised by the Program appears in the court of jurisdiction on every occasion required by that court

Procedure: In order to accomplish Policy #5-13 the following procedures are to be observed:

- (1) The designated Program staff will enter all court dates into the Information Management System to ensure each Defendant receives timely text or phone call reminders of the court dates.
- (2) Pretrial Officers may, at their discretion, make additional contact with Defendants they deem to need additional reminders. Additional contact may include phone calls, text messages, and/or home visits.
- (3) Program staff will review the Full Court data systems on a weekly basis to review for updated and changed Defendant court dates.

Policy 5-13 meets NAPSA Accreditation Standard 3.08

Policy 5-13 meets NAPSA Accreditation Standard 3.09

Policy 5-13 meets NAPSA Accreditation Standard 4.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Case Review

Policy #: 5-14

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure that all Pretrial Officers continuously review bail order and supervision contract compliance, as well as progress toward identified case management goals with the Defendants on their caseload.

Procedure: In order to accomplish Policy #5-14 the following procedures are to be observed:

(1) Consistent with Policy #5-13, the supervising Pretrial Officer will ensure the Program data system is consistently and correctly updated with each Defendant's court dates so that Defendants may receive text or phone call reminders of their court dates two (2) days prior to, and the morning of, the date of the appearance;

(2) Consistent with Policy #'s 5-13 and 3-46, the Officer will review, with each Defendant, during each in-person reporting, at the very least, the court-imposed conditions of release, compliance with prohibited contact condition(s), as well as compliance with therapeutic treatment requirements;

(3) All supervising Pretrial Officers will enter changes in case information into the Program data system and respective case file consistent with Policy #5-7.

(4) Consistent with Policy #5-6, all violations of law attributable to supervised Defendants during the term of supervision and discovered by their respective Officer will be documented in the Defendant's case file and reported in a timely manner to the appropriate prosecutor, defense counsel of record, and court if court Justice Court involved.

Policy 5-14 meets NAPSA Accreditation Standard 2.12

Policy 5-14 meets NAPSA Accreditation Standard 2.13

Policy 5-14 meets NAPSA Accreditation Standard 4.02

Policy 5-14 meets NAPSA Accreditation Standard 4.07

Policy 3-46 meets NAPSA Accreditation Standard 4.08

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Identification of Special Needs Defendants and Accommodation

Policy #: 5-15

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure Defendants have reasonable access to supervision services without regard to disability, whether mental, physical, and/or relating to substance abuse.

Procedure: In order to accomplish Policy #5-15, the Program will make every reasonable effort to deliver supervision services by reasonable accommodation of disabilities identified.

Policy 5-15 meets NAPSA Accreditation Standard 2.13

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Defendant Interview

Policy #: 5-16

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program staff to ensure that prior to the commencement of the formal intake interview, Defendants are aware of the purpose, nature and implications of the interview.

Procedure: In order to accomplish Policy #5-22 the following procedure are to be observed:

- (1) Prior to the commencement of the intake interview, the Pretrial Officer or assistant will identify them self, the Program, the purpose(s) of the intake, the reason the information is being gathered during the interview, and that participation in the Program is mandated by the court and not voluntary.
- (2) The Pretrial Officer will inform the defendant that information provided to the Officer is not privileged and is subject to compulsory disclosure pursuant to court order. Consistent with Policy #5-12 the Program "admonition" regarding rights is to be communicated to all Defendants prior to commencement of the formal interview.

Policy 5-16 meets NAPSA Accreditation Standard 3.06

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Intake Interview – General Considerations

Policy #: 5-17

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure that as much information is gathered during the course of the formal intake interview in order to make informed decisions regarding the level of supervision and need for advocacy.

Procedure: In order to accomplish Policy #5-17 the following procedure are to be observed:

- (1) The intake interview should be conducted by the Pretrial Officer in a professional and respectful manner at all times and in such a way as to elicit the information required to make informed decisions.
- (2) At no time is the Pretrial Officer to offer or provide legal advice or speculate about the disposition of the charge(s) faced by the Defendant.
- (3) Forms authorized by the Program for use during the intake interview are to be used and completed in full.
- (4) Information sought during the course of the intake interview will include, but not be limited to:
 - (a) Defendant's demographic information;
 - (b) Education, employment, family and ties to the community;
 - (c) Criminal history;
 - (d) Record of appearance in court;
 - (e) History of prior community supervision;
 - (f) Identification and availability of person(s) to assist the Defendant;
 - (g) Substance abuse, mental health and physical health conditions;
 - (h) Nature of the charge(s) as it relates to determining release conditions; and
 - (i) Pending charge(s).

Policy 5-17 meets NAPSA Accreditation Standard 3.07

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Office Safety

Policy #: 5-18

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to conduct in-office supervision, both random and scheduled, of Defendants supervised by the Program in such a manner as to ensure the safety of staff, the public, and Defendants.

Procedure: In order to accomplish Policy #5-18 the following procedures are to be observed:

- (1) All staff will be familiar with all routes available for exiting their respective offices in an emergency; all staff will ensure that all emergency and general exits are clearly marked. Emergency signage deficiencies will be brought to the attention of the Department Director.
- (2) Staff will ensure that furniture and equipment will be arranged in their respective offices in order to facilitate exiting the offices in an emergency.
- (3) Under the direction of, and subject to the approval of the Program Management, protocols will be in place with the appropriate arresting law enforcement agency and County Attorney to effect the arrest of supervised Defendants believed to be in violation of the conditions of release, including conditions of any supervised bail contract.
- (4) Safety of our staff is of paramount importance and priority.
- (5) Program staff will respond to any perceived threats in a reasonable manner and will respond to all situations based on their knowledge, skills, ability, and training.
- (6) Staff will receive annual training regarding approved safety and security practices.
- (7) In the event law enforcement is required to complete the arrest of a supervised Defendant, all non-Officer staff will vacate the office upon arrival of law enforcement. Pretrial Officers will remain in the office and assist with the arrest if deemed necessary.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Staff Safety in the Detention Center

Policy #: 5-19

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure the safety of all Program staff in the discharge of official duties at the Lewis and Clark County Detention Center.

Procedure: In order to accomplish Policy #5-19 the following procedures are to be observed:

- (1) All Program staff will comply with all instructions of authorized Detention Center personnel during an emergency event.
- (2) All staff will be familiar with all routes available for properly exiting, in an emergency, the Detention Center.
- (3) All staff will familiarize themselves with the action plans of the Detention Center and, wherever possible, will obtain a written copy of such action plans, policies and/or procedures.
- (4) A typical emergency staff action plan will identify the method(s) of emergency notification and the responsibilities of Program staff upon notification by Detention Center personnel, including, but not limited to evacuation, as well as the resumption of routine duties upon cancellation of the emergency event.
- (5) Whenever Program staff are involved in a Detention Center emergency event, affected staff will notify the appropriate supervisor as soon as reasonably possible, but no later than by the end of the first working day after the emergency event.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Interpreter Services

Policy #: 5-20

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program that, consistent with Policy #3-33, a Defendant's inability to speak English will not pose an automatic impediment to obtaining supervision services from the Program.

Procedure: In order to accomplish Policy #5-20 the following procedures are to be observed:

- (1) In all situations in which a Pretrial Officer identifies a non-English speaking Defendant, the Officer will notify the Department Director.
- (2) Prior to the intake interview, if possible, the Pretrial Officer should make a reasonable effort to obtain such basic information as the Defendant's name, language spoken, charged offense(s), bail information and criminal history, if available
- (3) The use of the Defendant's family and/or friends as interpreters during the intake and for supervision is prohibited.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Identification and Management of Defendants At-Risk For Suicide

Policy #: 5-21

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to make every reasonable effort to identify potential and actual Defendants that may be at risk for self-harm or suicide and intervene appropriately to effectively ameliorate such risk consistent with medical advice.

Procedure: In order to accomplish Policy #5-21 the following procedure is to be observed:

- (1) Designated Pretrial Services Program staff will obtain and review any mental health screening(s) conducted by the Detention Center during the booking process.
- (2) Consistent with Policy # 5-10, all Defendants interviewed by the Program will be assessed using a verified behavioral health screening instrument at the time of the initial, in-person, intake. Additionally, all Defendants interviewed by the Program will be given the ten (10) question Adverse Childhood Effects (ACE) trauma questionnaire.
- (3) If the Program assessment is conducted and yields positive responses for suicidal ideation, based on the screening protocols, the Pretrial Officer, or designated staff should immediately alert the Crisis Response Team for imminent self-harm or suicide. Staff should make every reasonable effort to determine if the Defendant is currently in possession of a weapon or has unencumbered access to a weapon. Staff must notify first responders of the determination of the possession of a weapon at the time of the referral to law enforcement for intervention. The Defendant should be under observation at all times until the appropriate mental health crisis intervention agency can respond and intervene. A copy of the completed assessments should be made, if practical, for first responders. Such notification must be documented in detail.
- (4) Pretrial Officers may conduct an assessment of supervised Defendants determined to be high or intermediate risk as often as deemed necessary.

(5) Any Defendant affected by Policy #5-21 must execute Releases Of Information (ROI) presented and deemed necessary by the supervising Pretrial Officer to facilitate referral to and communication with clinicians to whom the Defendant has been referred.

(6) The supervising Pretrial Officer will consult on a regular basis with the appropriate clinician regarding a Defendant assessed to be intermediate or high risk. The Officer will coordinate with the clinician to determine the appropriate timeframes for regular communication.

(7) If a Pretrial Officer has articulable suspicion, based upon the supervised Defendant's communications or observed behavior or credible information is received from the community, that the Defendant is currently experiencing self-harm or suicidal ideation, the Officer will conduct the mental health assessment again. If the assessment yields results indicating a change for the worse in assessment status, the Officer will respond or intervene consistent with the procedures noted above in (3).

(8) All Pretrial Officers are encouraged to seek guidance from an their supervisor whenever there is uncertainty experienced in working with Defendants at-risk for self-harm or suicide.

(9) Whenever a Defendant under supervision by the Program is hospitalized for mental health crisis, the supervising Pretrial Officer will notify their supervisor as soon as is practical.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Partner Family Member Assault (PFMA)

Policy #: 5-22

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to make every reasonable effort to identify potential and actual Defendants that may be a risk for partner and/or family member assault (PFMA). .

Procedure: In order to accomplish Policy #5-22 the following procedure is to be observed:

- (1) Increased precaution will be taken when a Defendant is being charged with a crime of PFMA.
- (2) The Pretrial Officer will collaborate with area providers for safety planning and next steps, assess access to lethal means, assist with referral for mental health care, and document actions taken. The Pretrial Officer will immediately inform their supervisor.
- (3) Pretrial Officer will schedule in person meetings with the Defendant to review and monitor the safety plan.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Operational

Policy Title: Automobiles

Policy #: 5-23

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to make a County owned vehicle available to staff for routine home visits, contingent upon funding. In the absence of a Program vehicle, staff will utilize their own automobiles for transport, and submit a mileage reimbursement form through the Department Director

Procedure: In order to accomplish Policy #5-23 the following procedure is to be observed:

- (1) Defendants are not to be transported in personal automobiles. Staff should utilize a County owned vehicle, public transportation, taxi services, and/or contact a Peer Support Specialist from local service providers.
- (2) Pretrial Officers may transport a Defendant only if they utilize a County owned vehicle. When transporting a Defendant in a County owned vehicle, Pretrial Officers must be accompanied by another Pretrial Officer, a Pretrial Assistant, certified law enforcement, a certified corrections officer, a Peer Support Specialist, or any criminal justice professional deemed appropriate by the officer.
- (3) Program staff must obey all traffic laws when driving on Program business.
- (4) Program must not use their cell phone, whether personal or County-issued, for any reason while driving a County vehicle.

**Lewis and Clark County
Criminal Justice Services Department
Pretrial Services Program**

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Co-Occurring Disorders Programming

Policy #: 5-24

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program, consistent with the Program's anti-discrimination policy and its mission, to be alert to the possibility of co-occurring disorders among all potential defendants ordered to the Program for supervision services and to supervise such defendants in a manner consistent with the principles of best and evidence-based practices.

Procedure: In order to accomplish Policy #3-34 the following procedures are to be observed:

- (1) Program staff will exercise due diligence and sensitivity in order to identify defendants who may have a co-occurring disorder; such diligence will include, but not be limited to the appropriate use of authorized screening tools for substance abuse and mental health.
- (2) Staff will identify and establish professional working relationships with service providers in the community that provide integrated services to the defendant population with co-occurring disorders; working relationships will include, but not be limited to regular case conferencing.
- (3) Defendants identified as potentially appropriate for co-occurring disorders case management, will be referred to local service providers that provide integrated services to individuals with co-occurring disorders for professional assessment.
- (4) The Program will coordinate a minimum of eight (8) hours of training annually in the topical area of co-occurring disorders; such training will be mandatory for all Program staff and include identification, referral, and case management of defendants with co-occurring disorders. The eight hours will be counted toward the requirement of twenty-four (24) hours of annually required continued education.
- (5) All Program staff will ensure their respective offices are maintained in such condition as to facilitate, if not enhance, the delivery of services to the individuals with co-occurring disorders; such conditions include, but are not limited to signage, authorized printed materials, décor, and lighting.

Policy and Procedure

POLICY

Policy Division: Administrative

Policy Title: Defendant Rights and Responsibilities

Policy #: 5-25

Effective Date: July 2019

Revision History:

Policy Statement: It is the policy of the Pretrial Services Program to ensure all defendants ordered to the Pretrial Services Program are fully aware of their obligations and rights as it relates to the Program.

Procedure: In order to accomplish Policy #3-46 the following procedures are to be observed:

(1) Pretrial Officers or designee, at the time the defendant reports for their initial meeting with the Program, will review in detail, with each defendant, their obligations during the term of supervision as well as the consequences of non-compliance. The judge's court order will be referenced by the Pretrial Officer as the basis for the description of the obligations.

(2) Pretrial Officers or designee, at the time the defendant reports for their initial meeting with the Program, will explain in detail to each such defendant their rights during the term of supervision.

(3) Defendant rights include fair and impartial treatment, as well as adverse decisions without regard to race, ancestry, color, mental or physical disability, religion, national origin, sex, age, marital status, creed, ex-offender status, physical condition, political belief, public assistance status or sexual preference.

(4) Pretrial Officers shall ensure that a copy of the Grievance Resolution Process, as described in Policy #5-1, is prominently displayed in the Program waiting area.

Policy 3-46 meets NAPS Accreditation Standard 2.07

Policy 3-46 meets NAPS Accreditation Standard 2.13

Policy 3-46 meets NAPS Accreditation Standard 3.08

Policy 3-46 meets NAPS Accreditation Standard 3.09

Policy 3-46 meets NAPS Accreditation Standard 4.02

Policy 3-46 meets NAPS Accreditation Standard 4.03

Policy 3-46 meets NAPS Accreditation Standard 4.07