



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

Policy No. DOC 1.8.3	Subject: OFFENDER ACCOUNTABILITY LETTERS
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 4 and Attachments
Section 8: Victim Services	Effective Date: Sept. 18, 2008
Signature: /s/ Mike Ferriter, Director	Revised: 05/18/11

I. POLICY

The Department of Corrections offers a structured accountability letter writing process facilitated by treatment and victim services staff to provide adult offenders with the opportunity to express remorse and personal responsibility to the victims of the crime for which they were sentenced.

II. APPLICABILITY

Adult offenders under Department supervision.

III. DEFINITIONS

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Accountability Letter – A letter voluntarily written by an offender to the victim(s) of the crime for which the offender was sentenced reflecting responsibility for the crime and remorse for the harm caused to the victim(s) without excuses or requests for forgiveness or pardon.

Accountability Letter Bank – A confidential file maintained by the Victim Programs Manager in which offender accountability letters are stored until victims request to receive them.

Restorative Justice – A criminal justice concept that focuses on offender accountability and healing for victims, families, communities, and offenders.

Victim – The person against whom a felony crime has been committed, or a family member of that person. Other individuals may be recognized as victims on a case-by-case basis.

Victim Programs Manager (VPM) – A staff person in the Director's Office who manages Department victim programs and policies, responds to victims' requests for information and referrals, provides victim services training to DOC and contracted staff, and represents victim interests in all Department matters.

IV. DEPARTMENT DIRECTIVES

A. Program Goals

1. The offender accountability letter process supports victims of crime and promotes positive change in offender behavior.
2. The accountability letter process is a restorative justice program that allows offenders to demonstrate responsibility for their crimes and express remorse for the harm they have

caused.

3. The Department encourages victims to make initial contact with offenders through the Victim Programs Manager (VPM).

B. General Requirements

1. Department facilities and programs participating in the offender accountability letter process must comply with the provisions of this policy.
2. Participation in the process is voluntary for offenders and will have no effect on their parole eligibility, release date, or conditions of supervision.
3. A victim's decision to receive a letter does not constitute an agreement to read or respond to the letter.
4. The Department will not deliver an accountability letter in violation of a sentencing order or a current legal order of protection

C. Accountability Letter Requirements

1. The offender:
 - a. may access the [Accountability Letter Guidelines](#) and the [Offender's Request to Participate](#) via libraries in Department facilities, caseworkers, treatment specialists, victim information officers or other staff;
 - b. must sign the Offender's Request to Participate if they wish to send accountability letters to their victims; failure to comply with this provision may violate no-contact orders;
 - c. must comply with the Accountability Letter Guidelines and submit the letter to designated facility/program staff or to the VPM;
 - d. participation in the accountability letter process does not constitute permission for the offender to make additional contact with the victim; and
 - e. will sign the original (not photocopied) letter once approved by the VPM and facility letter screener prior to delivery.
2. The Department encourages facility/programs to:
 - a. when possible, designate a staff member(s) qualified to screen offender accountability letters to ensure compliance with the Offender Accountability Letter Guidelines; and
 - b. establish treatment prerequisites for offender participation in the process.
3. The designated facility/program letter screener will:
 - a. review the draft letter and suggest changes when necessary; and
 - b. upon approval, submit the letter to the VPM, with documents that describe the offender's crime(s).
4. The facility screener and/or VPM may determine whether an offender has not achieved the level of responsibility and remorse required to write an appropriate accountability letter; letter will be returned to the offender with an explanation of denial.
5. The VPM will:

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- a. review accountability letters;
 - b. determine if a sentencing order or legal order of protection prohibits contact between the offender and victim;
 - c. if a sentencing order or legal order of protection exists, advise options for obtaining a modification of the court order;
 - d. if a letter is deemed inappropriate the VPM will return the letter to the facility letter screener or to the offender with recommendations for revisions;
 - e. maintain the Accountability Letter Bank;
 - f. attempt to deliver and/or notify the victim when a letter is available; and
 - g. assist victims requesting to receive accountability letters from offenders not participating and contact the offender's treatment staff to determine if the offender will voluntarily participate.
6. The victim may:
- a. access information about the offender accountability letter process through community victim advocates, the VPM and other Department staff, and the Department website;
 - b. participate voluntarily;
 - c. inform the Department whether or not the offender should be notified if letter is received;
 - b. if a sentencing order or legal order of protection exists, a letter may only be received if a modification of the order, signed by the judge, and filed with the appropriate court is obtained; and
 - c. receive a letter from the VPM in a sealed envelope with contact information for local victim services.

V. CLOSING

Questions concerning this policy should be directed to the Department's Victim Programs Manager.

VI. REFERENCES

- A. *DOC Policies [1.1.1](#), Purpose, Mission, and Management Philosophy; [1.8.1](#), Victim Services*

VII. ATTACHMENTS

[Accountability Letter Guidelines](#) [PDF](#)
[Offender's Request to Participate](#) [PDF](#)