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<b>Corrections Compact Transfers</b>	<b>ACA Standards: 2-CO-4B-02</b>		
<b>Robert Patton, Director Oklahoma Department of Corrections</b>	<b>Signature on File</b>		

## Corrections Compact Transfers

The Corrections Compact allows the Oklahoma Department of Corrections (DOC) to exchange incarcerated offenders with other states and the Federal Bureau of Prisons when a Corrections Compact contract exists between Oklahoma and the respective jurisdiction. The contract is based on the department's cooperation with the federal government and other compact party states in order to serve the best interests of society and affected offenders. (2-CO-4B-02) The Lexington Assessment and Reception Center (LARC) initial records unit case manager IV serves as the agency coordinator of the Corrections Compact process, and will be referred to hereafter as compact coordinator.

### I. Requirements for Transferring Oklahoma Offenders to Other Jurisdictions

#### A. Criteria

An offender may be considered for Corrections Compact transfer if one or more of the following conditions exist:

1. The offender is more than one year from projected release date, unless this requirement is waived by the director.
2. By the offender's institutional behavior, he or she is determined to be a threat to the orderly operation of the institution.

3. There is reason to believe the offender's personal safety would be in jeopardy if he or she were to remain in an institution within the state. This will be verified through investigative and intelligence reports.
4. There exists extenuating compassionate circumstances that demonstrate the transfer to be in the best interest of the offender. At a minimum, there is a verified support system in the requested state and the offender has demonstrated the ability to finance all transportation costs associated with the transfer.

B. Request Initiation

There are two types of Corrections Compact Transfers: compassionate and security transfers. An offender's request for transfer will be initiated through the offender's assigned case manager.

1. Compassionate Transfer

Compassionate transfer requests may be initiated by the offender where appropriate criteria is met as established in Section I. A. item 4. of this procedure. The offender will complete and sign an "Oklahoma Department of Corrections Interstate Corrections Compact/Contract Transfer Application" ([Attachment A](#), attached). The assigned case manager will sign the completed Attachment A and will submit a recommendation with the offender transfer application to the unit team/classification committee on an "Oklahoma Department of Corrections Compact Transfer Request Cover Sheet" ([Attachment B](#), attached).

- a. An offender must have a minimum of 12 months clear conduct before a compassionate transfer will be considered.
- b. After review by the unit team/classification committee, the requests will be forwarded to the facility head for review.
  - (1) Documentation will include the offender's ability to pay for all travel expenses incurred for the transfer.
    - (a) The offender will have deposited in his or her draw trust fund account the estimated amount of travel costs prior to transportation to a requested jurisdiction.
    - (b) After completion of travel, the offender's trust fund account will be billed for the actual travel costs. Any remaining balance will be forwarded to the offender's receiving facility.
- c. The approved transfer packet will be mailed to the compact coordinator for processing ([Attachments A, B and C](#), attached).

If denied, it will be the responsibility of the facility to notify the offender.

2. Security Transfer

If transfer requests are made due to security or personal safety issues as established in Section I. A. items 2. and 3. of this procedure, the case manager will submit a recommendation with the offender transfer application to the unit team/classification committee on an "Oklahoma Department of Corrections Compact Transfer Request Cover Sheet" ([Attachment B](#)).

3. Corrections Compact packets will include the following:

- a. "Oklahoma Department of Corrections Compact Transfer Request Cover Sheet" ([Attachment B](#)) signed by the facility head;
- b. "Oklahoma Department of Corrections Compact/Contract Transfer Application" ([Attachment A](#)) signed by the offender and witnessed by the assigned case manager, if the transfer request is for offender-initiated, compassionate reasons;
- c. Copies of all "Consolidated Record Cards" (CRC's) ([DOC 060211H](#)) for each of the offender's incarcerations;
- d. Copies of commitment documents (judgment and sentences) for each of the offenses for which of the offender is currently incarcerated;
- e. Copy of FBI criminal history abstract (NCIC report);
- f. Copy of fingerprint card;
- g. Copy of offender photo from OMS;
- h. Written evaluation completed by the offender's case manager;
- i. Copy of offender's disciplinary history from OMS (Offender Profile Screening—Misconduct);
- j. Current medical summary, completed within the last 60 days, to include description of chronic medical issues and prescription medications. Summary must be in narrative form;
- k. Current psychological summary, completed within the last 60 days. Summary must be in narrative form; and

I. Copies of Pre-Sentence Investigation(s), District Attorney's Narrative(s), Affidavits; any available documentation concerning the offender's criminal history.

4. The compact coordinator will review all transfer requests and submit a recommendation to the administrator of Classification and Population for review.

C. Disposition Procedures

1. Upon receipt of a corrections compact packet, the compact coordinator will review for completeness and if additional information is necessary, will request documentation from the sending facility.

2. The administrator of Classification and Population will review the recommendation and approve or deny the request for transfer in a memorandum to the compact coordinator.

3. Transfer requests to the Federal Bureau of Prisons must be approved by the director in writing.

4. Denied transfer packets will be returned to the appropriate facility head by the compact coordinator. [Attachments A](#), [B](#) and [C](#) will be placed in the offender's field file and the offender will be notified of denial.

5. Transfer packets approved by the administrator of Classification and Population will be forwarded to the compact coordinator for submission to prospective receiving states.

6. Final approval of corrections compact transfers will be determined by the receiving state.

7. The administrator of Classification and Population or designee will notify the Inspector General of all offenders approved for corrections compact placement.

D. Tracking and Notification Procedures

Upon receiving approved transfer packets for corrections compact placement, the compact coordinator will ensure the following:

1. Transfer packets are logged and forwarded to the affected jurisdiction's corrections compact administrator;

2. The appropriate facility head and all parties to the recommendation and review process are informed of the decision of the receiving jurisdiction; and

3. An estimated cost of transportation is requested from the Inspector

General and the facility is notified of the estimated travel costs.

E. Transfer Implementation Procedures

1. When the referred offender has been approved for a Corrections Compact transfer to another jurisdiction, the compact coordinator will:
  - a. Notify the Inspector General to determine if the offender will be transported via DOC security or by a contract transportation company.
  - b. Coordinate transportation arrangements with DOC security and the receiving state.
2. The compact coordinator will ensure preparation and packaging of the following material for delivery to the receiving jurisdiction's institution by the transportation officer:
  - a. Copy of the offender's CRC;
  - b. A photo of the offender;
  - c. A letter of acceptance and instructions for delivery of the offender to the receiving jurisdiction; and
  - d. Notify the receiving jurisdiction 72 hours in advance of the estimated time of arrival of the offender.
3. Offenders transferred to another jurisdiction will be carried on the Corrections Compact count at LARC. Transfers will be entered on the Offender Management System (OMS) as a transfer to LARC.
4. LARC will ensure the offender account is reviewed and updated in accordance with the [Offender Banking System User's Guide](#). The sending facility will provide a check for the draw account balance to the Interstate Corrections Compact Office for mailing to the receiving jurisdiction. Statutory savings will be forwarded to and maintained by LARC. The offender is entitled to all monies earned or saved in his/her accounts.
5. The transferring facility will be responsible for forwarding the legal file, Consolidated Record Card, and the field file to the Interstate Corrections Compact Office at LARC, and the electronic health record to Health Services at LARC.
6. Normally property will be restricted to one cubic foot for the purpose of transportation. The transferring facility will be responsible for maintaining all other property until the receiving state can provide an address. Authorized property may be mailed at the offender's expense.

- F. Procedures For Administering Corrections Compact Cases For Oklahoma Offenders
1. The compact coordinator will:
    - a. Establish a routine reporting procedure for monitoring the offender's earned credit status. Time calculation records will be maintained and each offender will be provided with a monthly time credit report;
    - b. Ensure all out-of-state receiving facilities are aware they must report, by copy, any disciplinary action taken against the Oklahoma offender;
    - c. Ensure that the Oklahoma compact offenders are released on the appropriate date;
    - d. Respond to correspondence initiated by offenders housed in other jurisdictions;
    - e. Once annually, contact other jurisdictions for housing information and mailing addresses for Oklahoma offenders;
    - f. Once annually, contact each offender housed in other jurisdictions for information concerning the offender's desired designation for disposition of property in accordance with [OP-030120](#) entitled "Offender Property"; and
    - g. Monitor parole dates and Pardon and Parole Board decisions and ensure offenders housed in other jurisdictions are informed of results in writing, utilizing "Notice of Pardon and Parole Board Hearing Results" ([DOC 060205D](#)).
  2. A roster of corrections compact offenders will be distributed quarterly to the administrator of Classification and Population and other interested parties as requested or needed.
  3. Corrections compact offenders will be returned to Oklahoma prior to release unless the administrator of Classification and Population and the receiving jurisdiction agree to release in some other location. If an offender is to be released to a suspended sentence, parole, or detainer in the other jurisdiction, the compact coordinator will ensure release paperwork is prepared and forwarded to the receiving jurisdiction's Corrections Compact administrator. The compact coordinator will ensure that the receiving jurisdiction is forwarded funds to pay for items listed below which the receiving jurisdiction is responsible for delivering to the offender upon release:

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- a. A bus ticket to the city/town of offender's intended place of residence;
  - b. If the offender does not have at least \$50 in the total (draw and statutory saving) account, a check for the difference will be drawn on the LARC petty cash fund made payable to the offender; and
  - c. Discharge clothing for the offender.
4. Should an offender escape, the receiving state will initiate escape procedures in accordance with the receiving state's escape procedures and notify the compact coordinator of the escape. If the offender is apprehended in a state other than the assigned state or Oklahoma, the coordinator has the responsibility for initiating extradition procedures through the Office of the Inspector General.
5. Should an offender, for security or protection reasons, request to return to Oklahoma custody, the compact coordinator will make a recommendation to the administrator of Classification and Population in writing of the request. The administrator will either approve or deny the request; the compact coordinator will inform the offender in writing of the decision.
6. Should the receiving jurisdiction request that a compassionate transferee be returned to Oklahoma for cause, the offender will be required to reimburse the department for all travel expenses upon return. If the offender has no funds in his or her draw account, all incoming monies will serve as payment on the unpaid balance until such debt is paid in full.
7. Should an offender in a receiving jurisdiction desire to return to Oklahoma or transfer to another jurisdiction for extenuating compassionate circumstances, he/she will submit their request in writing to the compact coordinator stating their desire and circumstances. The compact coordinator will notify the administrator of Classification and Population for approval or denial.
  - a. If approved, the offender will be required to deposit, in a special Oklahoma offender draw account, the estimated amount of travel costs prior to further travel arrangements.
  - b. After completion of travel, the offender's draw account will be billed for the actual travel costs. Any remaining balance will be forwarded to the offender's draw account.
8. Should a receiving jurisdiction report that an Oklahoma offender has become deceased, the chief medical officer will be notified who will initiate procedures for the offender's remains.

- a. The compact coordinator will ensure that a deceased offender's personal property and money is dispersed in accordance with [OP-030120](#) entitled "Offender Property."

## II. Procedures for Receiving Offenders from Other Jurisdictions

### A. Eligibility Criteria for Receiving a Corrections Compact Offender

1. The offender must be more than one year from the projected release date, unless this requirement is waived by the director.
2. The offender must not have filed any litigation against a corrections department or agency that is determined to be frivolous, malicious, without merit, or that fails to state a claim upon which relief can be granted by a court of record.

### B. Application Process

1. The application process will be similar to the DOC transfer process specified previously in this procedure.
2. The compact coordinator will review the application and packet information, prepare a written recommendation, and forward such to the administrator of Classification and Population.
3. The administrator of Classification and Population will either approve or deny the request and inform the compact coordinator in writing of the decision, who will then notify the requesting jurisdiction of the decision.

### C. Reception Procedures

The compact coordinator will inform the sending jurisdiction when the transfer is to take place, notify the assessment and reception center's security office of the impending transfer and coordinate with the sending jurisdiction's compact administrator regarding the offender's transportation to the assessment and reception center.

### D. Procedures for Administering Corrections Compact Cases from Other States

1. Progress reports will be submitted by all facilities housing interstate compact offenders by utilizing [Attachment D](#) entitled "Progress Report for Interstate Compact Offenders" (attached) on a bi-annual basis. The reports will indicate the progress of the offender from January through June and July through December of a given year, and are due to the compact coordinator by January 31 and July 31.
2. The "Progress Report" will include the following information:

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- a. A narrative, completed by the offender's case manager, including overall adjustment, disciplinary history, attitude, behavior, etc.;
  - b. Work status (job type, number of days worked per week, performance rating);
  - c. School/program participation (type of program, frequency of attendance, dates attended, performance rating, certificates, completions); and
  - d. Summary/additional comments.
3. Copies of misconducts and disciplinary hearing actions received by offenders from other jurisdictions will be forwarded to the compact coordinator within ten working days of completion of the disciplinary process. The compact coordinator will forward the information to the sending jurisdiction.
4. The compact coordinator will be advised by the sending jurisdiction of impending release by parole or discharge. The compact coordinator will provide this and related information to the facility where the offender is housed.
5. The out-of-state offender is to be returned to the sending state for release under arrangements made by the compact coordinator unless the administrator of Classification and Population and the sending state agree to release from the assigned facility. The sending state is responsible to forward funds to pay for the items listed below:
  - a. A bus ticket to the city/town of offender's intended place of residence;
  - b. If the offender does not have at least \$50 in the total (draw and statutory saving) account, a check for the difference will be drawn on the facility petty cash fund made payable to the offender; and
  - c. Discharge clothing for the offender in accordance with [OP-030120](#) entitled "Offender Property."
6. Should the interstate offender escape, the assigned facility will initiate escape procedures in accordance with [OP-050103](#) entitled "Escape Notification Procedures." Escapes are to be reported as soon as possible to the compact coordinator who will inform the sending jurisdiction no later than the following working day. The sending jurisdiction will be notified by the compact coordinator that they are responsible for extradition procedures if the escapee is captured out of state.

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7. Should the interstate offender be injured or require emergency medical attention, the compact coordinator will be notified within 24 hours so the sending state can be notified of the incident in accordance with [OP-140111](#) entitled "Offender Death, Injury and Illness Notification Procedures."

### III. References

Policy Statement No. P-060100 entitled "Classification and Case Management of Offenders"

OP-030120 entitled "Offender Property"

OP-050103 entitled "Escape Notification Procedures"

OP-140111 entitled "Offender Deaths, Injury and Illness Notification and Procedures"

22 O.S. § 1141 et. seq.

18 U.S.C. § 3182

57 O.S. § 601 et. seq.

18 U.S.C. § 5003

57 O.S. § 347

### IV. Action

The division manager/division head is responsible for compliance with this procedure.

The associate director of Field Operations is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the director.

This procedure is effective as indicated.

Replaced: Operations Memorandum No. OP-060206 entitled "Corrections Compact Transfers" dated January 29, 2014

Distribution: Policy and Operations Manual  
Department Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
<a href="#">DOC 060205D</a>	Notice of Pardon and Parole Board Hearing Results	<a href="#">OP-060205</a>
<a href="#">DOC 060211H</a>	"Consolidated Record Card"	<a href="#">OP-060211</a>
MSRM Form	"Medical Transfer Summary"	EHR

<u>Attachments</u>	<u>Title</u>	<u>Location</u>
<a href="#">Attachment A</a>	"Oklahoma Department of Corrections Compact/Contract Transfer Application"	Attached
<a href="#">Attachment B</a>	"Oklahoma Department of Corrections Compact Transfer Request Cover Sheet"	Attached
<a href="#">Attachment C</a>	"Corrections Compact Cover Sheet"	Attached
<a href="#">Attachment D</a>	"Progress Report for Interstate Compact Offenders"	Attached

