



Interstate Compact: Ensuring Successful Supervision through Cooperative Solutions

Interstate Compact for Adult Offender Supervision

Presented by:

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Presentation Objectives



Understand the fundamental principles and procedures of the Interstate Compact



Learn effective problem-solving strategies and best practices for documentation



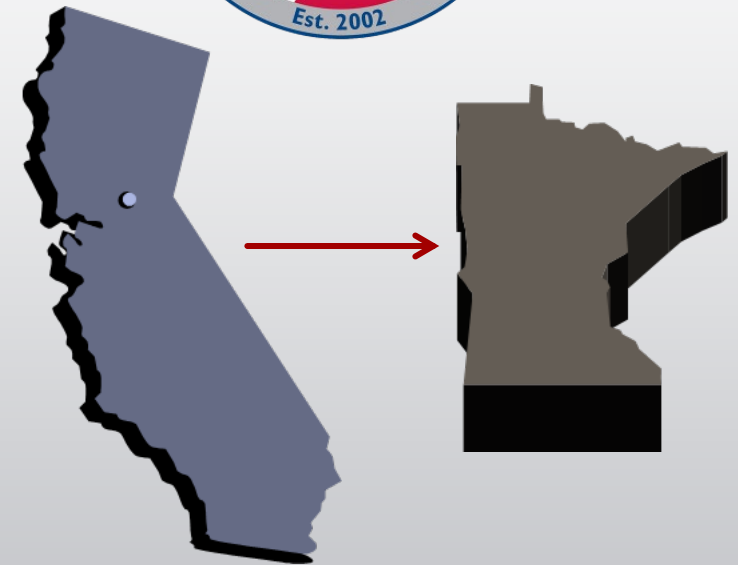
Recognize how to improve efficiencies in the transfer process



Resources available

ICAOS regulates how supervised individuals are:

- › Transferred from one state to another
- › Supervised while on Compact Supervision
- › Returned to a sending state when supervision is not successful



Purposes of the Compact

Promote Public
Safety



Protect the Rights
of Victims

Ensure Effective
Supervision &
Rehabilitation

Control/Track
Movement of
Supervised
Individuals

Positive
Relationships &
Family Support

Ensure
Effective
Supervision &
Rehabilitation

Life Stability

Means of Support &
Employment

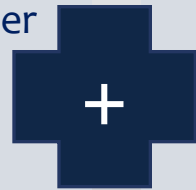
Resources/Programs

What Triggers the ICAOs?

Offender

Adult who commits a criminal offense (all felonies & specific misdemeanants)

- › Subject to ‘supervision’; and
- › Released to the community under the jurisdiction of:
 - › Courts
 - › Paroling Authorities
 - › Corrections
 - › Other Criminal Justice Agencies



Supervision

2 Distinct criteria:

- › Oversight exercised by a controlling authority, which includes:
 - › Courts
 - › Paroling Authorities
 - › Corrections
 - › Other Criminal Justice Agencies
- › Required to monitor regulations or conditions, other than monetary



Relocate

means to remain in another state for **more than 45 consecutive** days in any 12 month period.

What Requirements for Transfer?



1

Time Remaining on Supervision

≥ 90 calendar days or an indefinite period of supervision remaining

2

Valid Plan

- › Terms & conditions of supervision
- › Residence
- › Employment/Mean of Support

3

Substantial Compliance

No initiation of revocation proceedings by Sending State


4

Justification/Reason

- › Resident
- › Family
- › Employment
- › Military Orders
- › Discretionary/ Correctional Sense

Reason for Transfer

Intended Departure Date

• Intended Departure Date 

Please select one of the reasons below indicating why the offender is being transferred to the receiving state under the auspices of the ICAGS.

Reasons

- Resident of receiving state within the meaning of the Compact ?
- Resident family AND Employment or Means of Support ?
- Military member ?
- Transfer of military veteran for medical or mental health services ?
- Live with family who are military members ?
- Employment transfer of family member to another state ?
- Employment transfer of the offender to another state ?
- Discretionary ?

[Back](#) [Save & Continue](#)

Departure Date can be managed from the Offender's profile.

Use the help points to ensure appropriate reason is selected and any additional documentation requirements

Resident	Resident Family
<ul style="list-style-type: none">Lived in receiving state for <u>1 year</u> prior to supervision start date or sentencing date	<ul style="list-style-type: none">Parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian, or step-parentLived in receiving state for <u>180 days</u> or moreMUST explain how family will support the offender in his/her plan of supervision

TOP 2 REASONS for transfer

See Rule 1.101 Definitions

Justification for Transfer

Detailed VERIFIED justifications!!!

- Why is the supervised individual going to be more successful in the Receiving State?
- Describe support system
- Means of support
- Living situation
- Use clear, concise language; no abbreviations

~~FAILURE~~
SUCCESS



Transfer Request

Justification for Transfer for Dora Explorer

Please provide information that will establish a case for this transfer to be accepted. Details of treatment opportunities or social support systems that provide avenues of rehabilitation should be listed here.

Details

Even MANDATORY transfers require justification describing the VERIFIED plan of supervision in the Receiving State. Why is the offender going to have better chances for success in receiving state? List here...Need more room to describe? Use the attachment widget in the 'Supervision Conditions' section!

Transfer Tips



- › Show your work, who did you call, when did you speak with them and summarize the conversation
- › Is the plan acceptable for in state supervised individual? Describe why.
- › Why is this the best plan for the supervised individual (physically and mentally)?

No Travel Prior to Acceptance

Investigation Period

- › Up to 45 days



Reporting Instructions Exceptions:

- › Living in Receiving State at the time of Sentencing
- › Military Members/Veterans Receiving Treatment/Employment Transfer
- › Other verified Emergency Situations (both states must agree)

OTHER: Daily travel (border) allowed for medical/employment ONLY must return daily and notify of travel via ICOTS

Reporting Instructions

Reporting Instructions provide permission for supervised individual to be in the receiving state PRIOR to acceptance

Permission?

GRANTED

Please select one of the following:

Intended Departure Date

• Intended Departure Date 

Reasons

- Probationer living in receiving state at time of sentencing or after disposition of a violation or revocation proceeding
- Military member
- Transfer of military veteran for medical or mental health services
- Live with family who are military members
- Employment transfer of family member to another state
- Employment transfer of the offender to another state
- Expedited

• Justification/Comments:

Qualifying for mandatory reporting instructions does NOT automatically qualify as a mandatory transfer

Pre-Release Transfer

Submit request within 120 calendar days prior to release date

Sending state shall notify receiving state if:

- the planned release date changes, or
- if release date has been withdrawn or denied



Compact Supervision Elements

Duration

Sentencing Authority in the Sending State determines duration of Supervision



Conditions

Supervised individual agrees to conditions imposed by BOTH Sending & Receiving States



Waiver

Supervised individuals applying for transfer WAIVE rights for extradition

Interstate Commission for Adult Offender Supervision

OFFENDER'S APPLICATION FOR INTERSTATE COMPACT TRANSFER

With a copy here a consented right to leave that can missing your... state where I may be found. This is commonly called the right to return. I have agreed to return to the sending state when and where to enter by the sending state. Therefore, I agree that I will not resist or fight any effort by any state to return me to the sending state. TO WAIVE ANY RIGHT I MAY HAVE TO EXTRADITION. I WAIVE THIS RIGHT FREELY, KNOWINGLY, AND INTELLIGENTLY.

Offender's signature: _____ Date: _____

Printed name: _____

Witness: _____ Date: _____

Compact Supervision in a Receiving State

Supervision standard consistent with similar supervised individuals sentenced in the Receiving State

Same programs, incentives, sanctions/interventions

‘Participation in the ICAOS ensures not only the controlled movement of supervised individuals under community supervision, but also that out-of-state individuals will be given the same resources and supervision provided to similar in-state supervised individuals including the use of incentives, corrective actions, graduated responses and other supervision techniques’

Common Challenges

Differences in Supervision

- › States' responses to behavior and path revocation vary across jurisdictions
- › Recognizing another state's documentation

Stakeholder Involvement

- › Ensure sanctions are exhausted before requiring retaking
 - › If offender is retaken, it means receiving state would revoke
- › Actions and documentation provided by another state
- › Ensure compliance: warrants, timeframes, costs
- › New pending charges = Offender not available for retaking (*unless key stakeholders in both states agree due to public safety concerns*)

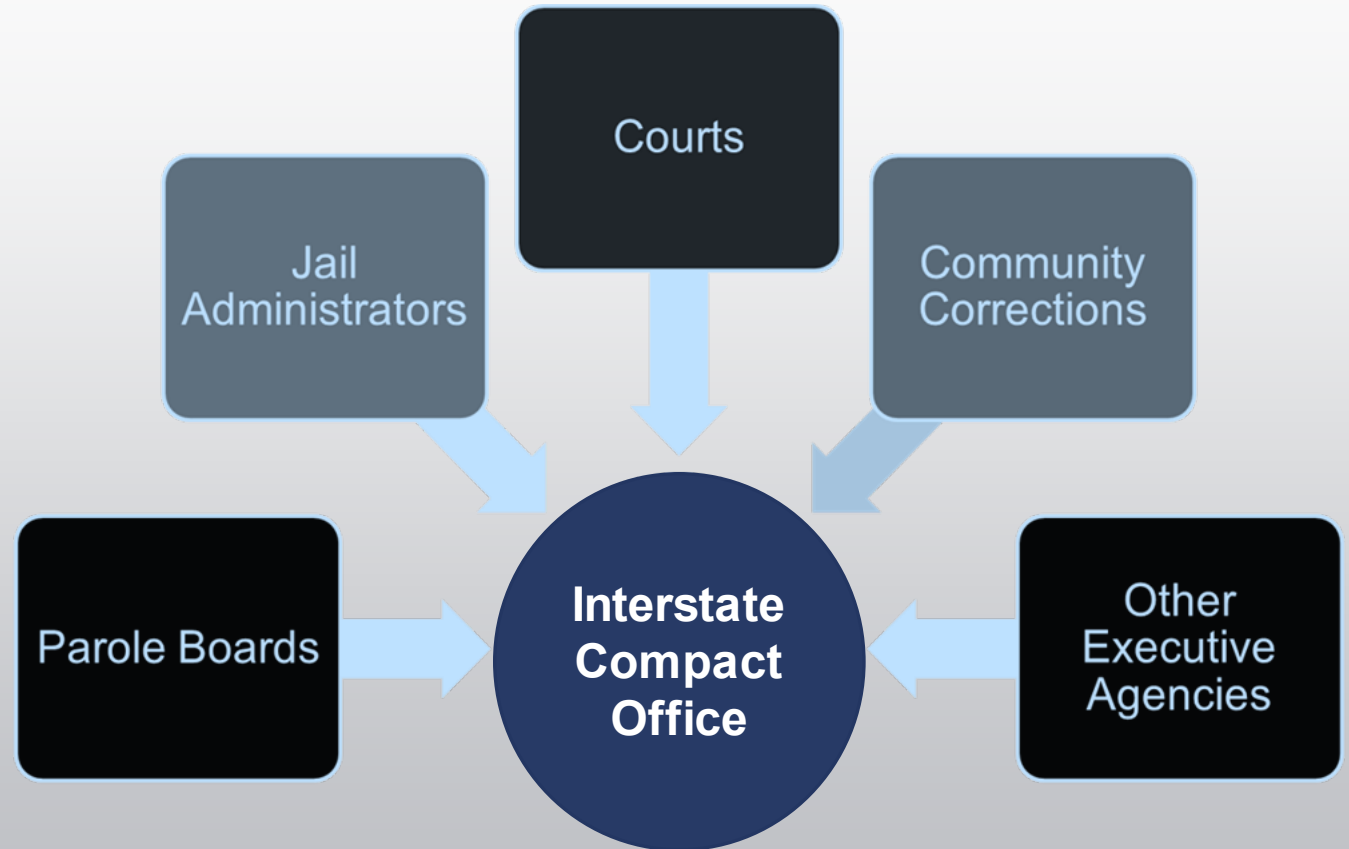
Effective Communication Reminders



- ✓ Other state only knows what is in ICOTS
- ✓ Remember rules are requirements for ALL states to follow and minimum as to what is required
 - ✓ Always do more; things may look different state to state
- ✓ Be clear and concise
 - ✓ Do not use abbreviations
- ✓ Elevate to compact office

Interstate Compact Offices

- Administers the Compact
- Point of contact for case specific questions
- Conducts training
- Resolves issues with other states
- Ensures rule compliance
- Develops & recommends in-state ISC operating procedures to State Council





Collaborative Solutions

States working together

Parolee with substantial mental health needs was sentenced to parole directly from jail with virtually no re-entry planning. Family (his only viable means of support and thought to be acting in his best interest) was not aware of compact and took him to their home in a state hundreds of miles. As soon as the sending state was aware of his location, the DCA contacted the DCA in the receiving state and reporting instructions were immediately granted. Without this action, the risk that the parolee would abscond was likely increasing public safety concerns.

DCA Cooperation

Without this action, the risk that parolee would abscond was likely increasing public safety risks

Sending state received a request for return reporting instructions following a rejection due to lack of a valid plan of supervision which under the rules must be approved. A concern was raised regarding this return and elevated to the sending state DCA for review. Upon investigation, there appeared to be some unclear/conflicting ICOTS transfer documentation regarding the transferee's plan of supervision; DCAs worked together to determine where this individual needed to be confirming the plan of supervision was in fact valid, although was not documented well.

Questionable Documentation

Lessons learned by BOTH States

- *Sending State needs to improve verification/documentation practices*
- *Receiving State needs to improve communication, review practices before jumping to automatic rejection & return*

An immigrant sex offender was released from prison and immediately detained by ICE. ICE decided not to deport, resulting in his release in a state where he had no resources and was challenged with substantial language barriers to understand compact requirements. Following his release, his family picked up took him to RS hundreds of miles away. Upon approval of emergency reporting instructions, it was discovered all of his family members lived in highly restricted areas in which sex offender may not reside.

PO Applying Compact Purposes

Instead of rejection and displacement of a sex offender, receiving state PO utilized resources to best protect the public and ensure transferee is in close proximity to his support network

Commission Initiatives

- Terminology Used
 - Replacing the term 'offender' with 'supervised individual'
- ICOTS Training Improvements
 - OnDemand Training
 - Quick Reference Guides
 - Quick Tips
 - Virtual Assistant
- Risk Factors: Analyze rules & procedures to ensure alignment w/Evidence Based Practices.
 - Supervision & retaking



Replacing the term 'offender' with 'supervised individual'

- No change to the Commission's name or statute
- No change to ICOTS' name
- States will not need to change their bylaws or statutes
- No change to past Advisory Opinions
- No change to sex-offender terminology
- All current publications and materials will be updated by the national office. (Estimated 12 months to complete.)
- The change will affect all documents going forward.



THE ROAD HOME



Documenting
Our Journey -
The Road Home
Released

<https://www.interstatecompact.org/documentary/the-road-home>

Extradition Officials Guide



Interstate Commission for Adult Offender Supervision
Through cooperative action among states, the Interstate Commission for Adult Offender Supervision (ICAOS) requires the transfer of supervised individuals across state lines. ICAOS enhances public safety and accountability by establishing a single standard of supervision for individuals being transferred and providing a mechanism to return individuals to the sending state without the need for formal extradition. Using the Compact to transfer is a privilege, not a right, and requires an application and approval process. The guide supports extradition professionals managing the return of supervised individuals who transfer to another state through the Interstate Compact.

Who transfers through the Compact? Supervised individuals released to the community who are convicted of a felony or eligible misdemeanor (Rule 2.100), have 90 days of supervision remaining, and a valid plan of supervision.

Why are Interstate returns different from traditional extradition? All transfers sign a waiver of extradition, replacing the need for a warrant hearing and a Governor's seal. An individual subject to the Compact is not bound by the provisions of the Uniform Criminal Extradition and Rendition Act. Courts have held that the Compact rules for apprehension and retaking do not violate due process laws.

Why would a transferred individual be returned to the sending state? Sending states have the sole discretion to retake any individual using transfers through the Compact (Rule 5.101). Detaining may also be initiated when a supervising state has exhausted all available options to supervise a non-compliant transferee and one of the following occurs: a conviction for a new felony offense or violent crime (Rule 5.102), the supervised individual has engaged in behavior causing violation (Rule 5.103), or the individual absconds (Rule 5.103-1).

How is the retaking or extradition process managed? The key stakeholders involved in the retaking process vary based on the jurisdiction responsible for the return. The interstate compact office is the primary point of contact. Retaking is mandatory in some cases; please consult the ICAOS rules for additional information.

If a warrant is issued to retake, receiving states must obtain the individual and transport arrangements are made. States have 30 calendar days to retake once an individual is in custody and available to return (Rule 5.103). If subject to sending charges, the supervised individual may not be available for retaking.

Sending state officers may apprehend and retake individuals subject to the Compact (Rule 5.107).

Officers of the sending or receiving state shall transport individuals without interference (Rule 5.109).

ICAOS BEST PRACTICE 1-2023 UNIFORM FACE SHEETS FOR INTERSTATE WARRANTS



Issued: November 6, 2023

Contact: Kelly Palmetter, Deputy Compact Administrator New York (Probation)

The ICAOS Commissioner and State Director of Probation in New York sent a formal memo to local probation departments about the timely issuance of interstate warrants, as well as face sheets developed by their office to easily identify the need for full extradition warrants within 15 business days.

The New York Probation Compact Office developed this administrative process with assistance from:

- New York State Division of Criminal Justice Services (DCJS);
- Office of Court Administration (OCA); and
- New York City Department of Probation

ADMINISTRATIVE PROCESS & EXAMPLES



Memorandum sent to Probation Directors by ICAOS Commissioner explaining:



ICAOS Practice Guide: Electronic Signatures

Electronic signatures have become a convenient and efficient way to sign documents and are legally recognized in every state and US territory. However, the acceptance of an electronic signature may vary depending on the context, the parties involved, and the specific laws of each state. States allow digital signatures and notarization of documents utilizing versions of the Uniform Electronic Transactions Act as well as the Electronic Signatures in Global and National Commerce Act.

The following information is intended to assist Compact offices in navigating the procedures surrounding electronic signatures.

What should a receiving state do when the validity of a signature is questionable, or the electronic signature is unreadable or recognizable?

Present your concerns to the other state prior to rejecting the case. If the other state is unable to validate the signature, try to obtain it through alternate means before rejecting the case.

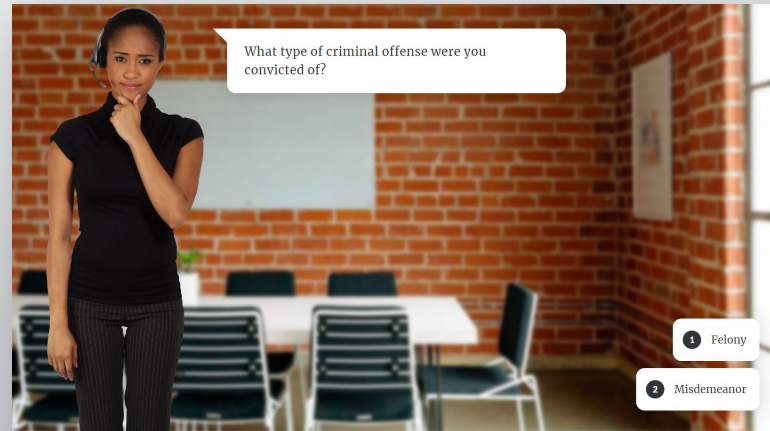
In general, it is a mark or identifier associated with a document or record and executed by a person with an explicit intent to sign. Legally, this can be as simple as an "X."

What best practices can states utilize to prevent confusion on the validity of electronic signatures?

Compact staff should include additional comments in the Transfer Request indicating that the signature is valid and can be referenced by ICOTS users in either the sending or receiving state. Additionally, ICOTS users attest that the form was properly signed and retained when uploading the "Offender Application for Transfer."

Have there been any legal challenges to the use of electronic signatures?

With few exceptions, state and federal e-signature rules generally specify that an agreement may not be denied legal effect or enforceability just because it is in electronic form, and that if a signature is required, an electronic signature is sufficient.



Tips for successful transfers

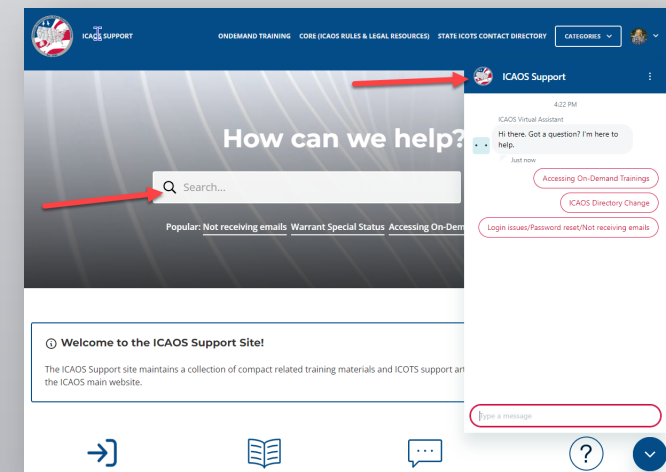
- 1 Cooperate with the transfer investigation by providing factual information.
- 2 Ensure the person sponsoring you (if applicable) cooperates and is aware of the transfer and investigation.

ICAOS Deputy Compact Administrator Success Program

Welcome to your new DCA Role!

The DCA Liaison Committee is committed to ensuring every DCA has the support and resources needed to be successful in your new role. To get started, we will highlight a few important topics as listed below and learn more about how to best assist you!

- ✓ ICAOS Mission & Goals
- ✓ Roles of the Commission, Commissioner and Deputy Compact Administrator
- ✓ The importance of communication and cooperation
- ✓ Acquiring skills you may need to enforce the Compact in your state
- ✓ Where to find resources when a difficult situation arises



Scenario 1: Parolee transfer Texas to California

A Texas soon to be parolee, Jaime Moore, requests transfer to California upon release. He has been working with his release coordinator in hopes to have his transfer approved at the time of release. There, his adult daughter has offered support. Step through completion of the transfer request in the demonstration below. As a reminder, for incarcerated individuals, transfers may be requested up to 120 days prior to the planned release date (See Rule 3.105)

42. Details describing the offense must be provided. Users can type in the descrip... [Read more](#) [Scroll](#) [Open larger](#)

Offense Type	NCIC Code	NCIC Type	Offense Count	NCIC Modifier	NCIC Offense	NCIC Description	Actions
Felony	1314	Assault	1	--	Aggrav. Asslt: Gun	--	Add

▼ Add attachments to case Parolee434970384

New Record

Description:

Attachment:

TRANSFER VERIFICATION TIP SHEET

OUTGOING TRANSFERS

VERIFY THE PLAN

- Call host/sponsor
 - Verify what kind of support are they willing to provide and expectations
 - Ensure they understand what support means (emotionally, financially)
 - What is their relationship and role in the plan of supervision?
- Confirm plan does not violate any conditions of supervision (SO, firearms, etc)
- Verify address- use Driver's license, ID, mail
 - is address correct and valid?
 - is address compliant with conditions of supervision?
- As needed/applicable, verify employment

PREPARE INDIVIDUAL & HOST

- Explain the expectation to cooperate during the investigation
- Host should be responsive to calls/inquiries from receiving state
 - Verify contact information, phone and best time to contact
 - Inform host/sponsor to be prepared for a home visit
- Confirm there are no violations of conditions (SO, firearms, etc.)
 - Do they have any weapons or hunting equipment in the home?
 - If yes, can they be secured?
 - If yes, are they willing to remove weapons from home?
 - If they live with others, ensure this does not violate any conditions (do they have criminal record?)

JUSTIFY THE PLAN

- Explain how is this plan in the best interest of the individual, victim, public safety, etc.
- Why is this the BEST plan for this individual?
- Does there need to be any supporting documentation? (acceptance letters, etc.)
- Explain what support the individual has in the receiving state, as needed include if the individual lacks support in your sending state
- Explain how the plan was verified

IMPORTANT!

Use this tip sheet template to improve your state's verification processes. As transfers possess unique elements, this tip sheet is not exhaustive of all processes or procedures required for every transfer request. States should utilize this tip sheet while also incorporating state specific processes as outlined in your state's ICOTS policies and procedures.



INTERSTATECOMPACT.ORG/
SUPPORT.INTERSTATECOMPACT.ORG/ICR-US

A. Participating agencies will make every reasonable effort to ensure that photographs of supervised individuals uploaded to ICOTS meet the following criteria:

1. the individual's face is recognizable and visible;
2. the photo is displayed in 'portrait' view (height is greater than width);
3. the photo is in color and is sharp with no visible pixels or printer dots; and
4. the background does not detract from the individual's face.

Acceptable Primary Photos



Unacceptable Primary Photos



ICAOS TRANSFER REQUEST QRG

A Transfer Request is required for every Compact transfer of supervision; see Rule 3.107. Be sure to VERIFY all information entered. See ICAOS's Verification Tips Sheet.

Transfer Request for Dora Explorer

Select Start next to the topic that you want to visit. When you're finished entering all of the information, select Submit.

Topic	Progress
General Information	<input checked="" type="checkbox"/>
Disposition Date & Transfer Process	<input checked="" type="checkbox"/>
Transfer Justification	<input checked="" type="checkbox"/>
Receiving State Residence	<input checked="" type="checkbox"/>
Receiving State Employment / Means of Support	<input checked="" type="checkbox"/>
Send Offense Details	<input checked="" type="checkbox"/>
Investigational History	<input checked="" type="checkbox"/>
Current Residence	<input checked="" type="checkbox"/>
Previous Orders	<input checked="" type="checkbox"/>
State Director Details	<input checked="" type="checkbox"/>
Victim Services Details	<input checked="" type="checkbox"/>
Preparations Investigation Report	<input checked="" type="checkbox"/>
Supervision History	<input checked="" type="checkbox"/>
Preparations Obligations	<input checked="" type="checkbox"/>
Conditions of Supervision	<input checked="" type="checkbox"/>
Offense Mitigation	<input checked="" type="checkbox"/>
Offender's Application	<input checked="" type="checkbox"/>

Tour the Offender Profile Screen

6. Select Compact Action Request

6. Select Compact Action Request

ICOTS Case # [redacted] Sending State [redacted] Receiving State [redacted] Milestone Dates [redacted] Status [redacted] Department Return Date # [redacted] Supervision End Date [redacted] Action [redacted]

Transfer Request -- Submitted 11/13/2023

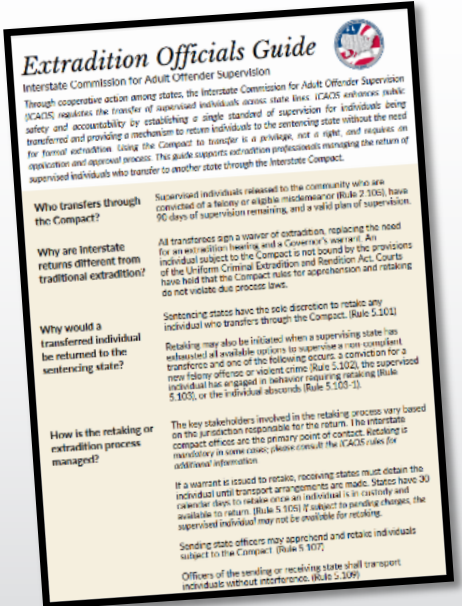
© Data Area (Reserved) -- Submitted 11/13/2023

Ready to Transfer Request -- Submitted 11/13/2023

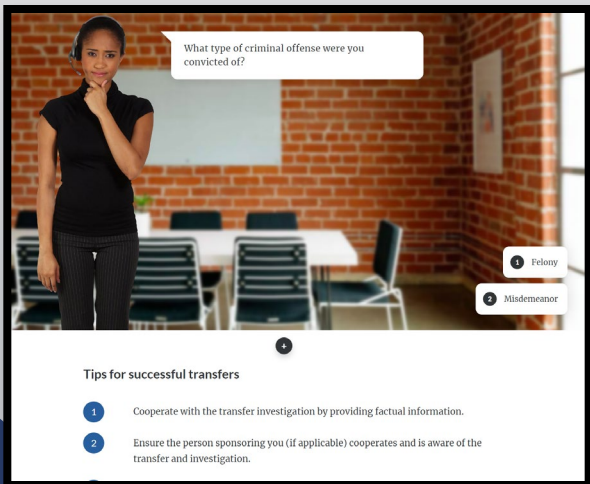
Compact Office/State Initiatives

- Improve Communication
 - Improve quality & quantity w/ both Internal & External Agencies
- Enhance stakeholder involvement
 - Courts/Release agencies
 - Supervising agencies
 - Victims
 - Extradition teams/jails
- Highlight Core Correctional Practices in ISC Training
 - Effective reinforcement,
 - Effective disapproval, and
 - Effective use of authority





- › ICAOS Quick Reference Guides:
 - › Courts
 - › Jails
 - › Transport/Extradition Teams
 - › Probationer/Parolee: Work WITH individuals transferring. Understanding of the process & cooperation promotes acceptances.



- › Stakeholder Training: Keep Collaborative
 - › How can Compact assist?
 - › How can Stakeholder assist Compact?

Field Improvements

- Enhance communication & correspondence
 - When using ICOTS
 - With stakeholders involved in compact cases
 - With transferees and sponsors, particularly during the transfer process
- Improve documentation
- Learn how transferee's needs are identified
- Promote supervision success



Developing Practices to Promote Change



- What practices does your state use to address violations?
- How do these practices fit into compact cases?
- What practices focus on successful outcomes?

Reducing Barriers to Success



How can we help?

Popular: [Not receiving emails](#) [Warrant Special Status](#) [Accessing On-Dem](#)

ICAOS Support ⋮

4:22 PM

ICAO Virtual Assistant

Hi there. Got a question? I'm here to help.

Just now

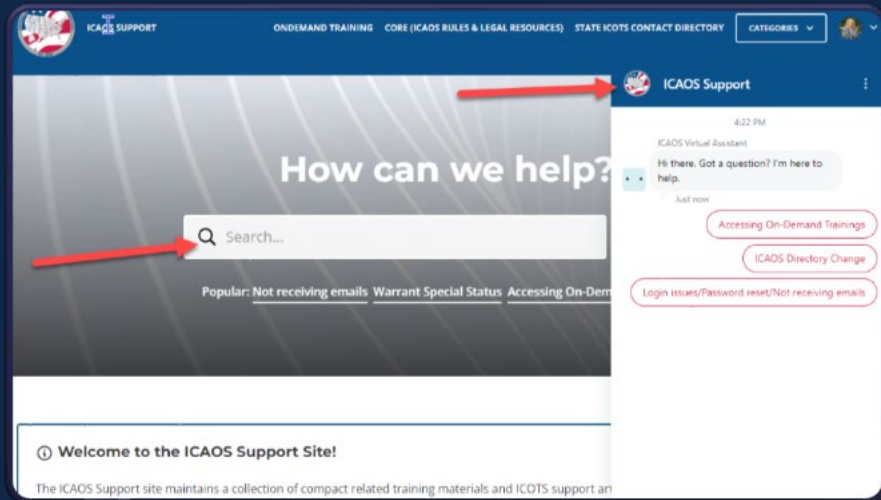
[Accessing On-Demand Trainings](#)

[ICAO Directory Change](#)

[Login issues/Password reset/Not receiving emails](#)

📘 Welcome to the ICAOS Support Site!

The ICAOS Support site maintains a collection of compact related training materials and ICOTS support art



<https://www.interstatecompact.org/core-search>
<https://www.interstatecompact.org/bench-book>
<https://support.interstatecompact.org/hc/en-us>



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Please provide your feedback for today's presentation!

