

# Discretionary Cases Assessment

## FY2015 National Statistics

In place of a compliance audits in 2016, the national office examined the reasons and rate to which discretionary transfers are rejected. The transfers assessed were processed in FY 2015. The goal of the summary that follows is simply to provide states with information they can't easily access when evaluating how well the transfer process is working in their jurisdiction. The results are not scored and the states are not compared against each other.

In FY2015, the states processed 10,496 discretionary transfers. The national acceptance rate for discretionary transfers is 57% (6,032). Included in the accepted cases are 745 cases (7%) which were initially rejected and the sending state resubmitted resulting in a subsequent acceptance. The national number of rejected cases was 4,464 (43%).

Of the 10,496 discretionary transfers processed by the states, 8,126 (77%) went to the field for investigation. The compact office staff responded to 2,370 (23%) of the discretionary transfers.\*

- **Field Investigations:** Of the 8,126 discretionary transfer requests sent to the field for investigation, 5,676 (70%) were accepted and 2,450 (30%) were rejected
- **Compact Office Response:** Of the 2,370 discretionary transfer requests investigated by compact staff, 356 (15%) were accepted and 2,014 (85%) were rejected

For the 4,464 discretionary transfer rejections the reasons for rejection included:

- 3,555 (79.64%) rejections for specific reasons that identified missing information, invalid plan of supervision, unable to verify plan of supervision or insufficient justification;
- 174 (3.9%) rejections due to the offender being in the receiving state without approved reporting instructions;
- 108 (2.42%) rejections for a non-qualifying misdemeanor;
- 24 (0.54%) requested resubmission as a mandatory reason for transfer;
- 31 (0.69%) rejections due to the offender having an outstanding warrant for arrest;
- 117 (2.62%) rejection were the result of the offender changing his/her mind;
- 39 (0.87%) of the rejections were the result of the offender failing to report;
- 28 (0.63%) rejections because of criminal behavior or termination of supervision by courts;
- 388 (8.69%) of the rejected cases provided 'generic' reasons for rejection. i.e. "State does not consider this a valid discretionary plan of supervision"; "insufficient merit"; "lack of sufficient reason"; etc. The majority of these cases contain insufficient justifications for transfer provided by the sending state though the reason for denial was not explained by the receiving state.

\*Some states staff the compact office with parole or probation officers who are also responsible for investigating transfer applications.