

Chapter XIII: Interstate Compact Supervision

A. Introduction

The Interstate Compact Unit (ICU) Branch provides administrative and case management services for offenders under the auspices of the Interstate Commission for Adult Offender Supervision (ICAOS). Staff assigned to the ICU Branch conduct screening and intake functions, as well as investigative and monitoring services, for probation and parole matters originating in the District of Columbia, but with the offender ultimately being supervised in another jurisdiction. Designated Interstate Compact staff also provides a full range of case management services to adult offenders being supervised in the District of Columbia whose originating offenses and sentencing occurred in other jurisdictions. Case management services for the out-of-town supervision caseload are provided in neighborhood field units situated throughout the District of Columbia. A full range of case management services is also provided for offenders who are ineligible for Compact transfer and reside within the reporting radiuses of CSOSA field unit sites.

B. Historical Perspective

The Interstate Compact for the supervision of parolees and probationers arose following the enactment by Congress of the Crime Control Act of 1934. This compact permitted two or more states to enter into agreements or compacts for cooperative efforts and mutual assistance in the prevention of crime. Since 1937, the Interstate Compact for the Supervision of Parolees and Probationers has provided the sole statutory authority for regulating the transfer of adult parole and probation supervision across state boundaries. Prior to the enactment of the Compact, offenders could not leave the state of conviction, or could leave only under “gentlemen’s agreements” or “sundown” parole or probation circumstances (i.e., release conditioned upon leaving the jurisdiction, never to return and without thought given to supervision). None of these arrangements were satisfactory and defeated the real purposes of parole and probation supervision. The primary purpose behind the creation of the Interstate Compact was to end and/or discourage these practices. All 50 states were members of this interstate agreement, as are the District of Columbia, Puerto Rico and the U.S. Virgin Islands.

In 1998, the National Institute of Corrections (NIC) Advisory Board, following several public hearings, directed its staff to begin pursuing a revision of the compact. Through the development of an Advisory Group, NIC facilitated a discussion among state officials and corrections policy experts, arriving at a list of recommendations for improvement and overhaul to the existing interstate compact. Through a partnership with The Council of State Governments (CSG), NIC and CSG developed and facilitated a Drafting Team of state officials to design a revised interstate compact – one that would include a modern administrative structure, that provided for rule-making and rule-changing over time, that required the development of a modern data collection and information sharing system among the states, and one that was adequately funded to carry out its tasks.

Beginning in January 2000, the new Interstate Commission for Adult Offender Supervision saw acceptance in the states and by June 2002, had reached its threshold of 35 states, thereby becoming active in just 30 months. The District of Columbia signed the revised compact into law on November 26, 2002. To date, all states have signed the revised Compact into law.

The first meeting of the new Interstate Commission took place November 18-20, 2002 in Scottsdale, Arizona. More than 45 states attended the inaugural meeting at which the newly formed commission conducted preliminary business.

The Interstate Commission provides the day-to-day oversight of the Compact between the states. It promulgates rules to achieve the goals of the compact, ensures an opportunity for input and timely notice to victims and to jurisdictions where defined offenders are authorized to travel or to relocate across state lines. The ICAOS will establish a system of uniform data collection, provide access to information on active cases by authorized criminal justice officials, and coordinate regular reporting of Compact activities to heads of state councils, state executive, judicial, and legislative branches and criminal justice administrators. The Commission will also monitor compliance with the rules governing interstate movement of offenders and initiate interventions to address and correct noncompliance and will coordinate training and education regarding regulations of interstate movement of offenders for officials involved in such activity.¹

C. Eligibility for Supervision

Any sending state that is a party to the Interstate Compact may permit eligible probationers or parolees to reside in another (receiving) state that is party to the Compact if:

1. Such person is in substantial compliance with the terms of supervision in the sending state.
2. Is a resident of or has resident family members residing within the receiving state who have indicated a willingness and ability to assist as specified in the supervision plan.
3. Can obtain employment in the receiving state or has a visible means of support.
4. Though not a resident of the receiving state and not having family residing there, the receiving state consents to such a person being sent.
5. The defendant himself/herself is in the military or has family member(s) in the military transferred to the receiving state.

¹ Interstate Commission for Adult Offender Supervision (ICAOS) website

6. Offender is supported by or lives with family members in the military who have been transferred.
7. Relocation of employment of the family member providing the offender with support.
8. Before granting such permission, the receiving state shall have the opportunity to investigate the residence and the prospective employment of such persons.

The definition of a resident of the receiving state is:

One who has been an actual inhabitant of such state continuously for more than one (1) year prior to coming to the sending state and has not resided within the sending state more than six (6) continuous months immediately preceding the commission of the offense for which the conviction occurred.

D. Types of Supervision

Supervision under the Interstate Compact is provided to three categories of offenders: felons, misdemeanants, and non-convicted offenders (see Appendix S, Interstate Compact Transfer Process Flowchart).

1. Felons

A felony offender who has three months or more, or an indefinite period of supervision remaining, shall be eligible for transfer of supervision to a receiving state under the compact.

2. Misdemeanants

A misdemeanor offender whose sentence includes one year or more of supervision shall be eligible, providing all other criteria for transfer have been satisfied and the instant offense includes one or more of the following:

- a. An offense in which a person had incurred direct or threatened physical or psychological harm;
- b. An offense that involves the use of a firearm;
- c. A second or subsequent driving while impaired by drugs or alcohol;
- d. A sexual offense that requires the offender to register as a sex offender in the sending state.

3. Non-Convicted Offenders

Offenders subject to deferred sentences are eligible for transfer of supervision under the same eligibility requirements, terms and conditions to all other offenders under the Compact. Persons subject to supervision pursuant to a pre-trial intervention program, bail or similar programs are not eligible for Compact transfer.

E. Conditions of Supervision and Special Conditions

Offenders will comply with the conditions of supervision imposed by both the sending and receiving states. The receiving state may impose its own special conditions and shall notify the sending state of such conditions as soon as possible. If the receiving state chooses not to, or is unable to enforce a condition of supervision imposed by the sending state, the receiving state shall notify the sending state immediately.

1. Standards and Procedures

Interstate Compact standards provide for the Governor of each state to appoint an Interstate Commissioner, as well as a Compact and a Deputy Compact Administrator who are responsible for the administration of the Compact. The District of Columbia is not a state and, therefore, does not have a Governor, the Director of CSOSA serves as the Interstate Commissioner and the Compact Administrator.

All communications involving Compact matters shall be mandated and channeled through the Compact Administrator's Office or the office of a designated Deputy Compact Administrator. These regulations reflect the necessity of the existence of a central authority responsible for the administration of the Interstate Compact. Interstate offices must ensure the accuracy of record keeping and be accountable for following uniform Compact policies and procedures.

2. Opportunity to Investigate

In requests for transfer through the Compact, the responsibilities listed below are to be followed:

- a. The receiving state shall have the opportunity to investigate the prospective plan of the offender prior to movement to the receiving state.
- b. Cases with less than ninety days of supervision shall not be transferred.
- c. In pre-parole cases, the receiving state shall not commence investigation of employment and residence more than one hundred and twenty days in advance of the proposed placement.

- d. If the offender has not proceeded to the receiving state within five calendar days following the intended date of departure from the sending state, the receiving state may withdraw its acceptance and close interest with notification to the sending state. The sending state may ask for a re-investigation of the proposed plan but shall await another acceptance before sending the offender to the receiving state.
- e. Upon receipt of the transfer request, the receiving state has forty-five calendar days to complete the investigation.
- f. If the receiving state rejects supervision, it is the responsibility of the sending state to arrange for the removal of the offender from the receiving state.

3. CSS Interstate Transfer Procedures and Packages

When the supervision CSO has identified an offender who desires to transfer under the Interstate Compact, a transfer package is forwarded to the Deputy Compact Administrator or designee for review. Complete packages are assigned to an Interstate CSO for processing and tracking. The offender remains under supervision with the referring CSO pending acceptance of the supervision transfer to the receiving state. Incomplete packages are returned to the supervision SCSO for correction prior to assignment to the Interstate Branch. Once the case is accepted for transfer, the case is to be transferred to the interstate SCSO so the case can be monitored by an Interstate Compact Assistant (ICA).

- a. Transfer Package for Probationers. The transfer package for probationers should include:
 - i. Signed Interstate Compact transfer request form;
 - ii. A supervision transfer summary which should address the offender's status/compliance with all special conditions and overall adjustment to supervision, state reason(s) the offender wants to re-locate, and with whom the offender will reside;
 - iii. Judgment and Commitment Order;
 - iv. PD 163, or other official statement of original offense, which can be included in the PSI if one was ordered by the sentencing Judge;
 - v. Pre-Sentence Investigation Report/Social History; and
 - vi. Interstate Compact Confidentiality Releases and Authorizations for drug testing.
- b. Transfer Package for Parolees are transferred to the U. S. Probation Officers under the USPC. The transfer package for parolees should include:

- i. Current Parole Certificate;
- ii. A supervision transfer summary which should address the offender's status/compliance with all special conditions and overall adjustment to supervision, state reason(s) why the offender wants to re-locate, and with whom the offender will reside;
- iii. Institutional adjustment reports or Pre-Sentence Investigation (PSI) Report;
- iv. Judgment and Commitment Order; and
- v. CSOSA Confidentiality Releases.

Under compact law, the receiving state has the right to investigate all supervision requests prior to an individual proceeding to the new state. All individuals requesting transfer of supervision, therefore, must remain in the District of Columbia pending acceptance. Offenders may be given a travel permit to a specific location in another state for visitation purposes only (not to exceed a thirty day period). Individuals who resided outside the District of Columbia at the time of arrest and subsequent adjudication/sentencing are directed by OPU/Intake to the Interstate Branch for supervision pending their return to the jurisdiction of residency. If the CSO determines that an offender is residing in another state without the approval of the receiving state, the offender is to be ordered immediately to return to D.C. The CSO is not authorized to give permission to an offender to reside in another state without the expressed written permission of the receiving state.

4. Offender Travel Outside the District of Columbia

Under Compact law, the receiving jurisdiction has the right to investigate all transfer of supervision requests prior to an offender proceeding to that state. All offenders requesting transfer of supervision must remain in the District of Columbia until the Interstate office for CSS receives a final acceptance from the receiving state.

Offenders may be given a travel permit to a specific location in another state for visitation not to exceed a thirty-day period. Additionally, offenders with residency outside of the District of Columbia at the time of sentencing may be granted a travel permit for a period not to exceed seven days pending receipt of reporting instructions from the receiving state.

Individuals who reside outside the District of Columbia at the time of arrest and subsequent adjudication/sentencing are directed by OPU/Probation Intake staff to the Interstate Compact Branch for supervision pending their return to the jurisdiction of residency.

If an individual who is a resident of another jurisdiction commits an offense in the District of Columbia and is subsequently convicted, the offender is referred to the Interstate Branch so that the intake process can be initiated prior to the offender returning to his or her state of residence.

Offenders from another jurisdiction who commit a crime in the District of Columbia upon release to the community must remain in the District of Columbia until the receiving state provides reporting instructions for their return. This requirement applies to those offenders whose period of residency is broken due to a term of incarceration.

Offenders released on parole by the USPC, or sentenced to periods of supervised release by the D.C. Superior Court, and who desire to reside in another state are not required to be transferred through the Interstate Compact. The U.S. Probation Office in the state that the offender will reside investigates these transfer requests and provides supervision upon acceptance.

5. Supervision Issues

Once accepted by the receiving state, the following supervision guidelines are to be observed:

- a. Each receiving state shall assume the duties of visitation and supervision over offenders transferred under the Compact, by the same standards that prevail for its own offenders;
- b. The sending state determines the duration of supervision and the receiving state determines the degree of supervision;
- c. The receiving state shall provide the sending state with annual progress reports unless discontinued by mutual consent. The receiving state shall provide arrival reports to the sending state immediately upon the offender's arrival;
- d. No sending state shall impose a supervision fee on an offender who is currently being supervised by another state. All Court imposed monies, or monies ordered by the offender's paroling authority, that the sending state desires to collect from transferred offenders is to be sent directly to the sending state by the offender;
- e. The receiving state has the discretionary authority to issue an offender a temporary travel permit to make visits out of the receiving state for a period not to exceed thirty days; and

- f. The receiving state shall close its records and cease supervision of an offender on the date of discharge from supervision as noted in the transfer request or upon notification to close interest from the sending state. Closure can also occur when an offender absconds, is institutionalized or imprisoned for more than 180 days, upon the receipt of a warrant from the sending state or upon death.

6. Violations

In situations where there appears to be good and sufficient reason(s) to believe that a violation has occurred, the receiving state may ask the sending state to re-take the offender:

- a. The receiving state shall promptly, upon violation, notify the sending state of such violation. The receiving state shall send information to the sending state in instances of re-arrest and/or conviction(s) detailing the nature of the crime and the length of the new sentence, as well as any technical violations. The sending state shall reply to any violation report with either a decision or status report within thirty days of its receipt.
- b. The sending or receiving state can place a warrant, detainer or Compact warrant against an offender.
- c. There is no bail allowed on an offender arrested in the receiving state while the sending state is in the process of returning the offender.
- d. The receiving state shall conduct a preliminary hearing on a violation when requested to do so by the sending state. No preliminary hearing is necessary when an offender has waived the hearing and admitted the violation.
- e. The sending state recognizes the duty to re-take a violator if the receiving state insists. Nevertheless, the receiving state should give due consideration to residence and family ties prior to requesting the return of supervision. The receiving state should be willing to explore sanctioning alternatives requested by the sending state.

7. Re-taking Cases from Another Jurisdiction

- a. Arrests, Warrants and Bail

Interpreters of the Compact have concluded that an offender under Compact supervision may be:

- i. Arrested upon issuance of a warrant from the sending state and held until the sending states is able to assume custody; and

- ii. Denied bail while the sending state is in the process of returning an offender to its jurisdiction, particularly if an offender of the receiving state may be denied bail under similar circumstances. The receiving state is bound by the sending state's warrant.

The sending state is responsible for posting wanted notices and warrant broadcast or coordinating with appropriate officials to ensure appropriate law enforcement notification.

F. Return Under the Compact

The Compact provides that duly accredited officers of a sending state may, at all times, enter a receiving state, apprehend and re-take an offender. For that purpose, no extradition formalities are required other than establishing the authority of the officer and the identity of the offender. All legal requirements to obtain extradition of fugitives from justice are waived. The decision of the sending state to re-take an offender is conclusive and not reviewable within the receiving state. When a state seeks to re-take an offender, there should be no pending charges against the offender and the offender should not be a suspect in any criminal investigation. The offender shall not be re-taken without the consent of the receiving state until discharged from prosecution or from imprisonment for such offense.

The right of states to re-take Compact cases without extradition has been challenged in court many times, but no court of last resort has handed down a decision unfavorable to the Compact. An offender who has been released to supervision under the Compact in another state, and absconds to a third state, also may be returned without the formality of extradition proceedings.

There are several court decisions upholding the return of an alleged violator under a pre-signed waiver. The courts have ruled:

1. Prior waiver of extradition as a condition of supervision is not an unreasonable or coerced condition;
2. Prior waiver is enforceable if the offender had "general knowledge and understanding" of the waiver;
3. Extradition is not an exclusive remedy; and
4. There is need only to establish the identity of the offender and the authority of the re-taking officer.

G. Supervision of Offenders Ineligible for Interstate Transfer

This section provides procedural guidance for supervision and case management activities of offenders who are ineligible for transfer under the Interstate Compact for Adult Offender Supervision (ICAOS). Cases are assigned to the Interstate Branch for offenders with addresses outside the District of Columbia.

Upon receipt, the cases will be reviewed by Interstate staff to determine their eligibility for supervision transfer to the state of residency.

Offenders who are not eligible for transfer will be supervised in the Interstate Branch or assigned to the designated special supervision teams (i.e., DVIP, TAP unit or Sex Offender team).

1. This procedural guidance is specific to all D.C. Code Offenders who:

- a. Reside beyond the boundaries of the District of Columbia
- b. Have been convicted of minor misdemeanor offenses and/or, who are ineligible for interstate transfer of supervision. (Note: this latter category would include offenders who are not mandatory acceptances, but have relocated prior to sentencing and do not meet the residency timelines as noted in the compact rules. They may live in the receiving state at the time of sentencing but have not been there long enough to qualify as residents and are discretionary transfers).

The rules of the Interstate Compact for Adult Offender Supervision (ICAOS) prohibit the supervision transfer of offenders convicted of minor misdemeanor offenses except for those matters involving:

- An offense wherein a person has been the direct, or threatened, victim of physical or psychological harm;
- An offense that involves the use or possession of a firearm;
- A second or subsequent offense of driving while impaired by drugs or alcohol.

Note: All **interstate non-transferable cases** are to be assigned for supervision to the Interstate Compact Unit (ICU) Branch including those persons identified as mental health offenders with a classification status of “interstate non-transferable”.

As a result, a category of offenders (non-transferable) who were previously eligible for transfer and supervision in other jurisdictions will be required to maintain reporting responsibilities to CSOSA. The jurisdictional boundaries of the Washington Metropolitan Area allow for reasonable access to CSOSA field offices via public transportation for offenders who reside within a forty (40) mile radius.

D.C. Code offenders residing within a 40 mile radius of the District of Columbia, who are ineligible for interstate transfer, will be required to report for community supervision under modified offender contact standards determined by the offender’s assessed level of risk for recidivism.

These standards have been established to satisfy supervision requirements and encourage offender compliance.

Contact standards will be established for low, medium and high-risk offenders. Risk levels for these offenders will be determined by the results of the CSOSA auto screener.

2. Modified Offender Contact Standards

Offenders who reside beyond the forty-mile radius and are ineligible for interstate transfer will be placed in monitored minimum category of supervision. These offenders will not be administered the auto-screener by staff. These offenders will be placed on a mail-in supervision requirement. The offender will be required to report by mail monthly and the CSO is responsible for monthly verification of the offender's compliance with the releasing authority imposed special conditions.

These offenders will not be drug tested, however, if as a result of an OPU referral for drug testing and the offender's drug test is positive, the offender is to be referred to treatment services in his/her jurisdiction of residency.

Also, the CSO is required to verify compliance by the offender with respect to the offender's payment of his/her court debt; (See Chapter VI: Community Supervision Services Case Management Activities (Supervision Conditions) re: fines, cost, and restitution payments.) As appropriate, the CSO will be required to verify that all identified offenders submit as required to DNA collection.

During the initial interview, the CSO will be required to perform a criminal record check on offenders residing within the forty miles radius of the District of Columbia. If the offender has a felony conviction history within the past ten years, the CSO will be required to conduct the auto screener. The assessed cases will be supervised based on the supervision level as determined by the auto screener.

Offenders who have no history of felony convictions or no felony convictions within the past ten years will not be assessed via the auto screener. These offenders will be placed in the monitored minimum status of supervision and will be required to submit monthly mail in reports to the CSO.

a. Low Risk – Minimum Supervision Level:

The following offenders will be assigned to the low risk –minimum supervision level:

- Offenders who are identified with a felony conviction within the past ten years and have been classified at the minimum level of supervision as determined by the auto screener.

- Offenders who have no history of a felony conviction not requiring an assessment.

Offenders will be required to mail in monthly reports to the CSO. Ordinarily, these offenders will not be drug tested. However if, as a result of an OPU referral for drug testing, the offender tests positive for illegal drugs, then the CSO will schedule an unannounced second spot test within thirty days of the OPU referred drug test.

If the second drug test is positive, then the offender is to be sanctioned based on the agency's standard protocol. The offender is to be placed on weekly Saturday drug testing until the offender has demonstrated six consecutive negative drug tests. If the offender continues to test positive for illegal drugs, the CSO will adhere to the agency's sanction protocol.

The assigned CSO will complete the following case management activities within the first forty-five days of case assignment:

- Verify residency
- Verify employment
- Complete initial referrals for court order special conditions to the appropriate social service agency within the jurisdiction of residency
- Establish collateral contact information
- Provide offender with supervision reporting forms, and supervision contact information for mail-in supervision tracking

b. Medium Risk – Medium Supervision Level

All offenders who are assessed via the auto screener and assigned to medium level of supervision will be required to check in via phone or Kiosk² once per month to verify compliance with the conditions of the releasing authority.

The assigned CSO will complete the following case management activities within the first forty-five days of case assignment:

- Refer for initial spot test if the offender has not been referred for testing by OPU (if negative spot test every 90 days)

² The Agency is investigating Kiosk as well as automated telephone technology as a supervision aide to the staff. In the interim, the offender will be required to telephone the CSO monthly

- If positive, refer for treatment assessment and placement in the jurisdiction of residency and drug test monthly pending six-month re-assessment
- Verify residency
- Verify employment
- Complete initial referrals for court order special conditions to the social service agency within the jurisdiction of residency
- Re-assessment every six-months
- Establish collateral contact information
- Provide offender with kiosk/phone tracking supervision contact information

c. High Risk – Maximum/Intensive Supervision Level

All offenders who are assessed via the auto screener and assigned to maximum or intensive category of supervision will be required to telephone monthly, and report monthly in person to the CSO³.

The assigned CSO will complete the following case management activities within the first forty-five days of case assignment:

- Verify residency
- Refer for initial spot test (provided the offender has not been referred for testing by OPU)
- Refer for a treatment assessment or placement in the jurisdiction of residency if the offender tests positive
- Verify employment
- Complete initial referrals for court order special conditions to the social service agency within the jurisdiction of residency
- Establish collateral contact information
- Monthly urinalysis testing

³ The reporting requirement could be modified based on the Agency’s efforts to procure automated reporting technology to assist the CSO staff in the offender supervision effort.

- Reassessment at six-month intervals
- Provide offender with kiosk/phone tracking supervision contact information

Offenders in all supervision levels who remain compliant with the conditions of the releasing authority and remain arrest free will be managed under the above noted supervision protocols until expiration or termination of the supervision period. Those who incur new law violations or fail to satisfy the conditions of the releasing authority will be referred to the judiciary for Court intervention. The CSO staff will complete a criminal record check for new law violations per CSS policy and make follow up contacts with service providers to determine offender's compliance status. Restitution and fine payments will be tracked in accordance to CSS procedural guidance.

CSO staff will follow agency Loss of Contact procedures with the exception of completing a home contact to the outside jurisdiction. In some instances, local law enforcement or community supervision staff in the jurisdiction of residency for the offender will be contacted for assistance in completing home contacts.

3. Interstate Transfer Guidance – Transfer of Eligible Offenders

Offenders eligible for Interstate Compact Supervision will be processed for supervision transfer per compact eligibility guidelines (see rules Interstate Commission for Adult Offender Supervision). For all offenders who fail to report to the assigned supervision team per OPU instructions, the CSO will initiate supervision contact with the offender within one business day of the offender's case assignment to schedule an initial supervision contact.

Note: Loss of Contact procedures will be initiated if the offender cannot be located or fails to report after scheduling an appointment.

During the initial office visit, reporting instructions from the receiving state will be requested for transfer eligible offenders. Upon receipt of reporting instructions and a notice of arrival, the offenders will be placed in monitored minimum status of supervision pending official transfer acceptance to the jurisdiction of residency. The completed transfer package shall be submitted to the SCSO for review and approval within ten (10) days of the offender's initial office visit.

4. Transfer-Out Process for Eligible Offenders

For offenders reporting to the Interstate Branch directly from OPU or Court, the CSO will ensure that the following requirements will be completed by the conclusion of the initial office visit:

- Complete offender orientation to include a review of the court order and special conditions
- Discuss Interstate Commission guidelines for supervision transfer
- Review the Interstate Commission Application with the offender and obtain his/her signature on the document
- Obtain signatures from the offender for release of information forms and authorization for search and seizure forms
- Verify residence by phone or by photocopying offender's driver's license, utility bills, or lease document
- Verify collateral contacts
- Request reporting instructions from receiving state
- Refer the offender, if required, for DNA Collection, Sex Offender Registry (if referrals were not completed by OPU staff)
- Confirm that the offender completed the requirements of DNA Collections and Sex Offender Registry prior to authorizing the offender to proceed from the District of Columbia
- Update all SMART screens (i.e. basic information/physical housing/employment, etc.)
- Upload offender's photo in SMART
- Complete CSS Social History Form if PSI is not available
- Complete Notice of Departure & travel Permit and fax same to the receiving jurisdiction. Upon receipt of reporting instructions and the Notice of Arrival Form from the receiving state, place the offender in monitored minimum status of supervision. These notifications must be in writing and can be received via fax or as emails.
- If transfer acceptance confirmation is not received from the receiving state within a forty-five day period after permission was granted for the offender to return to his/her home state; or, after the submission of a discretionary transfer request, the CSO shall contact the receiving state's compact office within

three business days following the forty-five calendar day period to obtain an updated status report on the transfer request).

- Upon receipt of a reply to the transfer request accepting supervision, the CSO must update the residency and employment information in SMART and submit the case to the SCSO for review and transfer assignment to the Interstate Assistant
- The offender's case is to be forwarded to the team SCSO to review for completeness prior to transfer to the Interstate Assistant.
- Offenders with split-sentences assigned directly from OPU to the Interstate Branch will be processed for transfer as follows:

The Interstate CSO will:

- Identify the institution where offender is detained
- Verify the offender's release date
- Contact the institutional case manager and verify the offenders release plan
- Forward {Fax, email or U.S. Postal Service mail} Interstate documents to the assigned case manager for offender signatures. Also, the case manager should be given information noting the offender's reporting requirements upon release from the institution. The completed transfer package should be submitted to the SCSO for approval one hundred twenty calendar days prior to the offender's release and forwarded to the receiving state for review and acceptance.
- Upon receipt of written notification from the receiving state, the CSO will maintain the acceptance documents until the offender's release date
- Upon the offender's release, the CSO will request reporting instructions from the receiving state and provide a travel permit to the offender along with the contact instructions. A Notice of Departure will be faxed by the CSO along with a copy of the offender's travel permit to the receiving state upon the offender's departure to the receiving state.

5. Transfer Request DC Code Offenders with a DC Address

DC Code offenders who reside in the District of Columbia can make application for transfer under the provision of the Interstate Commission for Adult Offender Supervision. The supervising CSO must forward a transfer package with SCSO approval to the Interstate Branch Chief/Deputy Compact Administrator or designee for review and approval prior to the case being forwarded to the receiving state for an investigation of the offender's proposed home and employment.

Under no circumstances are offenders to relocate to another jurisdiction without the approval of the receiving state. Any offender in a jurisdiction without the proper approval is to be ordered to immediately return to DC (within one business day). Failure to comply with the CSO's directive is to result in the notification to the releasing authority within two business days of the offender's refusal to return.

The transfer package is to include the following:

- Signed Interstate Commission Applications for Interstate Compact transfer
- Supervision transfer summary – (should address status/compliance to all special conditions and overall adjustment to supervision and indicate why the offender wants to relocate and with whom the offender will reside)
- Judgment and Commitment order
- PD 163 or official statement of original offense, (This can be included in the PSI if one was ordered by the sentencing Judge).
- Pre-sentence report / CSS Social History
- Interstate Commission Authorization for release of Medical and Psychological Information
- Consent for random drug and alcohol testing and to searches based on reasonable suspicion

Incomplete packages will be returned to the supervising CSO and SCSO for corrections and returned to the Interstate staff. The supervising CSO will retain supervision responsibility of the offender until the case has been accepted by the receiving state. Upon acceptance of the case by the receiving state, the supervising CSO will process the case file for transfer to the Interstate Branch for assignment to the Interstate Assistant for compliance monitoring pending expiration of the supervision period.

a. Parole Transfer Requests

The CSO will forward to the Deputy Compact Administrator for review and approval a transfer package for any parole offender who desires to relocate to another jurisdiction.

Parole offenders applying for supervision transfer must remain in the District of Columbia, unless emergency situations exist that would render the offender homeless within the District of Columbia. With approval from the Deputy Compact Administrator, offenders may relocate to the receiving jurisdiction pending acceptance in emergency situations.

The supervising CSO will retain supervision of the offender pending his/her acceptance by U.S. Probation. If the offender's supervision is rejected for transfer to U.S. Probation, the CSO will continue to supervise the offender. The transfer request to U.S. Probation can be re-submitted if the offender provides new information with respect to whom and where the offender will be living with in the receiving jurisdiction. Under no circumstances are offenders to relocate to another jurisdiction without the approval of the U.S. Probation Officer investigating the proposed home and employment plan for the offender.

The transfer package is to include the following:

- Judgment and Commitment Order
- Parole/Supervised Release Certificate
- PSI, Institutional adjustments reports or documentation of the offender's criminal and social history
- Agency Supervision Transfer Summary
- CSOSA authorization for Release of Information
- Documentation of compliance with DNA and Sex Offender registration as applicable
- CSS transfer summary

Prior to forwarding the package to the Interstate Branch for review, the CSO must notify USPC of all positive urine test results and request the imposition of an appropriate sanction. All sanctions that have been imposed by the USPC and the CSO must be outlined in the CSS transfer report.

Incomplete packages will be returned to the supervising CSO's SCSO for corrections before resubmission to the Interstate staff. The supervising CSO will retain supervision responsibility of the offender until the case has been accepted by the receiving state. Upon acceptance of the case by U.S. Probation Office in the receiving state, the supervision CSO will process the case file for transfer to the Interstate Branch who will then process the case for closing. The Interstate CSO who processed the transfer request will forward an acknowledgement letter with the supervision history from SMART to the accepting U.S. Probation Officer, and submit the case to the SCSO for review and closure noting the transfer to U.S. Probation in the SMART system.