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

## Corrections Compact Transfers

Corrections Compact allows Oklahoma 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 other party states and the federal government in order to serve the best interests of the offenders and society. (2-CO-4B-02) The Lexington Assessment and Reception Center (LARC) initial records unit case manager IV serves as the 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.

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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 which 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 shown the ability to finance all transportation costs associated with this transfer.

B. Request Initiation

An offender's request for transfer will be initiated through the offender's assigned case manager.

1. Compassionate transfer requests initiated by the offender where appropriate criteria is met as established in Section I. A. item 4. of this procedure, the offender will sign an "Oklahoma Department of Corrections Interstate Corrections Compact/Contract Transfer Application" ([Attachment A](#), attached) and have it witnessed by the assigned case manager. 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](#), attached).
  - a. The offender will be notified of denied requests by forwarding a copy of the "Facility Assignment Form (FAF)" ([DOC 060204A](#)) with reason for denial.
  - b. Transfer requests approved by the unit team will be forwarded to the facility head for review.
  - c. Transfer requests approved by the facility head will be forwarded to the appropriate deputy director/private prison jail administrator for review. If approved, the transfer request will be mailed to the compact coordinator for processing (Attachments A-C, attached). If denied, it will be the responsibility of the assigned facility to notify the offender.
2. 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](#)). The offender's signature is not required.
3. Corrections Compact packets (2 copies) will include the following:

- a. "Oklahoma Department of Corrections Compact Transfer Request Cover Sheet" signed by the facility head;
  - b. Copies of Judgment and Sentences and/or other commitment documents for each active sentence;
  - c. FBI criminal history abstract;
  - d. Evaluation report prepared by assigned case manager;
  - e. Adjustment reviews;
  - f. Computer generated admission summary;
  - g. Current health summary and mental health evaluation completed within the past six months, to include an assessment by medical services staff concerning the offender's suitability for travel on a "Medical Transfer Summary" ([DOC 140113A](#));
  - h. Copy of the "Consolidated Record Card" (CRC) ([DOC 060211H](#)) (front and back) with the offender's photo attached;
  - i. Pre-sentence investigation/district attorney narrative or any information regarding the offense itself; and
  - j. "Earned Credit Class Report" ([DOC 060211L](#))
4. Transfer requests in compassionate situations will include documentation demonstrating the offender's ability to pay for all travel expenses incurred for the transfer. 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. 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.
  5. All compassionate transfers must have 12 months clear conduct before transfer will be considered.
  6. 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. The administrator of Classification and Population will review the recommendation and approve or deny the request for transfer in a memorandum.
  - a. Transfer requests to the Federal Bureau of Prisons must be approved by the director in writing.
2. Denied transfer packets will be returned to the appropriate facility head by the compact coordinator. Attachments A-C will be placed in the offender's field file and the offender will be notified of denial.
3. Transfer packets approved by administrator of Classification and Population will be forwarded to the compact coordinator.
4. Final approval of corrections compact transfers will be determined by the receiving state.

D. Tracking and Notification Procedures

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

1. Transfer packets are logged and forwarded to the selected 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.
3. An estimated cost of transportation is requested from Internal Affairs and the facility is notified of the estimated travel costs.

E. Transfer Implementation Procedures

1. When the referred offender has been approved for Corrections Compact transfer, the administrator of Internal Affairs will:
  - a. Notify the compact coordinator 72 hours in advance of the date the offender is to be transferred out-of-state; and
  - b. Initiate travel orders to ensure the transportation officer's delivery of the offender to the receiving state is conducted weekdays, Monday through Friday, before 3:00 p.m. (Central Standard Time).
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:

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- a. Copies of all active judgment and sentences or other commitment documents;
  - b. Copy of the offender's CRC;
  - c. Copy of the offender's fingerprint card;
  - d. A photo of the offender;
  - e. A letter of acceptance and instructions for delivery of the offender to the receiving jurisdiction; and will
  - f. 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. The transferring facility will ensure a statement of the account labeled Interstate Corrections Compact transfer, along with a check for total amount stated, is forwarded to the LARC business office. LARC will provide a check for the draw account balance to the Interstate Corrections Compact Office. Statutory savings will be maintained by LARC.
  5. Transferring facility will be responsible to forward both the medical and field file to the Interstate Corrections Compact Office at LARC.
  6. Normally property will be restricted to one cubic foot for the purpose of transportation. The transferring facility will be responsible to maintain all other property until receiving state can provide an address. Property will 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 offenders earned credit status. Maintain time calculation records and provide each offender 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; and

- c. Ensure that the Oklahoma compact offenders are released on the appropriate date.
2. A roster of corrections compact offenders will be distributed monthly to the administrator of Classification and Population and other interested parties as requested on an as needed basis.
3. Corrections compact offenders will be returned to Oklahoma prior to release unless the offender and the receiving jurisdiction agree to release in some other location. If an offender is to be released to a suspended sentence or parole 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:
  - 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. Clothing for the offender.
4. Should an offender escape, the receiving facility will initiate local 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 Internal Affairs Unit.
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.
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, they will write to the compact

coordinator stating their desire and circumstances. 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. 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.

## 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 have problems or needs which can be effectively addressed by DOC.
3. 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 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.
4. Corrections compact offenders will not be housed in private prisons.

### C. Reception Procedures

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

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

1. The compact coordinator will determine what the reporting requirements of the sending jurisdiction are and will advise the receiving facility.
2. The receiving facility will prepare and submit reports as required. Any difficulties in complying with the requirements will be reported to the compact coordinator who will advise the administrator of Classification and Population if the problems cannot be resolved.
3. The compact coordinator is advised by the sending jurisdiction of impending release by parole or discharge.
4. The out-of-state offender is returned to the sending state for release under arrangements made by the compact coordinator unless Oklahoma and the sending state agree upon a release in some other location.
5. Should the interstate offender escape, the assigned facility will initiate local escape procedures. Escapes are 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.
6. 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.

### III. References

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

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 deputy director/division head is responsible for compliance with this procedure.

The chief of Operational Services is responsible for the annual review and revisions.

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

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This procedure is effective as indicated.

Replaced: Operations Memorandum No. OP-060206 entitled "Corrections Compact Transfers" dated July 2, 2007

Distribution: Policy and Operations Manual  
Department Website

Referenced Forms	Title	Location
<a href="#">DOC 060204A</a>	"Facility Assignment Form (FAF)"	<a href="#">OP-060204</a>
<a href="#">DOC 060211H</a>	"Consolidated Record Card"	<a href="#">OP-060211</a>
<a href="#">DOC 060211L</a>	"Earned Credit Classification Report"	<a href="#">OP-060211</a>
<a href="#">DOC 140113A</a>	"Medical Transfer Summary"	<a href="#">OP-140113</a>

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

