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ADMINISTRATIVE REGULATION
NUMBER 022

OPR: CENTRAL RECORDS

INTERSTATE CORRECTIONS COMPACT (ICC)

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures for exchanging inmates between states pursuant to the Interstate Corrections Compact Act (Act 85-752).

II. POLICY

This AR establishes the guidelines to promote cooperation with other party states in exchanging persons already incarcerated with other jurisdictions.

III. DEFINITION(S) AND ACRONYM(S)

- A. Interstate Corrections Compact (ICC): Agreement between two states for the exchange of an inmate.
- B. Transfer Agent Supervisor (TAS): The supervisor of the Transfer Division.
- C. ICC Administrator: Director of Central Records
- D. Institutional Classification Unit: Classification Supervisor and Classification Specialists at the ADOC Institutions.
- E. Pre-Sentence Investigation (PSI): Report of investigation compiled by the Alabama Board of Pardon and Parole containing general information regarding an inmate.
- F. Prisoner's Money on Deposit (PMOD): Record of an inmate's account during incarceration.
- G. Alabama Inmate Serial Number (AIS#): A number assigned to an inmate for tracking purposes.

IV. RESPONSIBILITIES

- A. The Institutional Classification Unit, Warden/Director, Director of Classification, and the Commissioner are responsible for reviewing the inmate's application package information.
- B. For the purpose of this regulation, ADOC's Correction Record's Director is the ICC Administrator.

V. PROCEDURES

- A. Eligibility Criteria, Considerations, and Exclusions for Sending and Receiving
 - 1. Inmates with life without parole or death sentences are not eligible.
 - 2. Inmates with a serious history of disciplinary, security threat group, or other management issues as long as the receiving state is fully aware of said disciplinary issues, or it is substantiated that the inmate cannot live safely within any major state penal institution.
 - 3. Inmates with major medical or psychiatric problems demonstrated or expected are not eligible.
 - 4. Inmates with known court appearances scheduled or anticipated within the contract period are not eligible.
 - 5. Inmate's release date ensures that at least one year will be served in the receiving state and no longer than ten (10) years.
 - 6. Inmate with communicable/contagious diseases will not be received or transferred.
 - 7. It is the intent of the program to exchange inmates on a one for one basis.
 - 8. Inmates must serve sentences concurrently.
 - 9. Other considerations for eligibility are, but not limited to:
 - a. Providing for an inmate's personal safety.
 - b. Allowing an inmate to be nearer home/family.
- B. Procedures as a Sending State
 - 1. Requests for Transfer
 - a. The inmate may initiate the request for transfer by submitting an application in writing to the institutional Classification Unit, or the Warden/Director. The Director of Classification may initiate the

request for transfer in certain cases.

- b. The Institutional Classification Unit will evaluate the request for transfer and submit a recommendation to the Warden/Director for consideration on a progress review form.
- c. If the Warden/Director approves Classification's recommendations, a cover letter will be forwarded to the ICC Administrator with a copy of the Inmate Summary Sheet, the PSI and the latest Progress Report, Medical History Form (Annex A), and ICC Transfer Request Form (Annex B).
- d. The ICC application will be forwarded to the ICC Administrator for documenting purposes and to prepare it for the Director of Classification's review.
- e. The Director of Classification receives the application to review for the final approval/denial recommendation. In most cases, a review will be made to determine if there is an inmate in another state wanting to be exchanged. The out of state inmate should have a similar sentence and custody as the requesting inmate. Their release dates should be within a one-year difference in time.
 - (1) If denied, the application will go back to the ICC Administrator with a reason for denial.
 - (2) If approved, the application will then go on to the Commissioner for review. The Director of Classification will notify the ICC Administrator.
- f. When the ICC Administrator receives a denied application, he/she will create and forward a letter to the inmate, also sending a copy to the Warden/Director, explaining the reason for the denial.
- g. The Commissioner will review recommendations for transfer received from the Director of Classification.
 - (1) Should the Commissioner deny the request for transfer, the ICC Administrator will create and forward a letter to the inmate, also sending a copy to the Warden/Director, explaining the reason(s) for denial.
 - (2) If approved, the ICC package will be sent to the ICC Administrator to begin the transfer procedures.
- h. The ICC Administrator will make the application to the receiving state. The application will include the following:
 - (1) Copy of Inmate Summary Sheet
 - (2) Copy of PSI

- (3) Copy of Progress Report containing the recommendation to transfer
- (4) Copy of significant medical history including the latest Medical Review Report
- (5) Any other information required by the receiving state.
- (6) The Commissioner's letter of request setting forth the purpose of request to transfer.

2. Transfer Procedure Upon Approval

- a. Upon approval of an application by a receiving state, the ICC Administrator will ensure the Alabama Board of Pardons and Parole has scheduled a parole review date for the inmate prior to the transfer.
- b. Upon receipt of instruction of receiving state to transfer the inmate, the ICC Administrator will contact the institution to advise the inmate to send a money order or cashiers check, for travel expenses, payable to the ADOC to the attention of the ICC Administrator.
- c. The ICC Administrator will advise the TAS as to date(s) transfer is to be made, the institution in the receiving state to which inmate is to be transferred, and such information as may be required to accomplish transfer.
- d. Upon instructions from the ICC Administrator, the sending institution will execute a waiver of extradition for the inmate being transferred.
- e. At the time of transfer, the institutional inmate file will accompany the inmate and be delivered to the receiving state.
- f. The sending institution's Business Manager will transfer all funds the inmate has in his/her PMOD to the institution in receiving state in accordance with the ADOC Manual of Accounting Procedures. Preferably, funds should accompany inmate at the time of transfer.

C. Procedures as Receiving State

1. The ICC Administrator will ensure that the transfer application package contains:
 - a. Copy of Court Sentencing Transcript or its equivalent
 - b. Copy of PSI or its equivalent
 - c. Copy of Inmate Progress Report containing the recommendation to

transfer or its equivalent

- d. Copy of significant medical history including the latest Medical Review Report
 - e. Letter of request setting forth the specific purpose of request to transfer
 - f. Listing of disciplinaries received and amount of good time lost or an equivalent report
 - g. Listing of escapes, date and circumstances of the incident
 - h. Copy of the inmate's FBI rap sheet
 - i. Copy of the Inmate Summary/Time Sheet
 - j. An assessment of media coverage
 - k. Any other information required by the sending state
2. The ICC Administrator will:
- a. Log in the application package
 - b. Prepare a cover sheet
 - c. Forward the package to the Director of Classification
3. The Director of Classification will review the application package for an approval/denial of the acceptability of an inmate.
- a. If denied, the application will go back to the ICC Administrator with a reason for denial.
 - b. If approved, the application will then go on to the Commissioner for review.
4. Receipt of an Inmate
- a. Inmates from a party state will not be accepted prior to written approval from the ADOC Commissioner.
 - b. Inmates from party states approved for acceptance will be received at Kilby Receiving and Classification Center in the case of male inmates and at Tutwiler Prison for Women in the case of female inmates or, in exceptional cases, at any other institution as designated by the Commissioner.

5. Records Preparation

- a. Inmates received under the ICC will be issued a new AIS# using the U. S. Postal Services' abbreviation for the sending state.
- b. The receiving institution will process the inmate through routine procedures for preparation of an intake classification report. Processing will include fingerprinting and photographing the inmate for identification purposes. The intake classification report, indicating the institutional program, which has been recommended, will be submitted within sixty (60) days after admission of inmate to the ICC Administrator in the sending state.
- c. At intervals of six months, the institution having custody will complete a standard Progress Report on inmate and transmit to sending state.

6. Records Maintenance

- a. Any action taken, which could have the effect of altering inmate's release date, will be brought to the attention of the ICC Administrator. The ICC Administrator will secure approval of sending state prior to any revisions to the release date. Examples of such action would include awarding extra good time and/or loss of good time as a result of a disciplinary action.
- b. When an inmate from a sending state is transferred from one institution to another, the losing institutional classification coordinator will forward a copy of the transfer approval document to the sending state.
- c. Institutional or other officials of the receiving state will not release information concerning inmates from a sending state except for the AIS#, name, location, and minimum release date. Information concerning the escape of an inmate may be given directly to news media by the receiving state. Persons who request other information will be referred to the sending state.
- d. The releases of inmates confined under the ICC will be in accordance with the institution's procedures of the sending state. If the inmate's request, and the sending and receiving states agree, he/she may be released within the territory of the receiving state. The sending state will bear the cost of such return to its territory.
- e. Institutional files compiled on inmates confined under the ICC will be forwarded to the sending state upon the release of the inmate.

7. The Warden/Director of the institution in which the inmate is confined will be responsible for inmate's care, custody, and control.
 8. Inmates confined under the ICC must abide by the rules/regulations of the institution in which they are confined.
 9. Inmates confined under the ICC will be afforded the opportunity and shall be required to participate in programs of occupational training, industrial or other work on the same basis as inmates of the receiving state, provided such participation is not contrary to laws of the sending state. Qualified inmates will be eligible for participation in Community Based Corrections, either Work Release or Supervised Intensive Restitution Programs, or any other community type program, with the approval of the sending state. Approval will be obtained through the ICC Administrator.
 10. Upon request of the sending state, authorities of the receiving state will be authorized to conduct hearings, prepare and submit record of such hearings, together with any recommendations of the hearing officials to office(s) of the sending state.
 11. Decisions concerning parole eligibility and release on parole will be determined by the sending state's parole authority.
- D. In the event of an inmate escape, the receiving institution will provide full facts and details to the ICC Administrator, who in turn will notify the sending state. Routine escape procedures of receiving state will be followed.
- E. Return of an Inmate to a Sending State
1. Reasons for returning an inmate to the sending state:
 - a. Failure to adjust
 - b. Personal safety of an inmate in sending state is no longer a factor
 - c. Personal safety of an inmate in receiving state becomes a factor
 - d. Escape
 - e. At the request of the sending state
 - f. Other valid reason(s) approved by the Commissioner
 2. Procedure for Return
 - a. The Classification Unit shall make the recommendations for return on the Progress Report and submit it to the Warden/Director for his/her concurrence.

- b. Upon concurrence, the Warden/Director will forward a cover letter with a copy of the Progress Report to the Commissioner.
Attention: The ICC Administrator.
- c. Upon receipt of Commissioner's approval, the ICC Administrator shall notify the sending state.
- d. The sending state shall retake inmate within thirty (30) days of notification.
- e. The ICC Administrator will coordinate return of inmates from other party states with assistance from the Director of Classification regarding transfer arrangements.

F. Death of an Inmate

- 1. In the event of the death of an inmate from a sending state, the medical examiner, coroner or other official having the duties of such an officer in the jurisdiction shall be notified. The sending state shall receive copies of any records made at or in connection with such notification.
- 2. The institution in the receiving state shall immediately notify the sending state of the death of an inmate, furnish information as requested and follow the instructions of the sending state with regard to disposition of the body. The body shall not be released except on order of the appropriate officials of the sending state. All expenses relative to any necessary preparation of the body and shipment or express charges shall be paid by the sending state. The sending and receiving states may arrange to have the receiving state take care of the burial and all matters related or incidental thereto and all such expenses shall be paid by the sending state. The provisions of this paragraph shall govern only the relations between or among the party states and shall not affect the liability or any relative or other persons for the disposition of the deceased or for any expenses connected therewith.
- 3. The receiving state shall furnish to the sending state a certified copy of the death certificate for any of the sending state inmates who have died while in the receiving state.
- 4. The Warden of the institution or his designee will immediately notify the Alabama ICC Administrator.

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. FORMS

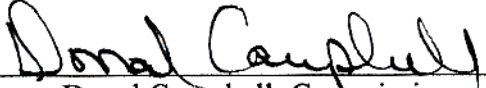
- A. ADOC Form 022-A, Interstate Corrections Compact Medical History Form
- B. ADOC Form 022-B, interstate Corrections Compact Transfer Request Form

VIII. SUPERCEDES

This regulation supercedes Administrative Regulation 022, dated October 29, 1991, and any changes thereafter.

IX. PERFORMANCE

Interstate Corrections Compact Act (Act 85-752)



Donal Campbell, Commissioner

Interstate Corrections Compact Medical History Form

Name: _____ Inmate #: _____ Age: _____ DOB: _____

Allergies: _____

Ht: _____ Wt: _____ Vital Signs: _____

Past Medical History (including dates of past surgery and hospitalizations):

Chronic Care Clinic:

Recent consults or pending appointments:

(Any infectious diseases?)

RPR _____ FTA _____

HIV _____

Hepatitis _____

Tetanus _____

Current PPD within the year: Date given _____ Results _____ mm,

If positive Hx: Date and duration of TX: _____

Last chest x-ray (Date and Result): _____

General Appearance/Behavior: any obvious defects?

Ambulation: _____

Females LMP: G _____ P _____ A _____ Birth Control: _____

Date of last PAP (results) _____

Date of last Mammogram (results) _____

Mental Health Hx: (Send supporting documentation if receiving services)

Current Medications: (Including over the counter and psychotropic)

Interstate Corrections Compact Transfer Request Form

(This form is not intended as a replacement for your packet. Please include the usual packet material.)

From: _____ To: _____ Request Type: () Voluntary () Invol. () Protection () Mngmnt. () Family

Inmate Number: _____ Inmate Name: _____

Age: _____ DOB: _____ Race: _____ Sex: _____

Current Offense: _____

Sentencing Date: _____ Sentence to: Years _____ Months _____ Days _____

Reason for ICC transfer request: _____

Inmate is currently in: () General Population () Isolation () Segregation () Other _____

Due to: _____

Release dates from incarceration:

Min. release date: _____ Max. release date: _____ or Parole release date: _____
(if applicable)

Current Custody: () Minimum () Medium () Maximum or Security Level _____

Other (please explain): _____

List any: Escapes: Date _____ Details _____

Date _____ Details _____

Detainers: Date _____ Jurisdiction _____

Number of Lawsuits filed against the ADOC in the last 3 years _____ Reason _____

Gang Affiliation: Yes () No () If yes, please provide name of gang: _____

Please provide geographical area of operation (i.e. local or national affiliation and subject's role in gang if known, i.e. leader/member or any other pertinent information) _____

Substance Abuse Issues: Yes () No () If yes, please check all of the following that apply:

() Severe SA () Recreational SA () Needs Treatment

() Complete Treatment () Refused Treatment

Court Ordered Treatment (if any): _____

Please attach: 1. PSI to include Prior Criminal Offense History

2. Printout of Institutional Disciplinary Reports with dispositions

3. Update Psychological Report

4. Update Progress Report

Please attach this form to the top of the Interstate Corrections Compact Application and Packet