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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 who are parties to the Interstate Corrections Compact Act.

II. POLICY

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

III. DEFINITIONS AND ACRONYMS

- A. Alabama Inmate Serial Number (AIS#): A number assigned to an inmate for tracking purposes.
- B. Facility Classification Unit: Classification Supervisor and Classification Specialists at ADOC facilities.
- C. Inmate Trust Fund (ITF): Record of an inmate's account during incarceration.
- D. Interstate Corrections Compact (ICC): Agreement between states who are parties to the Interstate Corrections Compact Act for the exchange of an inmate.
- E. ICC Administrator: Director of Central Records.
- F. Pre-Sentence Investigation (PSI): Report of investigation compiled by the Alabama Bureau of Pardons and Paroles containing general information regarding an inmate.

- G. **Receiving State**: The state to which an inmate is sent for confinement other than the state in which the conviction or court commitment occurred.
- H. **Sending State**: The state in which the conviction or court commitment occurred.
- I. **Signature State**: Those states which have adopted the Interstate Corrections Compact (Louisiana and Mississippi have not ratified the agreement).
- J. **Transfer Agent Supervisor (TAS)**: The supervisor of the Transfer Division.

IV. **RESPONSIBILITIES**

- A. The Facility Classification Unit, Warden/Designee, Director of Classification/Designee, Deputy Commissioner of Special Services/Designee, and the Commissioner/Designee are responsible for reviewing the inmate's ICC application package information.

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 are eligible 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. For such a transfer to be accomplished, an exchange with an inmate of equal status would occur.
 - 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 (1) year will be served in the receiving state and the inmate is within ten (10) years of end of sentence (EOS) or parole consideration date.
 - 6. Inmates 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 closer to home/family.
10. Inmates serving a split sentence are not eligible.

B. Procedures as Sending State:

1. Requests for Transfer:
 - a. The inmate may initiate the request for transfer by submitting a written request to the Facility Classification Unit or the Warden/Designee. The Director of Classification may initiate the request for transfer in certain cases.
 - b. The Facility Classification Unit will evaluate the request for transfer and submit a recommendation to the Warden/designee.
 - c. If the Warden/Designee approves the Facility Classification Unit's recommendation, a cover letter will be forwarded to the ICC Administrator with a copy of the Inmate Summary Sheet, the PSI, latest Progress Report, ADOC Form 022-A, *ICC Medical History Form*, and ADOC Form 022-B, *ICC Transfer Request Form*.
 - d. The request for transfer and appropriate documentation will be forwarded to the ICC Administrator for documentation purposes and to prepare it for the Director of Classification's review.
 - e. The Director of Classification receives the written request for transfer and appropriate documentation to review for the final recommendation to approve or deny the request. 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 level as the requesting inmate. Their release dates should be within a one-year difference in time.
 - (1) If the Director of Classification recommends denying the request to transfer, the request and reason for denial is returned to the ICC Administrator.

- (2) If the Director of Classification recommends approving the request to transfer, the request is forwarded to the Commissioner for final determination. The Director of Classification will notify the ICC Administrator.
- f. Upon receipt of a recommended denial, the ICC Administrator will create and forward a letter to the inmate, with a copy to the Warden/Designee, explaining the reason for the denial.
- g. Upon receipt of a recommended approval, the Commissioner will review and make the final decision, which is then returned to the ICC Administrator.
 - (1) If the Commissioner denies the request for transfer, the ICC Administrator will create and forward a letter to the inmate, with a copy to the Warden/Designee, explaining the reason for denial.
 - (2) If the Commissioner approves the request to transfer, the ICC documentation 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, which 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 Bureau of Pardons and Paroles has scheduled a parole review date for the inmate prior to the transfer.

- b. If the transfer is initiated by an inmate, rather than by ADOC, the inmate or inmate's family is responsible for reimbursing the department for the travel expenses in accordance with departmental reimbursement procedures.
- c. The ICC Administrator will advise TAS as to date transfer is to be made, the facility 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 facility will execute a waiver of extradition for the inmate being transferred.
- e. At the time of transfer, the facility inmate file will accompany the inmate and be delivered to the receiving state.
- f. The sending facility's Business Manager will transfer all funds in the inmate's ITF to the facility in receiving state as soon as practicable in accordance with the ADOC Manual of Accounting Procedures.

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 each escape with dates and circumstances of the incidents.
 - 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. Document the receipt of the ICC application package on a log record.
 - 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 the final recommendation to approve or deny the application and the acceptability of an inmate.
 - a. If the Director of Classification recommends denying the application, the application and reason for denial is returned to the ICC Administrator.
 - b. If the Director of Classification recommends approving the application, the application will be forwarded to the Commissioner for final determination.
4. Receipt of an Inmate:
 - a. Inmates from a signature state will not be accepted prior to written approval from the ADOC Commissioner.
 - b. Inmates from signature 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 facility 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 Service's abbreviation for the sending state.
 - b. The receiving facility 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 recommended facility program will be submitted within sixty (60) days after admission of inmate to the ICC Administrator in the sending state.

- c. At intervals of six (6) months, the facility having custody will complete a standard Progress Report on inmate and transmit to sending state.

6. Records Maintenance:

- a. The ICC Administrator must be notified of any actions that may alter an inmate's release date (e.g., additions to or deductions from good time balances, etc.). The ICC Administrator will secure approval from the sending state prior to any revisions to the release date.
 - b. When an inmate from a sending state is transferred between ADOC facilities, the Facility Classification Unit from the transferring facility will forward a copy of the transfer approval document to the sending state.
 - c. 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. Individuals requesting other information will be referred to the sending state.
 - d. The release of inmates confined under the ICC will be in accordance with the procedures of the sending state. The sending state will bear the cost of the return of an inmate to its territory. If the inmate requests and the sending and receiving state agrees, he/she may be released within the territory of the receiving state.
 - e. Facility files compiled on inmates confined under the ICC will be forwarded to the sending state upon the release of the inmate.
7. The Warden/Designee of the facility 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 facility 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 (e.g., Work Release, Supervised Re-Entry Program, or any other community-type program) with the approval of the sending state obtained through the ICC Administrator.

10. Upon request of the sending state, authorities of the receiving state will be authorized to conduct hearings and then prepare and submit record of such hearings, together with any recommendations of the hearing officials, to the sending state.
11. Decisions concerning parole eligibility and release on parole will be determined by the sending state's parole authority.
12. In the event of an inmate escape, the receiving facility will provide full facts and details to the ICC Administrator, who will in turn notify the sending state. Routine escape procedures of the receiving state will be followed.

D. Return of an Inmate to a Sending State:

1. Reasons for Return:
 - 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 reasons approved by the Commissioner.
2. Procedure for Return:
 - a. The Facility Classification Unit shall make the recommendations for return on the Progress Report and submit it to the Warden/designee for his/her concurrence.
 - b. Upon concurrence, the Warden/designee 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.

E. Death of an Inmate:

- 1. The Warden/Designee of the facility will immediately notify the ICC Administrator.
- 2. 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.
- 3. The facility 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.
- 4. 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.

VI. DISPOSITION

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

VII. FORMS

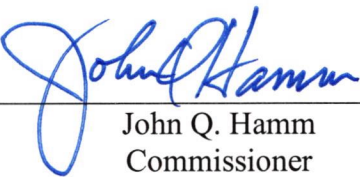
- A. ADOC Form 022-A, *Interstate Corrections Compact Medical History Form*
- B. ADOC Form 022-B, *Interstate Corrections Compact Transfer Request Form*

VIII. SUPERSEDES

This Administrative Regulation supersedes AR 022, *Interstate Corrections Compact (ICC)*, dated May 5, 2004, and any changes thereafter.

IX. PERFORMANCE

- A. Code of Alabama §14-1-1.1 *et seq.*
- B. Code of Alabama §14-13-1 *et seq.*



John Q. Hamm
Commissioner



ALABAMA DEPARTMENT OF CORRECTIONS

Interstate Corrections Compact Medical History Form									
Name:			Inmate #						
Age:			DOB:						
Allergies:			Height:				Weight:		
Vital Signs:		B/P		H/R		Temp.		Resp.	
Past Medical History (including dates of past surgery and hospitalizations)									
PROCEDURE	PHYSICIAN	HOSPITAL			DATE		NOTES		
Chronic Care Clinic:									
ILLNESS	START	END DATE			TREATMENT NOTES				
Recent Consults or Pending Appointments:									
ILLNESS	CONSULTATION DATE			PENDING APPOINTMENTS			NOTES		
Any infectious diseases?									
NAME	DATE		NAME		DATE		RESULTS		Mm
RPR			Current PPD within the year						
HIV			If positive Hx: Date and duration of TX:						
Hepatitis			Last chest x-ray (Date and Result):						
Tetanus			OTHER:						
General Appearance/Behavior: and obvious defects?									
Ambulation:									
Last Pap									
Date		Results							
Females LMP:		G	P	A				Birth Control:	Yes No
Last Mammogram									
Date		Results							
Mental Health Hx: (Send supporting documentation if receiving services)									
Illness	Start Date		End Date		Treatment Notes				
Current Medications (Including over the counter and psychotropic)									
MEDICATION NAME		DOSAGE		FREQ.		PURPOSE			



ALABAMA DEPARTMENT OF CORRECTIONS

Interstate Corrections Compact Transfer Request Form

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

To:

From:

Request Type: ☐ Voluntary ☐ Involuntary ☐ Protection ☐ Mgmt. ☐ 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:

Current Custody: ☐ Minimum ☐ Medium ☐ Close 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 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