

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 302.00.02	<b>Page</b> 1 of 9
	<b>Original Effective Date:</b> 10/01/82	<b>New Effective Date:</b> 07/01/18
	<b>Supersedes:</b> 302.00.02	<b>Dated:</b> 08/15/16
	<b>Administrator's Approval:</b> Jim Schwochert, Administrator	
<b>Required Posting or Restricted:</b>		
<input checked="" type="checkbox"/> <b>Inmate</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>		
<b>Chapter:</b> 302 Inmate Classification, Sentence and Release Provisions		
<b>Subject:</b> Intergovernmental/Interstate Transfers of Inmates		

**POLICY**

The Department of Corrections may contract with other states or the federal government to confine inmates on the behalf of the other in order to fully utilize and improve institutional facilities and provide adequate programs for the confinement, treatment and rehabilitation of inmates.

**REFERENCES**

Wisconsin Statutes s. 302.25 – Prisons; State, County and Municipal: Interstate Corrections Compact  
Wisconsin Administrative Code Ch. DOC 302 – Inmate Classification, Sentence and Release Provisions  
DAI Policy 309.20.03 – Inmate Personal Property and Clothing

**DEFINITIONS, ACRONYMS AND FORMS**

BTM – Bureau of Technology Management

DAI – Division of Adult Institutions

DCI – Dodge Correctional Institution

DJ-LE-241 – Fingerprint Card

DOC – Department of Corrections

DOC-9 – Adult Conduct Report

DOC-172 – Offender Data

DOC-173 – Offender Conduct Record

DOC-851 – Inmate Emergency Contact Information

DOC-2077 – Health Transfer Summary

ICC – Interstate Corrections Compact (party – U.S. States)

ICCR200 – Inmate Classification Report Initial

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ICCR204 – Inmate Classification Report Initial Re-Classification

IGA – Intergovernmental Agreement (party – Federal Bureau of Prisons)

ICC/IGA Administrator – The person designated by the Secretary of the DOC to administer, manage and conduct Wisconsin DOC ICC and IGA contracts.

Inmate – A person who is committed, under sentence to and confined in a state prison under Wisconsin Statutes s. 302.01.

Institution – A correctional facility under Wisconsin Statutes s. 302.01, a prison under Wisconsin Statutes s. 301.048 and Wisconsin Statutes s. 301.046, or a facility the DOC contracts with for incarceration of inmates.

Receiving party – A party to a compact to which an inmate is sent for confinement other than a state in which conviction or court commitment was had.

Reclassification (RC) – The process associated with the assignment of inmate custody, institution placement and program needs subsequent to an initial classification.

Sending party – A party to a compact in which conviction or court commitment was had.

State – State of the United States, the United States of America, a territory or possession of the United States, the District of Columbia, the commonwealth of Puerto Rico.

TCI – Taycheedah Correctional Institution

UPS – United Parcel Service

VINE – Victim Information Notification Everyday

WICS – Wisconsin Integrated Corrections System

## **PROCEDURE**

### **I. Compact Provisions**

- A. A legal contract shall exist between the sending and receiving party to transfer an inmate under the provisions of an ICC or IGA.
- B. The administration of the facility of the receiving party shall:
  1. Confine inmates from the sending party.
  2. Give inmates reasonable and humane care and treatment, including the furnishing of subsistence and all necessary medical and hospital services and supplies.
  3. Provide for physical needs.

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4. Make available to inmates the programs of training and treatment which are consistent with their individual needs and available to similarly situated inmates.
  5. Retain inmates in safe custody.
  6. Supervise inmates.
  7. Maintain proper discipline and control.
  8. Ensure inmates receive no special privileges.
  9. Ensure the sentences and orders of the committing court in the sending state are faithfully executed.
- C. The receiving party shall provide treatment, facilities or programs for any ICC/IGA inmate that it provides for similarly situated inmates of the receiving party.
- D. The receiving party, as agent for the sending party, shall have physical control over and power to exercise disciplinary authority over all inmates from the receiving party.
- E. Wisconsin inmates transferred to a receiving party, and inmates transferred from another party to Wisconsin, shall be subject to Wisconsin inmate classification requirements according to Wisconsin Administrative Code Ch. DOC 302.
1. Wisconsin and the other party's inmate independent risk assessments and custody assignments are not designed, nor intended to match relative to facility housing or privileges.
  2. Risk assessment and custody assignment by the party where the inmate is being held shall take precedent relative to that party's housing and privilege decisions.
- F. Wisconsin sentenced inmates transferred to a receiving party shall be under the administrative supervision of DCI for the purposes of Wisconsin inmate record management, parole commission reviews, inmate classification, grievances and media requests while confined outside of Wisconsin.
- G. ICC/IGA inmates from other parties shall be received at DCI or TCI, unless other approved arrangements are made by the ICC/IGA Administrator.
- H. In order to enhance the safety of protection referrals, the location of any ICC/IGA inmate shall not be revealed by Wisconsin DOC staff. Exceptions may be made by the ICC/IGA Administrator in the performance of their duties.
- I. Inmates transferred under the ICC/IGA compact shall not be authorized for media contact except as approved by the DCI/TCI Warden following consultation with the ICC/IGA Administrator and the Wisconsin DOC Communications Director.
- J. Property

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1. Due to the variety of inmate property limitations and specification restrictions among contract parties, property of a Wisconsin inmate sent to a receiving party, or the property of another party's inmate, shall be limited pursuant to the attachment to this policy.
  2. Inmates shall be issued a standard set of state issued clothing and footwear upon admission to the receiving party.
  3. Inmates shall be issued standard, required hygiene items upon admission to the receiving party.
  4. Inmates may be issued religious books/emblems by the receiving party pursuant to their policy.
  5. Cost of all individual property items other than eyeglasses shall not exceed \$75.00 each, excluding taxes and shipping costs.
  6. Property shall be thoroughly inspected prior to issuing to the inmate. If any of the received property is determined to not meet inmate personal property policies of the receiving party, the inmate shall be notified and given the option to send it to an address of their choice at their expense or have the contract party dispose of the property pursuant to contract party property policies.
  7. Property shall be disposed of prior to transfer pursuant to sending party policies.
  8. Wisconsin sentenced inmates being transferred to an ICC placement may store electronics, musical instruments or litigation materials at DCI pending their return to Wisconsin or release.
- K. All inmate account funds except segregated release account(s) may be transferred to the receiving party upon inmate transfer.
- L. Health Care
1. A seven day supply of medication controlled by transporting staff may be transported with the inmate and delivered directly to receiving party intake staff. Medication shall not be shipped via UPS or FedEx to the intake site.
  2. Inmates having problems beyond the ordinary course of incarceration relating to medical, psychological, dental, or legal matters shall not be considered for transfer until these matters are resolved or approved by both parties.
  3. Any cost of medical, psychiatric or dental service shall be considered normal costs incidental to the operation of the receiving party's facilities if the service is rendered by staff personnel and in regularly maintained facilities operated or utilized by the receiving party as part of the health or correctional program thereof and if the inmate requires no special medication, drugs, equipment, anesthetics, surgery or nursing care in addition to that commonly available on an infirmary basis.
  4. Unless an emergency is involved, the receiving party shall contact the sending party for advance authority in writing before incurring medical, psychiatric, or dental expenses for which reimbursement is requested. For Wisconsin DOC, the DAI Bureau of Health Services or Medical Director shall be responsible for these duties.

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5. Sending and receiving parties shall identify health care providers who shall collaborate in obtaining and sending needed medical information, assuring the medical needs of the inmates can be met upon his/her arrival at the new facility and to ensure the health and safety of the inmate population with regards to possible transmission of communicable diseases.

M. Inmate emergency contact information shall be updated annually during inmate RC reviews utilizing a DOC-851.

## II. Referrals

### A. Type

1. Safety and Security
  - a. Transfer for protection or other reasons associated with the safe and secure operation of the DOC's facilities shall be given priority consideration.
  - b. These may be referred to the ICC/IGA Administrator by the Secretary's office, DAI Administrator/designee, Security Chief or Warden.
2. Reintegration
  - a. Transfer to be closer to an inmate's family or due to proposed release are a low priority and shall serve a legitimate confinement, treatment or rehabilitative need of the inmate as well as the interests of the DOC and the inmate.
  - b. These will be considered as DAI resources permit.
  - c. All inmate requests under this section shall be prepared by the inmate's facility Social Worker and submitted to the ICC/IGA Administrator with support of the Warden's office.
  - d. The inmate shall be required to pay the cost of transfer, including escorts to and from the receiving site, when this transfer type is made.

### B. Process

1. Prepare a Quick Referral which is a one to two page synopsis providing the reason for referral and highlights of the inmate's background for preliminary consideration by a receiving party prior to receiving a full referral packet.
2. Full Referral Packet
  - a. Memorandum on DOC letterhead from the Warden to the ICC/IGA Administrator referring an inmate for ICC/IGA transfer consideration that includes the reason for the referral.
  - b. Offender Detail including Photos (Offender Search – Printer Friendly)
  - c. Personal Characteristics (WICS ORPSO10B)
  - d. DOC-172
  - e. DJ-LE-241
  - f. ICCR 200
  - g. ICCR204 if available
  - h. DOC-173

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- i. DOC-9s for Disturbance, Battery, Fighting, Assault, Soliciting Staff or Sexual Assault/Conduct
- j. Special Placement Concerns (WICS IMTS045A)
- k. Security Threat Group Information (Group/Rank/Description of gang activities).
- l. DOC-2077
- m. Inmate Health Classification (WICS CHSS030)
- n. Mental Health Classification (WICS MHSS030B)
- o. Dental Health Classification (WICS DSSS030A)
- p. Trust Account Statement (WITS DOCQ57)
- q. Visitor List (WICS IVTS060A)

### **III. Facility Staff Shall:**

- A. Make referrals via memorandum to the ICC/IGA Administrator stating inmate name, DOC number and the reason for referral.
- B. Assemble a full referral packet when directed to do so and forward to the ICC/IGA Administrator for processing.
- C. Assist in transfer of the inmate, approved property and accounts.

### **IV. ICC/IGA Administrator Shall:**

- A. Serve as point of contact with other ICC/IGA parties.
- B. Identify designated DCI Records Office staff in consultation with the Warden and ensure training.
- C. Receive and ensure security, medical and mental health evaluation of inmate's Referral Packet for facility or out-of-state counterpart for acceptance.
- D. Process quick referral and full referral packets.
- E. Negotiate exchange of inmates with ICC/IGA parties.
- F. Approve or deny the placement and provide acknowledgement to institution and/or out-of-state personnel of the acceptance or denial.
- G. Initiate orders as needed to facilitate transfer.
- H. Monitor placements to ensure balance of exchange.
- I. Conduct an annual review of Wisconsin inmates housed out of state with DAI Administrator/designee to determine continued appropriateness for their ICC/IGA placement.
- J. Conduct on-site inspections of out of state ICC/IGA facilities at which Wisconsin inmates are confined:

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1. Before a contract is signed or renewed.
2. Once every biennium, or
3. As emergent concerns require.

**V. DAI Security Chief shall:**

- A. Evaluate referrals.
- B. Make a recommendation to the ICC/IGA administrator regarding referral acceptance.

**VI. DAI BHS Medical Director Shall:**

- A. Evaluate referrals.
- B. Make a recommendation to the ICC/IGA administrator regarding referral acceptance.
- C. Evaluate and make decisions reading requests for medical, psychiatric, or dental treatment expenses for which reimbursement is requested by the receiving or sending party.
- D. Process bills received for medical, psychiatric, or dental treatment reimbursements.

**VII. Bureau of Offender Classification and Movement Staff Shall:**

Conduct classification actions that determine custody, placement and program recommendations pursuant to Wisconsin Administrative Code Ch. DOC 302.

**VIII. DCI Records Office Staff Shall:**

- A. Maintain inmate files for Wisconsin inmates housed outside of Wisconsin DOC via ICC/IGA.
- B. Coordinate admission and release dates for ICC/IGA inmates located in Wisconsin with sending authority.
- C. Coordinate transportation services of Wisconsin inmates transferred to or from an out-of-state placement. Make appropriate notifications to required ICC/IGA and Wisconsin DOC staff.
- D. If the transfer request is based upon the inmate's request, determine if there are sufficient funds available in the inmate's account to cover the required costs of the transfer.
- E. Advise Office of Victim Services and BTM of ICC/IGA inmate name and Wisconsin DOC number to ensure VINE and other DOC inmate locator data does not disclose location of ICC/IGA.
- F. Enter inmate external movement detail in WICS.

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G. Serve as parole clerk for Wisconsin inmates located in ICC/IGA sites.

**IX. Facility Health Services Staff Shall:**

- A. Prepare and submit medical and psychological documentation.
- B. Coordinate medication supply to be transported with the inmate and any continuity of care issues needed.
- C. Evaluate and submit requests for medical, psychiatric, or dental treatment expenses for which reimbursement is requested to the DAI BHS Medical Director and/or BHS Director.

**X. Secretary's Office Shall:**

- A. Appoint an ICC/IGA Administrator.
- B. Establish, renew, suspend or revoke these contracts on behalf of the DOC.

**Administrator's Approval:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_  
Jim Schwochert, Administrator



**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
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<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES****DEFINITIONS, ACRONYMS, AND FORMS****FACILITY PROCEDURE**

I.

A.

1.

a.

B.

C.

II.

A.

B.

C.