

INTRASTATE TRANSFER

.01 AUTHORITY

[Wisconsin Administrative Code DOC 328.14](#)

.02 GENERAL STATEMENT

Continuity of supervision is to be maintained during the time a case transfer or direct assignment is in process. Procedures related to the transfer of cases are intended to avoid any lapse in the client's supervision and to identify supervision responsibility when a transfer investigation is in progress.

An agent providing "courtesy supervision" of any case for another agent is permissible for up to 30 days.

A client may request transfer to another geographic area if it is consistent with the goals and objectives of supervision for the client. Rules of Community Supervision require a client to obtain advance approval to change residence. Such approval may be granted if:

- The client's family has moved to the area and the transfer is considered advisable to maintain or strengthen family ties; OR
- The client has obtained verified residence, employment, schooling, or approved treatment in the area. Note: For purposes of transfer, a homeless shelter is not considered residence.

To ensure continuity of supervision, the receiving office must consider the client's performance on supervision prior to transfer (i.e. stability, adjustment, previous program involvement) and should not increase the client's level of supervision or other program involvement based on local supervision standards. In limited circumstances, this may require additional consultation between the regions.

.03 SENDING AGENT'S RESPONSIBILITY

When a client requests permission to move to a new area, the agent of record must review the plan to determine its merit. If the agent decides that the plan merits transfer, supervisory approval must be secured prior to allowing the offender to leave.

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No client should be allowed to reside in any other area without prior notification to the receiving area. The sending agent shall contact the receiving unit supervisor or designee, advising of the client's planned presence in the new area and requesting reporting instructions. The receiving office has the option of granting reporting instructions or indicating that upon receipt of the file, the receiving office will contact the client to set up an appointment.

The sending agent shall contact the DCC office in the county nearest the proposed residence. In counties with multiple offices, the agent should contact the regional intake coordinator as designated in the DCC directory for each region.

Any intrastate transfer of sex offender or enhanced supervision cases should include detailed consultation between the unit supervisors involved with the transfer before it is implemented. Residence investigations in advance of the client moving are required on sex offender cases and may not be required by the receiving office prior to transfer for other types of cases. Sending units must use discretion with high profile or victim sensitive cases in regard to advance consultation with the receiving unit.

The sending agent must communicate the reporting instructions provided by the receiving agent or supervisor to the offender prior to the offender's leaving. The sending office is responsible for maintaining a record of where files are sent.

Within five (5) days of receiving reporting instructions:

- The file will be brought up to date;
- A transfer summary, documenting reporting instructions, will be entered into **COMPAS** general notes;
- **COMPAS** notes will be brought up to date.
- Rules of supervision shall be reviewed to ensure modified special rules are up to date and relevant based on the case dynamics. Review of special rules entered into Cautionary Information shall occur to ensure continued relevancy.
- Electronic files (H: and G: drive files only) for clients who are transferring should be printed and placed in the file prior to the file being sent to the receiving unit. The electronic files for those clients may also be forwarded via e-mail to the receiving agent but then must be deleted from the sending agent's group folder.
- If the CSR is due within 30 days of the transfer the sending agent will complete prior to transfer.

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The sending agent retains responsibility for the determination of court-ordered financial obligations. If a case is within 120 days of discharge, the sending agent is responsible for obtaining any necessary extensions of the supervision.

The file will be routed to the supervisor for approval. The supervisor shall enter a COMPAS note indicating that the file has been reviewed and approved for transfer. If approved, the supervisor will route the file to the OOA for sending to the new area. The OOA will send notification to the status keeper for their unit indicating which unit will be receiving the transfer request.

.04 ACCEPTANCE

Acceptance or rejection of a transfer case must be completed within 30 days of the file being received in the receiving office. Upon agreement between the receiving and sending unit supervisors, an extension of the 30 days may be granted.

The receiving agent shall review and sign the rules of supervision with the client, providing a signed copy. Special rules entered into Cautionary Information shall be reviewed for continued applicability. This process is not necessary if the case is being transferred within the unit for purpose of coverage due to vacancies or extended leave.

Once the transfer investigation has been completed and the receiving agent is accepting transfer of the case, the acceptance shall be entered in COMPAS notes. The agent shall send a notification to the sending agent and receiving unit status keeper. Upon notification of the acceptance, the sending agent will remove the offender from their caseload in COMPAS and the receiving agent may add the offender.

If, after a transfer case has been accepted, the plan is not able to be implemented within 60 days of the client's arrival, for reasons other than misconduct, and there is no comparable alternative in the receiving area, the receiving agent may transfer the case back to the sending area, with the expectation that the sending agent will resume supervision of the client. If violations occur after the case has been accepted, it is expected that the receiving agent dispose of the violation utilizing an evidence-based response to violations and following Department policies and procedures.

.05 REJECTION

If the investigation determines that the transfer does not meet the standards defined in the transfer investigation section, the receiving agent shall review the recommendation to reject the transfer with the receiving supervisor.

Cases may not be rejected for minor violations that occur during the transfer period but rather the entire plan must be evaluated according to its merits. A client moving in advance of permission from the sending agent will not alone be considered grounds for rejection of the transfer. Exceptions to this include sex offenders moving prior to a residence assessment. The basis for rejection must be that the residence or overall plan is otherwise problematic in the context of the underlying offense profile and/or criminal history. Documentation of the reason(s) for rejections shall be noted in the [COMPAS](#) general notes.

If the supervisor agrees with the case rejection, the supervisor shall document agreement and approval of the rejection in COMPAS notes. The supervisor shall notify the sending supervisor of the rejection with a copy to the receiving unit status keeper. The file will then be returned to the sending agent.

.06 RESOLUTION OF DISAGREEMENTS

The Regional Chief(s) will resolve any disagreement between the receiving and sending agents or supervisors regarding the offender's location, violation, or revocation. If the Chiefs are not in agreement, the Assistant Administrator will make the final decision.

.07 TRANSFER SUMMARY FORMAT

The transfer summary shall contain the following headings:

- Division's Authority to Supervise
- New Residence
- Full address, apartment number, and zip code
- Telephone
- Other occupants of residence and relationship to offender
- Directions (if rural)
- Employment and/or School (include hours of work/school)
- Reasons for Transfer

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- [Reporting Instructions](#)
- [Summary of Supervision Activity](#)
- [Summary of violations](#)
- [Referral results/needs](#)
- [Unresolved problems](#)
- [Court-ordered Financial Obligation](#) - Current status and payment plan
- [Supervision Fees](#) - Current status and payment plan

.08 Transfer for the Purpose of Residential Services

GENERAL STATEMENT

Cases shall not be transferred via intrastate transfer solely for the purpose of participating in residential services program funded by DOC. Supervision will remain with the agent of record. Supervision will remain with the agent of record. Clients should be set at no higher than Medium status. The agent shall maintain regular contact with clients via in-person, phone or video staffings and program reviews. Liaison agents or local agents may be utilized for unusual circumstances that require face to face contact for clients who are participating from other areas of the state.

The expectation is that upon completion or termination of a residential program, the client would return to their home community. Any plan involving an intrastate transfer for the purpose of relocating to the area where treatment was received should generally not be approved. However, when a situation represents a significant improvement in the client's prospects for successful reentry, compared to any available plan in the area of record, an intrastate transfer may be requested. Intrastate Transfer requests must be initiated prior to program completion. The receiving area shall investigate the transfer and reply within 30 days.

DIRECT ASSIGNMENT

.01 GENERAL STATEMENT

An agent receiving a client on probation may request a direct assignment to another area if the client has a residence in another area and plans to return there. Direct assignments will

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occur only after discussion and acceptance by the receiving area. An agent's refusal to accept a direct assignment may be appealed to the agent's supervisor and, if necessary, the Regional Chief. When cases are not accepted for direct assignment, a Transfer of Supervision as indicated above will be utilized.

.02 DIRECT ASSIGNMENT PROCEDURE

The office receiving the client for probation will initiate a direct assignment by calling the area of proposed residence, requesting a direct assignment, and securing a unit number.

Any direct assignment of sex offender or high-risk cases should include detailed consultation between areas involved with the assignment before it is implemented.

The sending office shall then immediately fax or scan and email any available information. After a unit assignment is received, the unit in which sentencing occurred shall submit to the new area the following documents:

1. Court Order/Information/Criminal Complaint
2. Rules of Community Supervision
3. Face Sheet ([DOC-3A](#))
4. Documentation of Reporting Instructions

The sending office retains responsibility for the determination of court-ordered financial obligations.

In the event that the offender is a "no show" from court, no direct assignment shall be initiated until the client is located. The case shall be assigned to an agent in the county of conviction. If the client is located within ten (10) working days and the residence is verified, a direct assignment can be initiated. If the client cannot be located within ten (10) working days, the regular transfer process would need to be initiated.

If a client resides in an area other than the county of conviction and they are ordered to serve jail either as a condition of probation or as a concurrent jail sentence, the following guidelines will be followed:

- Jail term is less than 30 days, a direct assignment may be initiated.

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- Jail term is 30 days or longer and begins within the first 30 days of the client's supervision, case assignment will be made in the county of conviction for completion of the intake paperwork.
- Jail term is 30 days or longer and begins after the initial 30 days of the client's supervision, a direct assignment may occur for completion of the intake paperwork. At the start of the jail term, the agent of record will need to decide if transfer of the case back to the county of conviction is warranted for the period of jail confinement. Upon completion of the jail term, the regular transfer process would need to be initiated, if still appropriate.

The office initiating the direct assignment will review the file material prior to sending the information to the new area.

TRANSFER OF INSTITUTION CASES

.01 GENERAL STATEMENT

Institution cases are to be assigned to an agent in the county of conviction, unless the client has an active case with another agent at the time of sentencing.

A client may propose a plan involving release to a geographic area other than where the case is assigned. A client should have a proposed residence plan prior to initiating a transfer request unless they are requesting to relocate for the purpose of retaining work release employment after release. Clients cannot be transferred and released in a homeless status. A cooperative effort among the institution social worker, the sending agent, and the receiving agent will result in an investigation and evaluation of the plan and a case transfer decision.

.02 INSTITUTION SOCIAL WORKER'S RESPONSIBILITY

After assisting the client in preparing a realistic release plan, the institution social worker prepares the Release Planning Information Sheet ([DOC-745](#)) describing the client's release plan and submits it to the agent of record. The institution social worker will coordinate and facilitate a conference call with the agent of record and client to discuss the proposed release plan and possible transfer.

.03 SENDING AGENT'S RESPONSIBILITY

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The following steps shall be taken within 3 weeks after receipt of the DOC-745 and completion of the institution conference call:

- Check for active Restraining Orders, contact necessary staff and/or any known victims to obtain input/insight into whether such a transfer would increase the likelihood of re-victimization.
- Review Judgment of Conviction for any court ordered conditions, including exclusion zones, or other prohibitions that would directly impact the transfer request.
- Review proposed residence plan. Contact the person(s) with whom the client proposes to reside and verify they are willing to allow the client to reside with them. Discuss relevant lease and/or rental responsibilities that will be required. Document residence verification in the client's COMPAS notes.
- After completing the initial review, discuss the merits and concerns of the potential transfer request with the field supervisor. Notify the institution social worker and client to report if the transfer request is denied or if it will proceed. If denied, provide reasons for the denial to the social worker and inmate.
- Follow the existing intrastate transfer practices of the receiving county/Region.

To avoid mailing a large file, the agent may choose to send only relevant file material to the receiving area office. Such relevant material should include the following:

- Release Planning Information Sheet ([DOC-745](#))
- Pre-Release Investigation ([DOC-7E](#))
- Pre-Sentence Investigation or Probation Social Investigation
- Revocation Summary
- Institution Summaries

Within five (5) days of being notified of case acceptance, the balance of the case file should be organized and forwarded to the receiving area office.

.04 RECEIVING AGENT'S RESPONSIBILITY

Upon being assigned the transfer request, within one month, the receiving agent completes the following tasks:

- Investigate the feasibility of the proposed plan by reviewing victim impact, proposed landlord/leaseholder/property owner, family/social support persons, treatment providers, and local police department or sheriff's department (optional). Do not contact the victims as this should be completed by the sending agent.
- Complete a home visit to investigate feasibility of residence plan.
- After completing the transfer request investigation, discuss the merits and concerns of the potential transfer request with the field supervisor to determine whether to

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accept or reject the transfer. Document the investigation results and recommendation in the client's COMPAS notes.

.05 FIELD SUPERVISOR AND REGIONAL OFFICE RESPONSIBILITIES

- If the receiving agent recommends rejection of the transfer request, and the receiving supervisor agrees, the supervisor shall notify the sending supervisor of the rejection.
- If the sending supervisor disagrees with the receiving supervisor's decision, the Regional Chief(s) will resolve such disagreements.
- High profile situations or cases in which there is disagreement at the regional level shall be forwarded to the Assistant Administrator for final decision.
- If the receiving supervisor approves the transfer request, the receiving agent will request the file from the sending agent, and will complete the remaining pre-release planning.
- Notify the social worker and inmate of the outcome of the transfer investigation.

Under some circumstances the sending agent may submit a case for transfer long before a pre-release investigation is requested or mandatory release/extended supervision is scheduled. For example, if a client is sentenced in a location away from his county of residence and no release plan exists there, the agent may submit the case to the client's home area as soon as possible. The receiving agent will investigate the feasibility of the proposed plan by verifying employment/school, residence, and financial resources.

A [COMPAS](#) note is made reflecting either acceptance or rejection and the reasons. The agent may also prepare a Pre-Release Investigation ([DOC-7E](#)).

If after a transfer case has been accepted, the plan is not able to be implemented within 60 days of the client's arrival, for reasons other than misconduct, and there is no comparable alternative in the receiving area, the receiving agent may transfer the case back to the sending area, with the expectation that the sending agent will resume supervision of the client. If violations occur after the case has been accepted, it is expected that the receiving agent dispose of the violations using an evidence-based response to violations.

.06 TRANSFER FOR PURPOSE OF RETAINING EMPLOYMENT UPON RELEASE

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Employment obtained for the purpose of work release may be considered as a reason for intrastate transfer if the client has an offer of employment after release and will be earning a life sustaining wage, and the employment situation represents a significant improvement in the client's prospects for successful reentry. Victim issues, community and stakeholder concerns must be considered when investigating an intrastate transfer for the purpose of retaining employment after release.

The following factors will be considered while investigating a request for intrastate transfer for post-release employment purposes:

- Community feedback, including law enforcement, victim considerations and roommate(s), landlord, and lease issues
- Maintenance of employment at a center, and has an offer of employment after release earning a life sustaining wage. A life sustaining wage is a salary or income that allows the client to pay for basic living needs such as rent and food. No employment-related disciplinary infractions with the employer seeking to hire him/her.
- Positive institution adjustment and has not accrued any major conduct reports during the past six (6) months.
- Successful completion of an identified employability program if applicable, such as CBI-EMP, as acquisition of soft skills by Persons in our Care is likely to contribute to job retention in the workforce.
- Purchase of Offender Goods and Services (POGS) monies may be utilized by the receiving agent to assist in providing transitional or emergency housing after release.

With respect to sex offenders, refer to existing administrative directives and policies for such transfers.

Refer to procedures outlined above for sending and receiving agent responsibilities concerning intrastate transfer of institution cases.

If within 120 days of release the client loses the employment placement that made the transfer appropriate, the receiving agent may return the client's file to the sending area and the sending area must accept. In the event the client loses their employment but is solely responsible for a rental lease agreement, the client shall be provided a 60 day period to secure new employment earning a sufficient wage, commencing from the first date of

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unemployment. Other factors that would normally result in the rejection of the transfer still apply. The client should be made aware of this at the time of transfer by the sending agent.

.07 WITHHOLDING TRANSFER DECISION UNTIL RELEASE

For casework reasons and with supervisory approval, the receiving agent may withhold accepting transfer of an institution case until 30 days after the client has been released. This may be done if the release plan is questionable. If this is the objective, the following operational process is followed:

<u>Function</u>	<u>Number</u>	<u>Instructions</u>
Receiving Agent	1.	Complete and submit the Pre-Release Investigation (DOC-7E), if applicable.
	2.	Enter the investigation findings and transfer decision in COMPAS notes.
	3.	Determine if parole has been granted or if release is imminent. If the answer is yes, go to Step 5, if not, continue with the next operation.
Sending Agent	5.	Retain case responsibility for the institution case.
Receiving Agent	6.	Prepare and submit the Inmate Release Authorization (DOC-15) for the sending agent.
	7.	Accept the client on supervision, complete the required case opening activity and enter appropriate COMPAS notes.
	8.	Decide on acceptance or rejection within 30 days of the client's release from the institution via the Transfer of Supervision process for active cases. Note: If accepted, go to the end of the process. If rejected, continue with next step.
	9.	Document the reasons for transfer rejection in COMPAS general notes. Transfer rejection must have supervisory approval documented in COMPAS notes.

BLANKET TRANSFERS

.01 GENERAL STATEMENT

The Blanket Transfer Process is used to simultaneously transfer more than one case from one area to another.

.02 PROCEDURE FOR BLANKET TRANSFERS

The sending agent and supervisor determine which cases are to be transferred. A brief Transfer Summary should be prepared for each case involved that is transferring out of the office. These transfers should have the concurrence of the receiving agent's supervisor. The Regional Chief(s) involved are the deciding authority of any conflicts or questions concerning the transfer.

The following procedure shall be followed to process blanket transfers:

1. The PSS or designee shall export the list from WICS to an Excel spreadsheet or create a list in an Excel spreadsheet that includes the following information:
 - Client name;
 - Client DOC number;
 - Client SID number;
 - Sending unit;
 - Sending agent name;
 - Receiving unit; and
 - Receiving agent name.
2. The PSS or designee updates the information in WICS.
3. The list is sent to the Regional Status Keeper mailbox.
4. Status keepers will transfer Statuses and Cases.