

## **Interstate Compact** (Revised 9/7/22)

### **Overview:**

A request to transfer supervision to another state is completed utilizing Interstate Compact Offender Tracking System (ICOTS). ICOTS is an internet-based application for compact transfer processes and case-based transactions. An inmate while incarcerated is eligible to apply for a transfer if the inmate has approval of the DCC agent and DAI social worker, is in substantial compliance in Wisconsin, has a reason to transfer, a valid plan of supervision in the receiving state and at least three months (90 days) of supervision remaining at the time of release (ICAOS Rule 3.101).

A request may be submitted in ICOTS at any point in the final 120 days before release, but no sooner. The receiving state shall accept transfer of an eligible inmate if they meet eligibility criteria. Mandatory transfer reasons include the inmate is a resident of the receiving state or has resident family in the receiving state who indicates a willingness and ability to provide assistance as specified in the supervision plan plus they have lived in the receiving state for six months or more. A receiving state may accept transfer of an eligible inmate who is not a resident or has no resident family if it is consistent with the purpose of the compact. However, under no circumstances is an inmate allowed to proceed to a receiving state without formal acceptance and reporting instruction from the receiving state via ICOTS.

There is an interstate compact application fee of \$150 for each proposed residence. If a plan is denied due to a technical reason not relating to a valid plan of supervision and the application is resubmitted to the same residence, a subsequent application fee is not required.

**A signed DOC-1163 and DOC-1163A shall be completed as part of the Transfer Request in ICOTS. The documentation is maintained in the Social Services file. If an inmate refuses to sign the ICAOS version of the DOC - 1163A, the request for transfer of supervision cannot be completed.**

### **Social Worker/Treatment Specialist Responsibilities:**

Prior to creating a transfer request, the social worker/treatment specialist shall:

- Review the DOC 745 Release Plan Information with the inmate and discuss the compact process and IC application fee process.
- Discuss the proposed residence with the agent to determine whether the plan is reasonable and appropriate.
- If the plan is determined to be appropriate, confirm the supervision plan in the receiving state by contacting the family member or host to confirm housing/employment/treatment, etc... For registered sex offenders, try to determine if the proposed placement falls within residency guidelines in receiving state.
- After verification of proposed plan, generate an IC Application Letter in WICS (Offender>Financial Obligations/Fees>IC Application Letter), which establishes the \$150 obligation and provide to inmate. Release account funds may be used for this fee. If the inmate's family or host accepts responsibility for payment, it is the inmate's responsibility to mail the IC Application Letter to them.

After verifying in WICS the application fee payment has been received, the social worker/treatment specialist shall proceed with completion of the transfer request in ICOTS. A request may be submitted in ICOTS at any point in the final 120 days before release but no earlier than 120 days prior to the release date. The Social Worker/Treatment Specialist shall request DOC 10 Rules of Supervision from the agent and Mental Health Summary for Interstate Compact from Psychological Service (DOC 3711) staff to assist with the completion of the transfer request.

Upon receipt of the receiving state's decision, the social worker/treatment specialist shall notify the inmate and the WI agent of the decision.

If the transfer request is denied, the social worker/treatment specialist shall:

- Notify the inmate and the agent of the reason for denial.
- A rejected transfer for the same state may be revised and resubmitted, but a new \$150 application fee is required. Unless the rejection is for technical reason and being resubmitted to the same address, then a new application fee is not required
- If the inmate does not wish to make another attempt, "withdraw" the ICOTS case from their active ICOTS Workload, confirm the inmate's WI residence plan and inform the agent of the withdrawal.

If the transfer request is approved, the social worker/treatment specialist shall:

- Notify the inmate of the reporting instructions and that they must report to the receiving state by the 5<sup>th</sup> business day following departure.
- Gather the inmate's transportation plans, notify the WI agent and request the DOC-50 Travel Permit from the WI agent. Obtain the inmate's signature and then forward the signed copy back to the WI agent.
- Submit a Notice of Departure in ICOTS on the inmate's release date if the inmate is traveling directly to the receiving state. If the inmate is reporting to the WI agent prior to travelling to the receiving state the Notice of Departure shall be completed by the WI agent.
- On the day of release, send an email to [DOCDCCInterstateCompact@wisconsin.gov](mailto:DOCDCCInterstateCompact@wisconsin.gov) and request the inmate's case in ICOTS be transferred from social worker/treatment specialist's active workload to the WI agent's workload. Provide the inmate's name and ICOTS case number or offender Number in the email. Include the WI agent in this email.

**Resources/References:**

myDOC: Home Page>Directories>Central Office>DCC Central Office Units>Interstate Compact for Adult Offender Supervision (ICAOS)

DAI Policy 328.14.01 Interstate Compact for Supervision of Wisconsin Parole Cases Requesting Transfer to Other States

DAI Policy 328.14.01 Attachment - ICOTS Entry Procedures

DAI Policy 309.45.02 Attachment A - Release Funds Allowable Uses

DOC-50 Travel Permit

Pre-filled out DOC 1163 and DOC 1163A (email)

[www.interstatecompact.org](http://www.interstatecompact.org)

## ECRM > DAI > DISCHARGE > INTERSTATE COMPACT

The DAI social worker or treatment specialist shall review the DOC-745 Release Plan Information with the inmate.

- Discuss the interstate compact process. Advise the inmate there is no guarantee of acceptance, and there is no refund of the application fee.
- Assigned social worker shall discuss the proposed residence with the assigned Agent to determine whether the plan is reasonable and appropriate prior to submitting a request.
  - At this time the social worker can also ask the Agent for COMPAS Rules of Supervision.
  - The proposed address should be verified using United State Postal Service ([www.USPS.com](http://www.USPS.com)).
- If the plan is determined to be appropriate the social worker should contact the family member or the host (and landlord, if applies) to verify residence plan, understand WI rules, means of support, transition plan and application fee process.
- After verification of proposed plan and the family member or host verified the inmate may reside with them the social worker generate an IC Application Letter in WICS, which establishes the \$150 IC application fee obligation.
- The social worker then provides the IC Application Letter to the inmate who will either submit payment by completing a DOC-184 Disbursement Request or if the family member or host accepts responsibility for payment it is the inmate's responsibility to mail the completed IC Application Letter to them.
- After the social worker verified in WICS the application fee payment was received they may proceed with completion of the Transfer Request in ICOTS.

The following documents or information shall be included or attached to the transfer request in ICOTS.

### Creating a New Transfer Request

- Use the drop-down menu to select the receiving state.
- Click Sending State or Receiving State to designate the offender's current location.

### Offender Information:

- This section includes basic demographic information about the inmate. Some examples include: Full Name, Aliases, Security Threat Group affiliation, Country of Origin, race, gender, FBI number, etc.

- **The inmate's Social Security Number should never be entered as demographic information.**

#### Offender's Application:

This form is auto populated after other sections of the transfer request are completed. It must be downloaded from ICOTS by clicking the Download Offender Application button. Print the application for the inmate and DOC staff witness signatures and dates. Signature dates must match.

- Prior to signature by inmate verify proposed residence and host information is accurately entered. Review and explain the terms and conditions of the transfer request noted on the application. Reiterate to the inmate that agrees to waive any right he/she may have to extradition and does so freely, voluntarily and intelligently.
- Click the Yes radio-button to verify you had the offender sign the form and that you also have retained the signed form.
- Scan and save the completed application to attach to the transfer request by browsing to it, selecting the file, and clicking Open to attach the file.
- Click Add to add the form to this application.

#### Transfer Reason

- Add the Intended Departure Date
  - Note: This field will be disabled if the offender has already departed.
- Click a radio-button next to the reason for transfer eligibility to the receiving state.
  - Note: Clicking Resident family AND Employment or Means of Support opens a screen requiring the address of family and employment information of means of support for the offender.
  - Resident Family Member Definition – A parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian or step-parent who has resided in the receiving state for 180 days or longer.
- Clicking Discretionary requires a description of the reason and additional information to create a stronger case for approval.

#### Transfer Justification

- Enter detailed information regarding the reason for transfer to establish a case for the transfer to be accepted.
- Information in this section should include but is not limited to:

## ECRM > DAI > DISCHARGE > INTERSTATE COMPACT

- The host's name, verified relationship to applicant, and date the host was contacted
- Statement of willingness and ability to support inmate upon release until he/she is reestablished in the community
- Verbal verification that a landlord has approved inmate to reside there, if applicable (written document may be attached to the application)
- Employment status
- Names, relationship to host/inmate of any other individuals who reside in the home
- Any other individuals who may be on supervision
- Weapons
- Enter any known Security Threat Group affiliation in the demographic information. Provide additional documentation in the Transfer Justification section if known or no known Security Threat Group status.
  - If there is no known Security Threat Group affiliation state: "No known gang affiliation".

### Receiving State Residence

- Enter the offender's proposed new address and living situation. Include host contact information if applicable.

### Receiving State Employment/Mean of Support

- Enter either the offender's employment information or describe any other means of support, or both. Multiple employments may be added.

### Instant Offense Details

- Always select Parole when adding new case information.
  - Note: If you are sending a dual supervision (both probation & parole) case to a bifurcated state, the system only allows you to fill out one type per request. A message appears in the Add Case section stating you can only add the specific type (either parole or probation). A separate request must be completed for the other type. Use the Add Case feature to complete this task.
- Enter the Case Number.
- Use the drop-down menu to select the State and County of Conviction.
- Enter the Sentenced On date for each case.

## ECRM > DAI > DISCHARGE > INTERSTATE COMPACT

- Enter the Supervision Begins On date (date of expected release to the community).
- Enter the Supervision Ends On date (date of expected discharge from supervision).
  - If applicable, check the Lifetime Supervision checkbox. Selecting this greys out the Supervision Ends On date.
- Click Add Case and the case selection information appears.
- Click a case's Select radio-button and the Add offenses (counts) to case section appears to add criminal offenses related to the case. Click Add Offense to add all offenses (counts) related to the case.
- Enter a description of the offense if prompted. Refer to the NCIC Codes spreadsheet.
  - Note: The description field will appear if a generic offense code is used. Provide additional information as appropriate.
- Attach all Judgement of Convictions and law enforcement reports (e.g., criminal complaint, etc.) to each separate case.
- *Repeat this process to add all active Parole cases with community supervision.*
- Click Save & Continue and the Transfer Request summary screen appears with a checkmark in the Instant Offense Details Progress checkbox.

Note: Once the case becomes an active case, if you can add a Compact Action Request to communicate to the receiving state caseworker any information concerning the case. Select a case from the Active case list, then use the drop-down list to select Compact Action Request.

### Institutional History

- Always click Yes if the offender is currently in an institution. This will open the Institutional History screen.
- Enter the name of the current Institution or Correctional Center; the inmates DOC number; and proposed/actual release date from the institution.
- Provide prison discipline in the last 2 years of incarceration by summarizing major or minor conduct reports received in the topic area. This may include information from a prior term of incarceration if it is within the last 2 years. The intent is to provide the receiving caseworker whether you believe behaviors will continue or be of concern and indicate risk in the community.
- Attach a DOC-3711 Mental Health Summary covering the last 2 years of incarceration is entered here. This can be obtained by contacting the Psychology Supervisor to

## ECRM > DAI > DISCHARGE > INTERSTATE COMPACT

request completion of this form. PSU staff shall complete the form within seven days or less.

- Click Save & Continue to complete the Institutional History process.

### Contact Restrictions

- Click yes if the inmate has any contact restrictions, such as no contact with victim, minors, co-defendants, etc. Enter a description of the contact restriction and attach any related documents supporting the restriction. If a restraining order is in effect but the document is unavailable, attach CCAP case printout.

### Protective Orders

- Click yes if the inmate is the petitioner in any protective orders.
- Enter a description or attach the protective order.

### Sex Offender Registration

- If offender is required to register in either state, they are a sex offender for compact transfer purposes. Check in advance with the receiving state registry.
- Click the radio-button next to the correct response regarding the sex offender registry status for the offender.
- If applicable, enter the years and months the offender has been registered.
- If available and not included elsewhere in the Transfer Request, attach the following:
  1. Assessment information, including sex offender specific assessments – The DOC forms for the SO assessments would be DOC-3776 for males and the DOC-3776A for females.
  2. Social history – Presentence Investigation (PSI) or Social History
  3. Information relevant to the sex offender's criminal sexual behavior – PSI/Criminal Complaint is sufficient
  4. Law enforcement report that provides specific details of sex offense – Attach a copy of the sex offense police report or indicate why it isn't available in the Supervision history topic area.
- Victim information
  - The name, sex, age and relationship to the offender – should be covered if you attach a police report. Otherwise include the specifics or state that the information is not available.



## ECRM > DAI > DISCHARGE > INTERSTATE COMPACT

- The statement of the victim or victim's representative – if available or indicate if it is not available.
- The sending state's current or recommended supervision and treatment plan. – Attach current COMPAS case plan in Supervision history area

### Victim Sensitive Details

- Always select No per definition. Wis. Stats. Ch. 950 does not meet ICAOS rules definition: **Victim-Sensitive** – means a designation made by the sending state in accordance with its definition of "crime victim" under the statutes governing the rights of crime victims in the sending state. The receiving state shall give notice of offender's movement to the sending state as specified in Rules 3.108 and 3.108-1.

### Pre-Sentence Investigation

- Enter a description and attach the following documents if available:
  - Pre-Sentence Investigation
  - DOC 179 Probation Social Investigation, when Pre-Sentence Investigation is not available.
  - COMPAS Bar Chart and Narrative, note if it is not available.
  - Criminal Complaints or offense details
  - DOC 745 Release Planning information

### Supervision History

- Select Yes, if inmate has returned to prison on revocation.
- Enter a description and attach the following documents if available:
  - All revocation summaries associated with current, active cases
  - When COMPAS Notes are extensive, summarize for receiving state instead of attaching pages and pages—not applicable to institution staff as above-referenced revocation summary will be sufficient.
  - Relevant COMPAS notes related to current offense or violations

### Financial Obligations

- Select Yes if the offender has any financial obligations relevant to the current transfer. Examples of financial obligations may include but are not limited to: restitution, court costs, fines, child support, etc.

## ECRM > DAI > DISCHARGE > INTERSTATE COMPACT

- Enter the required financial obligation and collection agency information including the address and total amount owed.

### Conditions of Supervision

- Signed DOC 10 Rules of Supervision from COMPAS. Include any DOC 10 rules that are translated in another language.
- DOC 2352 Ineligible Voting Notice and Acknowledgment

### Offender Photographs

- Attach the most recent front-view photograph of inmate from Locator.

The Social Worker will receive an automated email from ICOTS when the receiving state has made a decision. The social worker should then notify the inmate of the decision and advise the inmate of the approval or denial of application. Please do not share the other state's Reply to Transfer with denial decision with inmate. Although ICOTS is open records, when the receiving state generates any ICOTS action they are considered the owner of that record, and they release the actual document, redacted, to a requestor.

If the Transfer Request is approved the social worker shall:

- Review whether the receiving state can comply with WI rules/conditions and whether they impose additional conditions per their standards. As part of reentry staff case with the agent to determine if offender will be allowed to depart under the modified conditions. Review conditions with inmate before release and departure planning.
- Notify the inmate of the reporting instructions which is within 72 hours of the date the Notice of Departure is entered, gather the inmate's transportation plans, notify the agent and request a DOC-50 Travel Permit and provide details of mode of transportation for example: the make, model and license plate of a car; flight, bus or train information.
- The agent will forward the DOC-50 Travel Permit to the social worker for the inmate to sign. Forward copies of the signed DOC-10 and DOC-50 to the agent.
- If needed, contact the Health Services Unit to request a two week supply of medication.
- Submit a Notice of Departure in ICOTS on the inmate's release date if the inmate is traveling directly to the receiving state upon release.

## ECRM > DAI > DISCHARGE > INTERSTATE COMPACT

- The inmate must report to the receiving state by the 5th business day following departure.
- If the inmate is reporting to the WI Agent prior to travelling to the receiving state the Notice of Departure should be completed by the Agent.
- Send an email the DOC DCC Interstate Compact and request transfer of inmate from Social Worker's active ICOTS Compact Workload to WI DCC agent of record. CC the agent of record.

If the Transfer Request is denied the social worker shall:

- Notify the inmate the reasons for the denial. A rejected transfer for the same state may be revised and resubmitted.
  - If submitted to a new address a new \$150 application fee is required.
- If the inmate no longer wishes to transfer, the social worker should notify the receiving state using the ICAOS Compact Action Request form in ICOTS and "Withdraw" the ICOTS case from the active ICOTS workload.
- Notify the WI DCC Agent of the denial and work on gathering information for his residency plans in WI.

If a transfer decision has not been received and the inmate is ten working days from release and no residence is available in Wisconsin the social worker should discuss with the DCC Agent alternate, temporary residence options in Wisconsin.

If a transfer decision by the receiving state is past due, the social worker should submit a Request for Reporting Instruction (expedited reason) in ICOTS. If the reporting instructions are denied or have not been received by the time the inmate is released the inmate may not be given a DOC-50 and they must remain in the State of WI.

For additional resources reference DAI Policy 328.14.01 Interstate Compact for Supervision of Wisconsin Parole Cases Requiring Transfer to Other States, DAI 328.14.01 Attachment-ICOTS Entry Procedures and ICAOS Website at [www.interstatecompact.org](http://www.interstatecompact.org).

For additional information, the following resources may be utilized:

- ICOTS Transfer Request Summary Screen- Recommended Placement of Required Documents (Revised:03-19-18)

ECRM > DAI > DISCHARGE > INTERSTATE COMPACT

- Screenshots of ICOTS
- Pre-filled out 1163 and 1163A (Email)
- List of WI Statutes with NCIC Codes (Email)
- List of states with Bifurcated supervision- Separate Parole and Probation offices
- ACTIVITY- Different proposed residences scenarios- construct transfer request for submission