

**Community Corrections Bureau
Interstate Compact**

Procedure #97-05-014-A

Authority: Deputy Chief Probation Officer, **Community Corrections Bureau**
Penal Code 11175-11179

General Provisions

- A. The Interstate Compact is a legal agreement among the fifty (50) states which enables one State to serve as the agent of another in the supervision of probationers and parolees living in a State different from the one in which the offense occurred. Many States are not staffed to handle misdemeanors through the compact; therefore, misdemeanors will only be processed in extraordinary circumstances.
- B. The Department recognizes the legal and binding authority of the Compact and hereby instructs all staff to comply with its provisions.
- C. All actions under these provisions will be approved by a Supervisor before a decision is made to initiate or respond to an out-of-state request for supervision.
- D. All correspondence on Interstate Compact matters will be addressed to the Administrator, Interstate Probation and Parole Compact in Sacramento and submitted in triplicate, with one copy retained in our file. In some emergency situations, letters may be sent directly to an agency in another State, with copies to Sacramento. This can be done ONLY with supervisory approval. (See Directory of Justice Agencies published yearly by CYA for current address).

Specific Provisions

- A. ESTABLISHING OUT-OF-STATE SUPERVISION
 1. NO person will be given permission to reside in another State without first obtaining supervision by that State through Interstate Compact, except in the following circumstances:
 - a. Probationer is already a bonafide resident of that State and had never established residence in California.
 - b. Misdemeanor cases not routinely accepted by Compact.
 - c. Emergency or temporary travel. (Sex offenders will not be allowed temporary travel.)
 - d. Probationers within 12 months or less of termination of probation. (Except sex offenders.)
 2. Determine as early as possible the need for a probationer to move to another State in order to allow sufficient time to process the matter through Interstate Compact.
 3. Complete Out-of-State Travel Permit, original to probationer and one copy to our file.
 4. Complete all necessary paperwork as quickly as possible and forward to Compact Administrator in Sacramento.
 - a. Interstate Compact Form 1 (Investigation Request), three (3) copies plus one for our file.
 - b. Interstate Compact Form 3 (Agreement to Return) and Form V (Application for Compact Services – on back of Form 3), four copies plus one for our file. The signed original of Forms 3-V will be returned by Sacramento for our file.
 - c. Order of Probation, one (1) copy.
 - d. Probation Officer's Report(s), one (1) copy of each report.
 - e. Copies of any other appropriate documents.

- f. If all these forms are properly completed, no transmittal letter is required.
 5. Complete Financial Order for Interstate Compact transfer fee.
 6. Caseload management will follow established procedures for extended
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caseloads. Case file will then be assigned as deemed appropriate by Unit Supervisor and Department Policy.

B. EVALUATING OUT-OF-STATE SUPERVISION REQUESTS

1. This Department will only honor requests for supervision which have been properly processed through Interstate Compact, except in emergency matters where processes will be followed up after direct contact.
2. Upon receipt of such request, Adult Intake/Legal will set-up a file in the usual manner and forward to the appropriate carrier unit, based on geography and nature of the case for investigation.
3. If another state requests compact supervision of a probationer who was convicted of an offense which would qualify as a crime described in PC296, or if the person was convicted of a similar crime under the laws of the United States or any other state, compact supervision will be rejected until the sending state provides the California Department of Justice DNA laboratory with all necessary information to enter the probationer in the California DNA data bank program.
4. The Probation Officer to whom the case is assigned, will immediately verify residence, living arrangements, employment or other pertinent factors through interview with probationer (if he is already in the County), relatives or prospective employer and respond through Interstate Compact in a timely manner. As a condition of Interstate Compact the probationer must agree to appropriate terms and conditions of probation imposed by the receiving State. Review with the probationer Attachment "A". Impose terms 1-8 as standard terms and any other terms relevant to the case. Probationer to initial each box of term imposed and sign form. One copy to the file and one copy to defendant.
5. If for any reason the request for supervision is denied, all copies of the material will be returned to Sacramento with the denial letter and the grounds for denial listed. If the matter is one of a mistake as to residence in this County, an explanatory letter, together with written material, will be forwarded to the proper County and Sacramento notified.
6. The quality of supervision provided Interstate Compact Cases will be the same as provided for our own and progress reports will be sent to the Administrator in Sacramento upon request.
7. Since there are many unresolved questions about the arrest of an Interstate Compact probationer, such action will be taken only after discussion with, and permission of, the Unit Supervisor.
8. Refer to the Adult Workbook for additional information.

Issued by:

Gary Paytas, Deputy Chief Probation Officer

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