



Illinois Department of Corrections

Administrative Directive

Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021
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Authorized by:	<i>[Original Authorized Copy on File]</i> Rob Jeffreys Director
Supersedes:	04.50.130 effective 11/1/2010

Authority: 45 ILCS 170/1 et seq. 730 ILCS 5/3-2-2, 3-4-4, 3-8-9, 3-14-2 and 3-14-2.5 Interstate Compact Adult Offender Supervision Rules 1.01 – 6.104	Related ACA Standards: 5-ACI-1E-01, 02, 05, 5-ACI-1F-01, 02, 06 – 08, 5-ACI-5B-10, 5-ACI-5F-01 – 05, 5-ACI-7D-20
Referenced Policies: 01.07.220 04.50.150	Referenced Forms: DOC 0071 – Parole Violation Report DOC 0104 – Parole or Mandatory Supervised Release Agreement DOC 0173 – Travel Permit DOC 0240 – Authorization for Release of Individual in Custody Mental Health or Substance Abuse Treatment Information ISP 4-84c – Sex Offender Registration Act Notification Form

I. POLICY

The Department shall allow individuals in custody who request to serve their parole or mandatory supervised release in another state and who meet the interstate criteria to do so under the provisions of the Interstate Compact for Adult Offender Supervision.

II. PROCEDURE

A. Purpose

The purpose of this directive is to establish a written procedure to ensure that all requests for interstate movement of releasees are processed in a timely manner and are appropriately documented.

B. Applicability

This directive is applicable to the Interstate Compact Unit and all facilities and program sites within the Department.

C. Facility Reviews

A facility review of this directive shall be conducted at least annually.

D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

E. Definition

From Other State (FOS) – Interstate compact applicant transfer request received from another state.

	Illinois Department of Corrections Administrative Directive	Page 2 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

Interstate Compact Applicant – for purposes of this directive, refers to an individual in custody or a parolee who requests to serve his or her parole or mandatory supervised release in another state.

Interstate Compact Offender Tracking System (ICOTS) – a web-based, automated system that facilitates the transfer of interstate compact applicant supervision between states that comprise the Interstate Compact for Adult Offender Supervision (ICAOS) and that allows for communication exchanges between transferring states to promote effective supervision.

To Other State (TOS) – Illinois interstate compact applicant transfer request to another state.

F. General Provisions

1. Transfers of Illinois individuals in custody released to an out-of-state parole or mandatory supervised release (MSR) placement, federal or out-of state detainer, or accepted by other states for parole or MSR supervision; individuals in custody convicted in other states who have been released to parole or MSR on their Illinois commitments; and parolees from other states who request transfer to Illinois for supervision shall be in accordance with the rules promulgated by the Interstate Compact for Adult Offender Supervision (ICAOS) and shall be processed via the Interstate Compact Offender Tracking System (ICOTS).
2. Interstate Compact shall be assigned the following caseload numbers:
 - a. 001 shall be assigned to:
 - (1) Illinois individuals in custody released to an out-of-state parole or MSR placement; and
 - (2) Illinois parolees accepted by other states for parole or MSR supervision in their jurisdiction.
 - b. 002 shall be assigned to:
 - (1) Individuals in custody convicted in other states who have been released to parole or MSR on their Illinois commitments; and
 - (2) Illinois individuals in custody released on parole or MSR status to federal or out-of-state detainees.
 - c. 003 shall be initially assigned to interstate compact applicants from other states who request transfer to Illinois for supervision. Upon arrival in Illinois, the caseload shall be transferred to the appropriate Parole Agent.
3. Parolees assigned to the Interstate Compact Unit shall be supervised in accordance with the rules promulgated by both Illinois and the other state and with the conditions specified in the Parole or Mandatory Supervised Release Agreement, DOC 0104. Release status may be revoked by the sending state if the parolee has violated one of the conditions of the DOC 0104.

G. To Other States (TOS) Transfer Requests from a Correctional Facility

1. If the request is appropriate, the Field Service Representative shall, within 120 days of release:
 - a. Review the Interstate Compact provisions with the interstate compact applicant.
 - b. Initiate a transfer request by:
 - (1) Providing all information required per the ICAOS transfer request checklist; and

	Illinois Department of Corrections Administrative Directive	Page 3 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

- (2) Scanning and electronically forwarding to the Interstate Compact Unit the following attachments through ICOTS, as applicable:
 - (a) ICAOS Offender's Application for Interstate Compact Transfer signed by the interstate compact applicant and a witness.
 - (b) The Official Statement of Facts or Indictment Information for each active case.
 - (c) Judgment and Commitment Order for each active case.
 - (d) Discipline Card/Record.
 - (e) Psychological or Psychiatric Reports (initial and last 12 months).
 - (f) Authorization for Release of Individual in Custody Mental Health or Substance Abuse Treatment Information, DOC 0240, if Mental Health records are available.
 - (g) Parole or Mandatory Supervised Release Agreement, DOC 0104.
 - (h) Prisoner Review Board (PRB) Orders, if available at time of submission.
 - (i) Sex Offender Registration Act Notification Form, ISP 4-84c, if applicable.
 - (j) Any active orders of protection.
 - (k) Photograph of the interstate compact applicant.
 - c. Update Offender 360 (O360) to reflect the out-of-state address and put the case in investigative status.
2. Within ten working days of receipt of the transfer request, the Compact Administrator shall ensure that:
 - a. The request is reviewed for compliance; and
 - b. The transfer request and attachments are electronically forwarded to the receiving state.
3. The Interstate Compact Unit shall request the status of the transfer request from the other state within 45 days after the initial request is submitted and as necessary thereafter until the transfer is approved, rejected or withdrawn.
4. Upon receipt of an approval or rejection from the receiving state:
 - a. The Field Service Representative shall update the O360 Residence Plan Screen to reflect the approval and reporting instructions or the rejection and rationale, and submit a Departure Notice in ICOTS on the date the interstate compact applicant travels to the receiving state.
 - b. If the interstate compact applicant has been released on parole or MSR, the Field Service Representative shall notify the Interstate Compact Unit who shall:
 - (1) If approved:

	Illinois Department of Corrections Administrative Directive	Page 4 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

- (a) Notify the assigned Parole Agent of the approval and provide him or her with reporting instructions for the parolee; and
- (b) Request a travel date and completed Travel Permit, DOC 0173.
- (2) If rejected, review the reason for the rejection; and
 - (a) If invalid, contact the receiving state for additional justification or reversal of the rejection; or
 - (b) If valid, notify the assigned Parole Agent of the rejection and transfer the caseload assignment.
- c. The Field Service Representative or assigned Parole Agent, as applicable, shall ensure the interstate compact applicant is notified of the determination and, if appropriate, the need to resubmit the request.
- 5. Within five working days of release to an approved out-of-state transfer, the Field Services Representative shall scan and electronically submit a copy of the parolee's PRB Orders and signed MSR documents to the receiving state through a compact action request in ICOTS.

NOTE: If additional mental health records (psychological and/or psychiatric reports) are needed by the receiving state, the receiving state can submit a request for the records, signed by the parolee, to the Department.

H. TOS Transfer Requests from a Parole District

- 1. A parolee may be recommended for transfer to another state upon approval of the assigned Parole Agent if the parolee:
 - a. Has more than 90 days of supervision remaining;
 - b. Has a valid plan of supervision;
 - c. Is in compliance with the conditions of supervision of the sending state;
 - d. Is a resident of the receiving state, has a resident family member or non-related individual in the receiving state who has indicated a willingness and ability to assist the parolee as specified in the plan of supervision, has a mandatory transfer of current employment or a verifiable military transfer of supporting family member; and
 - e. Can obtain employment in the receiving state or has a visible means of support.
- 2. The Parole Agent shall not recommend a parolee for transfer if he or she:
 - a. Has been recommended to the PRB for final discharge and the decision is pending;
 - b. Has an active warrant;
 - c. Is using or has tested positive for drug usage within the 90 day period;
 - d. Has a court case pending; or
 - e. Has a remaining supervision period of 90 days or less.

	Illinois Department of Corrections Administrative Directive	Page 5 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

3. Upon determination that the parolee is a good candidate for transfer, the assigned Parole Agent shall:
 - a. Review the Interstate Compact provisions with the interstate compact applicant.
 - b. Initiate a transfer request by:
 - (1) Providing all information required per ICAOS rule 3.107 transfer request checklist; and
 - (2) Scanning and electronically forwarding to the Interstate Compact Unit the following attachments through ICOTS, as applicable:
 - (a) ICAOS Offender's Application for Interstate Compact Transfer signed by the interstate compact applicant and a witness.
 - (b) The Official Statement of Facts or Indictment Information for each active case.
 - (c) Judgment and Commitment Order for each active case.
 - (d) Discipline Card/Record.
 - (e) Psychological or Psychiatric Reports (initial and last 12 months).
 - (f) Authorization for Release of Individual in Custody Mental Health or Substance Abuse Treatment Information, DOC 0240, if Mental Health records are available.
 - (g) Parole or Mandatory Supervised Release Agreement, DOC 0104.
 - (h) PRB Orders, if available at time of submission.
 - (i) Sex Offender Registration Act Notification Form, ISP 4-84c, if applicable.
 - (j) Any active orders of protection.
 - (k) Photograph of the interstate compact applicant.
4. Within ten working days of receipt of the transfer request, the Compact Administrator shall ensure that:
 - a. The transfer packet is reviewed for compliance; and
 - b. The transfer request and attachments are electronically forwarded to the receiving state.
5. The Interstate Compact Unit shall check on the status of the transfer request with the other state within 45 days after the initial request is submitted and as necessary thereafter until the transfer is approved, rejected or withdrawn.
6. Upon notification of the receiving state's decision through ICOTS, the Parole Agent shall:
 - a. If approved, ensure that the transfer is still desired and the interstate compact applicant is still in compliance with the conditions of his or her supervision.
 - (1) If the transfer is no longer desired or the parolee is not in compliance with the

	Illinois Department of Corrections Administrative Directive	Page 6 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

conditions of his or her supervision, the Parole Agent shall withdraw the transfer request in ICOTS.

- (2) If the transfer is desired and the interstate compact applicant is in compliance with the conditions of his or her supervision, the Parole Agent shall:
 - (a) Meet with the parolee and issue him or her a DOC 0173 and reporting instructions provided by the receiving state on the Reply To Transfer Request;
 - (b) Submit a Departure Notice in ICOTS when the parolee departs to the receiving state; and
 - (c) Update the parolee's address in O360.
- b. If rejected, within 10 days notify the interstate compact applicant of the rejection and, if appropriate, the need to resubmit the request.
7. Upon receipt of the Departure Notice Notification, the Interstate Compact Unit shall, within five working days, update the caseload assignment in ICOTS and O360.
8. When an Illinois parolee returns to Illinois for supervision, the Interstate Compact Unit shall:
 - a. Contact the proposed residence plan contact by phone to see if tentatively acceptable;
 - b. Document in AMS;
 - c. Notify the Parole Commander in the specified area, via email, of the parolee's pending return;
 - d. If the parolee cannot provide an address, coordinate a return date and time for him or her to report to a parole office;
 - e. If the parolee is a Sex Offender, submit host site information to the Sex Offender Units Commander to be approved or rejected by an agent in that District; and
 - f. Upon approval of return to Illinois, provide reporting instructions through a response in ICOTS.

I. From Other State (FOS) Transfer Requests

1. Upon receipt of a request to investigate an FOS transfer, the Interstate Compact Unit shall:
 - a. Within 45 working days:
 - (1) Verify receipt of documents comparable to those required under Paragraph II.F.; and
 - (2) Review the transfer request for eligibility based on guidelines under ICAOS.
 - (a) If the interstate compact applicant is eligible, the next available "X" number shall be assigned and the required information shall be entered in O360. For concurrent supervision transfers, an "X" number shall not be assigned.

	Illinois Department of Corrections Administrative Directive	Page 7 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

- (b) If the interstate compact applicant is not eligible, the request shall be rejected and an ICOTS Reply to a Transfer Request shall be completed and submitted to the requesting state.
- b. Assign the FOS case material to the appropriate Parole Supervisor for investigation.
- 2. Upon receipt of the completed host site investigation, the Interstate Compact Unit shall electronically forward the ICOTS Reply to Transfer Request to the sending state; and
 - a. If the residence is approved, ensure that O360 has been updated to reflect an acceptance and any Illinois imposed special conditions; or
 - b. If a transfer is rejected, ensure that O360 has been updated to reflect a rejection with the appropriate rationale and the "X" number shall be discharged.

J. FOS Supervision

- 1. Within 72 hours of the FOS parolee making initial contact, the Parole Supervisor shall assign a supervising Parole Agent who shall:
 - a. Conduct an initial visit; and
 - b. Complete and electronically submit a Notice of Arrival in ICOTS.
- 2. Upon receipt of the completed ICOTS Notice of Arrival, the Interstate Compact Unit shall verify the agent assignment is correct in ICOTS.
- 3. During the term of supervision, the Parole Supervisor shall ensure that:
 - a. An ICAOS Progress Report is completed and electronically submitted to the Interstate Compact Unit by October 31st of every calendar year and when requested by the sending state.

NOTE: The report need not be submitted prior to 90 concurrent days of supervision. That is, if a parolee begins supervision between August 1 through October 31, the ICAOS Progress Report shall not be submitted until October 31 of the year subsequent that beginning supervision.
 - b. An ICOTS Offender Violation Report is electronically submitted to the Interstate Compact Unit within five days of discovery of any alleged violation.
 - (1) If the violations are technical only, a pattern of non-compliant behavior shall be established and reported as Behavior Requiring Retaking on a Violation Report Requiring Retaking (VRRR) and submitted through ICOTS in accordance with ICAOS Rules 4.109 and 5.103. Supervision shall be continued pending a response from the sending state.
 - (2) If the violation pertains to absconding, a VRRR shall be submitted with a reason Absconding selected. A detail history shall be provided to the sending state on the Absconding VRRR.
 - (3) If the violation is the result of new charges, supervision shall be continued and periodic ICOTS Progress Reports shall provide a current disposition of the charges and custody status. Arrest Reports shall be submitted upon becoming available.

	Illinois Department of Corrections Administrative Directive	Page 8 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

- (4) Upon the sentencing of a new felony charge, the outcome shall be reported as a New Felony Conviction on a VRRR and submitted through ICOTS with appropriate documentation, including the judgment/sentence.
 - (5) If a warrant has been issued in accordance with Administrative Directive 04.50.150 or has been issued by the other state:
 - (a) A Morrissey v. Brewer hearing shall be conducted. A waiver of the Morrissey v. Brewer hearing shall not be accepted unless accompanied by a written admission statement from the FOS parolee to one or more significant violations of the terms or conditions of supervision.
 - (b) The hearing results shall be forwarded to the Interstate Compact Unit.
4. If an FOS parolee requests a third state transfer:
 - a. The Parole Supervisor shall:
 - (1) Provide the sending state via a request through ICOTS:
 - (a) An ICOTS Progress Report summarizing the interstate compact applicant's adjustment on supervision; and
 - (b) An ICOTS Compact Action Request notifying the sending state the third request is completed. The request shall include the name, address and phone number of the proposed host site.
 - (2) The assigned Parole Agent shall continue supervision until instructions are received from the sending state.
 - b. Upon approval from the sending state:
 - (1) The Parole Agent shall forward reporting instructions to the parolee, provide a DOC 0173, submit an ICOTS Notice of Departure and ICOTS Case Closure Notice.
 - (2) Of the case closure notice in ICOTS, the Interstate Compact Unit shall discharge the parolee's "X" number in O360.
5. If an FOS parolee requests to return to the sending state, the supervising Parole Agent shall electronically submit an ICOTS request for Return Reporting Instructions unless the parolee is under active criminal investigation or is charged with a subsequent criminal offense in this state.
6. An ICOTS Case Closure Notice shall be completed by the Interstate Compact Unit or the assigned Parole Agent, as appropriate, when:
 - a. A certificate of discharge or death certificate is received. A copy shall be attached to the Case Closure Notice in ICOTS.
 - b. The sending state gives written permission for Illinois to close the case.
 - c. Written notification is received that the FOS parolee has been sentenced to a period of incarceration in Illinois for 180 days or longer, or has been sentenced to a period of incarceration in another state or Federal custody.

	Illinois Department of Corrections Administrative Directive	Page 9 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

- d. O360 does not reflect an initial contact by the parolee and the acceptance is over 120 days old.
- e. The parolee has surpassed his or her sentence expiration date listed in ICOTS.

K. Case Management

1. TOS Parolees

The Interstate Compact Unit shall ensure that:

- a. An ICOTS record is established and maintained until transfer is accepted, rejected or withdrawn. If accepted and transferred, the record shall be maintained for the duration of supervision while in another state.
- b. A response to written inquiries regarding assigned cases is provided within ten working days.
- c. Verification of a transfer request received from a parolee who wants to return to Illinois is completed prior to routing the residence location preference to the Parole Supervisor.
- d. The PRB is immediately notified when information is received that a parolee has violated his or her release agreement. Upon completion of the investigation the following shall be forwarded to the PRB:
 - (1) A copy of the Parole Violation Report, DOC 0071;
 - (2) A copy of the ICOTS Offender Violation Report provided by the receiving state; and
 - (3) Any investigatory material.
- e. Warrants for violators are issued in accordance with Administrative Directive 04.50.150.
- f. Parolees who are eligible for discharge consideration and who have the recommendation of the Compact Administrator are submitted for early discharge consideration in accordance with Administrative Directive 04.50.150, where appropriate.
- g. The O360 notification of discharge letter is sent to the receiving state upon request.

2. FOS Parolees

The Compact Administrator shall ensure that:

- a. All correspondence received in regard to parolees from another state is documented.
- b. A placement investigation is conducted by the appropriate Parole Office.
- c. Register numbers are assigned in accordance with Administrative Directive 01.07.220.

3. Dual Supervision Parolees

- a. The supervising Parole Agent shall monitor his or her caseload for dual supervision parolees through O360 and ICOTS.
- b. In the event a parolee is on parole supervision for Illinois and another sending state

	Illinois Department of Corrections Administrative Directive	Page 10 of 10
Number: 04.50.130	Title: Interstate Compact	Effective: 12/1/2021

through an Interstate Compact Agreement and the sending state's parole terms after the discharge of the parolee's Illinois parole term, the Parole Agent shall:

- (1) Email the Interstate Compact Office Distribution list within 48 hours of Illinois discharge to request an "X" number be issued.
- (2) Provide the parolee with the newly issued "X" number for continued reporting supervision.

c. The Interstate Compact Unit shall:

- (1) Create an "X" number for the Illinois parolee in O360, complete all required screens for an interstate parolee, and assign to the last known supervising agent.
- (2) Email AMS to have the discharged Illinois identification number merged with the new "X" number and placed active on the AMS system.
- (3) Email the Parole Agent with the "X" number.

L. Interstate Agreement on Detainers

The Interstate Compact Unit shall provide technical assistance to Illinois prosecutors upon request in accordance with the Interstate Agreement on Detainers.

1. Copies of all requests shall be maintained until final disposition.
2. Within ten days of receipt of the National Association of Extradition Officials Interstate Agreement on Detainers Form VI, Evidence of Agent's Authority to Act for Receiving State, the Compact Administrator shall sign the form and distribute signed copies to the out-of-state institution where the parolee is in custody and to the State's Attorney who initiated the request.

M. Special Interstate Requests

The Compact Administrator shall ensure that the following provisions are implemented:

1. A Parole Supervisor may use the Interstate Compact Unit to acquire information or service from another state when a parolee who is on his or her caseload is arrested in another state. All such requests shall be in writing and directed to the Compact Administrator.
2. Interstate Compact services may be used to request an investigation regarding an Illinois parolee who has absconded from supervision and who has been taken into custody in another state on the basis of the absconder warrant only. If such a request is initiated, it shall be done immediately at the discretion of the appropriate Parole Supervisor. The purpose of the request shall be to obtain sufficient information to determine whether the parolee may be considered for continuance on supervision without return to Illinois.
3. Special requests from another state for information or services regarding non-compact cases shall be routed through the Interstate Compact Unit to the appropriate Parole Supervisor. The Interstate Compact Unit shall respond to such requests within the time frame requested or within 30 days of receipt of the request, whichever is sooner.