

Interstate Compact (Adult)

408.1 PURPOSE AND SCOPE

The Interstate Compact for Adult Offender Supervision (Compact or IC) was developed following the Crime Control Act of 1934 to encourage cooperation between states in their efforts to supervise parolees and probationers who wish to relocate from one state to another. The Compact is administered by the Interstate Commission for Adult Offender Supervision (ICAOS), which is a quasi-governmental administrative body vested by the states with broad regulatory authority and the responsibility to adopt rules governing actions under the compact.

This policy and the associated procedures outline the role and requirements for the Department's Interstate Compact Supervision Unit and Department employees in complying with The Interstate Commission for Adult Offender Supervision (ICAOS) Rules of March 1, 2018.

408.2 APPLICABILITY

This policy applies to all Adult Services Officers and professional staff.

408.3 POLICY

The California Department of Correction and Rehabilitation's (CDCR) Interstate Compact Administrator is the ICAOS representative for the state. On Interstate Compact (IC) matters, all parole and probation departments must communicate through this administrator. ICAOS rules prescribe the manner in which the San Diego Probation Department must process interstate compact (IC) transfer requests by all clients who are granted community supervision in San Diego but want to reside in other states. The Probation Department also receives requests from other states to supervise probationers convicted within those states. Other than U.S. territories such as Guam and Puerto Rico, no provisions exist for transfer of supervision for clients who wish to reside outside the United States, such as in Mexico.

It is the policy of the Probation Department that the Interstate Compact Supervision Unit (ICSU) will oversee all department Interstate Compact requests and communication. Among other duties, this may include processing incoming and outgoing interstate compact transfer applications, violation reports, progress reports, and compact action requests. All formal written, electronic, and oral communication regarding a client under interstate compact will only be made through the office of a state's compact administrator or the compact administrator's designated deputies.

The ICSU probation supervisor or their designee is the sole liaison with the California Department of Correction and Rehabilitation's (CDCR) Interstate Compact Administrator. Interstate Compact rules strictly prohibit probation or parole entities from directly contacting probation departments or clients on community supervision once they are in another state and on interstate supervision (IC rule 2.101). As such, all department staff must follow these procedures based on ICAOS rules for communication.

San Diego County Probation Department

Field Services Policy Manual

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408.4 DEFINITIONS

Interstate Compact for Adult Offender Supervision (ICAOS) - A federal administrative law that seeks to promote public safety by systematically controlling the interstate movement and supervision of certain adult offenders. The Interstate Compact for Adult Offender Supervision has congressional consent under Article I, § 10 of the United States Constitution and pursuant to Title 4, Section 112(a) of the United States Code. California Penal Code Section 11175 allows the governor to enter into an Interstate Compact Agreement and provides other authority for peace officers to supervise offenders from other states in California.

Parole - A community supervision following the imposition of a prison sentence and subsequent release from custody. In California, this includes Post-Release Community Supervision (PRCS) and Mandatory Supervision (MS).

Parolee - An individual subject to parole as defined above.

408.5 REFERENCES

See the Interstate Compact Procedure document for further guidance.