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CHAPTER 11

INTRASTATE TRANSFER

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.01 AUTHORITY

Wisconsin Administrative Code DOC 328.08, 328.09

.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 offender'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.

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

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

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.01 AUTHORITY

Wisconsin Administrative Code DOC 328.08

.02 SENDING AGENT'S RESPONSIBILITY

When an offender 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.

Prior to allowing any offender to move, the sending agent will initiate a discussion with the receiving unit supervisor or designee, advising of the offender's planned presence in the new area and requesting reporting instructions.

No offender should be allowed to reside in any other area without prior notification to the receiving area.

The sending agent should 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 high-risk cases should include detailed consultation between areas involved with the transfer before it is implemented.

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 (16.24.02), documenting reporting instructions, will be entered into the Chronological History (DOC-24);
- The Payment Ledger (DOC-150) and the Chronological Log (DOC-90) will be brought up-to-date. An entry may also be made in the Client Log section of the OATS program;
- 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 sending agent will prepare the DOC-44 as the transfer document. A photocopy of the original DOC-44 should be used; the original DOC-44 should be placed in the front of the file. The "transfer" block is checked and the phrase "Transfer to ____" (the receiving city or field office and county location will be indicated).

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.02 SENDING AGENT'S RESPONSIBILITY (Continued)

The file and DOC-44 will be routed to the supervisor for approval. If approved, the supervisor will route the file and DOC-44 to the ledgerkeeper for transfer in the OATS program and routing to the new area.

.03 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.

Once the transfer investigation has been completed and the receiving agent is accepting transfer of the case, the agent must sign the DOC-44 in the "Signature of Agent" block, fill in the date, and line out the sending agent's area number. The area number of the receiving agent should then be written in the area number block. The DOC-44 will then be routed to CRU. CRU will process the change in area number on the CACU database, stamp the DOC-44 and return it to the sending agent as notification of the case acceptance. The sending agent should ensure the DOC-44 has been routed to the ledgerkeeper for updating the ledger database.

If, after a transfer case has been accepted, the plan is not able to be implemented within 60 days of the offender'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 offender.

.04 REJECTION

If the investigation determines that the transfer does not meet the standards defined in Chapter 11.01.02, the receiving agent shall review the recommendation to reject the transfer with the receiving supervisor. If the receiving supervisor concurs, s/he shall immediately contact the sending supervisor to report this decision.

Documentation of the reason(s) for rejections shall be noted in the Chronological Log (DOC-90 or DOC-24). An entry may also be made in the Client Log section of the OATS program.

If rejected, the receiving agent will check the REJECTED box on the DOC-44 & route the file with attached DOC-44 to the supervisor. The supervisor will approve/disapprove

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.04 REJECTION (continued)

the decision of the agent on the supervisor's block of the DOC-44.

If the supervisor approves of the case rejection the file will be routed through the receiving agent's ledgerkeeper back to the sending agent's ledgerkeeper and then returned to the sending agent.

If the supervisor disapproves the case rejection, the supervisor will;

- Draw a line through the REJECTED box and check ACCEPTED
- Insert the receiving agent's area number in the area number block (lining out the sending agent's preprinted area number),
- Check the block DISAPPROVED,
- Sign the form and forward the DOC-44 to the ledgerkeeper for processing, according to the instructions for acceptance above,
- The case file will be returned to the receiving agent for supervision.

.05 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.

.06 TRANSFERS DUE TO SPECIAL CIRCUMSTANCES

Cases transferred to a new area for halfway house placement, specialized treatment, jail confinement etc., may be returned to the sending agent at the termination of the treatment program or jail term. These types of return are at the discretion of the receiving agent. Acceptance by the sending agent is mandatory.

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.01 GENERAL STATEMENT

An agent receiving an offender on probation may request a direct assignment to another area if the offender has a residence in another area and plans to return there. Direct assignments will 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 per 11.02.02 will be utilized.

.02 DIRECT ASSIGNMENT PROCEDURE

The office receiving the offender 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 any available information. After a unit assignment is received, the unit in which sentencing occurred shall submit to the new area the following documents:

Court Order/Information/Criminal Complaint
Rules of Community Supervision (DOC-10)
Face Sheet (DOC-3)
DOC-179
Chronological Log (DOC-90)
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 offender is located. The case shall be assigned to an agent in the county of conviction. If the offender is located within ten (10) working days and the residence is verified, a direct assignment can be initiated. If the offender can not be located within ten (10) working days, the regular transfer process would need to be initiated.

If an offender 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.
- Jail term is 30 days or longer and begins within the first 30 days of the offender's supervision, case assignment will be made in the county of conviction for completion of the intake paperwork.

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.02 DIRECT ASSIGNMENT PROCEDURE (continued)

- Jail term is 30 days or longer and begins after the initial 30 days of the offender'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 supervisor, or designee, initiating the direct assignment will review the file material prior to sending the information to the supervisor of the new area. The supervisor in the new area will be responsible for submitting the Court Order and Probation Questionnaire to the Central Records Unit and for assigning and following on a partial or full Probation Social Investigation as appropriate. In those regions or areas where case entry is made directly to CRU, the court order and questionnaire (DOC-38) will have been entered under the receiving unit/agent number.

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.01 GENERAL STATEMENT

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

An inmate may propose a plan involving release to a geographic area other than where the case is assigned. 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 inmate in preparing a realistic release plan, the institution social worker prepares the Parole Planning Information Sheet ([DOC-11](#)) or the Mandatory Release/Extended Supervision Plan ([DOC-185](#)) describing the inmate's release plan. The [DOC-11](#) or [DOC-185](#) is submitted to the agent of record.

.03 SENDING AGENT'S RESPONSIBILITY

If a pre-parole is requested (or MR/ES plan received), where a change of area is proposed and the agent of record believes the plan is acceptable, the agent shall follow the procedures listed in 11.02.02 to transfer the case to another area. The case file is prepared as follows and sent to the receiving area office:

Transfer Summary entered into the Chronological History ([DOC-24](#))
Case file properly organized
Transfer of Supervision (Area Transfer [DOC-34](#))

To avoid mailing a large file, the agent may choose to send only relevant file material to the receiving area office. The [DOC-34](#), [DOC-24](#) Transfer Summary, and Chrono Log [DOC-90](#) must accompany this material. Such relevant material should include the following:

Parole Planning Information Sheet ([DOC-11](#))
Mandatory Release/Extended Supervision Plan ([DOC-185](#))
Pre-Parole ([DOC-7E](#))
Pre-Sentence Investigation or Probation Social Investigation
Revocation Summary
Institution Summaries
Recent CIB

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.

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.04 RECEIVING AGENT'S RESPONSIBILITY

Under some circumstances the sending agent may submit a case for transfer long before a pre-parole investigation is requested or mandatory release/extended supervision is scheduled. For example, if an offender 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 offender'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 chronological entry is made in the case file reflecting either acceptance or rejection and the reasons. The agent may also prepare a Pre-Parole Investigation (DOC-7E).

If transfer is accepted, the receiving agent signs and distributes the DOC-34. If transfer is rejected, that decision is indicated on the DOC-34, supervisory approval is obtained and the DOC-34 and case file are returned to the sending agent.

The Inmate Release Authorization (DOC-15) cannot be used to change area/agent responsibility. Supervision responsibility can only be transferred via the DOC-34 process. The DOC-34 and DOC-15 may be submitted together to expedite transfer.

.05 WITHHOLDING TRANSFER DECISION UNTIL RELEASE

If after a transfer case has been accepted, the plan is not able to be implemented within 60 days of the offender'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 offender.

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

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.05 WITHHOLDING TRANSFER DECISION UNTIL RELEASE (continued)

<u>Function</u>	<u>Operation Number</u>	<u>Instructions</u>
Receiving Agent	1.	Complete and submit the Pre-Parole Investigation (<u>DOC-7E</u>), if applicable.
	2.	Enter the investigation findings and the transfer decision on the Chronological Log (<u>DOC-90</u>).
	3.	Determine if parole has been granted or if release is imminent. If the answer is yes, go to operation 7, if not, continue with next operation.
	4.	Return case file and Area Transfer (<u>DOC-34</u>) to sending agent.
Sending Agent	5.	Retain case responsibility for the institution case.
	6.	Resubmit the case file with <u>DOC-34</u> to the receiving agent just prior to release.
Receiving Agent	7.	Prepare and submit the Inmate Release Authorization (<u>DOC-15</u>) for the sending agent.
	8.	Accept the offender on supervision, do the required case opening activity including the Admission to Adult Field Caseload (<u>DOC-502</u>) and appropriate Chronological Log (<u>DOC-90</u>) entries. An entry may also be made in the Client Log section of the OATS program.

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.05 WITHHOLDING TRANSFER DECISION UNTIL RELEASE (Continued)

<u>Function</u>	<u>Operation Number</u>	<u>Instructions</u>
	9.	Make a transfer acceptance or rejection decision within 30 days from the offender's release from the institution via the Transfer of Supervision process for active cases. <u>NOTE</u> : If accepted, go to end of operation. If rejected, continue with next operation.
	10.	Document the reasons for transfer rejection in the Chronological History (DOC-24) and Chronological Log (DOC-90). Transfer rejection must have supervisory approval. An entry may also be made in the Client Log section of the OATS program.

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.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 Transfer Summary should be prepared for each case involved. 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 Area Transfer (DOC-34) is prepared with cases listed alphabetically. Separate DOC-34 forms must be prepared for active and institution cases.

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.01 GENERAL STATEMENT

Employment obtained for the purpose of work release (i.e., résumé building, saving money, learning good work habits, etc.) is not meant to provide a means for relocation. This should be communicated to the offender by the work release coordinator, social worker, and agent throughout the placement.

A release plan involving an intrastate transfer for the purpose of continuing employment, which has been obtained through a DOC institution or center, should generally not be approved. This is particularly true if the employment position is a low-to-average wage job or one that can similarly be found in the inmate's home community. However, there are circumstances in which an employer and the inmate wish to continue employment after release. When the employment situation represents a significant improvement in the inmate's prospects for successful reentry, compared to any available plan in the area of record, an intrastate transfer may be requested. The receiving area shall investigate the transfer and reply within 30 days.

If within 120 days of release the offender loses the employment placement that made the transfer appropriate, the receiving agent may return the offender to the sending area and the sending area must accept. The offender should be made aware of this at the time of transfer by the sending agent.