

Interstate Compact - Adult

621.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth the guidelines and procedures for processing:

- (a) Supervision requests from other states, the Commonwealth of Puerto Rico, District of Columbia or the Virgin Islands for individuals residing in or requesting relocation to Riverside County.
- (b) Individuals under court-ordered supervision residing or requesting to relocate to other states, the Commonwealth of Puerto Rico, District of Columbia or the Virgin Islands.

This policy applies to all designated personnel.

621.1.1 DEFINITIONS

Definitions related to this policy include:

Interstate Compact - An agreement (as described in Sections 11175 - 11179 of the Penal Code) among most states, the Commonwealth of Puerto Rico, District of Columbia and the Virgin Islands for reciprocal assistance in supervising individuals.

Interstate Supervision - Supervision furnished by Riverside County of an individual from another state, the Commonwealth of Puerto Rico, District of Columbia or the Virgin Islands, who is residing in Riverside County.

621.2 AUTHORITY AND REFERENCES

- Penal Code §§ 1203(i) & 11175-11179;
- Rules of Court 2.105, 3.101, 3.107, 4.105, & 4.110;
- Interstate Compact Offender Tracking System;
- Interstate Commission Bylaws.

621.3 POLICY

Whenever it is established that an individual on supervision is a permanent resident of another state or requesting to relocate outside of California, and the Interstate Compact criteria has been satisfied, the Interstate Compact request for supervision shall be initiated.

Incoming Interstate Compact cases shall be accepted unless it is determined the individual does not reside within the boundaries of Riverside County.

621.4 PROCEDURE – OUTGOING

- (a) Interstate Compact shall be initiated when an individual reports their legal residence is out of state, or they have intentions of relocating to another state, and they meet one of the following criteria:
 1. Convicted of felony offenses and placed on Formal Probation, Mandatory Supervision, or Post Release Community Supervision.

Riverside County Probation Department

Policy Manual

Interstate Compact - Adult

2. A misdemeanor offender whose sentence includes one year or more of supervision shall be eligible for transfer, provided that all other criteria for transfer, as specified in ICOTS Rule 3.101, have been satisfied; and the instant offense includes one or more of the following:
 - i. An offense in which a person has incurred direct or threatened physical or psychological harm.
 - ii. An offense that involves the use or possession of a firearm.
 - iii. A second or subsequent misdemeanor conviction of driving while impaired by drugs or alcohol, regardless of length of time between convictions.
 - iv. A sexual offense that requires the individual to register as a sex offender in California.
- (b) Personnel shall inform the individual they are not authorized to leave California until the receiving state has been given an opportunity to investigate and approve the compact request.
- (c) Interstate Compact Offender Tracking System (ICOTS) operators shall process outgoing requests in accordance with the current Interstate Compact rules.
- (d) If an individual leaves the state without authorization or cannot be contacted to be advised of the legal process, a violation of supervision shall be submitted and an extraditable warrant requested.
- (e) Personnel shall monitor the case pending acceptance from the receiving state.
- (f) Upon notice of acceptance of transfer by the receiving state, personnel shall issue a travel permit and reporting instructions to the individual and submit a notice of departure to the receiving state as required by the Interstate Compact rules.

621.5 PROCEDURE – INCOMING

- (a) New cases are received by the designated ICOTS operator for investigation and supervision approval.
- (b) Incoming requests shall be processed in accordance with the current Interstate Compact rules.
- (c) All correspondence and communication shall be conducted by the ICOTS operator via the ICOTS computer system as required by the Interstate Compact rules. Only current approved forms shall be used. At no time shall the sending state be contacted directly.
- (d) Interstate Compact rules require if an out-of-state individual moves from Riverside County to another county in California, an ICOTS operator will send notification to the new county advising that the individual's Interstate Compact was previously accepted and now the individual is living or is requesting to reside in their county. Upon acceptance by the new county, Riverside County's interest in the matter will be closed.
- (e) Interstate Compact rules require that at the request of an individual for transfer to a subsequent receiving state, the original sending state shall prepare and transmit the transfer materials to the subsequent receiving state. When the original sending state

Riverside County Probation Department

Policy Manual

Interstate Compact - Adult

informs the ICOTS operator that the individual's transfer to the subsequent receiving state has been approved, the ICOTS operator shall issue a travel permit, reporting instructions and submit required documents pursuant to the Interstate Compact rules.

- (f) Interstate Compact rules require Riverside County personnel to notify the sending state of non-compliance with supervision conditions within 30 days of discovery.
- (g) Closing of supervision by Riverside County personnel shall conform to the Interstate Compact rules.

Date(s) revised:

06/18/2018

10/28/2010

12/01/2005

Created: 3/27/1995

Attachments: None