

POLICY OF STATE OF DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER 4.13	PAGE NUMBER 1 of 2
	RELATED ACA Standards 2-CO-4B-02	
CHAPTER: 4 Decision Making Related to Offenders	SUBJECT: Interstate Corrections Compact / Interstate Commission for Adult Offender Supervision	
APPROVED BY THE COMMISSIONER:		
EFFECTIVE DATE:	7/14/14	
APPROVED FOR PUBLIC RELEASE		

I. AUTHORITY: 11 *Delaware C.*, §4358-4359A, §6570-6573, 29 *Del. C.* §8903

II. PURPOSE: To establish a policy for the Department of Correction (DOC) that provides for transfers of offender supervision to and from out-of-state jurisdictions in accordance with interstate compacts, Interstate Commission for Adult Offender Supervision and other interstate agreements.

III. APPLICABILITY: All DOC employees, volunteers, persons and organizations conducting business with the DOC and all offenders under the custody and supervision of the DOC.

IV. DEFINITIONS:

Interstate Corrections Compact – a contractual agreement between the DOC and partner state correctional agencies for improving and utilizing their corrections facilities to provide suitable programs for the confinement, treatment and rehabilitation of different types of offenders, thereby serving the best interests of such offenders and lowering the recidivism rate. When an Interstate Corrections Compact is in effect, each state's Department of Corrections may provide information about inmates, prisons, facilities and programs of that state to another state and the two states cooperate to best use the resources available between them to minimize costs and increase effectiveness.

Interstate Compact (Probation) – an agreement entered into the laws of 50 states, the District of Columbia, and the territories of the Virgin Islands, Puerto Rico, Northern Mariana Islands, Guam, and American Samoa to allow offender supervision in one state with a sentence imposed by another state. The compact has the force of federal law and state law. Any conflicts will be remanded to the Federal District Court.

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Interstate Commission for Adult Offender Supervision (ICAOS) - the national governing organization of the interstate compact represented by the Compact Administrators from each state. The acronym ICAOS may be used to represent the “Interstate Commission (or Compact) for Adult Offender Supervision,” depending on the context used. The terms are synonymous in meaning.

V. POLICY: The Delaware Department of Correction will review and consider Interstate Compact cases that serve in the best interest of such offenders, society, and that are cost effective.

A. An offender or the DOC administration may request a transfer via interstate correction compact due to following reasons:

1. Disciplinary / Behavior Problems
2. Protective Custody Concerns
3. Compassionate / Family Situations

Note: These issues must be extraordinary and unable to be addressed in Delaware.

- B. An offender may transfer probation to another jurisdiction in accordance to the most current rules established by ICAOS. The current ICAOS rules can be found on www.interstatecompact.org .
- C. The Commissioner or his/her designee will take the necessary actions to carry out and comply with the provisions of all established Interstate Compact agreements.
- D. The Bureau Chiefs of Prisons and Community Corrections are responsible to develop and routinely evaluate and monitor Interstate Compact procedures for their respective populations.