

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 06/29/09	NUMBER 06.04.110
	SUBJECT TRAVEL RESTRICTIONS FOR PROBATIONERS AND PAROLEES	
SUPERSEDES PD 06.04.110 (09/01/04)		AUTHORITY MCL 771.3; 791.203; 791.204; 791.231
ACA STANDARDS NONE		PAGE 1 OF 3

POLICY STATEMENT:

Probationers and parolees shall be permitted to travel to other states only as set forth in this policy. Probationers and parolees whose order of probation or parole restricts travel within Michigan also shall be permitted to travel to restricted areas only as set forth in this policy.

RELATED POLICIES:

- 06.01.110 Interstate Compact Administration
- 06.04.135 Transfer of Parole/Probation Supervision

POLICY:

GENERAL INFORMATION

- A. For purposes of this policy, “offenders” means probationers and parolees.
- B. This policy does not apply to probationers in the Special Alternative Incarceration Program facility. This policy also does not apply to parolees who are in a Residential Reentry Program facility. Offenders whose supervision is being transferred to another state pursuant to the Interstate Compact for the Supervision of Parolees and Probationers are governed by PD 06.01.110 “Interstate Compact Administration”.

TRAVEL OUTSIDE THE STATE OF MICHIGAN

- C. Offenders are permitted to travel outside the State only with prior approval of the supervising field agent, the agent's supervisor, by the appropriate Area Manager as set forth in Paragraph I, and, in the case of probationers, the sentencing court. If the court has delegated this authority to the Department, written verification of this delegation shall be retained by the Area Manager.
- D. Generally, an offender who wants to travel outside the State must request approval through the supervising agent at least three business days prior to the date of travel to ensure there is adequate time for the request to be reviewed and processed. However, in the case of a verified emergency (e.g., death or serious injury/illness of a family member; immediate need of employer), the field agent or, in the agent's absence, the supervisor or designee shall expedite the review and approval process.
- E. Offenders shall not be authorized to travel outside the State for more than 30 continuous days per request, unless prior approval is received from the Deputy Director of Field Operations Administration (FOA) or designee for a parolee or from the sentencing court for a probationer. Only requests approved by the field agent and supervisor shall be submitted for consideration. Employment and required treatment and supervision contacts shall be taken into consideration when approving the period of travel.
- F. All approved requests shall be documented on a Travel Permit (CFJ-118). The supervising field agent shall instruct each offender authorized to travel outside the State that it is his/her responsibility upon arrival in any other state to contact local law enforcement authorities to determine if registration is required as an offender in that state and to register if required.

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Parolees

- G. Only parolees who meet the following eligibility criteria may be considered for approval to travel outside the State:
1. During the preceding six month period, the parolee did not test positive for substance abuse or, if tested positive, was referred to and successfully completed a substance abuse treatment program or is currently participating in such programming.
 2. During the preceding six month period, the parolee had no pending felony or assaultive misdemeanor charges except for charges that were either dismissed or resulted in a not guilty finding.
 3. The parolee is not facing any parole violation charges or serving a sanction for parole violation.
 4. The parolee has made a good faith effort to comply with any conditions of parole that require payment of restitution or other financial obligations.
- H. Eligible parolees may travel outside the State only for a verified emergency or other legitimate purpose (e.g., school, work, court appearance). Requests that are solely for recreational purposes shall not be approved unless the activity will contribute to the parolee's ability to successfully complete parole. Requests to travel to a destination where the parolee has a pending application for transfer shall not be approved except if the request is due to a verified emergency at that destination. Travel outside the United States is prohibited.
- I. Notwithstanding Paragraph H, eligible parolees who are registered pursuant to the Sex Offenders Registration Act, who are serving for an offense related to interstate travel (e.g., chop shop, sale/delivery of controlled substance), or who are on electronic monitoring may travel outside the State only for verified emergencies, including emergency medical care. With approval of the appropriate Area Manager, they also may travel outside the State for the following purposes:
1. To work at a specific location or worksite outside the State provided the employment is not transient in nature.
 2. To attend college or university classes which are within a reasonable distance from the offender's residence.
 3. To receive non-emergency medical care or treatment at a location which is closer to the offender's residence than comparable care or treatment would be available in the State.

Probationers

- J. Unless otherwise directed in writing by the sentencing court, the standards set forth in Paragraphs G through J also apply to probationers except that they also must not be facing any probation violation charges, or serving a sanction for probation violation, and must be making a good faith effort to be in compliance with any conditions of probation that require payment of restitution, supervision fees, or other financial obligations. Area Managers shall ensure that courts in their area are advised of the Department's requirements; written verification of any alternative direction by a court shall be retained by the Area Manager.

TRAVEL WITHIN MICHIGAN

- K. An offender who is restricted from traveling to certain areas within Michigan by his/her order of probation or parole may travel to those areas only with prior approval from the supervising agent and either the Parole and Commutation Board or, if required by the court, the sentencing court. Such requests shall be submitted through the supervising agent as set forth in Paragraph D for travel permits.

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If permission is granted, the supervising agent shall complete a Pass Permit (CFJ-103) and forward it to the field office in the area to which the offender is allowed to travel. If the restriction was due to concern about potential assaultive behavior toward a person in that area, the Pass Permit shall be issued only after the field office in that area has been contacted and satisfactory arrangements for the offender to travel to the area have been made. Such arrangements may include contact with the person who is at potential risk and notification to local law enforcement.

PROCEDURES

- L. The FOA Deputy Director shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive; this shall be completed within 60 calendar days after the effective date of the policy directive. This requirement includes ensuring that existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

AUDIT ELEMENTS

- M. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self audit of this policy, pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

APPROVED: PLC 06/18/09