

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 01/06/2020	NUMBER 06.04.135
	SUBJECT TRANSFER OF PAROLE/PROBATION SUPERVISION	
SUPERSEDES 06.04.135 (08/01/2010)		AUTHORITY MCL 791.203, 791.223, 791.223a, 791.231
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POLICY STATEMENT:

Offenders shall be supervised in the community where they reside except as otherwise authorized by this policy.

POLICY:

DEFINITIONS

- A. Offender - Probationers and parolees.
- B. Receiving Agent - Agent in county where the parolee or probationer is requesting to reside, or resides, who is assigned to investigate the transfer request.
- C. Sending Agent - Supervising Agent or Agent in the sentencing county assigned to process the supervision transfer.
- D. Supervision Area - County or other identified geographical area assigned to a specific field office.

GENERAL INFORMATION

- E. This policy only applies to the transfer of supervision within Michigan. All transfers of supervision outside of Michigan shall be in accordance with the interstate compact for the supervision of parolees and probationers.
- F. Effective parole and probation supervision requires personal contact between an Agent and the offender to establish a positive, supportive, and constructive relationship. In most cases, an offender is to be supervised in the community in which the offender resides, however, there are exceptions to this rule.

The following scenarios do **NOT** require a transfer of supervision:

1. The sentencing court has ordered that a probationer's supervision not be transferred to an area outside the jurisdiction of the court. In such cases, the probationer will be supervised in the sentencing county.
2. The offender is serving a jail or Federal prison sentence.
3. The offender is in good standing and is within 90 calendar days of their discharge date. The offender may temporarily report to the field office in the county of employment or for prosocial reasons (including drug/alcohol testing).
4. The offender is on minimum telephone reporting supervision. The offender shall remain on the assigned telephone reporting caseload as long as they remain on telephone reporting and reside in the State of Michigan.
5. The offender is residing outside the supervision area for one year or less and is not available for active community supervision (e.g., participation in a residential program, hospitalization).
6. The offender is outside of their approved county of residence for a period of 30 business days or less. the offender may temporarily report to the field office in the county of employment (including drug/alcohol testing) without submission of a formal Transfer Investigation Request

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(CFJ-116).

7. As otherwise approved by the FOA Deputy Director.

The following scenarios **DO** require a transfer of supervision:

1. The offender is residing in a residential program outside of the supervision area and the offender is able to leave the program on their own accord without being in violation of program rules and/or if Departmental staff are on-site or assigned to the program to provide supervision (RSOP).
 2. The offender would benefit from supervision outside of their county of residence. In this case, the Supervisors for the appropriate counties will collaborate, as needed, to determine if the case should be transferred. The Supervisor may transfer the case to the field office in another county while allowing the offender to maintain their current residence. The RM(s) may allow all offenders in a defined geographical area to report to a field office that is outside their county of residence.
 3. As otherwise approved by the FOA Deputy Director.
- G. A standard condition of parole requires a parolee to obtain prior permission from the supervising Agent before changing residence. If a parolee is approved to move to a residence in a different supervision area, supervision is to be transferred to the area of residence.
- H. Each region shall publish, distribute, and update as necessary a directory identifying each field office and Agent within each supervision area to serve as a reference for any transfer requests.

TRANSFER INVESTIGATION AND APPROVAL

- I. Whenever possible, a transfer investigation and acceptance shall be completed prior to an offender's physical relocation to a new residence. If the transfer is approved, the sending and receiving Agents shall maintain communication while making transfer arrangements. In all cases, responsibility for supervision remains with the sending Agent until the transfer has been accepted by the receiving field office.

PROCEDURES

- J. If necessary, to implement requirements set forth in this policy directive, the FOA Deputy Director shall ensure that procedures are developed or updated.

AUDIT ELEMENTS

- K. 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-Audits and Performance Audits."

APPROVED: HEW 12/05/2019