

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 08/01/10	NUMBER 06.04.135
	SUBJECT TRANSFER OF PAROLE/PROBATION SUPERVISION	
SUPERSEDES 06.04.135 (05/01/05)		AUTHORITY MCL 791.203; 791.223; 791.223a; 791.231
ACA STANDARDS NONE		PAGE 1 OF 2

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 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; therefore, an offender is to be supervised in the community in which the offender resides except under the following circumstances:
 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 residing outside the supervision area for one year or less and is not available for active community supervision (e.g., participation in a residential therapeutic program, hospitalization). In the case of a residential therapeutic program, if the offender is able to leave the program on his/her own accord or if Department staff are on-site or assigned to the program to provide supervision, supervision shall be transferred.
 3. The offender is serving a jail sentence.
 4. The offender is within 90 days of his/her discharge date if the offender is in good standing, including having no pending violations.
 5. The offender is on minimum telephone reporting supervision.
 6. When supervision in a county contiguous to the county of residence would clearly benefit the offender (e.g., proximity of residence or employment to field office; availability of public

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transportation); such transfers require the approval of the Area Manager or designee.

7. As otherwise approved by the Deputy Director for Field Operations Administration (FOA).
- 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 offender's presence within the confines of the residence is being electronically monitored, the offender shall not be permitted to change residence and supervision shall not be transferred before the transfer investigation has been completed and supervision has been accepted by the receiving agent. If the transfer is approved, the sending and receiving agents shall make all transfer arrangements by telephone to ensure that there is not a break in the electronic monitoring of the offender. In all cases, responsibility for supervision remains with the sending agent until the transfer has been accepted by the receiving field office.

PROCEDURES

- J. The FOA Deputy Director shall ensure that procedures are developed 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 their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

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 Audit of Policies and Procedures".

APPROVED: PLC 07/23/10