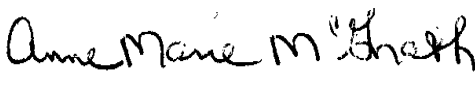
 <p><b>NEW YORK STATE</b> <b>Corrections and Community Supervision</b></p> <p><b>DIRECTIVE</b></p>	TITLE		NO. 4017
	<b>Inmate Transfer Procedure</b>		DATE 1/23/2019
SUPERSEDES DIR# 4017 Dtd. 03/25/2015	DISTRIBUTION A B	PAGES PAGE 1 OF 4	DATE LAST REVISED
REFERENCES (Include but are not limited to) 7NYCRR Chapter III; Directives #0040, #0701, #4018, #4302, #7001; 28 C.F.R. §115.41, §115.42	APPROVING AUTHORITY 		

- I. **PURPOSE:** This directive describes the procedures for the transfer of inmates between Departmental facilities.
- II. **FACILITY DESIGNATIONS:** The following designations are assigned to each facility:
  - A. Security Level: Each facility is designated as one of three security levels, maximum, medium, or minimum, according to Title 7 of the Codes, Rules, and Regulations of the State of New York (7 NYCRR). Security levels are defined in Directive #0040, "Facility Security Level Criteria."
  - B. Mental Health Level: Each facility is designated as one of five mental health levels. Mental health service levels are determined for each facility by the Office of Mental Health, Bureau of Forensic Services.
  - C. Medical Levels: Each facility is designated as one of three medical levels. Medical levels are determined for each facility by the Division of Health Services.
- III. **INMATE CLASSIFICATIONS:** The following designations are assigned to each inmate:
  - A. Security Classification: Inmates are assessed on the degree of risk which they represent, based on the application of the security classification guidelines set forth in Directive #4018, "Security Classification Guidelines."
  - B. Mental Health Classification: The level of mental health services required by individual inmates is determined by the staff at the Office of Mental Health, Bureau of Forensic Services.
  - C. Medical Classification: The level of medical services required by individual inmates is determined by the Department's Health Services staff.
- IV. **TRANSFER REVIEWS AND TRANSFER ORDERS:** Except where noted below, a Transfer Order (TO), must be issued prior to an inmate transfer:
  - A. Reception/Classification Center: A TO is issued by staff at the Reception Center following an inmate's classification, and prior to transfer. The staff use the automated Placement Information System (PLMT), which is an automated information system that matches an inmate's security, medical, and mental health classifications, with available and appropriate space.
  - B. Transit Unit: TOs for inmates leaving, as appropriate space becomes available, are issued by Transit Unit staff using the PLMT system. Other TOs are issued in accordance with Section IV-C of this directive.

- C. Transfers of Medium and Minimum Security Inmates Between General Confinement Facilities: The assigned facility Guidance Unit staff initiates a Transfer Review, using the automated Guidance Information Management System (GIMS), and in accordance with the GIMS Manual. The Transfer Review is routed from the assigned facility to the Office of Classification and Movement (C&M). As required, Transfer Reviews are routed to other Central Office units for comment (see Section IV-F of this directive). C&M staff are authorized to issue the TO, using the automated Inmate Transfer System (KITS).
- D. Transfers into/out of Work Release Facilities: Transfers into/out of work release facilities are based on Directive #7001, "Temporary Release Programs."
1. If an inmate is approved for Temporary Release, the Office of Temporary Release (OTR) staff issue a TO, using the automated Temporary Release Information System (KTRL).
  2. To transfer an inmate out of a work release facility, the Guidance Unit initiates a Transfer Review, which is routed to OTR for comment and then routed to C&M, which is authorized to issue a TO.
  3. Lateral transfers between work release facilities are authorized by OTR using the KITS system.
- E. Transfer into/out of the Comprehensive Alcohol and Substance Abuse Treatment Program (CASAT)
1. Transfer into CASAT
    - a. If an inmate is approved for CASAT by OTR, OTR issues an approval using KTRL.
    - b. If an inmate is approved for court-ordered CASAT, C&M is authorized to issue a TO.
  2. Transfer out of CASAT
    - a. Upon determination by the Central Office Substance Abuse Treatment Services Unit that an inmate has successfully completed CASAT Phase I, the Substance Abuse Treatment Services Unit will issue a TO to Work Release, using the Program Eligibility Screening and Monitoring System (KPSM).
    - b. C&M is authorized to issue a TO into general confinement for inmates that complete court-ordered CASAT and who are currently ineligible for Temporary Release.
    - c. To transfer an inmate out of a CASAT facility because the inmate is no longer appropriate, the facility Guidance Unit initiates a Transfer Review, using the automated Guidance System (KGNC), which the facility submits.
      - (1) If it appears that the inmate no longer meets the Temporary Release criteria for CASAT, the Transfer Review is routed to OTR. OTR either denies it, or forwards it to C&M, which issues the TO.

- (2) If it appears that the inmate needs to be transferred to another CASAT facility due to program, medical, psychiatric, or separation reasons, the Transfer Review is routed to the Central Office Substance Abuse Treatment Services Unit. If the inmate is approved for CASAT by OTR and is no longer appropriate for CASAT due to medical, psychiatric, or separation reasons, the Transfer Review is routed to OTR. OTR either denies it, or forwards it to C&M, which issues the TO.
            - (a) Program Transfer Reviews: The Central Office Substance Abuse Treatment Services Unit denies or approves Program Transfer Reviews. If approved, the Transfer Review is routed to C&M. C&M is authorized to issue a TO.
            - (b) Medical, Psychiatric, or Separation Transfer Reviews: The Central Office Substance Abuse Treatment Services Unit enters comments on Medical, Psychiatric, or Separation Transfer Reviews for inmates approved for court-ordered CASAT and the Reviews are then routed to C&M. C&M is authorized to issue a TO. OTR enters comments on Medical, Psychiatric, or Separation Transfer Reviews for inmates approved by OTR and the Reviews are then routed to C&M. C&M is authorized to issue a TO.
  3. If it appears that the inmate is no longer appropriate for disciplinary reasons, the Transfer Review is routed to C&M.
- F. Central Monitoring Cases (CMC), Special Needs, and Medical Cases
1. Transfer of CMC cases requires additional procedures as specified in Directive #0701, "Central Monitoring Cases."
  2. Transfer of inmates with special needs or medical problems requires additional procedures as specified in Directive #4302, "Transfers to Health/Mental Health Care Units."
- G. Transgender/Intersex Inmate Transfer Requests
1. Upon request from an inmate who identifies as transgender or intersex for a transfer from a male classified facility to a female classified facility, or vice versa:
    - a. The assigned Offender Rehabilitation Coordinator (ORC) shall complete an updated "Gender Identity Interview," [Form #115.41GI](#), documenting the inmate's responses to questions regarding their gender identification, expression, and preferences, as well as their statement regarding their safety in connection with their housing and placement. The ORC shall notify the Supervising Offender Rehabilitation Coordinator (SORC) upon completion of the updated Gender Identity Interview [Form #115.41GI](#).
    - b. The SORC staff shall notify the Deputy Superintendent for Program Services and the facility's designated Assistant Deputy Superintendent PREA Compliance Manager. The Deputy Superintendent for Program Services shall notify the Director of Classification and Movement of the inmate's request via electronic mail, including the completed [Form #115.41GI](#), and the most recently completed gender-appropriate PREA Risk Screening [Form #115.41M](#) or [Form #115.41F](#), which shall be used to assist the Department in making an individualized assessment of the inmate's placement and program assignments, in order to maximize the inmate's safety.

The request will be forwarded to the Central Office Transgender Placement Review Committee for a case-by-case assessment. Housing assignment by gender identity will be made when appropriate.

- c. An inmate who identifies as transgender or intersex will not be placed in a gender-specific facility, housing unit, or program based solely on their external genital anatomy.
- d. A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration.

**V. EXCLUSIONS:** Inmate movement prior to the issuance of a TO during business hours, must be authorized via the KITS in-transit transaction by C&M. Movement must be authorized after business hours by the Departmental Officer of the Day, via the Command Center. The inmate is sent in-transit on Locator. After the TO is issued in accordance with this directive, the inmate is transferred on Locator.