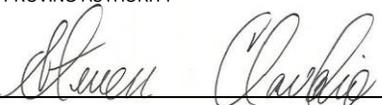


 <b>Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE		NO. 9207
	<b>Out of State Travel for Strict and Intensive Supervision and Treatment (SIST) Cases</b>		DATE 11/08/2016
SUPERSEDES	DISTRIBUTION A	PAGES PAGE 1 OF 2	DATE LAST REVISED
REFERENCES (Include but are not limited to)  NYS MHL Article 10	APPROVING AUTHORITY  		

**I. DESCRIPTION:** To provide staff with guidelines whenever consideration is being given to allow a respondent under Strict and Intensive Supervision and Treatment (SIST) or a parolee under SIST and parole (or a period of post-release supervision) to travel to another state. There is no provision under Article 10 of NYS Mental Hygiene Law that allows for the transfer of supervision to another state for any individual under a SIST order or subject to both a SIST order and a period of community supervision (e.g., release on parole, conditional release, or a post-release supervision).

**II. POLICY:** A person ordered to undergo a regimen of SIST is subject to lawful conditions established and imposed by the Court and DOCCS. Respondents who are supervised on SIST are not subject to the terms and conditions of the Interstate Compact for Adult Offender Supervision (ICAOS) and therefore are not subject to extradition. If out of state travel is to be considered, the supervision team must be in agreement that allowing the respondent to travel to another state is in the best interests of the individual, and consistent with the case-specific conditions of release and supervision plan. Staff must also take into consideration the interests of public safety when evaluating requests for out of state travel. All requests for out of state travel must be approved by the Court of jurisdiction.

**III. DEFINITIONS**

- A. Case Management System (CMS): DOCCS mainframe system which is used to record case contacts and other information for persons under the jurisdiction of DOCCS.
- B. OAG: Office of the Attorney General.
- C. OMH: Office of Mental Health.
- D. Respondent: Person subject to MHL Article 10.
- E. SIST: Strict and Intensive Supervision and Treatment; placement on SIST is ordered by a New York State County or Supreme Court Order pursuant to Mental Hygiene Law (MHL) Article 10, also known as the “Sex Offender Management and Treatment Act.”

**IV. PROCEDURE**

- A. If a respondent wishes to travel out of state, the request must first be reviewed by the treatment team which includes; the assigned Parole Officer (PO)/Senior Parole Officer (SPO), sex offender treatment provider, and SIST liaison. All pertinent details of the trip must be obtained, such as the proposed dates, times, method of transportation, and the address where the respondent plans to stay during the trip.

- B. The assigned Parole Officer must verify all of the travel plans including the destination address, residence type, and occupants. A travel permit is to be prepared to include the aforementioned information and shall also include the PO/SPO contact information as well as any reporting instructions while the respondent is in travel status. If the respondent is traveling by air, every effort must be made to encourage a direct flight to and from the destination location.
- C. If it is deemed appropriate to proceed with the travel request, the Parole Officer and Senior Parole Officer shall submit the request and travel itinerary to the Bureau Chief for review and consideration. The Regional Director shall review and submit a recommendation to the Sex Offender Management Unit (SOMU).
- D. SOMU staff will then notify the Office of the Attorney General (OAG) and request that the respondent be brought before the Court. If the Court agrees to allow the respondent to travel to another state, the Court may issue an order to allow the travel and issue instructions to be followed by the respondent while in travel status.
- E. Prior to the respondent's departure, the assigned Parole Officer must contact the Department's electronic monitoring contractor, Satellite Tracking of People, LLC, in order to modify enrollment status to include exclusion and inclusion zones and curfew enrollment hours. If the respondent is enrolled in the Department's Command Center Pilot, the Parole Officer or Senior Parole Officer shall notify the Bureau of Special Services (BSS) Command Center via email regarding the dates of travel and the out of state travel destination(s). In addition, the Bureau shall notify the Director of Internal Operations for Community Supervision in advance of any need to utilize the electronic monitoring device while a respondent is temporarily residing in another state.
- F. Any respondent enrolled in electronic monitoring shall continue to be monitored during the dates of travel. Respondents should be instructed to provide confirmation of their arrival and departure by telephoning the Parole Officer, Senior Parole Officer, or other appropriate designee. If the respondent is on the Sex Offender Registry, the respondent is to be instructed that upon arrival, he or she must notify local law enforcement that they are staying in the area and must provide the address information. If the respondent is to be away from his or her approved address for ten (10) days or more, assigned staff must submit a signed Change of Address form to the NYS Sex Offender Registry.
- G. The assigned Parole Officer must document all discussions regarding the travel plans in the CMS record of the respondent and verify all departure, arrival, and reporting information. It is recommended that the respondent be directed to report in person within twenty-four (24) hours of the return to New York State, at which time the PO/SPO will inspect the electronic monitoring device and update the enrollment status in the Veritracks (contractor monitoring software) system. Alcohol and drug testing shall be completed in accordance with the supervision plan.
- H. Upon confirmation of the respondent's return to New York State, assigned staff must contact SOMU who will advise the OAG and the Court of the respondent's return.