

<b>POLICY AND ADMINISTRATIVE PROCEDURE</b>			
Indiana Department of Correction			
<b>Manual of Policies and Procedures</b>			
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<b>ADULT OFFENDER CLASSIFICATION</b>			

X. INTER-FACILITY TRANSFERS:

A. Transfer:

1. Facility staff may request transfer of an incarcerated individual to another facility or program.
2. Central Office staff may request transfer of an incarcerated individual to another facility or program.
3. An incarcerated individual may request transfer to another facility or program.
4. Department staff may process an incarcerated individual voluntarily or involuntarily, on a routine or emergency basis, consistent with this policy and administrative procedure.

B. Transfer Considerations:

1. The following may be the basis for consideration of a transfer:
  - a. Administrative reasons.
  - b. Age.
  - c. Best interests of the community, the Department, or the offender.
  - d. The results of an incarcerated individual's classification as indicated on State Form 7263, "Classification Designation Instrument."
  - e. Continual, serious, maladaptive behavior.
  - f. Court recommendation.
  - g. Dental/medical treatment.
  - h. The results of an offender "Behavior Modification Plan," State Form 56393, if applicable.
  - i. Department-recognized gender identity
  - j. Disciplinary reasons.
  - k. Appropriate classification.
  - l. Psychiatric or psychological treatment.
  - m. Incarcerated individual cannot or will not benefit from existing programs.
  - n. Incarcerated individual is an escape or security risk.
  - o. To allow the incarcerated individual to be closer to home and



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c. Administration Initiated:

Central Office notifies facility to initiate State Form 44355, "Report of Inter-Facility Transfer."

2. After eligibility is determined, and prior to transfer, a classification transfer hearing will be conducted. Completion of State Form 3412, "Report of Classification Hearing," along with a new Classification Designation Instrument, is required.
3. Supervisor of Classification or Designee Action:  
  
Supervisor of Classification causes Section 1-12 of the State Form 44355, "Report of Inter-Facility Transfer," to be completed, and forwards all material to the Warden.
4. Warden Action:  
  
The Warden completes Section (13) of State Form 44355, "Report of Inter-Facility Transfer." The State Form 44355 is returned to the Supervisor of Classification, who forwards it to the appropriate Central Office Classification Analyst.
5. Central Office Classification Analyst Action:
  - a. Renders a final decision by completing Section 14 of State Form 44355, "Report of Inter-Facility Transfer," and completes the approval of the Classification Designation Instrument;
  - b. Notifies the sending facility of the decision, in writing, via a copy of the completed State Form;
  - c. Causes State Form 1736, "Transfer Authority," to be issued (if approved);
  - d. Causes a copy of the State Form 44355 to be forwarded to the Central Office Records Section for appropriate scanning and indexing.

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6. Executive Director of Classification Action:
  - a. Renders final decision on Classification Appeals relating to inter-facility classification matters, excluding decisions pertaining to Department-wide restrictive status housing.
  - b. Receive Appeal Response from Deputy Commissioner or designee relating to decisions pertaining to an incarcerated individual's admission to, or removal from, Department-wide restrictive status housing.
  - c. Causes a copy of appeal and response to be scanned and indexed into IRIS. Causes responses to be forwarded to the assigned facility who shall ensure the incarcerated individual receives a copy and a copy is placed into the incarcerated individual's packet.
  
7. Referring Warden's Action:
  - a. Upon receipt of a completed State Form 1736, "Transfer Authority," the Warden shall ensure that the incarcerated individual, the incarcerated individual's property, all incarcerated individual facility/medical packets, and any necessary medications as provided by medical staff are transported to the receiving facility on the effective date of the Transfer Authority.
  - b. Ensure the incarcerated individual is informed of the decision of the Classification Division and provide the individual with a copy of State Form 44355, "Report of Inter-Facility Transfer."
  
8. Receiving Warden's Action
  - a. Accept offender with a properly completed State Form 1736, "Transfer Authority;"
  - b. Receives complete incarcerated individual facility/medical records;
  - c. Receives the incarcerated individual's property; and,
  - d. Receives any medications transferred with the incarcerated individual.

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D. Emergency Transfers:

1. Emergency Inter-facility transfers may be initiated by the Warden when the Warden determines that an immediate transfer is in the best interests of the Department, the facility, the incarcerated individual, and/or the community.
2. During non-working hours, weekend and holidays, emergency transfers shall be processed as follows:
  - a. The Executive Director of Classification shall be contacted;
  - b. The referring facility **must** send to the appropriate Classification Analyst, a State Form 44355, "Report of Inter-Facility Transfer," along with all other relevant materials on the morning of the first business day after the transfer has taken place; and,
  - c. The Facility and Medical Packet must accompany the incarcerated individual or, if unavailable to transporting staff, be transported to the receiving facility the next day.
3. During regular working hours, emergency transfers shall be processed as follows:
  - a. The Supervisor of Classification of the referring facility is to contact the appropriate Classification Analyst by telephone;
  - b. A State Form 44355, "Report of Inter-Facility Transfer," is to be completed and forwarded to the Classification Analyst along with all relevant material.
  - c. The Classification Analyst will issue the State Form 1736, "Transfer Authority," to the referring and receiving facilities.

- E. If an incarcerated individual is assigned to a specialized unit within a specific parent facility (e.g., WVS, WCU, SNU, NCP, etc.) **and the transfer is an on-grounds, internal transfer on a temporary basis for medical/psychiatric reasons only**, the incarcerated individual may be moved temporarily without requiring a Transfer Authority as ordered by the appropriate Health Services and/or Mental Health professional. The incarcerated individual's bed will be

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“held” for the incarcerated individual while the incarcerated individual is in the temporary assignment (e.g. infirmary). This waiver of the Transfer Authority does not apply to Level 1 facilities. If the transfer requires a move outside the parent facility, this waiver of the Transfer Authority does not apply. The Executive Director of Classification and the appropriate Classification Analyst shall be notified via e-mail for transfers. This notification shall only apply for WVS, WCU, SNU, NCP, the mental health unit at Pendleton Correctional Facility, and the Department-wide Administrative Restrictive Status Housing Unit (DWARSH).

- F. Certain incarcerated individuals with Mental Health Code “C” may be transferred to a Level 1 facility, the Branchville Correctional Facility, or the Madison Correctional Facility (Appendix XV-D1 lists the Level 1 facilities that can house incarcerated individuals with a Mental Health Code “C”). Incarcerated individuals must meet all the criteria for assignment to the recommended facility. Prior to submitting a request to transfer these incarcerated individuals, the Supervisor of Classification shall ensure the facility Mental Health staff is contacted and a State Form 53491, “Mental Health Status Report,” is completed. The Mental Health staff shall indicate in the “comments” section whether the incarcerated individual is suitable for placement at these facilities. If there is a question regarding the incarcerated individual’s suitability for this assignment, the designated Mental Health staff shall contact the Executive Director of Behavioral Health Service or the Health Services vendor’s Regional Director for Behavioral Services. Once the final recommendation has been made, the Supervisor of Classification shall ensure a note is included in the Classification Designation Instrument indicating the recommendation of Mental Health staff.