



# Virginia Department of Corrections

## Records and Information Management

### Operating Procedure 050.3

#### *Facility Release*

#### **Authority:**

Directive 050, *Inmate and Probationer/Parolee Records Management*

**Effective Date:** December 1, 2023

**Amended:** 11/1/24, 4/17/25

#### **Supersedes:**

Operating Procedure 050.3, November 1, 2020

**Access:**  Restricted  Public  Inmate

#### **ACA/PREA Standards:**

5-ACI-5F-04, 5-ACI-5F-05, 5-ACI-5F-06;  
4-ACRS-2A-11, 4-ACRS-5A-16, 4-ACRS-6A-13,  
4-ACRS-7F-06; 2-CO-4G-02

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### **REVIEW**

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

*The content owner reviewed this operating procedure in December 2024 and necessary changes are being drafted.*

### **COMPLIANCE**

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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## DEFINITIONS

**Administrative Duty Officer (ADO)** - A member of the senior management team of a facility or P&P Office assigned on a rotating basis to remain in contact with on-duty staff at the unit.

**Bereavement Visit** - Deathbed visit, funeral attendance, or private visitation.

**Community Corrections Alternative Program (CCAP)** - A system of residential facilities operated by the Department of Corrections to provide evidence-based programming as a diversionary alternative to incarceration in accordance with COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion.*

**Court Order (for inmate or CCAP probationer/parolee appearance)** - An order issued by a State or Federal Court requiring an inmate or CCAP probationer/parolee to appear in that Court.

**Detainer** - Any form of legal hold placed on an inmate or probationer/parolee by another jurisdiction, where the effect is that an inmate or probationer/parolee will not be released upon completion of confinement, because that jurisdiction intends to take physical custody of the inmate or probationer/parolee. A legal hold may be filed by federal, state, or local authorities and will include: Detainers for arraignment or prosecution of untried charges; Judgment & Commitment Orders for an un-served sentence; Non-Detainer Holds to serve the balance of a sentence subsequent to escape, or revocation of parole/probation; or any form of Notify or Hold Request filed by the U.S. Immigration & Customs Enforcement (ICE).

**Discharge (Facility Release)** - The release of an inmate or probationer/parolee from a facility due to satisfying the requirements for release from that facility; discharge may be due to parole, good time release, pardon, court order, completion of Community Corrections Alternative Program or other reasons. Discharge may be to the community with or without probation/parole/post-release obligations or discharge may be to law enforcement authorities for other legal obligations or deportation.

**DOC Jail Contract Work Release** - For eligible inmates housed within a DOC institution, the DOC in contract with local and regional jails, provides the opportunity for inmates to return to a local or regional jail for work release.

**Facility** - Any institution or Community Corrections Alternative Program.

**Facility Folder** - A two-part folder established at reception for each new inmate received into the DOC on or after August 1, 2015, for the storage of the Property Envelope and institution specific information not uploaded to VACORIS.

**Facility Review Committee (FRC)** - A treatment team of at least three facility staff members; as designated by the Facility Unit Head to review and evaluate the overall progress of a probationer/parolee in the Community Corrections Alternative Program.

**Health Care Staff** - Licensed/Certified workers who typically provide direct patient care, including MD, RN, LPN, CHA, PAC, Nurse Practitioner, Certified Nursing Assistant, Dental Hygienist, Dental Assistant, Lab Technician, Mental Health Clinician, and X-Ray Technician.

**Historical Hardcopy Record** - The original criminal record, established at reception for each inmate in an institution prior to August 1, 2015, containing all original incarceration documents.

**Institution** - A prison facility operated by the Department of Corrections; includes major institutions, field units, and work centers.

**Interstate Agreement on Detainer (IAD)** - Request for a Speedy Trial by the prosecutor or the inmate in regards to untried indictments from jurisdictions outside of Virginia.

**Mental Health Classification Code** - A numeric code assigned to an inmate by a Mental Health Clinician that reflects the inmate's current mental health status and mental health and wellness service needs; the coding system is hierarchical, ranging from MH-0 representing no current need for mental health and wellness services to MH-4 representing the greatest need for mental health and wellness services.

**Parole Violator** - A bed assigned to an inmate returning to custody from parole.

**Probationer/Parolee** - A person who is on community supervision as the result of the commission of a criminal



offense and released to the community under the jurisdiction of Courts, paroling authorities, the Virginia Department of Corrections, or other release authority; this includes post release supervision and Community Corrections Alternative Programs.

**Property Envelope** - A 6" by 9" brown envelope established at initial intake to store inmate identification documents and educational documents e.g., original certificates, diplomas, and certification cards, to be transferred with the inmate to each new institution and provided to the inmate upon release.

**Re-Entry Program** - A program developed by the Department of Corrections to provide transition services to inmates being released from incarceration in the following phases: educational, work release (for eligible inmates), and post-release after care services.

**Writ (Habeas Corpus Ad Prosequendum or Testificandum)** - Court order for an inmate to appear in court typically used by federal authorities. The approval of the Governor's office is required for all courts located outside of Virginia.



## PURPOSE

This operating procedure establishes guidelines for the safe and reliable release of inmates and Community Corrections Alternative Program (CCAP) probationers/parolees and provides staff with information on the notification requirements for each type of release, the process to verify this notification, any inmate and CCAP probationer/parolee identification requirements, the authorization required for release, and the proper documentation to be maintained for the authorization and release.

## PROCEDURE

### I. Release Process

- A. It is the responsibility of Department of Corrections (DOC) staff to maintain custody of inmates and CCAP probationers/parolees for the period for which they were sentenced.
  1. With a valid Court Order designated facility staff will release an inmate or CCAP probationer/parolee into the custody of an appropriate authority to be transported outside the security perimeter for Court.
  2. With a valid Court Order from a federal or out of state jurisdiction and Detainer Unit staff approval, designated facility staff may release an inmate or CCAP probationer/parolee into the custody of other appropriate authorities.
- B. An inmate's or CCAP probationer's/parolee's release may be to society once the inmate or CCAP probationer/parolee has satisfied the court-ordered terms of their sentence, or the release may be to DOC staff or other law enforcement authorities for transport outside the security perimeter.
- C. For facility staff to release an inmate or CCAP probationer/parolee, the release must be authorized by the appropriate authority and controlled through the following process:
  1. Notification - Facility staff must be notified of the inmate's or CCAP probationer's/parolee's release.
  2. Verification - Facility staff must verify the release notification is valid.
  3. Authorization - The appropriate DOC authority or other appropriate Commonwealth of Virginia authority must authorize the inmate's or CCAP probationer's/parolee's release.
  4. Identification - Facility staff must verify the inmate's or CCAP probationer's/parolee's identity and the identity of the individuals taking custody of the inmate or CCAP probationer/parolee.
  5. Release Documentation - Facility staff must prepare and maintain all documentation of why, where, when, and to whom the inmate or CCAP probationer/parolee is released.
  6. Transportation - Facility staff must coordinate with the individual transporting the inmate or CCAP probationer/parolee to ensure the safe and secure transportation of the inmate or CCAP probationer/parolee.
    - a. The individuals authorized to transport inmates and CCAP probationers/parolees are listed with each type of release throughout this operating procedure.
    - b. DOC staff will transport inmates in accordance with Operating Procedure 411.1, *Inmate Transportation* (Restricted).
    - c. DOC staff will transport CCAP probationers/parolee in accordance with Operating Procedure 440.6, *Community Corrections Alternative Program Security Management* (Restricted).
- D. The individual assuming custody of an inmate or CCAP probationer/parolee must maintain proper control of the inmate or CCAP probationer/parolee until custody transfers to another appropriate authority, or the inmate or CCAP probationer/parolee returns to the original facility or another DOC facility.

### II. Discharge Releases (5-ACI-5F-05; 4-ACRS-6A-13)

- A. Facility staff will release inmates and CCAP probationers/parolees from custody once the inmate or CCAP probationer/parolee satisfies their court-imposed sentence.



## B. Notification, Verification, and Authorization for Inmate Discharge Releases

### 1. Notification

- a. Records staff will use the VACORIS report listing all pending mandatory parole or good time releases as notification of an inmate's upcoming release.
- b. For inmates granted discretionary parole, records staff will use the Parole Board letter granting discretionary parole as notification of an inmate's release.

### 2. Verification

- a. Records staff must verify the inmate is eligible for discharge release by:
  - i. Conducting a final review of the inmate's VACORIS record and their historical hardcopy record or facility folder, as appropriate, and notifying the Court and Legal Services Unit Manager immediately if the inmate has any of the following:
    - (a) Unsatisfied warrants, detainers, Court Orders for continued custody.
    - (b) Classification or disciplinary actions that may affect the inmate's release date.
    - (c) Uncalculated sentences.
  - ii. Verifying the discharge date provided on the inmate's release documents and uploaded to the inmate's VACORIS record. Should any doubt exist as to the computed release date, records staff must confer with Court and Legal Services Unit staff to authenticate the inmate's release date.
  - iii. Verifying the presence or absence of detainers in VACORIS with Detainer Unit staff.
    - (a) Should any doubt exist, records staff must contact Detainer Unit staff prior to releasing the inmate.
    - (b) When an inmate discharges to a criminal detainer, Detainer Unit staff will make the initial arrangements with the jurisdiction issuing the detainer. Facility records staff will coordinate with the jurisdiction to finalize arrangements for the jurisdiction to assume custody of the inmate.
  - iv. Verifying the presence or absence of any civil hold related to the *Sexually Violent Predators Act* or other civil matters on which the inmate is held. Facility records staff must confer with both Offender Screening and Assessment Unit staff and Detainer Unit staff for approval before releasing the inmate from physical custody.
- b. If facility records staff is releasing an inmate per a Court Order with or without bond, the staff member must immediately, upon notification and prior to the inmate's release, confirm this action with Court and Legal Services Unit staff.

### 3. Authorization

Community Release Unit staff will provide a copy of the discharge/release documents to Records staff when an inmate is granted discretionary parole, satisfied mandatory parole release, satisfied good time release, or is to be otherwise discharged.

## C. Notification, Verification, and Authorization for CCAP Probationer/Parolee Discharge Release

### 1. Notification

CCAP probationer/parolee completion of the CCAP as documented by facility records and approved by the Facility Review Committee (FRC) and Facility Unit Head.

### 2. Verification

- a. Facility records staff must verify that the FRC and the Facility Unit Head approved the CCAP probationer's/parolee's program completion.
- b. If a staff member is releasing a CCAP probationer/parolee per a Court order with or without bond, the staff member must confirm the Court order directly with the issuing court and the appropriate P&P Office.

### 3. Authorization



The Facility Unit Head has the authority to authorize the discharge of a CCAP probationer/parolee from the CCAP.

#### D. Inmate and CCAP Probationer/Parolee Identification

1. Records staff will:
  - a. Verify the inmate's or CCAP probationer's/parolee's identity via VACORIS and the inmate's or CCAP probationer's/parolee's DOC issued picture identification card (ID).
  - b. Prepare the *Offender Information Form* in VACORIS for issuance to the inmate or CCAP probationer/parolee, when necessary. Staff must print the *Offender Information Form* on plain paper.
    - i. Inmates and CCAP probationers/parolees can take the facility provided *Offender Information Form* to the local P&P Office to obtain an *Offender Information Form* printed on watermark paper.
    - ii. This provision applies to inmates and CCAP probationer's/parolees releasing with and without supervision.
2. For institutions, the records staff will prepare an *Offender Gate Pass* in VACORIS for the Shift Commander's signature to authorize the inmate's departure through the designated perimeter gate.

#### E. Release Documentation

1. At the time of release, the inmate or CCAP probationer/parolee will read the *Order of Release* and the *Conditions of Probation* or *Conditions of Parole*, or a staff member will read these documents to the inmate or CCAP probationer/parolee, as needed.
2. The inmate or CCAP probationer/parolee must sign their name, as typed on all documents, and date their release documents. Facility staff will sign and date all release documents in the space provided as witness to the inmate's or CCAP probationer's/parolee's signature.
3. Staff will place any inmate refusing to sign the *Conditions of Parole* for a discretionary parole release back into the institution.
  - a. Records staff will immediately contact and notify the Facility Unit Head, ADO, and the Shift Commander.
  - b. Facility records staff will call the Community Release Unit for further instructions.
  - c. The inmate must remain in the institution until the Community Release Unit advises staff as to the release of the inmate.
4. When an inmate or CCAP probationer/parolee refuses to sign the *Order of Release* for a mandatory parole release, records staff will place the words "Refused to Sign" in the space provided for the inmate's or CCAP probationer's/parolee's signature.
  - a. Records staff will instruct the inmate or CCAP probationer/parolee to report to the specific P&P Office as stated on the *Order of Release*, when appropriate, and their failure to do so will result in violation of parole.
  - b. Staff will then sign and date as a witness in the space provided and will release the inmate or CCAP probationer/parolee from the facility.
5. The original *Order of Release* and the *Conditions of Probation* or *Conditions of Parole*, as applicable will be given to the inmate or CCAP probationer/parolee. Staff will upload a copy of the documents into VACORIS and will clearly note the documents as "Signed Release Documents".
6. Property Envelope
  - a. Records staff, in the presence of the inmate or CCAP probationer/parolee, will open, remove, and deliver the contents of the *Property Envelope* to the inmate or CCAP probationer/parolee.
  - b. The inmate or CCAP probationer/parolee will sign their name, provide their DOC number, and date the envelope in the space provided, and a Records staff member will sign as a witness to the



- inmate's or CCAP probationer's/parolee's receipt of their personal documents and their signature.
- c. Facility staff will scan and upload a copy of the signed and dated *Property Envelope* into VACORIS *Notes*. Staff will retain the original envelope at the facility for 30 days following the inmate's or CCAP probationer's/parolee's release after which time they will destroy it.
7. Facility staff will retrieve the inmate's or CCAP probationer's/parolee's DOC issued ID at the time of release and will ensure the card is shredded.
  8. If facility staff release an inmate or CCAP probationer/parolee on probation or parole directly to a plan in another state, the P&P Officer must complete and submit a *Notice of Departure* in the Interstate Compact Offender Tracking System (ICOTS) on the date of the inmate's or CCAP probationer's/parolee's departure.
    - a. Facility staff should transfer the inmate or CCAP probationer/parolee in VACORIS from the facility to interstate compact community supervision when the *Order of Release* indicates the inmate or CCAP probationer/parolee is releasing on supervision and is to report directly to another state.
    - b. If the *Order of Release* instructs the inmate or CCAP probationer/parolee to report to a Virginia P&P Office, facility staff should transfer the VACORIS case to the P&P Office.
    - c. If the *Order of Release* indicates the inmate or CCAP probationer/parolee is releasing to an out-of-state detainer:
      - i. Facility staff should transfer the VACORIS case to the P&P Office that the *Order of Release* instructs the inmate or CCAP probationer/parolee to report upon their release from the detainer.
      - ii. The P&P Officer will place the inmate or CCAP probationer/parolee in Administrative P&P and monitor their detainer status.
  9. Records staff or a designee must review each inmate's record at the time of the inmate's release and will complete the *Record Checklist - Inmate 050\_F18* with the inmate.
    - a. The inmate must date and initial beside each item on the *Record Checklist - Inmate 050\_F18* confirming that the documents listed were provided to the inmate and the listed release requirements were completed.
    - b. After the inmate is released, staff will upload the *Record Checklist - Inmate 050\_F18* with all associated release documents to VACORIS.

#### F. Transportation

1. Upon notification of an inmate's or CCAP probationer's/parolee's release date, facility staff will determine the need for transportation assistance.
2. If the inmate or CCAP probationer/parolee does not make outside arrangements for transportation, the Facility Unit Head will determine the most economical mode of travel.
  - a. A paroled or discharged inmate or CCAP probationer/parolee will not be given state money to directly purchase their public transportation ticket.
    - i. Facility staff will arrange for the transportation ticket and provide the inmate or CCAP probationer/parolee with written documentation that includes any confirmation number for the arrangements.
    - ii. The inmate or CCAP probationer/parolee will give the written documentation to the ticket agent or driver.
  - b. An inmate or CCAP probationer/parolee released on direct discharge, with no probation, parole, or post-release supervision may request a ticket to any locality within the Commonwealth of Virginia.
  - c. Public transportation arrangements for an inmate or CCAP probationer/parolee released on probation or parole supervision will be to the location of the inmate's or CCAP probationer's/parolee's approved home plan within the Commonwealth of Virginia, only.
    - i. If the approved plan is out-of-state then the arrangements for a public transportation ticket will



- be to a locality on the transportation route closest to the out-of-state location, but still within Virginia's border. Bristol Virginia/Tennessee and Bluefield Virginia/West Virginia are considered within Virginia's borders.
- ii. The Shift Commander will schedule and, when necessary, provide transportation to the appropriate station for inmates and CCAP probationers/parolees traveling by public transportation.
  - d. When an inmate or CCAP probationer/parolee will not use public transportation, e.g., sex offenders and mentally ill inmates or CCAP probationers/parolees under probation or parole supervision, facility staff will transport the inmate or CCAP probationer/parolee to the appropriate P&P Office upon release.
    - i. The Community Release Unit will arrange for the transportation of sex offenders.
    - ii. Facility staff must transport these inmates and CCAP probationers/parolees to the P&P Office unless the Chief P&P Officer allows family members to provide transportation.
    - iii. When facility staff transport an inmate or CCAP probationer/parolee to a P&P Office, the transporting staff member will escort the inmate(s) or CCAP probationer(s)/parolee(s) into the office and notify P&P staff of the inmate's arrival. When more than one inmate is transported and the transport is to more than one P&P Office, facility staff will arrange with P&P staff to escort the inmate into the office.
3. When releasing an inmate or CCAP probationer/parolee to a location not covered by public transportation, facility staff will determine if the inmate or CCAP probationer/parolee has a ride to their designated release location.
- a. If the inmate or CCAP probationer/parolee does not have a ride, facility records staff will notify the DOC Transportation Coordinator at least ten days in advance to ensure there is sufficient time to arrange a transfer to a facility closer to the release location.
  - b. Staff at the releasing facility will transport the inmate or CCAP probationer/parolee to the appropriate P&P Office, escort the inmate(s) into the office, and notify P&P staff of the inmate's arrival. When more than one inmate is transported and the transport is to more than one P&P Office, facility staff will arrange with P&P staff to escort the inmate into the office.
  - c. Facility staff will transport inmates and CCAP probationers/parolee releasing to any location not covered by public transportation to the appropriate P&P Office regardless of whether the inmate or CCAP probationer/parolees has supervision.
  - d. On the day of the release, facility staff will call the P&P Office to advise them of the transport.
4. Facility staff must release any inmate or CCAP probationer/parolee releasing on parole or discharge by 11:59 p.m. on their scheduled release date.
- a. During hazardous weather conditions, if the Facility Unit Head determines that transporting the inmate or CCAP probationer/parolee in local weather conditions to a public transportation station could be dangerous to staff, inmates, or CCAP probationers/parolees, or if there is a lack of public transportation, facility staff may reasonably delay the inmate's or CCAP probationer's/parolee's release past the scheduled release date.
    - i. Facility staff must notify the inmate or CCAP probationer/parolee about the delay and allow the inmate or CCAP probationer/parolee to make their own transportation arrangements.
    - ii. If the inmate or CCAP probationer/parolee arranges for their own transportation, then facility staff can proceed with the inmate's or CCAP probationer's/parolee's release as scheduled.
  - b. When an inmate's or CCAP probationer's/parolee's release is delayed, records staff will notify the Community Release Unit and the Court and Legal Services Unit so appropriate staff can adjust the inmate's or CCAP probationer's/parolee's release date and schedule a new release date. Facility staff must not release the inmate without Community Release Unit staff setting the new release date.
5. If the inmate or CCAP probationer/parolee is releasing to a detainer, records staff must:

- a. Verify the receiving authority's identity using picture IDs and signatures once law enforcement arrives to pick up the inmate or CCAP probationer/parolee.
- b. Telephone the receiving authority's jurisdiction for a physical description of the representative(s).

#### G. Release Preparation for Inmates

1. Designated staff will run a VCIN/NCIC check for any outstanding warrants (wanted query) and will forward any information, instructions, and contact information received indicating an outstanding warrant to the Director of Offender Management Services, Manager of the Detainer Unit, and the DetainerUnit@vadoc.virginia.gov mailbox.
2. Facility records staff will:
  - a. Confirm a Deoxyribonucleic Acid (DNA) sample was provided or ensure facility staff obtain a DNA sample before the inmate's release; see Attachment 3, *DNA Sampling to Operating Procedure 920.1, Community Case Opening, Supervision, and Transfer*.
  - b. Confirm the VCIN/NCIC wanted query was completed and any outstanding warrants were properly reported.
  - c. Notify appropriate departments, such as Business, Personal Property, Security, Medical, Mental Health and Wellness, Grievance, Mailroom, and Treatment to ensure staff address any pending actions, such as grievances, claims for damages or lost possessions, health care screenings, and arrangements for community follow-up.
  - d. Determine if public transportation is needed and confirm that the locality is within the state and is approved.
  - e. Prepare the *Property Envelope*, when applicable, as follows:
    - i. Confirm on the demographics screen in VACORIS that the Birth Certificate, Social Security, and DMV ID were received and are on file at the facility. Staff must not upload these identification documents into VACORIS.
    - ii. Deliver the contents of the *Property Envelope* to include the Birth Certificate, Social Security Card, and DMV ID to the inmate; see COV §53.1-10, *Powers and duties of Director*.
    - iii. Document in VACORIS *Notes*, that the Birth Certificate, Social Security Card, and DMV ID were delivered to the inmate and upload a copy of the signed *Property Envelope* as an external document to the corresponding *Note*.
    - iv. Forward all documents received after the inmate's release within 30 days of receipt; see Operating Procedure 050.1, *Inmate and Probationer/Parolee Records Management*.
  - f. Prepare a *Selective Service Form*, if applicable.
  - g. Provide three notarized *Certifications of Incarceration Period (Form DC-366)* covering the current period of incarceration to each inmate prior to their release date.
  - h. Provide a copy of the Internal Revenue Service's Form 8850, *Pre-Screening Notice and Certification Request for the Work Opportunity Credit*.
  - i. Ensure the State Identification (SID) number has a confirmation date from the Virginia State Police. If the SID number is not confirmed records staff must ensure the inmate's fingerprints are scanned using the facility's live scan equipment.
  - j. Ensure the *Facility Medicaid Release Document 820\_F16* is completed and uploaded to VACORIS.
  - k. Review and complete the *Record Checklist - Staff 050\_F19* to confirm each listed release requirement was completed. After the inmate is released, staff will upload the *Record Checklist - Staff 050\_F19* and all associated release documents to VACORIS.
3. Counselors will:
  - a. Confirm the inmate's home plan, if applicable.
  - b. Ensure the inmate's Birth Certificate and Social Security Card were obtained; see Operating Procedure 820.2, *Inmate Re-entry Planning* and Operating Procedure 940.4, *Community*



*Corrections Alternative Program.*

- i. Each month records staff or a designee should provide re-entry staff with a list of inmates scheduled for release within the next 120 days so the inmate can apply for a copy of their Social Security Card.
  - ii. Within two weeks of receipt, treatment staff will return the inmate list to the Records Office with the completed Social Security applications attached for processing.
  - c. Assist the inmate obtain a DMV ID through *DMV Connect*.
  - d. Review the loss of civil rights due to felony convictions and the requirements for restoration of civil rights with the inmate and provide a copy of Attachment 5, *Restoration of Civil Rights Information* to Operating Procedure 820.2, *Inmate Re-entry Planning*.
  - e. Assist inmate's applying to have the court waive the interest charges for fines and costs accrued during their incarceration by providing the inmate with three *Certifications of Incarceration Period* (Form DC-366) when requested in accordance with Operating Procedure 820.2, *Inmate Re-entry Planning*.
4. Business Office staff will close the inmate's or CCAP probationer's/parolee's trust account, pay any outstanding loans or other charges assessed against the account, and pay all remaining funds credited to the inmate's or CCAP probationer's/parolee's account to the inmate or CCAP probationer/parolee upon their discharge from DOC custody; see Operating Procedure 802.2, *Inmate and CCAP Probationer/Parolee Finances*.
- a. If an inmate's funds do not total \$25.00, staff will add sufficient money to reach the discharge allowance. The addition of funds does not apply to CCAP probationers/parolees.
  - b. A Business Office staff member should review the account balance with the inmate or CCAP probationer/parolee, prepare a receipt, and have the inmate or CCAP probationer/parolee sign the receipt to confirm the payment of funds.
  - c. Business Office staff will forward inmate and CCAP probationer/parolee pay, GTL Debit Account balances, and other funds not posted to inmate's or CCAP probationer's/parolee's trust account at the time of their release to the inmate or probationer/parolee within five working days of posting the funds to the trust account.
  - d. A staff member will arrange for bus transportation, if needed and will charge the cost of additional discharge funds, discharge clothing, and public transportation to appropriate, authorized accounts according to established fiscal procedures.
5. Health care staff will prepare the inmate or CCAP probationer/parolee for discharge to include providing any necessary medications in accordance with Operating Procedure 720.3, *Health Maintenance Program*.
6. Personal Property Officer or Designated Corrections Officer will:
- a. Collect and inventory the inmate's or CCAP probationer's/parolee's personal property; see Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*. Any property left by the inmate or CCAP probationer/parolee is considered unclaimed property.
  - b. Determine the need for and, if necessary, obtain discharge clothing at least two weeks before discharge.
    - i. Inmates and CCAP probationers/parolees can choose to:
      - (a) Wear personal clothing acquired while in custody when discharged.
      - (b) Arrange to have one set of civilian clothing delivered or mailed to the facility no sooner than two weeks prior to the scheduled discharge date with Facility Unit Head approval.
    - ii. Personal clothing should be worn instead of state-issued when possible. If an inmate does not have personal clothing to wear, facility staff may provide the following approved state issue clothing at the institution's expense.
      - (a) Male Inmates
        - 1 pair khaki slacks

- 1 shirt
  - 1 jacket (*October 15 to April 14 only*)
  - 1 pair underwear
  - 1 pair socks
  - 1 belt
  - 1 pair shoes
- (b) Female Inmates
- 1 pair jeans/slacks
  - 1 light blue chambray shirt
  - 1 jacket (*Optional depending on the weather*)
  - 1 pair underwear
  - 1 bra
  - 1 pair of socks
  - 1 pair of shoes
- iii. Facility staff should purchase state issue clothing from Virginia Correctional Enterprises (VCE), if available, or locally using appropriate state procurement procedures.
- iv. VCE does not stock state issue discharge clothing for female inmates; female inmates may order personal discharge clothing through the commissary or an approved vendor no sooner than one month prior to discharge.
- c. Facility staff will store all discharge clothing and will deliver the clothing to the inmate on the day of discharge only.
7. Facility Gang Specialist will:
- a. Conduct a follow-up interview with each releasing inmate and CCAP probationer/parolee to detect any new or additional display of gang affiliation.
  - b. Ensure that the *Gangs and STG Notes* in VACORIS are up to date and a gang alert appears in VACORIS, if applicable.
  - c. Notify the receiving P&P District's gang specialist or other authority in accordance with Operating Procedure 435.2, *Gang and Security Threat Group Identification and Tracking (Restricted)*.
8. The facility Testing Coordinator will ensure the inmate or CCAP probationer/parolee is tested for substance use; see Operating Procedure 841.5, *Substance Use Testing and Treatment Services*.
9. Facility mailroom staff should record the inmate's or CCAP probationer's/parolee's discharge address to forward their correspondence; see Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*.

### III. Medical Clemency and Parole Violator Releases - Inmates

#### A. Medical Clemency

1. As a condition of being released on Medical Clemency, the inmate must agree in writing to:
  - a. Have their physician provide information on their current medical condition to designated DOC staff e.g., P&P Officer, Chief Physician, etc. whenever requested.
  - b. Provide the DOC with all contact information for their physician.
  - c. Sign a *Consent for Release of Confidential Health and/or Mental Health Information\_701\_F8*, authorizing staff access to the inmate's health information. If the request is not honored, the inmate's Medical Clemency release may be terminated immediately.
  - d. Give a copy of the *Consent for Release of Confidential Health and/or Mental Health Information\_701\_F8* to their physician immediately upon release.
2. The DOC Chief Physician or designee will communicate with the inmate's physician as needed to gather medical condition, diagnoses, level of alertness, whether the inmate is ambulatory, eating,



performing any activities of daily living, and prognoses.

3. The Chief Physician or designee will share the inmate's medical report with agents of the Commonwealth of Virginia on a need-to-know basis.
4. A DOC physician on direction from the Director for Health Services, if necessary, will be allowed to visit and examine any inmate in this status.

#### B. Parole Violator Releases

1. The Parole Board must notify Court and Legal Services Unit in writing of all decisions to continue community supervision or administratively discharge a Parole Violator.
2. Court and Legal Services Unit staff will generate a *Legal Update* in VACORIS to provide facility staff with the inmate's custody status and instructions for the inmate to either remain in custody or release.
3. Facility staff must not release a Parole Violator until the *Legal Update* is available in VACORIS.
  - a. The registration of sex offenders will be handled in accordance with Operating Procedure 735.1, *Sex Offender and Crimes Against Minors Registration*.
  - b. Community Release Unit staff will notify the Victim Services Unit when an inmate is releasing from confinement, so all registered victim(s) of a crime can be notified prior to the inmate's release; see Operating Procedure 021.1, *Victim Services Unit*. (5-ACI-5F-06; 4-ACRS-7F-06 [I]; 2-CO-4G-02)

#### IV. Release for Transportation

- A. An inmate's or CCAP probationer's/parolee's release from a DOC facility for transportation may be for a day trip where the inmate or CCAP probationer/parolee returns to the same facility on the same day or transfer, permanent or temporary, to another facility.
- B. Depending on the inmate's or CCAP probationer's/parolee's status, staff may release the inmate or CCAP probationer/parolee to DOC security or non-security staff, other law enforcement agencies, or family and friends for transportation. (4-ACRS-2A-11)
  1. Inmate Release to DOC Security Staff
 

Facilities may release inmates to security staff for transport from one facility to another due to a transfer, court appearance, medical appointment, and other valid purposes.
  2. Inmate Release to Non-Security Staff
    - a. Staff will only release an inmate to non-security staff with prior written permission of the Facility Unit Head and the Regional Administrator, or the Deputy Director of Institutions or Deputy Director of Community Corrections, as appropriate.
    - b. In an emergency, the Regional Administrator, or the Deputy Director of Institutions or Deputy Director of Community Corrections, as appropriate may grant verbal approval.
  3. Staff may release CCAP probationers/parolees to security and non-security staff for transportation related to program participation.
- C. Release of inmates and CCAP probationers/parolees to law enforcement agencies (4-ACRS-2A-11)
  1. State and local law enforcement agencies
    - a. The Facility Unit Head or designee must verify the identification of the transporting law enforcement officer and when authorized, make a copy of their picture ID and badge number.
    - b. Even though the law enforcement officer is in uniform, staff must require the officer to produce an acceptable written ID with a picture.
    - c. Staff must compare and verify that the picture ID matches the officer presenting the identification card.
    - d. Staff must confirm the law enforcement officers identity by calling the agency that issued the ID,



- e.g., Sheriff's Department, Police Department, or other law enforcement agency for confirmation.
- e. The receiving law enforcement officer must sign a *Receipt for Custody* 050\_F2 documenting that they are accepting custody of the inmate or CCAP probationer/parolee from the DOC.
2. Federal law enforcement agencies, e.g., United States Marshals Service
    - a. The Facility Unit Head or designee must verify the identification of the transporting officers but are prohibited from photocopying the picture ID or badge; see 18 U.S.C. §701, *Official badges, identification cards, other insignia*.
    - b. To verify identification, staff will request the federal law enforcement officer to present a valid federal government picture ID.
    - c. Staff must compare and verify that the picture identification card matches the officer presenting the identification card.
    - d. Staff must confirm the law enforcement officers identity by calling the agency that issued the ID for confirmation.
    - e. The receiving law enforcement officer must sign a *Receipt for Custody* 050\_F2 documenting they are accepting custody of the inmate or CCAP probationer/parolee from the DOC.

3. Community Corrections Alternative Programs

CCAP staff may release probationers/parolees to approved family or friends for transportation to court hearings, funerals, and deathbed visits. Staff must document the release to family or friends on a *Travel Permit-In State Travel* 050\_F3. (4-ACRS-2A-11 [CC]; 4-ACRS-5A-16 [CC])

#### D. Inmate Searches and Application of Restraints

1. DOC staff must strip search and restrain all inmates prior to their release from an institution for transportation; see Operating Procedure 445.4, *Screenings and Searches of Persons*. A strip search is optional for CCAP probationers/parolees.
  - a. If DOC staff are transporting the inmate, staff must restrain the inmate in full transportation restraints; see Operating Procedure 411.1, *Inmate Transportation* (Restricted).
  - b. If non-DOC authorities are transporting the inmate, DOC staff, when requested, will assist in restraining the inmate.
    - i. The non-DOC authority must supply the restraints.
    - ii. If the transporting authority does not have adequate restraints staff may use facility transportation restraints with approval of the Facility Unit Head or designee.
2. If requested by the transporting officers, staff will make provisions for the transporting officers to strip search the inmate again. The inmate will not be permitted to dress until after the transporting officers indicate whether they wish to search the inmate.

#### E. Inmate Attire

1. Unless otherwise specified by court order, staff will transport inmates or release inmates to appropriate transporting authorities in clean, newly issued, state clothing in good condition.
2. If the Court Order specifies that the inmate be attired in civilian clothing, staff will provide the inmate appropriate state issued civilian attire for this purpose.
  - a. Where time allows, the Facility Unit Head or designee may permit the inmate to have appropriate civilian attire sent to the institution in advance of the court appearance.
  - b. If the court appearance is scheduled for the date of release, staff will transport the inmate in civilian attire.
  - c. If the inmate is being transported to a jail or other correctional facility to be held for a court appearance later, staff will transport the inmate in appropriate inmate clothing and send the required civilian attire with the inmate at the time of transport.



3. CCAP Facility Unit Heads may direct that CCAP probationers/parolees be transported in personal clothing, if appropriate.

#### F. Gate Pass

1. An *Offender Gate Pass* is required to release an inmate to staff and law enforcement authorities for transportation; records staff or the Shift Commander for unplanned transport outside business hours will generate the *Offender Gate Pass* in VACORIS.
  - a. The *Offender Gate Pass* serves as documentation for the Corrections Officer posted at the designated facility perimeter gate that the inmate's release from the facility for transportation was properly authorized.
  - b. The *Offender Gate Pass* must be presented to the transporting authority, who in turn must present it to the receiving authority.
  - c. The *Offender Gate Pass* provides critical security, medical, and behavioral information about the inmate to the transporting officers and the receiving authority.
  - d. All sections of the *Offender Gate Pass* must be completed. If a section does not apply, staff will mark "N/A" in that section of the *Offender Gate Pass*.
2. The *Offender Gate Pass* is not required at CCAPs but transporting officers should be provided any relevant medical or security information they may need.
3. Records staff and the Shift Commander, as appropriate, should inform the transporting officials of the *Offender Gate Pass* and the information provided.

#### V. Medical Appointment, Medical Emergency, and Bereavement Visit Transportation

##### A. Medical Appointments

1. Notification - Health care staff will notify records staff of inmate of medical appointments by providing a schedule, usually on a weekly basis.
2. Verification - Records staff will verify with facility health care staff that the appointment is valid and still scheduled.
3. Authorization - The Facility Unit Head or designee will authorize the transport of inmates for medical appointments.
4. Release Documentation - The Records Manager or a designated records staff member will prepare the *Offender Gate Pass*.
5. Transportation
  - a. Corrections Officers will transport inmates to all medical appointments, maintain custody of the inmates, and return the inmates to the institution after the appointment. (5-ACI-5F-04; 4-ACRS-2A-11 [I])
  - b. Any CCAP staff member may transport a CCAP probationer/parolee to a medical appointment.
    - i. With the approval of the Facility Unit Head and agreement with facility health care staff, transporting staff may leave the CCAP probationer/parolee unsupervised and pick them up after the appointment.
    - ii. With the approval of the Facility Unit Head, CCAP probationer/parolee family and friends may transport a CCAP probationer/parolee to their medical appointments and return them to the facility after the appointment. The *Travel Permit-In State Travel 050\_F3* will be used to document the purpose of the trip and when the CCAP probationer/parolee is required to return to the facility. (4-ACRS-2A-11 [CC], 4-ACRS-5A-16 [CC])

##### B. Medical Emergency

1. Notification - Health care staff, when made aware of the possibility of emergency medical transportation during working hours, will immediately notify the Shift Commander and records staff.



2. Verification - Records staff or the Shift Commander, if after hours, should contact and confirm the need for emergency medical transportation with health care staff.
3. Authorization - The Facility Unit Head or ADO will be notified and may authorize emergency medical transportation.
4. Release Documentation - For inmates, the Records Manager, designated records staff, or the Shift Commander, if after hours, should prepare an *Offender Gate Pass*.
5. Transportation
  - a. The Shift Commander and ADO, on advice of health care staff, will determine whether transportation should be by facility security vehicle, facility emergency medical vehicle, or non-facility emergency medical vehicle.
  - b. Security staff must maintain custody of the inmate until the inmate:
    - i. Returns to the institution or is transported to another institution either by security vehicle or by an emergency medical vehicle.
    - ii. Admitted to a security ward and security ward staff assume custody.
    - iii. Admitted to a hospital outside a security ward and are properly relieved by additional security staff.

#### C. Bereavement Visit

1. Notification - The inmate's or CCAP probationer's/parolee's family should notify staff of the need to transport an inmate for a bereavement visit. Facility staff should forward this information to the ADO immediately and start the verification and authorization process.
2. Verification - The counselor or other designated staff should contact the inmate's or CCAP probationer's/parolee's family and local officials to determine if the inmate or CCAP probationer/parolee is eligible for the visit; see Operating Procedure 851.2, *Bereavement Visits*.
3. Authorization - The Facility Unit Head or designee and the Regional Administrator or designee may authorize visits for eligible inmates and CCAP probationers/parolees in accordance with Operating Procedure 851.2, *Bereavement Visits*.
4. Release Documentation - For inmates, the Records Manager or designated records staff should prepare an *Offender Gate Pass*.
5. Transportation
  - a. Corrections Officers will transport inmates in a DOC security vehicle. Staff may, when necessary, temporarily transfer an inmate to an institution closer to the visit site, if the Transportation Officers cannot transport the inmate to the bereavement visit and return to the facility with the inmate in the same day. (5-ACI-5F-04; 4-ACRS-2A-11 [I], 4-ACRS-5A-16 [I])
  - b. Friends or family will usually transport CCAP probationers/parolees. (4-ACRS-2A-11 [CC], 4-ACRS-5A-16 [CC])
    - i. A P&P Officer will complete the *Travel Permit-In State Travel 050\_F3* to document the purpose of the trip and when the CCAP probationer/parolee is required to return to the facility.
    - ii. With Facility Unit Head approval, any staff member may transport CCAP probationers/parolees in a state vehicle.

## VI. Out to Court in a Local Jurisdiction in Virginia

### A. Notification

1. Court Order - The Court Order directing an inmate's or CCAP probationer's/parolee's appearance in any Court must contain the inmate's or CCAP probationer's/parolees name, destination location, purpose of the proceedings, date of release to attend Court, name of Court ordering the release, and an original or attested signature.
  - a. The Clerk of the Court may transmit or make available a copy or copies of the Court order





electronically; see COV §19.2-310, *Transfer of prisoners to custody of Director of Department of Corrections*.

- b. When facility staff receive the order directly from the Court, facility staff will contact the Manager of Classification Services or the Transportation Coordinator in their absence, for advice and direction when the Court Order is not clear or appears questionable.
  - c. The Transportation Coordinator will investigate and seek a resolution where necessary and advise appropriate facility staff.
2. Once the Classification Services Unit receives the Court Order, the Transportation Coordinator will promptly notify the Facility Unit Head and forward the Court Order to the facility.
  3. Transportation Coordinator Notification
    - a. Prior to releasing an inmate or CCAP probationer/parolee for a court appearance, the Facility Unit Head or designee must notify the Transportation Coordinator in advance by telephone.
    - b. When an inmate's or CCAP probationer's/parolee's release occurs after normal business hours and advance notice cannot be given, the Facility Unit Head or designee must notify the Transportation Coordinator during the first working day following the release.

#### B. Verification

1. The Facility Unit Head or designee must verify the authenticity of all Court Orders received at the facility ordering the release of an inmate or CCAP probationer/parolee for a court appearance by calling the Court that issued the order.
2. If unable to make direct contact with the Court, staff will confirm the inmate or CCAP probationer/parolee is on the Court docket through the Court's online website at [www.courts.state.va.us](http://www.courts.state.va.us).

#### C. Authorization

1. The Transportation Coordinator will issue a *Temporary Reclassification* when an inmate must stay in a jail or other correctional facility to facilitate their court appearance.
2. Staff may release an inmate to non-DOC law enforcement authorities for transport to court when prior notification was received at the facility and identification of the transporting authorities is confirmed.
  - a. When a non-DOC law enforcement authority arrives outside business hours to transport an inmate to court the Shift Commander in the absence of records staff will confirm the identification of the transporting authorities, complete the release documentation, and release the inmate to the transporting authority.
  - b. The Shift Commander must notify the ADO when a non-DOC law enforcement authority arrives after hours to transport an inmate to Court without prior notification to the facility.
  - c. Explicit approval of the Facility Unit Head is required to release an inmate without prior notification and verification.
3. The Facility Unit Head may authorize the release of a CCAP probationer/parolee to appropriate authorities because of a Court Order for the purpose of a court appearance within the Commonwealth of Virginia. Due to their probation status, CCAP probationers/parolees may not be held in jail for Court appearances except under warrant or Court Order.

#### D. Release Documentation

The facility Records Manager or designated records staff will prepare the:

1. *Offender Gate Pass*
2. *Receipt for Custody* 050\_F2 if transported by non-DOC law enforcement authority.
3. *Request for Court Disposition* 050\_F4



4. *Court Appearance Log* 050\_F5 if transferred to a jail for a Court appearance. Records staff must verify the inmate's arrival at the jail within 24 hours of release to a non-DOC law enforcement authority and must confirm the inmate's presence at the jail every 30 days thereafter until the inmate returns to DOC custody.
5. *Court Transportation Information* 050\_F6
6. *Do Not Release Notification* 050\_F16

#### E. Transportation

1. Corrections Officers and or other non-DOC law enforcement authorities may transport the inmate or CCAP probationer/parolee. (4-ACRS-2A-11 [I])
  - a. The Records Manager or designated records staff will forward a copy of the *Offender Gate Pass* to the Corrections Officer operating the designated facility perimeter gate authorizing the release of the inmate or CCAP probationer/parolee for transport to court.
  - b. The Facility Unit Head or designee will ensure staff properly identify non-DOC law enforcement authorities prior to the releasing the inmate or CCAP probationer/parolee for transport.
  - c. Non-DOC law enforcement authorities must sign the *Receipt for Custody* 050\_F2 and will be provided the *Offender Gate Pass* and the *Request for Court Disposition* 050\_F4.
2. Staff may release CCAP probationers/parolees to approved family or friends for Court appearances. (4-ACRS-2A-11 [CC], 4-ACRS-5A-16 [CC])
  - a. Staff will use the *Travel Permit-In State Travel* 050\_F3 instead of a *Receipt for Custody* 050\_F2 and *Offender Gate Pass*.
  - b. The P&P Officer should follow up on CCAP probationers/parolees "out-to-court overnight" to confirm their whereabouts and to track their status.

#### F. Notification of Court Disposition

1. To maintain accurate and up-to-date release information concerning inmates and CCAP probationers/parolees, staff must notify the Court and Legal Services Unit of any additional sentence imposed upon the inmate or CCAP probationer/parolee.
2. Records staff or other designated facility staff will send a copy of the *Request for Court Disposition* 050\_F4 with each inmate or CCAP probationer/parolee returned to court for trial.
  - a. Records staff will forward a copy of the completed *Request for Court Disposition* 050\_F4, the court's disposition notice and all other court documents to the Court and Legal Services Unit.
  - b. If the Court does not return the *Request for Court Disposition* 050\_F4 or returns a blank document, records staff will forward the blank document, the court's disposition notice if available and all other court documents to the Court and Legal Services Unit.
  - c. If the Court does not provide a disposition notice with the court documents, facility records staff will forward the blank *Request for Court Disposition* 050\_F4 to the Court and Legal Services Unit.

#### G. Record Keeping and Follow-Up

1. Staff will enter the inmate's or CCAP probationer's/parolee's "Transfer Reason" as "out-to-court" in VACORIS until the inmate or CCAP probationer/parolee returns to the facility.
2. The Records Manager or designated records staff must maintain a Court Transportation Logbook containing the following documents for each Court appearance:
  - a. Certified copy of Court order or custodial transportation order
  - b. Copy of the *Receipt for Custody* 050\_F2
  - c. Copy of the *Request for Court Disposition* 050\_F4
  - d. *Court Appearance Log* 050\_F5
  - e. *Court Transportation Information* 050\_F6



## VII. Out to Court in Other Jurisdictions Excluding Interstate Corrections Compact Offenders

### A. Notification

1. Writ or Court Order from an out-of-state or federal Court. The Court Order must contain the inmate's or CCAP probationers/parolees name, destination location, purpose of the proceeding, date of release to attend Court, name of Court ordering the release, and an original or attested signature.
2. Facility staff must notify and forward a copy of the Writ or Court order to the Detainer Unit immediately. If unable to reach the Detainer Unit facility staff must notify the Manager of Classification Services or the Transportation Coordinator.

### B. Verification

1. Detainer Unit staff will verify the Court Order by contacting the Court or an agent for the Court to confirm the order is valid and to seek appropriate approval from the Governor to transport an inmate or CCAP probationer/parolee to a court outside of Virginia.
2. The Facility Unit Head or designee will call the Court that issued the Court order to confirm the order is valid and explain the CCAP probationer's/parolee's status.

### C. Authorization

#### 1. Inmates

- a. Except as provided under the *Temporary Transfer of Custody under the Interstate Agreement*, the Governor of Virginia by statute must authorize the release of an inmate for the purpose of a Court appearance in a Court or jurisdiction located outside the Commonwealth of Virginia; see COV §53.1-206, *When prisoner surrendered as witness; certificate* and COV §53.1-208, *Prisoners indicted or charged with crime outside Virginia; certificate; authority of officer with custody of prisoner*.
- b. The Detainer Unit will prepare and submit all necessary release documents to the Governor's office for review.
- c. Upon receipt of an authorization for release signed by the Governor, staff may release the inmate to the appropriate authorities.

#### 2. CCAP

- a. The Facility Unit Head may release a CCAP probationer/parolee to out-of-state authorities if a proper Court Order is presented.
- b. Staff must notify the Virginia Court that sentenced the probationer/parolee to the CCAP program.
- c. A P&P Officer will determine if a PB-15, *Arrest Authority* should be issued as a detainer.
- d. The CCAP P&P Officer will submit a *Violation Report* to immediately remove the probationer/parolee from the CCAP program before releasing the probationer/parolee to another state.

### D. Release documentation

For temporary transfers to a Court ordered appearance out-of-state, the facility Records Manager or designated records staff will prepare:

1. *Offender Gate Pass*
2. *Receipt for Custody 050\_F2*
3. *Request for Court Disposition 050\_F4*
4. *Do Not Release Notification 050\_F16*

### E. Transportation

1. Inmates scheduled for out-of-state court appearances are usually transferred temporarily to a jail or a



corrections facility in another state.

2. Extradition Unit and Fugitive Services Unit staff or non-DOC law enforcement authorities will provide transportation.
  - a. Staff assigned to the facility are not authorized to transport an inmate out-of-state.
  - b. Staff must confirm the identity of non-DOC law enforcement authorities by picture ID. Staff will make and retain a copy of the picture ID at the facility unless the transporting authorities are federal agents.
  - c. Staff will verify the ID by contacting the employing agency that issued the ID.
3. Records staff will provide the Corrections Officer operating the facility perimeter gate with an *Offender Gate Pass* as authorization to release the inmate to the transporting authorities.
4. The transporting authorities must sign the *Receipt for Custody* 050\_F2 and staff will provide the transporting authorities with an *Offender Gate Pass* and the *Request for Court Disposition* 050\_F4.

#### F. Notification of Additional Sentences Imposed

1. To maintain accurate and up-to-date inmate and CCAP probationer/parolee release information, staff must notify the Detainer Unit of any additional sentence imposed after the inmate's or CCAP probationer/parolees return from an out of State or Federal Court.
2. Records staff will send a copy of the *Request for Court Disposition* 050\_F4 with each inmate or CCAP probationer/parolee returned to court for trial.
  - a. Records staff will forward the completed *Request for Court Disposition* 050\_F4, Court's disposition notice and all other Court documents to the Detainer Unit.
  - b. If the Court does not return the *Request for Court Disposition* 050\_F4 or returns a blank document, records staff will forward the blank document, the Court's disposition notice if available and all other court documents to the Detainer Unit.
  - c. If the Court does not provide a disposition notice with the Court documents, facility records staff will forward the blank *Request for Court Disposition* 050\_F4 to the Detainer Unit.

#### G. Record Keeping and Follow up

1. Staff will update the VACORIS location designation to the "Detainer Unit" in VACORIS.
2. Staff will notify the Detainer Unit to confirm the "transfer out" and to assign the inmate or CCAP probationer/parolee to a "Detainer Unit" bed for tracking purposes.

### VIII. Interstate Agreement on Detainers Temporary Transfer of Custody

#### A. Notification

An *Evidence of Agent's Authority to Act for Receiving State (Form VI)* from the requesting state.

#### B. Verification

1. Upon receipt of an *Evidence of Agent's Authority to Act for Receiving State*, the Facility Unit Head or designee will notify the Detainer Unit to verify that all necessary procedures have been finalized for temporary transfer. Staff must forward a copy of the *Evidence of Agent's Authority to Act for Receiving State* to the Detainer Unit
2. The Detainer Unit will coordinate the process of effecting a temporary change in custody under the provisions of the *Interstate Agreement on Detainers*.

#### C. Authorization

Detainer Unit staff have the authority to affect the temporary transfer of an inmate's custody under the *Interstate Agreement on Detainers*; see COV §53.1-210, *Agreement entered into and enacted into law*. Such transfers do not require the approval of the Governor.



#### D. Release Documentation

For temporary transfers under the *Interstate Agreement on Detainers* the Records Manager or designated records staff will prepare:

1. *Offender Gate Pass*
2. *Request for Court Disposition 050\_F4*

#### E. Transportation

1. Extradition Unit and Fugitive Services Unit staff or non-Virginia DOC law enforcement authorities will provide transportation.
  - a. Staff assigned to a facility must not transport an inmate out-of-state.
  - b. Staff must confirm the identity of non-Virginia DOC law enforcement authorities by picture ID, staff must make and retain a copy of the picture at the facility unless the transporting authorities are federal agents.
  - c. Staff will verify the ID by contacting the employing agency that issued the ID.
2. Staff will provide the Corrections Officer operating the facility perimeter gate with the *Offender Gate Pass* as authorization to release the inmate to the transporting authorities.
3. Staff must verify the *Evidence of Agent's Authority to Act for Receiving State (Form VI)* prior to an inmate's release to an out-of-state detainer.
  - a. The copy of the *Evidence of Agent's Authority to Act for Receiving State* presented by the transporting official(s) must contain information identical to the information provided on the copy of the *Evidence of Agent's Authority to Act for Receiving State* previously received at the facility.
  - b. At the time of transfer the transporting authority(s) will countersign the *Evidence of Agent's Authority to Act for Receiving State*, and staff will compare their signatures to the signatures on the first received *Evidence of Agent's Authority to Act for Receiving State*.
4. Staff must provide the transporting authorities with the *Offender Gate Pass* and the *Request for Court Disposition 050\_F4*.

#### F. Notification of Additional Sentences Imposed

1. To maintain accurate and up-to-date inmate release information, staff must notify the Detainer Unit of any additional sentence imposed after the inmate's return from an out of State or Federal Court.
2. Records staff will send a copy of the *Request for Court Disposition 050\_F4* with each inmate who is returned to court for trial.
  - a. Records staff will forward the completed *Request for Court Disposition 050\_F4*, Court's disposition notice and all other Court documents to the Detainer Unit.
  - b. If the Court does not return the *Request for Court Disposition* or returns a blank document, records staff will forward the blank document, the Court's disposition notice if available and all other Court documents to the Detainer Unit.
  - c. If the Court does not provide a disposition notice with the Court documents, records staff will forward a blank *Request for Court Disposition 050\_F4* to the Detainer Unit.

#### G. Record Keeping and Follow up

1. Facility staff will update the VACORIS location designation to the "Detainer Unit" in VACORIS.
2. Staff will notify the Detainer Unit to confirm the "transfer out" and to assign the inmate to a "Detainer Unit" bed for tracking purposes.



- IX. Corrections Construction Unit (CCU), Environmental Services Unit (ESU), and Operational Maintenance Unit (OMU) Transfers
- A. Central Classification Services (CSS) Unit staff and the managers of CCU, ESU, and OMU will closely coordinate inmate assignments to and removals from these work crews.
  - B. The Transportation Coordinator will prepare a *Statewide Offender Gate Pass* for each inmate assigned to CCU, ESU, or OMU, staff must honor the *Statewide Offender Gate Passes* as an outside work gate pass at all facilities.
  - C. CCU, ESU, or OMU Managers, as needed, may temporarily transfer inmates permanently assigned to CCU, ESU, or OMU throughout the state to work sites for the period needed.
  - D. The CCU, ESU, and OMU Manager must coordinate all temporary assignments to other facilities with the Transportation Coordinator.
- X. Temporary Transfers
- A. Staff may transfer an inmate temporarily from one institution to another institution for:
    - 1. Security needs
    - 2. Medical treatment
    - 3. CCU, ESU, and OMU work assignments
    - 4. CCAP pickup
    - 5. Parole release and discharge
    - 6. Private visitation and deathbed visits
    - 7. Other reasons as deemed appropriate by the authorized authority
  - B. Notification and Verification
    - 1. Staff will notify CCS during working hours and the Regional Administrator or Regional Duty Officer during non-working hours, holidays, and weekends when they need to temporarily transfer an inmate from the institution; see Operating Procedure 830.5, *Transfers, Institution Reassignments*.
    - 2. Staff will notify CCS when the need for an inmate's temporary transfer has passed, and the inmate may return to their permanent assignment.
    - 3. CCS staff or the CCU, ESU, OMU Manager may notify the Facility Unit Head or designee of the need to temporarily transfer an inmate from the institution.
  - C. Authorization
    - 1. CCS may authorize a temporary transfer using a *Temporary Reclassification* or the VACORIS manifest sent to the institution's Records Office.
    - 2. The Regional Administrator or Regional Duty Officer may authorize temporary transfers using the *Intra-Regional Transfer Authorization 050\_F8*.
    - 3. The CCU, ESU, and OMU Managers may authorize a temporary transfer using an *Interdepartmental Transfer Notice (CA4) 050\_F9*.
    - 4. The Facility Unit Head may move inmates, as needed, between the main institution and the Work Center using an *Intra-Regional Transfer Authorization 050\_F8*.
  - D. Release Documentation

The institution Records Manager, designated records staff, or the Shift Commander, if after hours, will prepare the following to temporarily transfer an inmate to another institution:

    - 1. *Interdepartmental Transfer Notice (CA4) 050\_F9* or *Intra-Regional Transfer Authorization\_050\_F8*

## 2. Offender Gate Pass

### E. Transportation

1. Corrections Officer should transport all inmates temporarily transferred to another institution.
  - a. Custody of an inmate may transfer to other Corrections Officers at the “bullpen” or other site before the inmate reaches the new institution.
  - b. Staff will document the transfer on an *Interdepartmental Transfer Notice (CA4) 050\_F9*.
2. CCU, ESU, and OMU foremen may transport inmates temporarily transferred to another institution for CCU, ESU, or OMU work assignment. Staff will document this transfer on an *Interdepartmental Transfer Notice (CA4) 050\_F9*.

## XI. Permanent Transfer

### A. Notification, Verification, Authorization

1. Staff may permanently transfer and inmate from one institution to another, from an institution to jail, or from a jail to an institution.
2. Permanent transfers are usually for bed management, placement in a work release or pre-release program, or return from a work release or pre-release program.
3. CCS staff will notify institution staff of authorized permanent inmate transfers by a manifest generated in VACORIS.

### B. Transfer Preparation

1. The Records Manager or designated records staff will:
  - a. Notify all Department Heads, such as Business, Personal Property, Security, Medical, Mental Health, Grievance, Mailroom, Treatment, etc. to ensure completion of any pending action, such as grievances, claims for damages or lost possessions, medical screenings, and mental health and wellness care.
  - b. Prepare the following release documents:
    - i. *Interdepartmental Transfer Notice (CA4) 050\_F9*
    - ii. *Offender Gate Pass*
  - c. Staff should place inmate release documents in a clear sheet protector, so the documents are not damaged during transport.
2. Once notified an inmate is scheduled to transfer, Mental Health and Wellness staff will check the inmate’s Mental Health Classification Code (MH). When the inmate is a MH-2 or higher, designated Mental Health and Wellness staff at the inmate’s current location must notify designated Mental Health and Wellness staff at the receiving institution as soon as possible to coordinate mental health and wellness care.

### C. Transportation

1. Corrections Officers should transport inmates permanently transferred to another institution.
  - a. Staff may transfer custody of an inmate to other Corrections Officers at the “bullpen” or other site before the inmate reaches the new institution.
  - b. Staff will document this transfer on *Interdepartmental Transfer Notice (CA4) 050\_F9*.
2. Corrections Officers or jail staff may transport inmates permanently transferred between institutions and jails.
  - a. Staff will confirm the identity of jail staff by picture ID and, if possible, contact with the jail.
  - b. Staff will document every transfer of inmate custody during transport on an *Interdepartmental Transfer Notice (CA4) 050\_F9*.



**XII. Transfer to DOC Jail Contract Work Release or Inmate Re-Entry Programs****A. Notification, Verification, Authorization**

A manifest generated in VACORIS serves as notification, verification, and authorization of an inmate's transfer to a Re-Entry, VASAVOR, jail work release, or pre-release program.

**B. Transfer Preparation****1. The Records Manager or designated records staff will:**

- a. Confirm the inmate provided a DNA sample. If the inmate has not provided a DNA sample, records staff will ensure the inmate provides a DNA sample before release; see Attachment 3, *DNA Sampling* to Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*.
- b. Prepare a "dummy" file to accompany an inmate transferred to a local or regional jail for work release or pre-release.
  - i. Staff should include a copy of the most recent issuance of the documents listed on the *Dummy File Checklist* 050\_F1 and any other documents beneficial to jail staff in determining appropriate classification and employment.
  - ii. For work release, staff will prepare the *Offender Information Form* on watermark paper and place it inside the "dummy" file.
    - (a) Staff should not hole-punch the *Offender Information Form*.
    - (b) Staff will not prepare the *Offender Information Form*, for inmate transfers to a Re-Entry Program, the jail's Transition Coordinator provided the *Offender Information Form*.
  - iii. Staff will manage the inmate's Facility Folder or Historical Hardcopy Record and Health Record in accordance with Operating Procedure 050.1, *Inmate and Probationer/Parolee Records Management*, and Operating Procedure 701.3, *Health Records*.
- c. Notify appropriate departments, such as Business, Personal Property, Security, Medical, Grievance, Mailroom, and Treatment to ensure proper completion of any pending action, such as grievances, claims for damages or lost possessions, medical screenings, and arrangements for community follow-up.
- d. Prepare the contents of the *Personal Property Envelope*, when applicable by placing the contents in a separate envelope for transfer with the inmate.
- e. Prepare a *Selective Service Form*, when applicable.
- f. Provide the inmate with a copy of the Internal Revenue Service's Form 8850, *Pre-Screening Notice and Certification Request for the Work Opportunity Credit*.
- g. Ensure the Virginia State Police has confirmed the State Identification (SID) number and a confirmation date is available, if the SID number is not confirmed ensure the inmate's fingerprints are scanned using the facility's live scan equipment.
- h. The Transportation Coordinator will schedule the transfer and location change in VACORIS.

**2. The inmate's counselor should ensure the inmate has their Birth Certificate and Social Security Card; see Operating Procedure 820.2, *Inmate Re-entry Planning*.****3. Business Office staff will:**

- a. Prepare a check to provide all funds credited to the inmate's account.
  - i. Staff will provide each inmate released to a local or regional jail work release or pre-release program with all funds credited to their trust account.
  - ii. Staff will not supplement an inmate's funds to meet the \$25.00 discharge allowance since the inmate is not discharged.
  - iii. A check, in the amount of funds currently available will be made out to the inmate and included in the inmate's "dummy" file sent with the transporting officer.
  - iv. Business Office staff should prepare a receipt for the funds and obtain the inmate's signature.
- b. Business Office staff should forward any additional funds posted after the inmate's release for





transfer to the jail should be forwarded to the appropriate jail upon closure of the inmate's Trust Account.

- c. Staff will charge the cost of to purchase an inmate's discharge clothing to appropriate and authorized accounts according to established fiscal procedures.

4. Health Care staff will:

- a. Prepare the inmate for transfer; see Operating Procedure 720.3, *Health Maintenance Program*.
- b. Prepare a health "dummy" file to accompany the inmate to the local or regional jail for work release or pre-release. The "dummy" file should contain the most recent issuance of the documents listed on *Dummy File Checklist 050\_F1* and any other documents beneficial to jail staff in determining appropriate classification and employment.

5. Personal Property Officer will:

- a. Send only the personal property listed on the allowable personal property list provided by the jail with the inmate to the jail. Staff should dispose of all other property in accordance with Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*.
- b. Provide appropriate clothing for the transfer, do not transfer inmates in cloth or paper jumpsuits:
  - i. Staff will transfer male inmates in the standard khaki discharge clothing to include work boots or shoes appropriate for a work environment or standard "blue" clothing with the khakis packed in their property as directed by the jail.
  - ii. Staff will transfer female inmates in the standard "blue" clothing; female inmates may release with personal tennis/athletic shoes.
  - iii. Staff will transfer all inmates with a minimum of three pairs of underwear and three pairs of socks to include the pair the inmate is wearing. If the inmate does not have three pairs of personal underwear and socks, state clothing will be issued to reach the minimum number.
  - iv. All offenders will be provided a jacket for transfers occurring October 15 through April 14.

- C. Staff will prepare the inmate's release documentation and transport the inmate in the same manner as inmates permanently transferred to another institution.

## REFERENCES

18 U.S.C. §701, *Official badges, identification cards, other insignia*

COV §19.2-310, *Transfer of prisoners to custody of Director of Department of Corrections*

COV §53.1-10, *Powers and duties of Director*

COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion*

COV §53.1-206, *When prisoner surrendered as witness; certificate*

COV §53.1-208, *Prisoners indicted or charged with crime outside Virginia; certificate; authority of officer with custody of prisoner*

COV §53.1-210, *Agreement entered into and enacted into law*

Operating Procedure 021.1, *Victim Services Unit*

Operating Procedure 050.1, *Inmate and Probationer/Parolee Records Management*

Operating Procedure 411.1, *Inmate Transportation (Restricted)*

Operating Procedure 435.2, *Gang and Security Threat Group Identification and Tracking (Restricted)*

Operating Procedure 440.6, *Community Corrections Alternative Program Security Management (Restricted)*

Operating Procedure 445.4, *Screenings and Searches of Persons (Restricted)*

Operating Procedure 701.3, *Health Records*

Operating Procedure 720.3, *Health Maintenance Program*



Operating Procedure 735.1, *Sex Offender and Crimes Against Minors Registration*  
Operating Procedure 802.1, *Inmate and CCAP Probationer/Parolee Property*  
Operating Procedure 802.2, *Inmate and CCAP Probationer/Parolee Finances*  
Operating Procedure 803.1, *Inmate and Probationer/Parolee Correspondence*  
Operating Procedure 820.2, *Inmate Re-entry Planning*  
Operating Procedure 830.5, *Transfers, Institution Reassignments*  
Operating Procedure 841.5, *Substance Use Testing and Treatment Services*  
Operating Procedure 851.2, *Bereavement Visits*  
Operating Procedure 920.1, *Community Case Opening, Supervision, and Transfer*  
Operating Procedure 940.4, *Community Corrections Alternative Program*

## **ATTACHMENTS**

None

## **FORM CITATIONS**

*Dummy File Checklist* 050\_F1  
*Receipt for Custody* 050\_F2  
*Travel Permit-In State Travel* 050\_F3  
*Request for Court Disposition* 050\_F4  
*Court Appearance Log* 050\_F5  
*Court Transportation Information* 050\_F6  
*Intra-Regional Transfer Authorization* 050\_F8  
*Interdepartmental Transfer Notice (CA4)* 050\_F9  
*Do Not Release Notification* 050\_F16  
*Record Checklist - Inmate* 050\_F18  
*Record Checklist - Staff* 050\_F19  
*Consent for Release of Confidential Health and/or Mental Health Information* 701\_F8  
*Facility Medicaid Release Document* 820\_F16  
Internal Revenue Service's Form 8850, *Pre-Screening Notice and Certification Request for the Work Opportunity Credit*

