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| | | INTERSTATE PAROLE - ADULT | |

This Administrative Regulation is to be made available in law libraries or other inmate resource centers.

EFFECTIVE: May 14, 1990
 REVIEWED: April 29, 2004
 REVISED: June 29, 2005
 REVISED: July 7, 2006
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 REVISED: August 10, 2012
 REVISED: July 19, 2013
 REVISED: August 27, 2014
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SUMMARY of REVISION/REVIEW

Page 2, General paragraph, Changed who appoints the Interstate Commissioner for Nebraska. Page 3, Paragraph II., Subparagraph G., Changed wording to clarify the statement. Updated Attachment.

APPROVED:



 SCOTT FRAKES, Director
 Nebraska Department of Correctional Services

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PURPOSE

To provide a policy statement regarding the Nebraska Department of Correctional Services (NDCS) statutory responsibility relating to adult interstate parole.

GENERAL

In 2003, the State of Nebraska adopted into law the Interstate Compact for Adult Offender Supervision (Nebraska Revised Statute 29-2640). All states, the District of Columbia, U.S. Virgin Islands and Puerto Rico are members of the Compact.

The Compact recognizes the importance of being able to return home and the support family plays in the lawful adjustment of parolees during their period of supervision. The Compact seeks to provide a measure of public safety and victim notification through the controlled movement of parolees across state lines and timely victim notification. The language of the Compact calls for mutual cooperation between sending and receiving states regarding the supervision of parolees and also provides for dispute resolution where the sending and receiving states cannot agree on issues of major importance. It is the policy of NDCS to fulfill the State's obligations as set forth in the Compact.

The Nebraska State Council on Interstate Compact for Adult Offender Supervision appoints an Interstate Commissioner in the State of Nebraska. Historically, this appointment has been the Adult Parole Administrator or Probation Administrator.

PROCEDURES

I. COMPACT ADMINISTRATION

- A. The Director of Corrections shall appoint the Adult Parole Administration's Administrative Assistant II to serve as the Deputy Compact Administrator for Parole for purposes of enforcing and administering the provisions of the Compact as they pertain to parole supervision. The Adult Parole Administrator shall supervise and closely work with the Administrative Assistant II and shall keep the Director advised of all Compact matters that shall have an impact upon NDCS.
- B. The Adult Parole Administrator may call upon other staff of Adult Parole Administration for assistance in exercising this authority to comply with Nebraska State Statute 29-2640 (the Interstate Compact for Adult Offender Supervision).

II. DUTIES and RESPONSIBILITIES of DEPUTY COMPACT ADMINISTRATOR

- A. The transfer of supervision of parolees to and from other states/jurisdictions shall be governed by policies set forth in the Interstate Compact for Adult Offender Supervision and other interstate agreements.
- B. Receiving states shall be given the opportunity to investigate the proposed plan of the parolee prior to the parolee's departure to the receiving state according to Compact guidelines.
- C. Parole Administration shall agree to supervise parolees who meet the qualifications of the Compact guidelines.

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- D. Acceptance, rejection or termination of supervision in parolee cases shall be made by the Administrative Assistant II/Deputy Compact Administrator in consultation with the Adult Parole Administrator as necessary.
 - E. Parole Administration staff shall gather, maintain and report data regarding the transfer and supervision of parolees supervised under the Compact.
 - F. Parole Administration shall use forms authorized by the Compact Commission for communications regarding parolees between and among states. Additionally, all offenders in the Interstate Compact Offender Tracking System (ICOTS), should have communication regarding the offenders go through ICOTS. This does not preclude written, electronic or oral communication between compact offices.
 - G. As a receiving/sending state, Nebraska Adult Parole Administration shall complete and forward requested investigations to sending/receiving states in accordance with Interstate Compact agreements.
 - H. Parole Administration shall follow Compact guidelines on Victim Notifications.
 - I. Parole Administration will supervise the sending state's parolees in compliance with Compact guidelines and consistent with the manner in which it supervises Nebraska parolees.
 - J. The sending state determines the length of time a parolee will be under supervision.
 - K. Parole Administration will ensure that parolees comply with all offender registration requirements and DNA testing in accordance with Compact rules and state statutes.
 - L. Parole Administration will submit Arrival and Departure Notices in accordance with Compact guidelines using ICOTS.
 - M. Parole Administration shall submit progress reports to the sending states at least annually and upon their request within 30 calendar days using ICOTS.
 - N. Parole Administration shall submit an Offender Violation Report, Addendum to a Violation Report, or Progress Report to the sending state in accordance with Compact guidelines using ICOTS. Parole Administration will conduct preliminary on-site hearings under the same rules as those for Nebraska Parolees in Nebraska. All requests for hearings from sending states shall be honored.
 - O. Parole Administration shall follow Compact guidelines for the retaking of interstate parole violators.
- III. Authority, Director of Corrections: The Director may take actions in addition to the above-noted guidelines when necessary to ensure compliance with the terms and conditions of the Compact.

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REFERENCE

- I. Nebraska State Statute 29-2640 cited as the Interstate Compact for Adult Offender Supervision.
- II. ATTACHMENTS - Director's letter designating Adult Parole Administration's Administrative Assistant II as the Department's representative for matters relating to interstate adult parole supervision.
- III. ACA STANDARDS – Performance Based Standards for Adult Probation and Parole Field Services (APPFS) (4th edition): 2A-16