



To: Judges, Chief Probation Officers and Community Corrections Directors  
From: Jane Seigel, Indiana Interstate Compact Commissioner *gas*  
Re: Interstate Transfer of Community Corrections Offenders  
Date: February 16, 2016

In December 2015, the Interstate Commission for Adult Offender Supervision (ICAOS) issued an advisory opinion that applies to offenders ordered to serve a sentence in a community corrections program. The question posed to the Commission was "whether an offender whose sentence includes a requirement of successful completion of two years in a home detention program, or other such program, should be considered to be subject to the Interstate Compact for Adult Offender Supervision during the period in which the terms of the home detention program are in effect".

Legal counsel to the Commission determined, based on the Compact definitions of "offender" and "supervision", that an offender who has been convicted of a criminal offense and who is released to the community under a Home Incarceration Program, or similar program, and relocates to any other compact state for the purpose of completing such a program must transfer supervision under the Interstate Compact for Adult Offender Supervision. This means that any offender sentenced to community corrections who needs to relocate outside of Indiana during the term of community supervision is subject to the terms of the Compact and must apply for transfer of supervision through ICAOS. The ICAOS Advisory Opinion is attached for your information.

As you know, the rules of the Interstate Commission for Adult Offender Supervision have the force and effect of federal statutory law. All courts and executive agencies must take all necessary actions to enforce their application, and failure to comply with the rules can result in remedial or punitive action taken by the Commission against the state or a county. Please ensure that your county's probation officers and community corrections officers work together to initiate the transfer process for out-of-state offenders sentenced to home detention, electronic monitoring or other community corrections programs (excluding work release). If you have questions regarding the eligibility of a community corrections offender to transfer supervision through the Interstate Compact, please contact Turran Blazier at the Indiana Judicial Center at 317-234-3601.