
 <p>State of Connecticut Department of Correction</p> <p><b>ADMINISTRATIVE DIRECTIVE</b></p>	<p>Directive Number <b>9.3</b></p>	<p>Effective Date <b>7/20/15</b></p>	<p>Page 1 of 15</p>
<p>Approved By:</p>  <p>Commissioner Scott Semple</p>	<p>Supersedes <b>Inmate Admissions, Transfers and Discharges, Supersedes 12/15/14</b></p> <p>Title <b>Inmate Admissions, Transfers and Discharges</b></p>		

1. Policy. The Department of Correction shall admit, transfer and discharge inmates in a manner consistent with accountability, safety and security. The Department shall endeavor to release inmates to suitable housing whenever possible. Further, the provisions of this directive concerning compliance with immigration detainers are intended to ensure sound use and preservation of correctional resources. Nothing in this directive reflects a conclusion or doubt with respect to the legality or propriety of any past instance of compliance with an immigration detainer. This policy with respect to immigration detainers has been promulgated solely for the purpose of internal Department of Correction guidance. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, that are enforceable by law by any matter, civil or criminal, nor does it place any limitations on otherwise lawful administrative prerogatives of the Department of Correction.
2. Authority and Reference.
  - A. Public Law 108-79, Prison Rape Elimination Act of 2003.
  - B. 28 C.F.R., 115 Prison Rape Elimination Act National Standards.
  - C. Connecticut General Statutes, Sections 7-135, 9-46a, 18-81, 18-93, 53-21, 53a-13, 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b, 54-97, 54-102g, 54-102h, 54-102r and 54-192h.
  - D. Administrative Directives 3.11, Gate Money; 4.2, Sentence Computation and Time Keeping; 4.2A, Risk Reduction earned Credit; 4.8, Audio/Video-Conferencing; 6.4, Transportation and Community Supervision of Inmates; 6.6, Reporting of Incidents; 6.7, Searches Conducted in Correctional Facilities; 6.10, Inmate Property; 6.12, Inmate Sexual Abuse/Sexual Harassment Prevention and Intervention; 8.1, Scope of Health Services Care; 8.5, Mental Health Services; 8.14, Suicide Prevention and Intervention; 9.1, Population Management; 9.2, Offender Classification; 9.10, Inmate Identification and Movement; 10.7, Inmate Communications; and 10.15, Inmate Personal Identification Procurement and Storage;
  - E. American Correctional Association, Standards for the Administration of Correctional Agencies, Second Edition, April 1993, Standards 2-CO-1E-02, 2-CO-4A-01 and 2-CO-4E-01.
  - F. American Correctional Association, Standards for Adult Correctional Facilities, Fourth Edition, January 2003, Standards 4-4096, 4-4103, 4-4189, 4-4285, 4-4292, 4-4335, 4-4446.
  - G. American Correctional Association, Performance-Based Standards for Adult and Local Detention Facilities, Fourth Edition, June 2004, Standards 4-ALDF-1B-06, 4-ALDF-2A-16, 4-ALDF-4C-22, 4-ALDF-5B-18, 4-ALDF-7D-19 and 4-ALDF-7D-20.
  - H. 8 Code of Federal Regulations §287.7(d)
  - I. Memorandum Of Understanding between The Connecticut Department of Correction and The Connecticut Department of Public Safety, Memorandum of Understanding between The Connecticut Department of

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Correction and The South Central Connecticut Regional Water Authority.

3. Definitions and Acronyms. For the purposes stated herein, the following definitions and acronyms apply:

- A. Admission. The intake processing of an inmate into the legal custody of the Commissioner of Correction.
- B. A/P. Admission and Processing.
- C. Audio/Video-Conference. The holding of a conference between or among people at remote locations by means of transmitted audio and/or video signals
- D. CAIT. Computer-Assisted Inmate Transfer.
- E. CSSD. Court Support Services Division.
- F. CSSD Bail Interview Staff. A representative from the Court Support Services Division, Judicial Branch, State of Connecticut.
- G. CAPI. Computer-Assisted Positive Identification.
- H. CHNS. Correctional Hospital Nursing Supervisor.
- I. Closed Account. A discharged inmate's account with no balance.
- J. Commitment. The court order remanding an inmate to the legal custody of the Commissioner of Correction.
- K. CSP. Connecticut State Police.
- L. Detainer. Immigration Detainer-Notice of Action DHS Form 1-247 attachment G.
- M. DHS. Department of Homeland Security.
- N. Direct Admission Facility. A correctional facility designated to receive inmates committed by the courts. The following facilities are designated as direct admission facilities: Bridgeport Correctional Center; Corrigan-Radgowski Correctional Center; Hartford Correctional Center; Manson Youth Institution; New Haven Correctional Center; and, York Correctional Institution.
- O. Discharge. The release of an inmate from the legal custody of the Department of Correction.
- P. DNA. Deoxyribonucleic Acid.
- Q. DOC. Department of Correction.
- R. Facility. An institution of the Connecticut Department of Correction, including all correctional institutions, correctional centers and residential community service programs.
- S. Gate Money. A predetermined amount of money given to an eligible inmate upon discharge.
- T. HIV. Human Immunodeficiency Virus.
- U. ICE. U.S. Immigration and Customs Enforcement.
- V. Inmate. Any person, male or female, adult or minor, residing in a Connecticut Department of Correction facility or contracted community residential facility. This term shall include any person serving a state or federal sentence, any person admitted to await trial in any jurisdiction, and any person admitted pursuant to any other provision of law.
- W. Intersex. A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.
- X. Judicial Warrant. A written order signed by a judge or other judicial officer who identifies a specific named person and authorizes the seizure of said person by ICE.

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- Y. New Admission. The initial intake of an inmate, committed by the courts, to the Department of Correction.
  - Z. Personal Identification. Forms of personal identification shall include, but are not limited to: a birth certificate; social security card; driver's license; non-driver identification card; state identification card; social services identification card; military identification card; passport; and Form I-551, Permanent Resident Card (i.e., green card). When approved by the Department's Security Division, CN 101503, Certified Secondary Identification Document shall also be considered a form of personal identification. Credit cards and non-official identification papers shall not be considered valid forms of identification.
  - AA. PREA. Prison Rape Elimination Act.
  - BB. Transfer. Movement of an inmate from one correctional unit to another.
  - CC. TSC. U.S. DHS, Terrorist Screening Center.
  - DD. TSDB. U.S. DHS, Terrorist Screening Database
  - EE. Temporary Surrender. An inmate admitted to the Custody of the Department of Correction by the Connecticut State Police, a Connecticut Probation Officer, a Judicial Marshal, an FBI Official, the South Central Connecticut Regional Water Authority or an authorized official of the United States Department of Homeland Security, but without a court order.
  - FF. Transgender. A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.
  - GG. Violent Felony Criminal Conviction. For purposes of this directive, conviction of a crime listed on Attachment J; Violent Criminal Felony Conviction List. Persons convicted of criminal liability, conspiracy or criminal attempt for one of the violent felonies listed on Attachment J Violent Criminal Felony Conviction List shall be considered to have been convicted of a violent felony.
4. Admission Area. Each correctional facility shall have an area specifically designated for admitting, receipt processing and discharging inmates.
- Each direct admission facility shall provide for the following accommodations: bathing and toilet areas; potable water; secure maintenance of inmate property; access to monitored and privileged telephone services; private screening and intake areas; and on-line booking computer terminals.
5. Admissions. Each unit shall ensure the following:
- A. Authorized Commitment. One (1) or more of the following legal commitments or official documents shall be required prior to the new admission of an inmate to a Department facility:
    - 1. Continuance Mittimus;
    - 2. Judgment Mittimus;
    - 3. Remand to Custody;
    - 4. Bench Warrant;
    - 5. Family Matters Mittimus;
    - 6. Capias;
    - 7. Governor's Warrant;
    - 8. Interstate Agreement on Detainers;
    - 9. Temporary Surrender;

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10. Immigration Detainer-Notice of Action DHS Form I-247; and,
11. Immigration Detainer Detention/ Release Form CN 9308.

- B. Temporary Surrenders. The Department of Correction will accept inmates on a Temporary Surrender status who have been presented by the Connecticut State Police, a Connecticut Probation Officer, a Judicial Marshal, an FBI Official or authorized Official of the United States Department of Homeland Security. The Department of Correction will take custody of an inmate who is at a local hospital on a Temporary Surrender status from the Connecticut State Police, a Connecticut Probation Officer, a Judicial Marshal, an FBI Official or an authorized Official of the United States Department of Homeland Security.
- C. Authorized Transfer. A copy of CN 9307, Inmate Overview Sheet shall be presented to the receiving facility prior to an inmate being admitted to the facility on a transfer. If CN 9307, Inmate Overview Sheet is not available, a copy of the RT-15 transfer form, RT-50 printout and a CAPI photo of the inmate shall be presented to the receiving facility prior to an inmate being admitted to the facility on a transfer.
- D. Identification. Identification of the committing agent or transporting staff member shall be established prior to admittance to the secured admitting area. Identification of each inmate shall be established prior to the admission of the inmate to the custody of the receiving correctional facility.
  1. The identification of a new admission inmate shall be verified as the inmate stated on the commitment papers.
  2. The identification of a transferred inmate shall be established as that of the inmate on the transfer form in accordance with Administrative Directive 9.10, Inmate Identification and Movement.
- E. Arresting/Transporting Officer Documentation. The arresting/transporting officer(s) shall complete Attachment A, Detainee Behavior Questionnaire (Form JD-MS-5) to document the inmate's behavior, physical condition and verbal statements while in the custody of the arresting/transporting officer(s).
- F. Search and Shower. Upon admission to a correctional facility each newly admitted or transferred inmate shall be searched in accordance with Administrative Directive 6.7, Searches Conducted in Correctional Facilities, and at a minimum, each new admission inmate, shall shower with the appropriate pediculosis control shampoo with the exception of pregnant inmates who shall be provided an alternative process of quelling by a Physician or Physician Extender.
- G. Property Inventory. Upon admission to a facility an inmate's property shall be inventoried and processed in accordance with Administrative Directive 6.10, Inmate Property.
- H. Inmate Data. Each Unit Administrator shall ensure that the CN 9301, Inmate Admission Form or RT-05A/RT-05R and CN 9306, Inmate Intake Forms, are to ordinarily be completed and/or updated during intake Processing, unless exigent circumstances exist, then within 72 hours for each inmate admitted to the facility.

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The completed form and/or a hard copy of the RT-50 computer screen shall be placed in the inmate's master file.

A trained staff member shall verify and update relevant computer information for each admitted inmate in accordance with Administrative Directive 4.2, Sentence Computation and Time Keeping.

- I. Health Evaluation. Prior to admission, each inmate shall be visually screened and interviewed by admitting staff to check the inmate for any obvious health problems in accordance with Administrative Directives 8.1, Scope of Health Services Care and 8.5, Mental Health Services. Custody staff shall review a newly admitted inmate's RT-74 information for any previous medical, mental health or suicide risk information and shall document such information in the "Custody Information" section of Attachment B, Intake Health Screening (HR-001). A copy of the RT-74 information shall be forwarded along with Attachment B, Intake Health Screening (HR-001). Health services staff and/or the Shift Commander shall be contacted upon discovery of any health-related problems to determine if an inmate may be refused admittance to the facility due to the problem. No new admission inmate shall be admitted if a serious health problem exists. It shall be the responsibility of the committing agent to provide treatment prior to admission.

Inmates identified with statistically high risk factors for self-harm shall be referred to the Mental Health Unit. Inmates determined to be detoxifying from drugs or alcohol, medically unstable or mentally ill shall be identified and referred to unit and treatment staff for appropriate follow-up, and shall be considered for specialized housing (i.e., inpatient hospitalization).

Admitting staff shall be aware of any suicide risk factors or behavior and shall report the observation of any suicide factors to the health services staff and/or the Shift Commander in accordance with Administrative Directive 8.14, Suicide Prevention and Intervention. Suicide factors shall include, but are not limited to, the following:

1. First DOC incarceration;
2. Recent loss (e.g., death, divorce, etc.);
3. Auditory/visual hallucinations;
4. Recent transfer or status change;
5. Recent court disappointment;
6. Changes in personal relationships;
7. Detoxifying from drugs and/or alcohol;
8. Changes in physical condition;
9. Deteriorating health condition;
10. Statements made by the inmate;
11. Statements from family, friends or community providers;
12. Threats or perceived threats from other inmates; and,
13. Encouragement from other inmates to commit suicide.

- J. PREA Screening of Newly Admitted Inmates. Each newly admitted inmate shall ordinarily during intake processing, unless exigent circumstances exist, then not more than 72 hours' after admission, be screened by a staff member for risk of sexual victimization or sexually abusive behavior while incarcerated.

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Information obtained as a result of this screening process shall be used to enhance decision making regarding housing assignments, possible medical/ mental health treatment, program, work and education assignments. Separation of inmates that are identified as being at significant risk of sexual victimization or abusiveness from other inmates may be required. The above referenced screening shall be documented on Attachment B- Intake Health Screening (HR-001) and CN 9306 Inmate Intake Form.

If the PREA screening determines that an inmate has previously experienced sexual victimization or has engaged in sexual abuse of another person, the inmate shall be offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening, regardless of whether the victimization or abusiveness occurred within a correctional facility or in the community.

Any inmate that has sexually abused another inmate while incarcerated shall be offered a mental health evaluation within 60 days of the Department of Correction learning of such abuse and shall be offered medical/mental health treatment if appropriate.

All inmates shall be re-assessed by staff within 30 days for risk of sexual victimization or abusiveness based on any additional, relevant information obtained by the facility since the initial screening. Subsequent reassessments shall be made as circumstances warrant.

Any inmate who is identified as transgender or intersex during the intake or transfer screening process shall be evaluated on a case by case basis. Such evaluation shall seek to determine the safest and most appropriate housing placement with serious consideration being given to the inmate's own views regarding his or her personal safety. Housing assignments and programming opportunities of transgender and intersex inmates shall be reviewed and evaluated at a minimum of twice per year.

Staff access to inmate responses to the PREA screening questions shall only be granted based on legitimate penological interests.

- K. Refusal of Inmate. An inmate may be refused admission to a facility if the conditions of Section 5 of this Directive are not met. Such refusal shall be documented through the completion of CN 6601, Incident Report, with photographs, whenever possible, in accordance with Administrative Directive 6.6, Reporting of Incidents. If an inmate is being held solely on an ICE Detainer and upon completion of Immigration Detainer Detention / Release Form CN9308, it was determined the offender is not an unacceptable risk to public safety based upon the data/info provided, the inmate shall be released.
- L. Health Intake Screening. Attachment B, Intake Health Screening (HR-001) shall be completed by a health services staff member and a custody staff member for each new admission to the Department.
- M. Mail and Phone Regulations. A new admission inmate shall be requested to sign CN 100701, Notification and Acknowledgment for Inmates in accordance with Administrative Directive 10.7, Inmate

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Communications, prior to making a phone call.

- N. Zero Tolerance Policy. Each inmate shall receive a copy of the Prison Rape Elimination Act Zero Tolerance Policy.

6. CSSD Bail Interview Staff. Inmates received and booked into Connecticut Correctional facilities on Temporary Surrender status shall be provided access to CSSD for bail interview with the exception of those Federal inmates received from the FBI or from Homeland Security. The following steps shall be completed in administering this procedure for those eligible inmates.
- A. Once the inmate has been received and booked into the facility, the Desk lieutenant shall be responsible for notifying the CSSD Bail Staff at a telephone number designated by CSSD (see Attachment H) and completing the Temporary Surrender Checklist (Attachment A), to include the following information:
    - A. Name
    - B. DOB
    - C. Charges
    - D. Is the charge a warrant arrest or domestic case.
    - E. The current bond amount. Is the bond, police or court set.
    - F. Any pertinent information of the arrest that the CSSD Bail Staff Representative should be apprised of.
    - G. The arresting agency.
  - B. A message shall be left with the CSSD Bail Staff Representative if contact is not made. When the CSSD Bail Staff returns the telephone call to the Desk Lieutenant, he/she will schedule a time for an audio/video conference with the inmate and provide the CSSD Bail Staff office with an audio/video conference telephone number. In the event there are multiple inmates to be interviewed, the Desk Lieutenant will make every attempt to schedule the audio/video conferences in close time proximity of each other.
  - C. The Desk Lieutenant shall notify the AP Booking Officer or designated officer with the audio/video conference schedule and ensure the inmates are present at the determined times.
  - D. Upon completion of the audio/video conference, the CSSD Bail Staff shall notify the Desk Lieutenant of the outcome and fax all corresponding paperwork to the Lieutenant's office. In the event the CSSD Bail Staff makes a Temporary Surrender eligible for release on a written Promise to Appear (PTA), such discharge shall be in accordance with Section 10 of this Directive.
  - E. At no time will an audio/video conference be cancelled except for a facility emergency. In the event an emergency does cancel an audio/video conference, the Desk Lieutenant will subsequently call the designated number to reschedule the audio/video conference.
  - F. In the event the CSSD Bail Staff makes a Temporary Surrender eligible for release on a Promise to Appear, such discharge shall be in accordance with Section 10 of this Directive.

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G. In the event the offender refuses to cooperate in attending the audio/video conference, the CN 4801 Inmate Refusal to Participate in Audio/Video-Conferencing form shall be completed

7. Transfers. Each inmate shall be transferred in accordance with Administrative Directives 6.4, Transportation and Community Supervision of Inmates; 6.7, Searches Conducted in Correctional Facilities; 6.10, Inmate Property; 9.1, Population Management; 9.2, Offender Classification; and 9.10, Inmate Identification and Movement.

A. Facility Transfers.

1. Transfer of Mental Health 4 or 5 Inmates. The Chief Mental Health Officer, in collaboration with the Director of Behavioral Health Services, shall develop and update, as needed, a protocol for transferring mental health 4 and 5 inmates within the Department. At no time shall the score of a mental health 4 or 5 inmate be lowered prior to the notification of the Director of Behavioral Health Services, in accordance with the protocol.
2. Transfer of Inmates Other than Mental Health 4 or 5 Inmates. At a minimum, the following steps shall be followed prior to transferring an inmate, other than a mental health 4 or 5 inmate, to another correctional facility:
  - a. the inmate's identification shall be verified in accordance with Administrative Directive 9.10, Inmate Identification and Movement;
  - b. the master file shall be reviewed to check for warrants, detainers, pending court cases, release date confirmation, classification ratings and any other information that may affect the transfer;
  - c. CN 9307, Inmate Overview Sheet shall be used to transfer an inmate (if CN 9307, Inmate Overview Sheet is not available, a copy of the RT-15 transfer form, RT-50 printout and a CAPI photo of the inmate shall be compared for accuracy and to confirm the inmate's identity prior to transfer);
  - d. the transfer authorization shall be confirmed by a custody supervisor;
  - e. the CN 9302, Transfer and Discharge Checklist shall be completed; and,
  - f. all requirements of sexual offender registration are satisfied when transferring from a higher level facility to a Level 3 facility.
3. PREA Screening of Inmates Transferred Between Facilities. Upon arrival at the receiving facility, each inter-facility transfer inmate shall be screened by a qualified staff member for risk of sexual victimization or sexually abusive behavior. Information obtained as a result of this screening process shall be used to enhance decision making regarding housing assignments and possible medical/ mental health treatment. The above referenced screening shall ordinarily take place during intake processing, unless exigent circumstances exist ,



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then not more than 72 hours after arrival at the facility and shall be documented on Attachment I- Transfer Summary (HR-005) and CN 9306/2 Inmate Intake Form.

All inmates shall be re-assessed by staff within 30 days for risk of sexual victimization or abusiveness based on any additional, relevant information obtained by the facility since the initial screening.

- B. Community Transfers. At a minimum, the following steps shall be completed prior to transferring an inmate to the community, to include furloughs:
1. the inmate's identification shall be verified in accordance with Administrative Directive 9.10, Inmate Identification and Movement;
  2. the master file shall be reviewed to check for warrants, detainers, pending court cases, release date confirmation, classification ratings, and any other information that may affect the transfer;
  3. CN 9307, Inmate Overview Sheet shall be used to transfer an inmate (if CN 9307, Inmate Overview Sheet is not available, a copy of the RT-15 transfer form, RT-50 printout and a CAPI photo of the inmate shall be compared for accuracy and to confirm the inmate's identity prior to transfer);
  4. the transfer authorization shall be confirmed by a custody supervisor;
  5. the RTM1 screen shall be completed and acknowledgment of such shall be confirmed between the sending facility's Unit Administrator or designee and the field office;
  6. the CN 9302, Transfer and Discharge Checklist shall be completed;
  7. all requirements of sexual offender registration and Felony DNA are satisfied, when applicable;
  8. for a transfer to a residential community program, CN 9303, Facility to Residential Program Transfer Acknowledgement, shall be initiated;
  9. for a transfer to a residential community program, the Health Services Unit shall be notified; and,
8. Court Trips/Profile Checks. All inmates scheduled for transfer for court purposes shall have a profile check conducted by records staff of the sending facility. The profile check shall ensure the following:
- A. There are no inmates at the receiving facility profiled against the inmates arriving for court. Should a profile exist, staff shall initiate a RT-64 to ensure inmates profiled against one another are not scheduled for court on the same day.
  - B. Should profiled inmates be scheduled for court on the same day, records staff from the sending facility shall notify the Records Office at the receiving facility, who shall in turn notify A/P staff of the profiles. A/P staff shall ensure the profiled inmates are kept separate at all times. A/P staff shall relay all profile information verbally to the Judicial Marshals upon their arrival. A/P staff shall also provide profile information in writing to the

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Judicial Marshals using the special instructions/comment section on CN 9307, Inmate Overview Sheet.

- C. Only inmates who have profiles or co-defendants scheduled to appear at the same court or facility (Bridgeport CC, Corrigan-Radgowski CC, New Haven CC, MacDougall-Walker CI or Hartford CC) shall have their profiles listed in the special instructions/comment section of CN 9307, Inmate Overview Sheet.

The Offender Classification and Population Management Unit and the Correctional Transportation Unit shall determine the number of profiles and/or co-defendants a facility and/or court house can accommodate without making special arrangements. Facility records staff shall ensure the Court Trip Add-on/Cancellation Form is completed for those inmates not already CAITed for court and shall ensure the procedures outlined in subsections A through C above are followed. Once all sections on the Court Trip Add-on/Cancellation Form are completed, "Clear to Transport" shall be written on the bottom of the Court Trip Add-on/Cancellation Form.

- 9. Registration of Sexual Offenders/Felony DNA Collection. The Director of Offender Classification and Population Management shall issue and revise as necessary guidelines for the registration of sexual offenders and the collection of a biological sample for the purposes of Felony DNA.
- 10. Discharges. No inmate shall be discharged from the Department until it is established that the inmate has satisfied all legal commitment requirements or detainer. However, an inmate may not be held beyond the authority of commitment. At a minimum, the following steps shall be followed prior to releasing an inmate upon completion of the Immigration Detainer Detention / Discharge form CN 9308.
  - A. A check of the inmate's master file to see that the requirements of sexual offender registration have been satisfied.
  - B. The inmate's identity shall be verified and a new photograph taken in accordance with Administrative Directive 9.10, Inmate Identification and Movement.
  - C. A warrant and detainer check shall be conducted.
  - D. The discharge authorization shall be confirmed by the Unit Administrator or designee.
  - E. Expiration of sentence shall be verified by the Records Office.
  - F. CN 9302, Transfer and Discharge Checklist shall be completed and returned to the Records Office for filing in the inmate's master file.
  - G. CN 9307, Inmate Overview Sheet shall be generated and compared to the inmate being discharged (if CN 9307, Inmate Overview Sheet is not available, a copy of the RT-50 printout along with a CAPI photo of the inmate shall be generated and compared to the inmate being discharged).
  - H. A copy of CN 9304, Certification of Release shall be provided to the inmate. For reentry furloughs, a copy of CN 9304, Certification of Release shall be provided by the facility to the inmate upon the inmate's release to the reentry furlough. For Transitional Supervision cases where the inmate has seven (7) or less days to serve on his/her sentence, a copy of CN 9304, Certification of Release shall be provided by the facility to the inmate upon the inmate's release to Transitional Supervision.

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CN 9304, Certification of Release shall contain language informing inmates who have been convicted of a felony and committed to the custody of the Commissioner of Correction and are eligible to have their electoral privileges restored or granted pursuant to Section 9-46a of the Connecticut General Statutes, of the right and procedures to have such privileges restored.

11. Detention/Release of an inmate who is held solely on an ICE Detainer.  
Upon determination that all legal holds are satisfied, the facility Records Specialist, Shift Supervisor/ Commander or other designated staff shall initiate an ICE Detainer review by utilizing the Immigration Detainer Detention/Release Form CN9308 and by following the ICE review process noted below. Upon completion of the CN9308, the Shift Supervisor/Commander shall contact the Facility Duty Officer to advise them of the findings. The facility Duty Officer will be responsible for determining if the inmate with an ICE Detainer is to be detained as an inmate in the Connecticut Department of Correction.
  - A. Determination to Detain or Release an inmate using Form CN 9308. The Facility Records Specialist, Shift Supervisor/ Commander or other designated staff shall review and document findings on the Immigration Detainer Detention/ Release Form CN 9308. Only if the Inmate meets one of the criteria listed below, shall the inmate be held. In all other cases DOC shall exercise its discretion to release the inmate with an ICE detainer. An inmate with an ICE detainer shall be held if there is:
    1. A Prior violent felony conviction as set forth on Attachment J-Violent Criminal Felony Convictions List as well as criminal liability, conspiracy or attempt for one of the listed criminal felonies;
    2. Identified as a possible match in the terrorist screening database or similar database and a positive response from the Terrorist Screening Center;
    3. Subject to a final Order of Deportation or Removal issued by The United States which is accompanied by a Judicial Warrant.
  - B. Upon determination by the facility Duty Officer that the inmate is to be detained or released, ICE shall be notified by contacting the local ICE office at the telephone number listed on the detainer, or by contacting the ICE Law Enforcement Support Center in Vermont at 802-872-6020. If the inmate is to be detained, the ICE Agent shall be informed that the inmate will be held for a maximum of forty eight (48) hours (excluding Saturdays, Sundays and/or Federal holidays) from the time of facility intake processing. In the event that ICE fails to take custody of the inmate within forty-eight (48) hours (excluding Saturdays, Sundays and/or Federal holidays) the inmate shall be released. At such time, ICE, the Facility Duty Officer and the Director of O.C.P.M. shall be notified. Notification to the Director of O.C.P.M. must be in writing.
  - C. Under no circumstances shall an inmate being detained solely on an ICE Detainer be held beyond 48 hours (excluding Saturdays, Sundays or Federal Holidays).

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- D. After determination by the Facility Duty Officer that the inmate is to be detained, the Duty Officer must sign the CN9308 no later than the next business day and forward the CN 9308 pages 1,2 and 3 and all the supporting documentation to the Director of O.C.P.M. no later than 48 hours upon completion.
- E. If a determination has been made to detain the inmate, a copy of Immigration Detainer - Notice of Action DHS Form I-247, and the Notice of ICE Detainer form CN9309 shall be delivered to the inmate. Prior to serving the Notice of ICE Detainer upon the inmate, the delivering staff member will check the box stating that the inmate is currently being held solely on the basis of an ICE detainer. The Notice of ICE Detainer, form CN9309, shall be signed by the inmate. If the inmate refuses to sign the CN9309, the delivering staff member shall note that on the form. A copy of the Immigration Detainer Detention/Release Form CN 9308, and a signed copy of the Notice of ICE Detainer form CN9309 shall be attached to the ICE Detainer and placed in section 4 of the master file or in section 2 of a 2-part file.
- F. The delivering staff member shall not discuss the Immigration Detainer with the inmate. If the inmate has any questions regarding the detainer, the inmate shall be referred to the information on the back of the detainer, which includes the telephone number of the ICE Joint Intake Center, and to the information on the Notice of ICE Detainer, form CN9309.
- G. If an inmate is newly admitted or readmitted solely on an ICE Detainer and determination has been made to release the inmate, only a copy of the DHS Immigration Detainer - Notice of Action, form I-247, shall be provided to the inmate. A copy of the ICE Detainer shall be placed in section 4 of a master file or section 2 of a 2 part file.
- H. Records will notify the AP staff once a pick up date has been established by ICE. A Connecticut warrant check will be completed prior to ICE assuming custody of the inmate.
- I. If an inmate is newly admitted as a Temporary Surrender which is accompanied with an ICE Detainer, the Shift Commander/Designee shall initiate an ICE Detainer Review utilizing CN 9308, Immigration Detainer Detention/ Release Form. Only inmates:
  - 1) That have a prior violent felony conviction set forth on Attachment J., Violent Criminal Felony Conviction List as well as criminal liability, conspiracy or attempt for the listed violent criminal felonies.
  - 2) Identified as a possible match in the terrorist screening database or similar database and a positive response from the Terrorist Screening Center.
  - 3) Subject to a Final Order of Deportation or Removal issued by the United States which is accompanied by a Judicial Warrant

shall be detained ONLY if authorized by the facility Duty

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Officer.

- I. The Department of Correction will modify this section as necessary to assure compliance with State or Federal law and or pertinent court decisions.

## 12. Health Procedures for Discharge Planning.

- A. Inmate Discharge. Records staff shall provide a 60-day End of Sentence List to the Health Services Unit. The CHNS or designee shall be responsible for completing Attachment C, Inter-Agency Patient Referral Report (W-10) for inmates with a health and/or mental health score of 3 or above. Attachment C, Inter-Agency Patient Referral Report (W-10) shall be completed as close to the discharge date as possible. Attachment C, Inter-Agency Patient Referral Report (W-10) shall be sealed in an envelope with a confidential sticker and hand delivered to the Records Office, where Attachment C, Inter-Agency Patient Referral Report (W-10) shall be attached to the CN 9302, Transfer and Discharge Checklist. The Health Services Unit, at a minimum shall provide a two-week supply of discharge medication to the inmate. In facilities with 24-hour health services coverage, discharge medications shall be dispensed to the inmate with instructions by health services staff upon release. In facilities with less than 24-hour coverage, medication instructions shall be reviewed with the inmate, the day prior to discharge, which shall be documented in the inmate's health record. The discharge medications with written instructions shall be placed in a lockbox in the Shift Commander's office to be provided to the inmate upon discharge.
- B. Community Release. The procedure outlined in subsection A of this Section shall be followed for inmate's being released to a community release program. A hold may be placed on an inmate with a health or mental health 3 or 4 for up to 72 hours so that medications can be delivered prior to release.
- C. Parole Release. Records staff shall notify the Health Services Unit of an inmate being released on parole. The CHNS shall be responsible for completing Attachment C, Inter-Agency Patient Referral Report (W-10) and having it hand delivered to the Records Office in an envelope sealed with a confidential sticker. Medication shall then be ordered to the facility closest to the inmate for pickup.
- D. Inmates Leaving From Court. Inmates shall be provided an Information Card which shall state to call the facility for health information. Inmates currently taking prescription medications shall be provided an opportunity to receive a two-week supply of discharge medications. The contracted health care provider shall make the medication available for pick up, by the inmate, at either the discharging facility or the contracted pharmacy.
- E. Records of Inmates with HIV Infection. Prior to the release of an inmate with HIV infection from a facility to the community, health care staff shall prepare a discharge packet. The information which is provided in the discharge packet shall include all current diagnoses, current problems, treatments which have been provided, the inmate's response to treatment, complications noted, allergies description of condition on discharge, and any follow-up instructions. A copy of the discharge packet shall be placed in the inmate's health record as well as being forwarded to the community health care provider. The inmate shall be offered a copy of the discharge packet.

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When an inmate with HIV infection is transferred to community release or discharged from the Department, HIV health information shall be forwarded to the contract provider's Risk Management Unit.

13. Closed Accounts. Thirty days prior to discharge, an Attachment D, Request for Account Balance Form shall be submitted by a staff member to the Inmate Trust Fund Office to release an inmate's balance of account. Upon notice of release or discharge and receipt of authorizing documentation, a check for the inmate's account balance shall be prepared. The check shall be mailed to an address provided by the inmate. The inmate may receive the check upon discharge at the facility if 30 days' notification is provided. The reconciling and check cutting transactions shall close the account. Closed account records shall be retained until audited by the Auditors of Public Accounts.
14. Gate Money. Thirty days prior to discharge, an Attachment E, Gate Money Request Form shall be submitted, in accordance with Administrative Directive 3.11, Gate Money, to the Inmate Trust Fund Office for eligible discharging inmates. Upon discharge, the gate money check shall be given to the inmate. In the event the inmate does not receive it upon discharge, the gate money shall not be forwarded.
15. Discharge Planning Policy. CN 9305, Discharge Planning Checklist and Transportation Log shall be initiated by the Records Office 60 days prior to an inmate's discharge. The checklist shall then be forwarded to the inmate's unit counselor so arrangements can be made in the following areas to facilitate a smooth transition into the community:
  - A. DNA Sample, if applicable;
  - B. Sex Offender Registration, if applicable;
  - C. Medication;
  - D. Transportation;
  - E. Discharge clothing;
  - F. Personal identification;
  - G. Housing;
  - H. Inmate account and gate money; and,
  - I. Aftercare program referrals (i.e., medical, mental health and addiction services).

The completed CN 9305, Discharge Planning Checklist and Transportation Log shall be returned to the Records Office for filing in the inmate's master file. Inmates released at court shall be provided, when possible, with Attachment F, Department of Correction Discharge Resource Card to assist with their transition into the community.

Each facility shall, in accordance with this Directive, develop and maintain a unit policy governing the procedure for community release placement and discharge to provide a continuum of care into the community.

16. Discharge Resource Card. Each inmate shall receive a Discharge Resource Card (Attachment F) at the time of discharge. A/P staff shall document the inmate's receipt of the Discharge Resource Card (Attachment F) by checking the appropriate box on CN 9302, Transfer and Discharge Checklist.

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Each facility responsible for discharging inmates shall maintain an adequate stock of the Discharge Resource Card on hand. Discharge Resource Cards shall be ordered from the appropriate district warehouse.

17. Forms and Attachments. The following forms and attachments are applicable to this Administrative Directive and shall be utilized for the intended function.
- A. CN 9301, Inmate Admission Form;
  - B. CN 9302, Transfer and Discharge Checklist;
  - C. CN 9303, Facility to Residential Program Transfer Acknowledgement;
  - D. CN 9304, Certification of Release;
  - E. CN 9305, Discharge Planning Checklist and Transportation Log;
  - F. CN 9306, Inmate Intake Form;
  - G. CN 9307, Inmate Overview Sheet;
  - H. CN 9308, Immigration Detainer Detention / Release Form.
  - I. CN 9309, Notice OF Ice Detainer;
  - J. Attachment A, Detainee Behavior Questionnaire (Form JD-MS-5);
  - K. Attachment B, Intake Health Screening (HR-001);
  - L. Attachment C, Inter-Agency Patient Referral Report (W-10);
  - M. Attachment D, Request for Account Balance Form;
  - N. Attachment E, Gate Money Request Form; and,
  - O. Attachment F, Department of Correction: Discharge Resource Card;
  - P. Attachment G, Immigration Detainer - Notice of Action DHS Form I-247
  - Q. Attachment H, Temporary Surrender Checklist;
  - R. Attachment I, Transfer Summary (HR-005)
  - S. Attachment J, Violent Criminal Felony Conviction List.
18. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner of Correction.