

CHAPTER 46
SUPERVISION UNDER INTERSTATE COMPACT

[Prior to 10/1/83, see Social Services[770] Ch 27]

[Prior to 3/20/91, Corrections Department[291]]

201—46.1(913) Compact agreement. The interstate compact for the supervision of parolees and probationers is a legally binding agreement under which all 50 states, Puerto Rico, and the Virgin Islands serve as each other's agents in the supervision of certain parolees and probationers. The compact provides a simple legal method whereby parolees and probationers may move to better rehabilitative environments outside the state without losing the advantages of supervision or escaping from the jurisdiction of the state in which such person was sentenced.

201—46.2(913) Compact administrator.

46.2(1) The compact administrator may appoint up to two deputy compact administrators to serve as active members of the Parole and Probation Compact Administrator's Association and who shall be responsible for day-to-day operation of the interstate compact.

46.2(2) The compact administrator shall be responsible for the administration of the compact between this state and other contracting states. The compact administrator or the designated deputy shall serve as Iowa's representative in the parole and probation compact administrator's association.

201—46.3(913) Sending a person out of Iowa under the compact.

46.3(1) Local parole and probation officials requesting to transfer a parolee or probationer to another state shall work through the office of the state compact administrator. All persons using the compact shall comply with the official rules and regulations promulgated by the compact administrators under authority of article 5 of the compact.

46.3(2) Whenever a person is accepted in another state for supervision, Iowa shall, when available, send to the receiving state two recent photographs and one photostatic copy of the fingerprints or fingerprint classification of subject.

46.3(3) All moneys which Iowa desires to collect from the parolee or probationer either for family support, support of children, restitution, reparation, court costs, or fines, or otherwise, shall be sent directly by the parolee or probationer to the appropriate authority in the sending state (Iowa) and the receiving state agrees to use its best endeavor to ensure that the parolee or probationer sends such moneys as requested.

46.3(4) The parolee or probationer shall sign Compact Form III, Application for Compact Services and Agreement to Return, in triplicate, furnished by the parole or probation officer, before leaving the sentencing state. By signing Compact Form III, the parolee or probationer waives the right to formal extradition proceeding and agrees not to contest any effort to return the parolee or probationer to the sending state.

201—46.4(913) Receiving cases in Iowa under the interstate compact.

46.4(1) The state of Iowa through the appropriate authorities shall accept supervision of out-of-state cases when a parolee or probationer meets the requirements of the interstate compact.

46.4(2) The state of Iowa shall exercise the same care and treatment and supervision standards that are given to Iowa cases, and shall notify the sending state promptly about any violations, antisocial behavior that may occur or the placement of any legal hold against the individual.

46.4(3) The receiving state shall submit semiannual progress reports in reference to the parolee and probationer and such reports shall cover present residence of the parolee or probationer, name of employer, with type and character of employment, and the parolee's or probationer's general conduct and progress, as well as attitude toward supervision. Such reports shall not be a substitute for financial or other written reports the sending state may require the parolee or probationer to send to it at periodic intervals on such forms as the sending state may furnish the parolee or probationer.

46.4(4) The receiving state shall promptly upon parole violation notify the sending state. In the case of serious violations the board of parole liaison officer, who is an attorney, will conduct a probable cause hearing for the compact administrator according to the board of parole procedures 205—7.5(909).

46.4(5) In the transfer of supervision of all probation and parole cases to or from other states, the judicial district departments of correctional services established pursuant to Iowa Code chapter 905, shall abide by these rules, the provisions of the compact and department of corrections policies and procedures.

46.4(6) Out-of-state cases transferred to the state of Iowa shall be responsible for payment of supervision enrollment fees directly to the supervising judicial district department, in accordance with Iowa Code section 905.14.

These rules are intended to implement Iowa Code chapter 913 and section 906.13 and 1997 Iowa Acts, House File 734, section 7.

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