



# KANSAS DEPARTMENT OF CORRECTIONS

	<b>INTERNAL MANAGEMENT POLICY AND PROCEDURE</b>	SECTION NUMBER	PAGE NUMBER
		14-128A	1 of 4
		SUBJECT:	
		<b>PAROLE SERVICES: Offender Travel Permission and Permits</b>	
<b>Approved By:</b>  Secretary of Corrections		Original Date Issued:	06-03-15
		Replaces Version Issued:	N/A
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<b>APPLICABILITY:</b>	<input checked="" type="checkbox"/> <b>ADULT Operations Only</b>	<input type="checkbox"/> <b>JUVENILE Operations Only</b>	<input type="checkbox"/> <b>DEPARTMENT-WIDE</b>
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## POLICY STATEMENT

Travel outside of the assigned district shall be considered a privilege. Authorization for offender travel shall be determined by parole staff on a case-by-case basis, considering the circumstances of the case and the reason for travel. Travel approvals and permits shall be issued at the informed discretion of the parole officer and/or the parole supervisor. Permission to travel outside of the United States requires permission of the Parole Director.

Written permission for approved travel is required for sex offenders and out-of-country travel. Written permission for all other travel is provided at the discretion of the parole officer.

## DEFINITIONS

Assigned District: The limited geographic region previously assigned and documented by the parole officer as the acceptable range of travel while under the supervision of that parole officer.

Emergency Travel: Travel that is unexpected or may need to occur without advance notice. Circumstances may include a serious family illness, the need to attend a funeral or other urgent situation.

Foreign Country: A country that is not part of the United States of America or is not a U.S. Territory (Guam, Puerto Rico or the Virgin Islands).

## PROCEDURES

### **I. Travel Authorization**

- A. Parole officers shall investigate offender requests for travel to verify information and determine the validity of the request.
- B. Requests for travel may be approved or denied, considering the circumstances of the offender and the reason for the requested travel. Considerations should include but are not limited to the:
  1. Offender's classification level and length of time under supervision;
  2. Offender's criminal history and compliance with supervision and fee payment requirements;
  3. Reason for the requested travel;
  4. Destination of the travel and mode of transportation; and

5. Benefits of travel for the offender, such as employment, family reasons, or participation in prosocial leisure-time activities.
- C. Travel may be authorized for offenders immediately at release, if necessary as part of an approved delay en route to release plan, as allowed in IMPP 14-104/14-104A.
- D. Travel requests for urgent or emergency situations should be considered by the parole officer in an expedited manner, and with the recognition that the ability for advance notice or planning may be limited.

## **II. Out Of District Travel**

- A. Out-of-district travel permission shall not be granted for a period of time in excess of thirty (30) days, except :
  1. When approved by the parole officer and his/her supervisor.
    - a. A notation in offender's contact notes shall be made by the supervising parole officer or supervisor granting the request.
- B. Travel permission in which the offender both lives and works out of district in excess of thirty (30) days shall require initiation of an intrastate transfer, or an assessment with the supervisors involved regarding need for interstate transfer.

## **III. Out-Of-State Travel**

- A. Sex offenders may not be authorized to travel out of state without utilizing a written travel permit, which is provided to the Interstate Compact unit in advance of the travel.
- B. Offenders who live in a county that borders another state may be granted permission for routine out-of-state travel within 50 miles of the assigned district, for employment or other valid purposes, without the need to make individualized requests to the parole officer.
- C. Travel permission in which the offender lives out of state in excess of thirty (30) days shall require initiation of an interstate transfer, or an assessment with the Interstate Compact Administrator regarding the need for a transfer request.
- D. Travel permits issued in conjunction with interstate transfers shall be processed in accordance with IMPP 14-105/14-105A.

## **IV. Travel to Foreign Countries**

- A. Requests to travel to a foreign country are discouraged, but may be approved by the Parole Director in circumstances where it is necessary for employment or other valid reasons.
  1. Consideration shall be given to the offenders circumstances, the reason for the requested travel and other the other factors indicated in section I.B.
  2. When evaluating requests for out-of-country travel, consideration should be given to the status of any extradition agreements with the Country to which the offender has requested to travel.

## **V. Travel Permits and Written Authorizations**

- A. Parole staff shall document all travel requests and approvals in TOADS contact notes citing travel dates, destination, and reason for travel.
- B. Written travel permits shall be issued prior to out-of-state travel for sex offenders.

1. Permits for out-of-state travel for sex offenders shall be faxed to the Interstate Compact Unit in advance of the proposed travel date.
  - a. The Interstate Compact Unit is responsible to forward the permit to the other state(s) involved in accordance with interstate compact and known registration requirements.
- C. A written permit is required for any out-of-country travel approved by the Parole Director.
- D. Written permits for all other approved travel may be provided at the discretion of the parole officer, considering the circumstances of the offender and the location of the approved travel.
- E. When a travel permit (attachment A) is utilized, it shall be completed using the format in TOADS, citing the timeframe and location(s) to which the offender is traveling.
  1. The offender shall sign the permit and be provided with a copy of the permit.
  2. One (1) copy of each permit shall be placed in the offender's file.
- F. The offender may be required to return the travel permit to the parole officer if, at the discretion of the parole officer, it is necessary, considering the circumstances of the case and the nature of the travel.
  1. If the parole officer requests that a travel permit be returned in person, the offender should be advised of the expectation and timeframe. Options include but are not limited to:
    - a. Return it at the next scheduled appointment with the parole officer;
    - b. Mail the document to the parole officer; or
    - c. Return the permit to the office within a specified timeframe.
  2. If the permit is not required to be returned, the offender should be instructed to destroy it upon completion of the travel.
- G. When an offender requires extended travel on a permanent basis, a letter of authorization may be issued by the parole officer and signed by the parole supervisor in lieu of a travel permit.

#### **VI. Victim Related Travel**

- A. If a parole officer grants special permission to an offender to travel to an area in Kansas, when the offender has a condition prohibiting travel to that area without the approval of the parole officer, notification of the travel shall be made to a Department Victim Services liaison as soon possible, but always prior to the proposed travel date.
  1. Notification to the Victim Services liaison shall be made by e-mail.
- B. If permission is granted for an offender to travel to another state and the parole officer is aware that the victim resides in that state and has requested notification regarding the offender's case or travel permissions:
  1. Notification of the travel shall be provided to the Victim Services liaison as soon as possible prior to the proposed travel date.

**NOTE:** The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities who are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

**REPORTS REQUIRED**

None.

**REFERENCES**

IMPP 14-104/14-104A; 14-105/14-105A

**ATTACHMENTS**

<b>Attachment</b>	<b>Title of Attachment</b>	<b>Page Total</b>
A	Parole Permit to Leave the State	1

**KANSAS DEPARTMENT OF CORRECTIONS**  
**Division of Community and Field Services**  
**Parole Permit to Leave the State**

**Name:** \_\_\_\_\_ **DOC #:** \_\_\_\_\_ **DOB:** \_\_\_\_\_ **Sex:** \_\_\_\_\_  
**Street Address:** \_\_\_\_\_ **City, State, & Zip:** \_\_\_\_\_ **SSN#:** \_\_\_\_\_ **Race:** \_\_\_\_\_

**Offense:** \_\_\_\_\_

**History of Crimes Against Persons:** \_\_\_\_\_  
(Enter offender's history, if any, of crimes against persons.)

**Name, Address, & Telephone # of Destination:** \_\_\_\_\_  
\_\_\_\_\_

**Purpose of Trip:** \_\_\_\_\_

**Will Depart On:** \_\_\_\_\_ **Returning to Kansas(y/n):** \_\_\_\_\_ **Date of Return:** \_\_\_\_\_

**Method of Travel:** \_\_\_\_\_  
(If motor vehicle, give description, license plate number and the name of the owner.)

**Companions on the trip will be:** \_\_\_\_\_  
(Give names of companions and relationship to offender.)

**SPECIAL INSTRUCTIONS:** \_\_\_\_\_

**Date Issued:** \_\_\_\_\_ **Permit Issued By:** \_\_\_\_\_ **Phone #:** \_\_\_\_\_

**WAIVER OF EXTRADITION** Sending State: Kansas Receiving State/Country: \_\_\_\_\_

In consideration of being granted the privilege of leaving Kansas to go to the location listed above while I am under Kansas Parole/Post-Release Supervision or probation supervision, I hereby agree that:

1. I will comply with the parole/probation rules and regulations of both Kansas and the receiving state.
2. I will return to Kansas on or before the return date listed above, unless my supervision is officially transferred to the receiving state.
3. I will not change residence unless authorized to do so by proper authorities.
4. I do hereby waive extradition to the State of Kansas from any state of the United States, and also agree that I will not contest any effort by any state or country to return me to the State of Kansas.

**Offender Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Witness:** \_\_\_\_\_ **Date:** \_\_\_\_\_