


STATE OF MARYLAND
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
DIVISION OF CORRECTION

 DIVISION OF CORRECTION DIRECTIVE	PROGRAM:	TRANSFERS		
	DCD #:	230-4		
	TITLE:	Inmate Transfers and Housing		
	ISSUED:	December 7, 2007		
	AUTHORITY:	<i>Paul O'Flaherty</i>	Paul O'Flaherty	ASSISTANT COMMISSIONER
	APPROVED:	<i>J. Michael Stouffer</i>	J. Michael Stouffer	INTERIM COMMISSIONER

I. References:

- A. COMAR 12.02.18
- B. Case Management Manual, DCDs 100-161, 110-12, 110-31, 220 Series, 230-1, and 230-3
- C. DPSCSDs 124-510 and 130-100, Sect. 122
- D. Withers v. Levine, 615 F.2d 158 (4th Cir.) Cert. Den. 449 U.S. 849, 101 S.C.T. 136, 66 L.ED.ZD 59 (1980)
- E. Health General Article, §8-507, ACM
- F. Commitment Procedures Manual
- G. OBSCIS I Manual

II. Applicable to: Division of Correction Headquarters and the Division of Correction correctional facilities.

III. Purpose: To establish policy and procedure to appropriately identify inmates for transfer and to transfer and assign inmates to housing.

IV. Definitions:

- A. Intake – an inmate being received from the Division of Pretrial Detention and Services (DPDS) or a local jurisdiction by a DOC facility.
- B. Transfer – an inmate being sent from one DOC facility to another (including Patuxent Institution).
- C. “G” Housing – indicates that the inmate has been reviewed for placement in the general population and is considered suitable for double-celling or dormitory housing.
- D. “S” Housing – indicates that certain factors such as aggressive behavior, medical/mental health problems, or a history of victimization preclude the inmate’s assignment to the general population and requires special confinement housing.

- E. Special Confinement Housing – indicates an assignment of an inmate to administrative segregation, disciplinary segregation, protective custody, or to special needs housing.
- F. Special Needs Housing – indicates assignments of inmates with physical or mental limitations, whose care and custody require special accommodations and/or other special arrangements to assist them in accomplishing the activities of daily living and/or other rehabilitative activities.
- G. Transfer Coordinator – staff identified by the warden and designated as the contact person(s) through whom all daily transfers are conducted.
- H. Emergency – as determined by the Commissioner or designee, or warden or designee, a condition that threatens the overall security and control of a facility or facilities.
- I. Out Count – inmates physically out of the facility on a temporary basis. These inmates will be recorded in the facility's Out Count and are therefore included in the total population count.
- J. Plus Count – inmates temporarily housed in a DOC facility for any reason (i.e., pretrial detainees, inmates being temporarily housed for medical or mental health evaluations or treatment, court trip inmates, IGO hearing, etc.) are recorded in the Plus Count.

V. Policy:

It is the policy of the Division of Correction that inmates are transferred and housed in accordance with identified security, medical, and program needs. The Division houses inmates without regard to their color, national origin, race, or religion.

VI. Procedure:

- A. Each warden shall identify and designate a transfer coordinator and ensure that additional staff, as necessary, are adequately trained and knowledgeable to serve as backup and to assume the duties of the transfer coordinator in his/her absence.
- B. Designated staff of the Headquarters Case Management Unit, the Maryland Reception Diagnostic and Classification Center (MRDCC) 7-3 shift supervisor or designee, and the Maryland Correctional Pre-Release System (MCPRS) transfer coordinator or backup shall share responsibility for the daily transfer of inmates.
- C. Designated staff of the Headquarters Case Management Unit shall direct and coordinate intake from the Division of Pretrial Detention and Services (DPDS) and local jurisdictions on a daily basis.
- D. Designated staff of the Headquarters Case Management Unit shall direct and coordinate inmate transfers on a daily basis. These transfers shall include:
 - 1. All transfers from MRDCC to assigned facilities;

2. Transfers to and from Patuxent Institution to include:
 - a. all referrals to Patuxent for evaluation, in accordance with DCD 230-3;
 - b. all other established program assignments to Patuxent (Regimented Offender Treatment Center (ROTC), Patuxent Youth Program, etc.);
 - c. all discharges from the Correctional Mental Health Center-Jessup (CMHC-J) in accordance with established procedures.
 3. Transfers to and from the Maryland Correctional Adjustment Center (MCAC) in accordance with the provisions of DCD 100-161;
 4. All transfers to the Toulson Boot Camp (TBC);
 5. All transfers to the Central Home Detention Unit (CHDU);
 6. All other daily transfers which shall be reported to designated staff of the Headquarters Case Management Unit as they are scheduled to occur; and
 7. Transfers directed by the Commissioner or designee for any reason.
- E. When assistance of the Central Transportation Unit is needed for inmate transport, transfer coordinators shall contact designated staff of the Headquarters Case Management Unit to schedule the transport of inmates between facilities.
- F. The Southern Regional Transportation Unit, the Eastern Regional Transportation Unit, and all other institutional correctional staff assigned to escort duty who have the responsibility for the transportation of inmates shall perform their duties in accordance with the provisions of DCD 110-12.
- G. Routine Transfers
1. An inmate is to be approved for transfer assignment in accordance with procedures described in the classification/case management procedures;
 2. Inmates so approved shall be placed on the Transfer Data Sheet (See Appendix 1). This sheet shall be forwarded to the Headquarters Case Management Unit every Friday, by noon for staff to schedule the transfer;
 3. Inmates with MAP agreements or CMP plans with specified transfer dates shall receive priority for transfer before inmates awaiting routine transfer assignments;
 4. When inmates are transferred from one facility to another, designated staff of the sending facility shall:
 - a. prepare a transfer list, which shall include each inmate's name and DOC number to include, if necessary, code 77 indicating multiple DOC

numbers, the housing identifier assigned and any other pertinent transfer alert information;

- b. provide the escort officers with the transfer sheet;
- c. send a MILES message to the receiving institution by 12:00 noon, or as soon as possible thereafter, which should include the information from the transfer sheet;
- d. provide the receiving facility with the transfer sheet at the time of transfer; and
- e. ensure that each inmate's E-card, inventoried property, base file, commitment file, and medical file are delivered to the receiving facility in accordance with established procedures.

5. When inmates are transferred from one facility to another, designated staff of the receiving facility shall:

- a. ensure that a newly arrived inmate with an "S" housing identifier is placed in special confinement housing, according to the inmate's status, until reviewed by a case management team in accordance with case management procedures.
- b. in the assigned housing, consider any transfer alerts or other reliable information, which might suggest "S" housing consideration for any inmate, even if previously identified for "G" housing. Such cases shall be immediately referred to a correctional officer supervisor who shall, after review of all information available, make the determination of initial housing assignment.

- H. Non-routine/emergency transfers shall be approved by the Commissioner or designee or agreed to by the warden or designee of both the sending and receiving facilities.
- I. Medical and mental health transfers shall be handled in accordance with case management procedures and DPSCSD 124-510.
- J. Interstate Corrections Compact (ICC) transfers shall be conducted in accordance with the case management procedures.
- K. Interstate Agreement on Detainers transfers shall be made in accordance with the appropriate provisions of the Commitment Procedures Manual.
- L. Court trips shall be conducted in accordance with DCD 110-12 and the appropriate section of the Commitment Procedures Manual. Inmates may be transferred to and from court under the authority of the following documents issued by a Maryland court or other jurisdiction:

1. a writ;
 2. a commitment pending hearing for an inmate originally housed in the DPDS and now housed in the Division; or
 3. a subpoena for a pre-release inmate only.
- M. An investigator assigned to the DPSCS Internal Investigative Unit (IIU) while in lawful performance of official duties may transport an inmate from a correctional facility with a writ. However, the investigator shall:
1. possess and produce an official photograph identification source of him/herself;
 2. produce a written request to transport the inmate, which identifies the specific inmate and the general purpose of the transport. The request shall be endorsed by the IIU commander and include the signature of the transporting investigator; and
 3. sign a body receipt for and assume custody of the inmate.

NOTE: The shift commander shall personally verify the investigator's identity, and approve the removal of an inmate from the facility under such circumstances.

- N. Intra-institutional housing assignment changes shall take place in accordance with applicable institutional directives.
- O. Non-conventional housing may be used for inmates in an emergency.
- P. Inmates shall not routinely be transferred when within 60 days of release, or 60 days of a scheduled parole hearing, or revocation hearing, except:
1. transfers to CHDU or ROTC at Patuxent or,
 2. when security and control needs indicate that a transfer is required.
- Q. Count Rules

The primary guide regarding accounting for inmates is that if a DOC facility has the responsibility for the custody of an inmate, the inmate remains in that facility's count. Based on this, the following procedures for counting inmates shall apply:

1. Inmates assigned to a specific facility as general population, protective custody, administrative or disciplinary segregation inmates, shall be counted in that facility's count.
2. Individuals in pretrial status held in the DOC under an agreement between the local jurisdiction and the Commissioner of Correction shall be counted in the assigned DOC facility's plus count in accordance with DCD 230-1.

3. Inmates sentenced to confinement to a local detention facility, but held in the DOC under an agreement between the local jurisdiction and the Commissioner of Correction, shall be counted in the assigned DOC facility's plus count in accordance with DCD 230-1.
4. An inmate who is transferred to another state or to federal authorities under an ICC agreement shall not be counted in DOC's population and no bed will be held for the inmate.
5. Inmates transferred to another state or federal jurisdiction for adjudication of outstanding charges through the Interstate Agreement on Detainers Act will be counted in the facility's out count for 180 days. If for any reason the inmate does not return to DOC's custody after 180 days from the date of transfer, the inmate will be dropped from the facility's out count. The inmate's base file, and commitment and medical/psychological files shall be sent to Headquarters. Headquarters staff shall monitor the case in accordance with the appropriate section of the Commitment Procedures Manual.
6. If an inmate has been transferred for medical or mental health reasons to another facility except CMHC-J and has not returned to the maintaining facility within 10 days from the date of transfer, he/she will automatically be assigned without case management action to the facility at which the inmate is held. During the 10-day period, the inmate will be carried in the holding facility's plus count and in the sending facility's out count and the bed will be held. Once the inmate's transfer is permanent, the inmate's property shall be sent to the receiving facility within 24 hours in accordance with established procedures.
7. If an inmate has been transferred to CMHC-J from a facility outside the Jessup region, the sending facility shall place the inmate in its out count and release the bed. The inmate's property shall be sent to Patuxent within 24 hours in accordance with established procedures. For an inmate transferred to CMHC-J from a facility in the Jessup region, the sending facility shall place the inmate in its out count and will hold the bed and the inmate's property for 72 hours. When an inmate is admitted to CMHC-J, the inmate's transfer is permanent and the inmate is dropped from the sending facility's count.
8. If an inmate is sent to a non-DPSCS medical facility including the University Hospital Security Ward, the bed is to be held until the return of the inmate. During the inmate's stay at the medical facility, the inmate shall be carried in the sending institution's out count. If the inmate is admitted to the University Hospital Security Ward or off-ward and under the supervision of the Metropolitan Transition Center (MTC), the inmate shall be counted in MTC's plus count.

9. If an inmate is taken into custody by another jurisdiction, the inmate shall be carried in the out count, the bed relinquished, and the inmate's property inventoried in accordance with established procedures. The facility carrying the inmate in the out count shall request (in writing) 24-hour advance notification when the jurisdiction holding the inmate wishes to return the inmate to DPSCS custody. If the offender is in custody in another jurisdiction for 180 days or more, the base file, and medical and psychological files shall be sent to Headquarters. Headquarters staff shall monitor the case in accordance with the appropriate section of the Commitment Procedures Manual.
 10. If an inmate is taken to court through DOC facility's transportation unit, the inmate shall remain in the sending facility's count and the bed will be held until the inmate is returned to the sending facility. If the court releases the inmate from confinement and no other court commitments exist, the inmate shall be removed from the count as Released at Court and the bed relinquished. If, while in court, the inmate is taken into custody by another jurisdiction, Q.9. above shall apply.
 11. If the inmate is committed to the custody of the Department of Health and Mental Hygiene under Health General Article §8-507 and the inmate's sentence is stayed, the base file, and the commitment, medical and psychological files shall be sent to Headquarters. Headquarters staff shall monitor the case in accordance with the appropriate section of the Commitment Procedures Manual.
 12. If an inmate is out of the facility on active work release, family leave, special leave or compassionate leave, the inmate shall be carried in the out count and the bed held for the inmate.
- R. Changes to an inmate's housing or location shall be entered on OBSCIS I, screen 18, Maintain Traffic Data, at the time the movement occurs in accordance with the appropriate section of the OBSCIS I Manual.
 - S. The wardens of MRDCC and the Maryland Correctional Institution for Women (MCIW) shall issue institutional directives to comply with this DCD for reception and initial inmate housing assignments.
 - T. Each warden shall issue an institutional directive to implement and comply with this directive to include specific criteria for housing inmates in dormitories if the institution utilizes such housing.

VII. Attachments: Appendix 1 – Transfer Data Sheet

VIII. Rescission: DCD 110-13, dated August 10, 2007

Distribution: A
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