DEPARTMENT OF CORRECTIONS
AGENCY OF HUMAN SERVICES
STATE OF VERMONT

SUBJECT: OUT OF STATE TRANSFERS (314)

AUTHORITY
This policy is authorized by Title 26, Chapter 3, Section 102(6)(i) and 102(b)(11). This supersedes Vermont Department of Corrections Policy 351, dated 4/10/92 and Policy 314, dated 11/14/94.

PURPOSE
The purpose of this policy is to delineate the process by the Commissioner of Corrections to transfer inmates to facilities out of the State of Vermont.

APPLICABILITY
This policy articulates the process by which the Commissioner of Corrections transfers inmates from Vermont to facilities outside of Vermont. Anyone may access this policy.

POLICY STATEMENT
It shall be the policy of the Vermont Department of Corrections to transfer inmates from Vermont Correctional facilities to facilities outside the State of Vermont when either the best interests of the inmate or the Department dictate. Examples of those interests include but are not limited to the degree of security or protective custody necessary for an individual, or the existence of specialized treatment programs or facilities, an individual’s voluntary request to be transferred or the necessity for supplemental housing.

The Vermont Department of Corrections shall follow, where applicable, the procedures of agreements to which it is a party, such as the Interstate Corrections Compact, or the New England Corrections Compact. In all other cases, the Department shall enter into a written agreement with the applicable federal, state, county or municipal entity.

Inmates in Vermont correctional facilities, who are citizens of foreign countries, may be transferred to their own countries in accordance with the requirements of federal and state law.

REFERENCES
Title 26, V.S.A., Chapter 3, Sections 102(6)(i), 701(b), 706.

DRAFT PARTICIPANTS
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