

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
552**

INTRA-DEPARTMENTAL TRANSFERS

Supersedes: 06/17/12; (Temporary, 03/01/13); 03/19/13; (Temporary, 04/24/17);
Effective Date: 05/16/17

AUTHORITY: NRS 209.273, 209.274, 209.291, 209.331

PURPOSE

To establish an organized classification system for the assigning and transferring of offenders committed to the Department of Corrections and to identify responsibilities of all staff involved in an intra-departmental transfer of an inmate.

RESPONSIBILITY

The Deputy Director of Programs is responsible for the Offender Management Division (OMD), and to ensure administration of policies and procedures.

The Offender Management Administrator (OMA) is responsible for the implementation of the Intra-Departmental Transfers Regulation and is responsible to approve movement, and to authorize RTCA on Boot Campers.

The OMD is responsible to approve classification of transfers of inmates between institutions/facilities, and to maintain an accurate count of inmates at all facilities, with updated capacity information based on actual count data.

The Warden designates institutional caseworkers who are responsible for the preparation of approved transfers. The Warden is responsible to ensure compliance with all regulations regarding inmate transfers.

552.01 VOLUNTARY TRANSFERS

1. An inmate may request, through the classification process, to be transferred to another institution or facility. This does not create any liberty interest for the inmate in his/her actual housing, custody or assignment nor does it imply that the request has to be honored.
2. Upon approval of the classification at the institutional level and by the Offender Management Division (OMD), the inmate may be moved immediately or placed on a transfer waiting list Priority list (P-list) in the Nevada Offender Tracking Information System (NOTIS).

3. An approved transfer may be rescinded at any time by the department at the discretion of the OMD without cause.

552.02 INVOLUNTARY TRANSFERS

1. An inmate may be involuntarily transferred between institutions and/or facilities.
2. A classification committee recommends whether or not an inmate is to be involuntarily transferred.
3. If a transfer does not result in an increase of custody, it is not considered to be an involuntary transfer for the purposes of this regulation.
4. If the involuntary transfer involves an increase in assigned custody of the inmate, the classification process should include a 48 hour written notice prior to the hearing, detailing the proposed action and reason for this action.
5. If the classification committee's recommendation is approved by OMD, the inmate may be moved immediately or placed on the P-list.
6. Classification committee decisions can be appealed by the inmate utilizing the inmate grievance process. Based on case factors, the transfer need not be delayed pending resolution of a grievance.

552.03 EMERGENCY INVOLUNTARY TRANSFERS

1. Emergency involuntary transfers may be made administratively without a hearing at the discretion of the warden/designee with the approval of OMD.
2. A transfer may be implemented by the warden of the sending institution with the concurrence of the warden at the receiving institution after normal business hours.
3. If this option is exercised, formal approval from OMD should be obtained the next business day following the actual transfer.
4. In all cases, the reclassification process prescribed by AR 503, Conduct of Objective Classification should be conducted at the receiving institution as soon as practicable following the actual transfer but not to exceed 72 hours excluding holidays and weekends.

552.04 TEMPORARY TRANSFERS

1. Temporary transfers of inmates between institutions or facilities for court or medical purposes may be implemented administratively with the approval of OMD.

2. Transfers to outside medical facilities which do not involve a change in the inmate's assigned custody may be implemented administratively by the warden/designee in accordance with the 600 series of the Administrative Regulations relating to Medical and Health Care Services.

552.05 PROCESS TO IMPLEMENT AN APPROVED INTRA-DEPARTMENTAL TRANSFER

1. For institutional transportation coordinators and their adjacent conservation camps, the regular weekly transportation manifest will be prepared as follows:

A. On a weekly basis, OMD will distribute by e-mail, to the institutional transfer coordinators, the list of inmates (Transportation Manifest Update) identified as being placed on the transportation manifest in the Nevada Offender Tracking Information System (NOTIS).

B. This list will include inmates needing to move pursuant to administrative transfer provisions not necessarily limited to:

- 1) Judicial orders for production of inmates.
- 2) Inmates needing transfer for medical appointments.
- 3) Transfers to facilitate releases from rural camps.
- 4) Transfers to Minimum custody camps and facilities.

C. Inmates on the Transportation Manifest will be selected from the P-list and also from institutional requests (wish lists) e-mailed to the OMD transportation coordinator no later than 9:00 am Thursdays.

D. The institutions should receive the transportation manifest update at least 2 working days prior to the movement.

E. Any additions or deletions to the transportation manifest after it has been sent to the institutional transfer coordinators will be communicated by e-mail.

F. Unnecessary expense is not allowed and all offenders should be transported collectively whenever possible.

552.06 INSTITUTIONAL TRANSFER COORDINATOR DUTIES

1. Notification to staff.

A. Upon receipt of the transportation manifest update, the institutional transfer coordinator should develop an institutional list for distribution to staff having a

responsibility for the preparation process, after having screened the list for the following:

- 1) Scheduled local court appearances.
- 2) Scheduled Parole Board hearing.
- 3) Proximity to discharge or parole.
- 4) Pending disciplinary hearings for resolution prior to transfer.
- 5) Review for possible separation/enemy issues at the receiving institution.
- 6) Any other factors which could impact pending the pending transfer.

B. This list will be given to the institutional Director of Nursing Services (DONS) with a request for medical clearance. This request will serve to obtain clearance from medical, dental and mental health services.

- 1) Notifications and requests for clearance will include the inmates name and number, destination and departure date and time.
- 2) Prompt response and notice from all involved staff will be requested by the transfer coordinator with regard to completed work, potential problems, cancellations and clearances.

C. Inmates will be allowed to keep Keep On Person (KOP) medications on their person during roll-up of their property and will retain those KOP medications during the transport.

D. Notice regarding cancellation. If during the preparation process it is determined that an inmate must be removed from the list, the transfer coordinator will promptly notify the following:

- 1) The OMD transfer coordinator, to advise the reason for the removal and date the inmate can be reconsidered. Appropriate direction will be given as to whether the inmate should be reclassified or remain on the P-list and whether a replacement inmate will be placed on the manifest.
- 2) Local staff involved in the preparation/clearance process.

E. Final check on the afternoon preceding the scheduled departure, the transportation coordinator will make certain of the following:

- 1) All medical, behavioral health and institution records, files, property and travel documents are properly accounted for and staged in the designated pick-up location.
- 2) Information is provided to the transportation officers if the 3-day supplies of prescribed medication are necessary for pick-up, for intra-departmental transfers only.
- 3) Exit/transfer entries will be made into the NOTIS case notes, which will address the inmate's current status and reason for transfer.

F. Problem resolution.

- (1) The transportation coordinator should be alert to potential transportation problems and should seek to resolve these situations through early intervention so as to not delay the transportation process.
- (2) The work hours of the transfer coordinator should be arranged so that he/she is on duty when the weekly transport departs the institution.

APPLICABILITY

1. This procedure does not require an operational procedure.
2. This regulation does not require an audit.

REFERENCES

ACA Standard 4-4288, 4-4344, 4-4414


James Dzurenda, Director

5/25/17
Date