
 <p>Corrections and Community Supervision</p> <p>DIRECTIVE</p>	<p>TITLE</p> <p>Request for Out-of-Area Travel/Out-of-State Travel by Releasees</p>		<p>NO. 9240</p>
			<p>DATE 12/21/2023</p>
<p>SUPERSEDES</p> <p>Dir. #9240 Dtd. 10/05/21</p>	<p>DISTRIBUTION A B</p>	<p>PAGES PAGE 1 OF 3</p>	<p>DATE LAST REVISED</p>
<p>REFERENCES (Include but are not limited to)</p> <p>ACA Expected Practices 4-APPFS-2A-10, 4-APPFS-2A-15, and 4-APPFS-2A-16; Directives #9025, #9217</p>	<p>APPROVING AUTHORITY</p> 		

- I. **PURPOSE:** The Department of Corrections and Community Supervision (DOCCS) recognizes that there may be occasions when a releasee may need to travel outside of their geographical area or outside of the State of New York. These occasions for travel may include, but are not limited to, visiting with family and others, attending employment, education, religious events, legal appointments, treatment programs, and developing/strengthening positive social ties within the community.
- II. **POLICY:** It is the policy of DOCCS to require the issuance of a written travel permit only in those situations where releasees are requesting permission to travel outside of the State of New York. Travel within the State of New York does not require the issuance of a written travel permit. Releasees may travel within the geographical boundaries of New York State (NYS) without the need to obtain approval from their Parole Officer (PO), provided they are not deemed a high-risk releasee as defined in subsection III-E or where there are no aggravating factors as defined in subsection III-C. If a releasee is deemed high-risk or where aggravating factors are present, the releasee must obtain approval from the PO prior to the proposed dates of travel. Travel outside the area of supervision and within NYS that involves an overnight stay at a location other than the approved residence requires the approval of the PO. All requests for travel that require review and a determination by the PO shall be documented in the Case Management System (CMS) record.

All out-of-state requests for travel require approval and the issuance of a written travel permit (see subsection IV-B). A case conference shall be conducted in response to all releasee requests for permission to travel out-of-state. The PO and supervisor shall consider the evaluation factors that are delineated in subsection III-D in response to a high-risk designation, the existence of aggravating factors, or other potential impediments to out-of-state travel. In the absence of a high-risk designation or aggravating factors as defined in this directive, or the absence of a Parole Board imposed condition that would prohibit such travel, the request for out-of-state travel shall be authorized. All determinations on out-of-state travel requests shall be documented in the CMS record. If a request is denied, the reasons shall be documented in the CMS record.

NOTE: Releasee travel may be restricted or limited in response to the imposition of a Parole Board condition of release that prohibits travel to a particular area or specific location. Releasees are expected to comply with any such condition(s) imposed by the Board of Parole.

III. DEFINITIONS

- A. Area Where Supervised: The geographic location covered by a Community Supervision Office or Region in which the releasee is supervised. Specific to this directive, in New York City, all five boroughs (Bronx, Brooklyn, Manhattan, Queens, and Staten Island) are considered as the same supervision area.
- B. Travel: For the purposes of this directive, the term “travel” shall mean a visit to a location for a specific purpose and time or a temporary stay outside the releasee’s home area for a specific purpose and time.
- C. Aggravating Factors: Considerations specific to an individual releasee that do not weigh in the releasee’s favor to allow unrestricted travel. Examples may include: having an open arrest, confirmed use of a controlled substance without medical authorization, travel to an area where a prior victim resides, etc.
- D. Evaluation Factors: In evaluating requests for out-of-state travel, the PO and Senior Parole Officer (SPO) should consider the releasee’s supervision level, supervision history, community adjustment, stability and compliance with the conditions of release, history of absconding and escape, the purpose for travel, and the duration of travel (absent extraordinary circumstances, travel permits are not generally granted for more than a period of 45 days, except for employment purposes, when an ongoing travel permit for employment purposes may be granted). Destination, Interstate Compact travel restrictions, purpose, itinerary, and travel arrangements may also be considered.
- E. High-Risk Population: Strict and Intense Supervision and Treatment (SIST) Respondents, Registered and Discretionary Sex Offenders, Supervision Against Violent Engagement (SAVE), Seriously Mentally Ill individuals with a history of violence (SMI-V), releasees with known gang affiliation, and releasees on Global Positioning System/Electronic Monitoring (GPS/EM).
- F. Interstate Bureau: NYS DOCCS Interstate Compact Office.

IV. PROCEDURE

- A. Out-of-Area Travel Within NYS
 - 1. Travel within NYS does not require the issuance of a written travel permit.
 - 2. Releasees do not need to obtain permission for out-of-area travel from the PO unless the factors delineated in subsections III-C and III-E apply, or the releasee is planning an overnight stay at a location other than the approved residence.
 - 3. A releasee identified as being part of a high-risk population (subsection III-E) must obtain permission from the PO for out-of-area travel prior to the proposed dates of travel.
 - 4. If the case-specific circumstances involve aggravating factors (subsection III-C), the releasee must obtain permission from the PO for out-of-area travel prior to the proposed dates of travel.
 - 5. If the out-of-area travel plan will include an overnight stay at a location other than the approved residence, the releasee must obtain permission from the PO prior to the dates of travel. The releasee must provide the PO with the details of the travel plan to include the full address and contact information.
 - 6. If the PO or SPO denies an out-of-area travel request, the decision and reasons for the denial shall be documented in the CMS record of the releasee.

7. All requests for out-of-area travel that are subject to review and a determination in accordance with this directive must be responded to in an expeditious manner, no later than three business days from the receipt of the request, with the exception of those cases where the releasee has failed to provide the required address (destination) and contact information.
 8. Community Supervision staff shall utilize the following activity codes in CMS upon receiving a travel request from a releasee:
 - a. "TR" – Travel Request Received
 - b. "TN" – Travel Request Denied
 - c. "TY" – Travel Request Approved
 9. Online Print System (OPS) Compliance Report, "TRVREQ," will be produced monthly and disseminated to Area Office (Bureau) personnel via the OPS report system. This report will include the number of travel requests received, approved, and denied. This report will also note requests received where a decision was not made within three business days (subsection IV-A-7).
- B. Out-of-State Travel and Out-of-State Transfers
1. All requests for travel out of state, except for those individuals in the high-risk population, or where aggravating factors exist, shall be approved by the SPO, for up to 45 days, except that approval for employment-related travel will be granted indefinitely. All travel-related information must be entered into the CMS record of the releasee.
 2. When a releasee identified as being part of a high-risk population requests permission to travel outside of NYS, the PO shall consider all evaluating factors (subsection III-D), and if the PO and SPO deny an out-of-state travel request, such denial must be documented in CMS. All travel requests must be responded to by either approving or denying the requests, in an expeditious manner, not to exceed three business days, except in cases where the releasee making the request has failed to provide the required information needed to process the travel permit (such as full address, contact information in the other state, etc.).
 3. Upon approval for out-of-state travel, the PO will document such approval in CMS, complete the Form #CS9240, "Out-of-State Travel Permit," file a copy in the releasee's file, forward a copy to the Interstate Bureau, and provide a copy to the releasee.
 4. When a releasee is transferred to another state, the PO shall include the interstate reporting instructions for the receiving state on the releasee's travel permit. If available, this information shall include the contact person, address, and the date and time the releasee shall report in the receiving state.
- C. International Travel: Any travel requests involving travel outside of the United States will require approval at the rank of Bureau Chief (BC) or above. The PO and SPO shall provide the BC with a current case summary, which is to include a detailed description of the proposed travel plan and itinerary.