

	State of Alaska Department of Corrections Policies and Procedures	Index #: 818.07	Page 1 of 1
		Effective: 10-01-90	Reviewed:
		Distribution: A,B,C, D	Due for Rev:
	Chapter: Release Preparation and Temporary Release		
Subject: Transportation Upon Release			

Authority

In accordance with AS 4428.030, AS 33.30.021 and 22 AAC 05.155, the Department of Corrections will establish and maintain a manual of policies and procedures to interpret and implement the statutory and regulatory duties of the department.

References

Alaska Statutes

- 33.30.081 Transportation of Prisoners
- 47.10 Delinquent Minors and Children in Need of Aid

Administrative Code

- 22 AAC 05.585 Transportation of Prisoners upon Release
- Manual of Standards for Adult Correctional Institutions, 1990
Standard 2-4486
- Manual of Standards for Adult Local Detention Facilities, 1990
Standard 2-5351

Purpose

To establish procedures for the transportation of prisoners upon release from state and contract facilities.

Application

To all employees and prisoners.

Definitions

- A. Contract Facility: A community residential or restitution center with which the department has a contractual arrangement, a prison or jail facility with which the department or state has a contractual arrangement or which is provided to the department by a political subdivision of the state.
- B. Offender: A person brought under the jurisdiction of the department by court order, Parole Board Order, executive clemency or for purposes of a presentence investigation report, probation, parole or other supervision.
- C. Political Subdivision: A federal, state, borough, city, town, village or other government entity permitted by law to establish holding, jailor prison facilities.
- D. Prisoner: A person detained or confined for any period of time in a correctional facility; by arrest, conviction, order of court, or a person held as a witness. "Prisoner" includes municipal prisoners held under contract, but excludes delinquent minors and children in need of aid.
- E. Standard Operating Procedures (here after SOP): A detailed outline of specific activities or actions required to implement and enforce department policies.
- F. State Facility: A prison facility or institution operated and managed by employees of the department and designated by the commissioner for the confinement, care and discipline of prisoners.

Policy

- A. After a state offender is released from a state or contract facility, the department shall pay the cost of transporting him/her back to the place of arrest or to an alternate destination.
-

- B. Return transportation shall be by the most cost-effective and available means.
- C. Costs of return transportation to an authorized alternative destination shall not exceed the cost of transportation to the site of arrest.
- D. An offender who knowingly absconds (i.e., is aware of an outstanding judgment or criminal charges and flees) or who evades supervision or court-ordered treatment and is subsequently arrested, shall be provided return transportation only to the site from which he/she absconded unless the court orders otherwise.
- E. Return transportation tickets for offenders shall not be transferable or refundable for cash by the offender.
- F. Return transportation shall be by the first available means of transportation except as provided in this policy.
- G. Offenders shall use a transportation ticket by the first available means of transportation for return, weather permitting. In exigent circumstances a superintendent or chief probation officer may extend the allowable time frame. Failure to use the ticket within the prescribed time frame shall result in its cancellation.

Procedures

- A. Superintendents and Chief Probation Officers shall:
 - 1. Ensure that there are written SOPs addressing offender return travel to include procedures for ground transport of offenders to an airport, ferry terminal or other means of public transportation.
 - 2. Ensure that offenders are informed about the contents of this policy and specifically about the offender's responsibilities contained in it.
 - 3. Ensure a completed Release Transportation Request or Waiver form (20-818.07) is placed in the appropriate files per policy 602.01, Prisoner Case Record Management or policy 603.01, Probation/Parole Case Record Management.
 - B. Offenders Responsibilities include:
 - 1. Requesting transportation back to the place of arrest or to an alternative destination at least two normal working days before actual release.
 - a. Offenders are asked to make requests as far in advance as possible to allow for processing the requests and making transportation arrangements.
 - b. Offenders incarcerated for less than 4 days shall make transportation requests as soon as possible before release.
 - c. The request shall be made on Release Transportation Request or Waiver form 20-818.07.
 - d. Failure to request transportation upon release may be interpreted as a waiver of the offender's right to transport back to the place of arrest.
 - 2. Using the first available means of authorized transportation for return, weather permitting. (In exigent circumstances, the superintendent/chief probation officer may extend the allowable departure date and time.) Failure to use the ticket within the prescribed time frame shall result in cancellation of the ticket.
 - C. Responsibility for providing return transportation is determined as follows:
 - 1. If a prisoner is released from custody following placement at an institution, the institution will provide the return transportation ticket.
 - 2. If a prisoner is released to probation supervision following sentencing and there are no supervision conditions precluding immediate travel, the institution will provide the return transportation ticket.
 - 3. If the prisoner is furloughed to a residential facility and subsequently released from the facility, the furloughing correctional institution will provide the return transportation ticket.
 - 4. If a prisoner is on probation/parole status to complete a residential program, the supervising field probation officer shall arrange for the purchase of the ticket through the nearest correctional institution.
-

D. Exceptions:

1. If an offender is subject to bail and is restricted from leaving the immediate area, return transportation shall be delayed until the court allows the offender to travel.
2. If there is a delay between the time of release and the public transportation service departure, the prisoner may be housed at a community residential center at department expense.
 - a. The prisoner shall sign a voluntary consent and an agreement form to abide by the house rules of that community residential center.
 - b. If a community residential center is not available, the superintendent may arrange alternative accommodations, if cost effective.
 - c. A prisoner who refuses to be placed in a community residential center or authorized alternative placement shall be financially responsible for any other temporary housing arrangements.
3. If a court order requires that an offender remain in the geographic area of release to enter and complete a treatment program;
 - a. Return transportation shall be arranged by the responsible field probation officer after the offender completes the program.
 - b. If an offender's release from a court ordered treatment program falls on a weekend or a holiday, the offender shall report to the responsible probation office on the next scheduled workday to substantiate the travel claim.

Implementation

This policy and procedure is effective as of the date signed by the Commissioner.



Susan Humphrey-Barnett, Commissioner

10/01/90

Date

Form Applicable to This Policy:

20-818.07

Release Transportation Request or Waiver
