
 Corrections and Community Supervision DIRECTIVE	TITLE		NO. 9240
	Request for Out-of-Area Travel/Out-of-State Travel by Parolees		DATE 07/08/2019
SUPERSEDES DIR# 9240, Dtd. 06/12/18	DISTRIBUTION A B	PAGES PAGE 1 OF 3	DATE LAST REVISED
REFERENCES (Include but are not limited to) ACA Expected Practices 4-APPFS-1A-04, 4-APPFS-2A-10, 4-APPFS-2A-15, 4-APPFS-2A-16; Directives #9025, #9207, #9217, #9700	APPROVING AUTHORITY 		

- I. **PURPOSE:** The Department of Corrections and Community Supervision (DOCCS) recognizes that there may be occasions when a parolee 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 parolees 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. Parolees may travel within the geographical boundaries of New York State without the need to obtain approval from their Parole Officer, provided they are not deemed a high-risk parolee as defined in Section III-E of this directive or where there are no aggravating factors as defined in Section III-C of this directive. If a parolee is deemed high-risk or where aggravating factors are present, the parolee must obtain approval from the Parole Officer prior to the proposed dates of travel. Travel outside the area of supervision and within New York State that involves an overnight stay at a location other than the approved residence requires the approval of the Parole Officer. All requests for travel that require review and a determination by the Parole Officer 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 (Section IV-B of this directive). A case conference shall be conducted in response to all parolee requests for permission to travel out-of-state. The Parole Officer and supervisor shall consider the evaluation factors that are delineated in Section III-D of this directive 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: Parolee 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. Parolees 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 parolee 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 parolee's home area for a specific purpose and time.
- C. Aggravating Factors: Considerations specific to an individual parolee that do not weigh in the parolee'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 Parole Officer and Senior Parole Officer should consider the parolee'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: SIST Respondents, Registered and Discretionary Sex Offenders, UBER, Seriously Mentally Ill individuals with a history of violence (SMI-V), parolees with known gang affiliation, and parolees on GPS/EM monitoring.
- F. Interstate Bureau: NYS DOCCS Interstate Compact Office.

IV. PROCEDURE

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

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 (3) business days from the receipt of the request, with the exception of those cases where the parolee 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 parolee:
 - 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 (3) business days (Section 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 Senior Parole Officer, 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 parolee.
 2. When a parolee identified as being part of a high-risk population requests permission to travel outside of NYS, the Parole Officer shall consider all evaluating factors (Section III-D), and if the Parole Officer and Senior Parole Officer 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 (3) business days, except in cases where the parolee 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 Parole Officer will document such approval in CMS, complete the "Out-of-State Travel Permit," [Form #CS9240](#), file a copy in the parolee's file, forward a copy to the Interstate Bureau, and provide a copy to the parolee.
 4. When a parolee is transferred to another state, the Parole Officer shall include the Interstate reporting instructions for the receiving state on the parolee's travel permit. If available, this information shall include the contact person, address, and the date and time the parolee 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 or above. The Parole Officer and Senior Parole Officer shall provide the Bureau Chief with a current case summary, which is to include a detailed description of the proposed travel plan and itinerary.

NEW YORK STATE – DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
Out-of-State Travel Permit

PAROLEE DATA	NAME	NYSID NO.
REASON FOR TRAVEL	GIVE REASON FOR TRAVEL	
	LIST PERSONS TO BE VISITED, RELATIONSHIP TO PAROLEE	
	ADDRESS (Number, Street, City, State - Give Apt. No. and Phone No. if possible)	
DATES OF TRAVEL	DEPARTURE DATE:	RETURN DATE:
METHOD OF TRAVEL	Car, Bus, Etc.	If car, give year, make, color, license no., owner's name
TRAVEL COMPANIONS	List name and relationship to parolee	
INTERSTATE REPORTING INSTRUCTIONS	Report to: Name, Title, Address	
SPECIAL INSTRUCTIONS		
WAIVER	Should the occasion arise, I hereby do waive extradition to the State of New York from any jurisdiction in or outside the United States where I may be found. I also agree that I shall not contest any efforts by any jurisdiction to return me to the State of New York.	
	Witness: _____	Signature: _____
	Date: _____	Date: _____
APPROVAL	RECOMMENDED BY: _____	DATE: _____
	APPROVED BY: _____	DATE: _____

cc: Parolee
Interstate Bureau