



POLICY
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: SUPERVISION, REENTRY: INTERSTATE SERVICES INTRODUCTION-USE OF ICOTS, RECORDS, SECURITY		Policy Number: 12.4.05.02
Date of Issue: January 10, 2022	Authority: Signature on File George M. Little	Effective Date: January 18, 2022 PUBLIC

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186, and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. PURPOSE

This policy is provided as an introduction to the interstate portions of 12.4.

III. APPLICABILITY

This policy is applicable to Department staff; including the division of interstate services, parole supervision staff, institutional parole staff, and any county parole/probation staff utilizing the Interstate Compact for Adult Offender Supervision (ICAOS) process.

IV. DEFINITIONS

Refer to Policy **12.4.05.01, Glossary**.

V. POLICY

It is the policy of the Department to process all cases involving the interstate movement of offenders in accordance with the rules, purpose, and spirit of the ICAOS.

The rules of the compact are designed to ensure eligible offenders are appropriately transferred to and supervised by a receiving state. The purpose of this compact and of the interstate commission (ICAOS) is to provide the framework for the promotion of public safety and protect the rights of victims through the control and regulation of the interstate movement of offenders in the community. The spirit of the compact is demonstrated when states consider cases for acceptance based on merit rather than solely on mandatory acceptance criteria, and are willing to work collaboratively to resolve violations of the rules and other complex interstate issues.

ICOTS – the interstate compact offender tracking system – is a web based application designed by ICAOS for use by participating member organizations in order to track the process, whereabouts, and compliance of offenders transferring to or being supervised by other states.

ICOTS uses distinct access roles with audit tracking to maintain the integrity and security of both the data and the system. User roles within ICOTS include state administrator, compact office, supervisor, and probation officer (PO).

The Interstate Services Division contains the state administrator(s) and compact office for the maintenance and user access issues within the Commonwealth. Credentialed agents, support staff, and 65 county probation offices access ICOTS in the course of their duties.

It is the duty of both the Deputy Compact Administrator and the ICOTS state administrators to oversee all aspects of ICOTS functioning within the Commonwealth to ensure data integrity and appropriate allowable flow of guarded information. These staff members are solely responsible for the activation, deactivation, assignment of user roles, and edit or correction of erroneous data.

VI. PROCEDURES

This section covers interstate compact procedures relating to Outgoing Department Cases (Pennsylvania Parole and Special Probation/Parole cases), Incoming Other States' Cases (Parole and Probation), and Outgoing Pennsylvania County Probation Cases being supervised under the terms of the ICAOS. This compact is an interstate and intergovernmental agreement permitting the controlled movement of sentenced offenders between states for the purposes of community supervision. This compact has been ratified by all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. The governor appoints Pennsylvania's State Commissioner/Compact Administrator. The Director of Interstate Services, as Pennsylvania's Deputy Compact Administrator, oversees the daily administration of compact-related matters.

In Pennsylvania, the compact is administered at the state level of government. Therefore, the Department must ensure that incoming other states' cases are provided with the opportunity for compact services. The Department's supervision of other states' offenders under the auspices of the interstate compact is identical to the supervision of offenders paroled by the Parole Board and under the jurisdiction of the Department as described in **Section 4, Supervision, Reentry** portion of this manual. However, decisions relating to the prosecution

of violations, retaking of offenders, and supervision discharge remain under the sending states' parole authority or sentencing court.

The ICOTS was established in 2008. The electronic process is interwoven throughout this section and requires compliance, security, and maintenance.

This section also describes the duties of the Parole Services Division that include extradition/return procedures; the Governor's Warrant process; Pennsylvania parole releases to out-of-state, federal, and Immigration and Customs Enforcement (ICE) detainees; the tracking of deported felons and convicted parole violators confined outside of Pennsylvania or in federal custody.

Throughout this section, when referring to the Interstate Compact for Adult Offender Supervision, the term "Interstate Compact," "Compact," or ICAOS will be used. Further questions regarding compact matters should be directed to the Director of Interstate Services or an Interstate Manager.

A. ICOTS Training

1. Compact staff are required to complete intense on-the-job training facilitated by other compact staff, supervisors, and/or state administrators. Requirements include review of the ICAOS training modules to include the ICOTS Privacy Policy, detailed instruction on the applicability and construction of the rules with an emphasis on how they apply to their specific functions with the compact office.

Staff meet with direct supervisor on a regular basis to evaluate comprehension and are introduced to increased functionality with experienced compact staff. Upon successful completion and demonstration of proficiency, staff are assigned the compact office role within ICOTS.

Compact staff are directed to sign up for newsletters, alerts, and updates as provided by ICAOS. Employee's compliance with both privacy policy and rules are routinely monitored. Staff are expected to attend all updated rules training, ICAOS webinars, and shall have a yearly review of all applicable policy and procedure.

2. Agents and supervisors are required to successfully complete a Basic Training Academy as part of their continued employment.¹ This academy includes interstate rules and ICOTS components.

The mandatory interstate training provides the ICOTS Privacy Policy to all staff. Interstate functionality and rules compliance are especially stressed. The interplay between the rules and ICOTS are discussed at length with a full discourse on requirements and expectations on a user as to complying with due dates, providing sufficient and accurate data, as well as ensuring the security of that data. Upon completion of training, accounts are created for agents assigned the PO role.

¹ 4-APPFS-3A-17

Supervisors will have that role assigned.

Compact staff will continue to use every case and communication with agents and supervisors to coach, train, and reinforce proper case handling and ICOTS functioning. Ongoing training includes annual reminder to review the compact rules, privacy policy, and interstate procedures. Training is also provided by compact staff on-site as requested in addition to one-on-one training within the compact office as needed.

3. Department support staff include institutional parole assistant, clerical supervisors, and clerical staff located in district offices and institutions throughout the Commonwealth. These staff are invited to attend the applicable Basic Training class if one is available. In the alternative, staff are directed to successfully complete the ICAOS training modules in regards to ICOTS, Privacy Policy, and rules. Staff are also encouraged to review flash videos and if needed, invited to attend one-on-one training with compact staff.

Upon completion of training, a user account is created and role provided in accordance with assigned duties. Some clerical staff will have supervisor roles.

4. Management staff at each of the 65 county probation offices designate staff assigned interstate privileges and request training through a state administrator or deputy compact administrator. Users at this level include probation officers, management level employees, and/or support staff with each county handling and directing their own structure and functionality dictating user role.

County probation officers attend a County Basic Training Academy that provides an overview of compact rules and ICOTS. Interstate Services staff are available to conduct in depth training to staff on an as needed basis.

For staff not required to attend a Basic Training Academy, a State Administrator provides direction in regards to required ICAOS training modules and privacy policy; confirming completion of said courses. Upon completion, the account is created.

Compact staff will continue to use every case and communication with county staff to coach, train, and reinforce proper case handling and ICOTS functioning. Ongoing training includes annual reminder to review the compact rules, privacy policy, and interstate procedures. Training is also provided by compact staff on-site as requested in addition to one-on-one within the compact office as needed.

B. ICOTS Auditing and Compliance²

1. State administrators review ICOTS overdue/due reports on a monthly basis. Reports are provided to compact staff for follow up with applicable assigned staff in regards to overdue activities.

² 4-APPFS-3D-28

State administrators also review ICOTS function related reports to include user accounts, duplicate offenders, mergers, deletions, and other issues. These reports are acted upon, as needed.

2. ICOTS Dashboards are reviewed on a consistent basis by Deputy Compact Administrator to look for trends or issues that require intervention.
3. ICOTS compliance and statistical reports are provided as part of a monthly report to Department senior staff.³

C. User Accountability, Security, and Enforcement

1. Users shall have assigned job duties that justify their access. Employees without interstate or supervision related duties will not be provided access.
2. Users are expected to comply with and electronically sign the ICOTS end-user agreement upon initial login to the system.
3. The State Administrator, as previously noted, creates a user account upon verification of training. The administrator will also be advised by the Department of Human Resources of all state employee separations and take immediate action to deactivate such accounts.

NOTE: County user status change will originate from the county management staff and be handled consistently as state users.

4. Offenders are not permitted access to ICOTS nor are they permitted to have documentation contained with that system.
5. All staff shall report errors in information found within the system to the PA State Administrator who will be responsible to review and address such issues.
6. All employees are required to comply with Policies **12.1.01.03, Code of Conduct; 12.2.07.01, Care, Custody, and Control of Commonwealth Property;** as well as **Management Directive 205.34** with specific reference to: Abuse or misuse of IT Resources will have consequences. The improper use of commonwealth IT Resources by employees or volunteers may result in disciplinary action, up to and including termination of employment or volunteer status, depending on the circumstances of the incident. The improper use of IT Resources by contractors or consultants may result in disciplinary action that may include termination of engagement, and other formal action under the terms of the applicable contract or debarment under the Contractor Responsibility Program set forth in **Management Directive 215.9, Contractor Responsibility Program**. When warranted, the commonwealth or its agencies may pursue or refer matters to other appropriate authorities for investigation regarding potential violation of local, state, or federal laws

³ 4-APPFS-3D-33

through the misuse of IT Resources.

7. The State Administrator will receive and review daily emails generated from ICOTS in regards to user access/activity. Accounts with no attached cases shall be deactivated. If unable to deactivate due to assigned cases, the State Administrator shall email the user and supervisor, directing immediate login.

NOTE: Accounts that remain noncompliant will result in progressive directives up the chain of command to have the user login or, in the alternative, reassign cases so as to allow deactivation.

8. Users will make every effort to login at least once every 90 days.

D. ICOTS Data Sharing

1. All ICOTS users shall seek and provide reliably accurate and complete information when conducting business.
2. Users shall comply with the policies and procedures of the Interstate Commission for accessing information.
3. Information gathered and retained in ICOTS shall be considered confidential and treated the same as retained records within the Department. If the information is defined as public record, it may be shared.
4. State Administrators will ensure that case records are safeguarded from unauthorized and improper disclosure; reporting any violations to the proper chain of command.
5. ICOTS information that is located within Department records shall be retained in accordance with applicable records retention schedules, reference Policy **12.2.01.05, Records Retention**.

VII. SUSPENSION DURING AN EMERGENCY

The Secretary of the Department of Corrections may suspend this policy in case of an emergency.

VIII. RIGHTS UNDER THIS POLICY

This policy creates no rights under law.

IX. RELEASE OF INFORMATION AND DISTRIBUTION OF POLICY

A. This policy does not contain information that impacts the security of Department staff or reentrants and may, therefore, be released to the public.

B. This policy is to be distributed to all Department staff.

X. CROSS REFERENCES

A. Superseded

This policy replaces the previous versions listed below:

7.1 effective 8/9/01, 1/1/2005, 12/5/08

4.05.02 effective 4/10/15

B. Statutes

1. Federal

80 Stat. 608; 4 U.S.C. Sec. 112

2. State

61 Pa. C.S. § 6171

61 Pa. C.S. § 7102 (Interstate Compact for the Supervision of Adult Offenders)

61 Pa. C.S. § 7115 (Interstate Compact for Adult Offenders Application Fee)

61 Pa. C.S. § 7122 (Supervision of persons paroled in other states)

61 Pa. C.S. § 7123 (Penalty for violation)

42 Pa. C.S. §§ 9143 and 9144(b) (Uniform Criminal Extradition Act and return of convict via Governor's Warrant)

42 Pa. C.S. §§ 9799.13, 9799.54 (Registration of Sexual Offenders)

42 Pa. C.S. §§ 9799.19(f), 9799.56(b)(4) (Initial registration if being supervised by commonwealth under Interstate Compact for Adult Offender Supervision)

C. Department Policies

12.1.01.03

12.2.01.05

12.2.07.01

12.4.05.01

D. American Correctional Association

4-APPFS-3A-17

4-APPFS-3D-28

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E. Management Directives

Management Directive 205.34, Commonwealth of Pennsylvania Information Technology
Acceptable Use Policy
Management Directive 215.9, Contractor Responsibility Program

F. Report of the Reentry Policy Council – None