



Interstate Compact Application Fees Survey Report #4

(Information collected March-June 2004)

Does your state charge an application fee for Interstate Compact transfers? Is so, how much do you charge?

Alaska: Below is a bill being introduced this session regarding Interstate Compact application. \$100 application fee and \$1, 250 bond must be filed with the court.

Sec. 2. AS 33.36 is amended by adding a new section to read:

Sec. 33.36.145. Application fee; deposit. (a) A person under probation or parole supervision by the Department of Corrections who applies for a transfer of supervision to another state under the Interstate Compact for Adult Offender Supervision shall pay to the Department of Corrections a nonrefundable application fee of \$100. (b) Before the Department of Corrections may transfer supervision of a person to another state under the Interstate Compact for Adult Offender Supervision, the person shall execute and file with the clerk of court a bond, with sufficient solvent sureties, in the amount of \$1,250, or deposit in the registry of the court cash in the amount of \$1,250. The bond or cash is forfeited if the state is required to assist in the applicant's return to the state for continued supervision.

* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. (a) Section 1 of this Act applies to offenses committed on or after the effective date of this Act. (b) Section 2 of this Act applies to applications for transfer of supervision under the Interstate Compact for Adult Offender Supervision received on or after the effective date of this Act regarding offenses committed before, on, or after the effective date of this Act.

Arizona: (probation) I only have a few counties that are charging an outgoing application fee. Some charge \$150, one charges \$200 and Maricopa charges \$300 (5 months worth of supervision fees since it takes nearly that long to get accepted.) I think we should be consistent across the state and hopefully the new compact will allow me to implement that.

Arizona parole does not charge an application fee.

Arkansas: We do collect a fee from those requesting to transfer out of state. If they are unable to pay the fee is waived. I anticipated we would collect around \$20,000 to \$25,000 a year, when we started collecting fees, but it seems that was a low estimate. If the collections continue, as they have in the past three months, an estimate of around \$50,000 to \$60,000 would be more in line of what we will collect this year.

California: None at this time. I would like to get language either administrative or legislative, specific to the implementation of the fee.

Colorado: At this time Colorado is not charging an app fee.

District of Columbia: We do not charge application fees.

Florida: Florida does not have an application fee for Interstate cases.

Georgia: \$25.00 probation and parole "application fee".

Hawaii: We do NOT charge an application fee.

Idaho: Idaho is charging a \$50 application fee. No exceptions.

Indiana: Indiana is charging an application fee of \$75.00.

Iowa: We charge \$100 per application. We require the fee prior to moving on the application except in those cases where probation is assigned at the time of sentencing. We then make payment of the fee a condition of the probation supervision.

Kansas: Kansas does not have an application fee at this time, however, the State Council is very interested in implementing an application fee in the near future.

Kentucky: Kentucky does not charge a fee.

Louisiana: We do not have an application fee in Louisiana yet. We tried to implement one using an administrative rule but were advised we would have to pass legislation, and we haven't attempted that.

Maine: Maine is not charging an application fee.

Maryland: As appealing as the concept is, Maryland is not charging a fee.

Minnesota: the state of Minnesota does not charge an application fee at this time.

Mississippi: Mississippi is planning to charge a one-time fee of \$35.00 per transaction. We are awaiting passage of the compact bill.

Missouri: Missouri does not charge any application or supervision fees at this time.

Montana: Yes. \$50.00

Nebraska: Neither probation nor parole in Nebraska charge an application fee.

New Jersey: New Jersey does not charge an application fee.

New York: At the present time, New York DOES NOT charge an Application Fee, but there is ongoing discussion about implementing a plan during the coming fiscal year. The amount has not been determined.

Nevada: State of Nevada does not charge an application fee for ICS.

North Carolina: We do not; however, it will likely be a proposal to the legislature during this session. We have recommended an Application Fee of \$60. We hope that our Department will accept this recommendation and send it forward to the legislature.

North Dakota: Starting 7/1/03, North Dakota established an Interstate Compact Return Fund by charging fees for Interstate Compact services.

1. The offender pays \$150 at the time of IC application. This is a non-refundable fee. If the receiving state denies acceptance the offender does not get their \$150 application fee back.
2. Once accepted in the receiving state the sentencing county is billed \$150.
3. All offender's that request a travel permit pay \$10 per permit.

Ohio: Ohio does not charge a fee.

Oklahoma: Oklahoma does not charge application fees and has no plans to in the future.

Oregon: Oregon ISC does not charge a fee. However, most Oregon counties do. The fee ranges from \$0 to \$100 and averages about \$50. Offenders must pay this upfront to apply for compact services. Since the counties started doing this at our suggestion, compact applications have dropped substantially and those being made are of much higher quality. This made most of the frivolous requests go away.

Rhode Island: Rhode Island just began (on 06/01/04) charging offenders a \$40.00 application fee each time a request was made for supervision by another state.

A copy of the notice that is provided to our offenders at the time that the request for transfer is made (either in Court if the offender is living out of state at the time of disposition of the case, or by the assigned Rhode Island probation officer if the offender is being supervised here) and a copy of our Standard Operating Procedure for the administrative processing of the fee are attached (end of this report).

It basically works this way: The assigned Rhode Island probation officer or the probation staff member performing the intake process identifies the offender. The offender's name and address is transmitted to the Interstate Office. On a weekly basis, the names of the offender's are transmitted to a contracted private agency which sends the bill. The agency informs the Interstate Office (also on a weekly basis) of the offenders who have paid, as well as though who have not paid.

South Carolina: \$50.00 per request.

South Dakota: South Dakota does not charge an application fee.

Tennessee: No fees are charged in Tennessee.

Texas: Texas does not charge a fee.

Utah: Ours just got passed. It is \$50.00. We anticipate collecting about \$29,000 a year, based on past numbers processed.

Vermont: Vermont does not have an application fee.

Virginia: Virginia has no supervision/application fee.

Washington: We do not.

West Virginia: West Virginia does not presently charge a Transfer Application Fee. We have had legislation adopted to charge a fee but the Governor has not signed the legislation yet. We anticipate that he will sign and that we will begin collecting a \$50.00 per application fee sometime around July 1 or August 1, 2004.

Wisconsin: Wisconsin does NOT charge an application fee. At present, we have no plans to begin charging an application fee.

Wyoming: Wyoming does not charge an application fee for the Compact.

**RHODE ISLAND DEPARTMENT OF CORRECTIONS
Adult Probation and Parole**

**NOTICE
INTERSTATE TRANSFER APPLICATION PROCESSING FEE**

As of March 29, 2004, all offenders having their Parole or Probation supervision transferred from Rhode Island to another state are required to pay an application processing fee. The fee of \$40.00 must be paid each time a transfer request is processed by the Rhode Island Interstate Office to another state. The fee must be paid prior to the interstate application's being fully processed and accepted for supervision by that other state.

A private company that is under contract with the State of Rhode Island for this purpose will collect the fee. Checks or money orders should be made payable and sent to the collection agency. A bill will be sent to each offender for each transfer request with a return envelope in which to mail the payment.

In the event an offender does not pay the application processing fee, the application for interstate supervision will not be processed, and the offender will not be approved for transfer to another state.

Individuals being supervised on Probation or Parole are legally obligated to pay these fees, which have been instituted under the authority of Rhode Island General Laws Section 42-56-10(22), Powers of the Director, and section 42-56-38, Assessment of Costs. The amount of the fee and the general collection process were established following a public hearing on November 20, 2003.

You will be held responsible for payment of the full \$40.00 unless and until you demonstrate to the Rhode Island Interstate Office that you are unable to pay. You must apply for any waiver of the fee.

Public Notice: 10/12/03

Public Hearing: 11/20/03



RHODE ISLAND DEPARTMENT OF CORRECTIONS
ADULT PROBATION AND PAROLE
INTERSTATE COMPACT UNIT
STANDARD OPERATING PROCEDURES

SECTION: Interstate Procedures

SUBSECTION: Interstate Fee

SUBJECT:

Processing of Interstate Fee

Purpose: This procedure is to be used on all RI cases that are requesting transfer of supervision to another state.

1. **New Cases:** The probation aide reviews the client's name in the P&P Tracking System. Clients who are neither entered into the system nor assigned to a caseload number are treated as new cases.
 - The 1A (intake) form will be filled out completely. All information is essential. The 1A (intake) will then be faxed to the Interstate Compact Office.
 - Upon receipt of the 1A, the Interstate Office will then enter the case into the P&P Tracking System.
 - The information will then be entered by the Interstate Office into an Access Data Base.
 - The data base information will then be electronically transmitted to MCA for processing on a weekly basis.
2. **Cases Already Assigned to Caseloads:** Upon receipt of an investigation request, the Interstate Compact Office will perform the above procedures (excluding entering the case in the P&P Tracking System) extracting information from the Interstate Investigation Request not the 1A (intake) form.
3. **Waiver Procedure:** If the offender is able to demonstrate that they are unable to pay the application fee and are seeking waiver of the fee, the offender is required to submit documentation as to the reasons they are unable to pay the fee to the Interstate Compact Office. The documentation will be reviewed by the Interstate Compact Unit Staff will determine if the fee should be waived consistent with the criteria established in the policy. MCA will then be notified of the waiver.