


DEPARTMENT OF CORRECTION  	<b>POLICY</b>	<b>POLICY NUMBER:</b> 301	<b>PAGE NUMBER:</b> 1 of 3
		<b>SUBJECT:</b> Taking Offenders Into Departmental Custody	Adopted: 1982 Reviewed: 04-27-05 Revised: 06-07-05

## 01.00.00. POLICY OF THE DEPARTMENT

It is the policy of the Board of Correction that the Department of Correction ensure the orderly transition of sentenced individuals into the custody of the Board of Correction.

### 01.01.00. Purpose

To ensure that all offenders sentenced to and subsequently placed in departmental custody are in compliance with state statute. To provide a process to civilly commit to departmental custody individuals that pose a security risk, and pose a danger to self and others.

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## 03.00.00. REFERENCES

American Correctional Association Standard No. 2-4389.

Balla v. Idaho State Board of Corrections, 595 F. Supp. 1558 (D. Idaho 1984); 656 F. Supp. 1108 (D. Idaho 1987); 869 F.2d 461 (9th Cir. 1989).

Idaho Code Sections 20-237; 20-243; 66-1305; and 66-1306.

## 04.00.00. DEFINITIONS

## 05.00.00. SCOPE

All offenders sentenced to department custody. All individuals civilly committed to department custody.

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#### **06.00.00. RESPONSIBILITY**

The facility heads at Idaho State Correctional Institution (ISCI) and Pocatello Women's Correctional Center (PWCC) are responsible to implement and follow this policy for the intake of regular commitments. The director or his designee is responsible to implement and follow this policy for any civil commitment.

#### **07.00.00. PROCEDURE**

The reception, classification, and placement of offenders into proper correctional bed space are of paramount concern to the Department of Correction. Intake of sentenced offenders must be scheduled and conducted in an orderly fashion. The following procedures will be followed in processing sentenced offenders into correctional custody.

##### **07.01.00. Intake Of Regular Commitments**

The Department of Correction shall intake offenders only at the Reception and Diagnostic Unit (RDU) at Idaho State Correctional Institution (ISCI) and Pocatello Women's Correctional Center (PWCC).

At the time of commitment it is the duty of the sheriff to notify the Department of Correction's records office of the name of the committed person, the date of sentence, crime, and to submit a copy of the commitment order.

The records office shall maintain a list of persons so committed in the order in which notifications are received.

Exception to intake in order of commitment may be made by the director or his designee to allow for intake of dangerous or disruptive offenders, offenders with medical problems, offenders with retained jurisdictions, or otherwise at the director's discretion.

Sheriff's may, at their own expense, transport committed offenders to ISCI or PWCC only after notice to and approval from the director or his designee. Prior to transporting or receiving the committed offender, the IDOC transport team or receiving official at the RDU will assure that the sending official has provided a copy of the commitment order; a copy or summary of medical care provided by the sending official or agency; and all unused portions of medication as required by Idaho Code Section 20-243.

##### **07.02.00. Intake Of Civil Commitments**

The following steps will be taken in processing civil commitments into the custody of the Board of Correction:

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The defense attorney or prosecutor must petition, through the court, the director of the Department of Correction, or his designee, for acceptance of any civil commitment into the Idaho Security Medical Facility;

Criteria used by the director or designee to accept or reject an applicant is based on: bed space availability; must be a security risk; and must pose a danger to self and/or others; and be mentally ill.

If the director or designee accepts the referral, the judge must civilly commit that individual to the Department of Health and Welfare for evaluation and/or treatment. The director or his designee, upon consultation with the Department of Health and Welfare, shall determine whether or not evaluation and/or treatment must take place in a secure facility.

**08.00.00. FLOW CHART**

Not applicable to this policy.

**09.00.00. SIGNATURE**

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Director, Department of Correction

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Date

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