

State of Iowa Department of Corrections

Policy and Procedures

Policy Number: ISC-08

Applicability: IDOC, CBC

Policy Code: Public Access

Iowa Code Reference: Chapter 907A, 908.1, 908.2

Chapter 7: INTERSTATE COMPACT

Sub Chapter: COMMUNITY BASED CORRECTIONS (CBC)

Related DOC Policies: ISC-09, ISC-10

Administrative Code Reference: 201-46.4(2)

Subject: ORDER FOR DETENTION

ACA Standards: N/A

Responsibility: Sally Kreamer

Effective Date: June 2020

Authority:

1. PURPOSE

To implement the provisions of the Interstate Compact for Adult Offender Supervision.

2. POLICY

It is the policy of the Iowa Department of Corrections (IDOC) that an order for detention may be requested of a district judge, associate judge or magistrate when probable cause exists to believe that the compact client has violated the conditions of supervision, is likely to flee or is considered dangerous to himself/herself.

3. DEFINITIONS – As used in this document:

- A. Interstate Commission for Adult Offender Supervision (ICAOS) - The governing commission that provides the rules and forms for Compact use.
- B. See IDOC Policy **AD-GA-16** for additional Definitions.

4. PROCEDURES

Detention Procedures

- A. The **ISC-08 F-1**, *Order for Detention* form is utilized to obtain a warrant for arrest of an Interstate Compact parolee and can be used to detain him/her in jail. Upon apprehension, this form is the authority for an initial appearance

before a judge or magistrate. Orders for detention shall be obtained only upon the filing of **ISC-7 F-1**, *Preliminary Parole Violation Information*. For further details see instructions for P.P.V.I. form.

- B. The Order for Detention form is prepared by the supervising officer, after he/she has evidence that the compact parolee, by his/her actions, could be harmful to themselves or others. Following the issuance of Order for Detention, the supervising officer shall call the Compact office.
- C. The Compact office will notify the sending state to determine whether to return the client or conduct a courtesy probable cause hearing. (See **ISC-10**, *Courtesy Probably Cause Hearing*).
- D. If a Probable Cause Hearing is not held or the decision is made to release the client from custody, then the supervising officer shall withdraw the Order for Detention. (**Code of Iowa-Chapter 908.1/908.2**).
- E. The original is kept by the County Clerk of Court Office. One copy is retained by the supervising officer. One copy shall be sent, along with a copy of the violation report, to the compact office to be forwarded to the sending state. Refer to Policy **ISC-09**, *Violation Reports*.