Massachusetts Department of Correction **POLICY**		Effective Date 10/14/2025 Annual Review Date 7/24/2026	Responsible Division Deputy Commissioner, Clinical Services and Reentry
Policy Name 103 DOC 461 INCARCERATED INDIVIDUAL TRANSFER		Regulation Reference: M.G.L. c. 124, §§ 1 (c) & (q); M.G.L. c. 127 §§ 97, 97A, & 120	
		DOC Policy Reference: 103 CMR 403; 103 DOC 417; 103 DOC 419; 103 DOC 487	
		ACA/PREA Standards: 4-ACRS-5A-15; 4-ACRS-7D-10 5-ACI-1E-02; 2-CO-1E-04	
Attachments Yes ☐ No ☒	Library Yes ☒ No ☐	Applicability: Staff/Incarcerated Individuals	
Public Access Yes ☒ No ☐		Location: Department Central Policy File Each Institution's Policy File	

PURPOSE:
To establish Department of Correction (Department) policy and procedure regarding inmate transfers.

RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY:
Deputy Commissioner of Clinical Services and Reentry
Assistant Deputy Commissioner, Reentry
Director of Central Transportation Unit
Superintendents

CANCELLATION:
103 DOC 461 cancels all previous Department policy statements, bulletins, directives, orders, notices, rules, and/or regulations regarding incarcerated individual transfers that are inconsistent with this policy.

SEVERABILITY CLAUSE:
If any part of 103 DOC 461 is for any reason held to be unconstitutional, contrary to statute, in excess of the authority of the Commissioner, or otherwise inoperative, such decision shall not affect the validity of any part of this policy.

TABLE OF CONTENTS

461.01	Definitions	3
461.02	Department Goal	4
461.03	Transfer Waiting Lists	4
461.04	Notification of Transfer	4
461.05	Superintendent’s Responsibility	4
461.06	Emergencies	6

461.01 DEFINITIONS

Assistant Deputy Commissioner of Reentry: A senior level manager who reports to the Deputy Commissioner of Clinical Services and Reentry, and is responsible for ensuring policy compliance and standardization of procedures in such areas as Recovery Pathfinders, Reentry, Program Services, Classification, County, Federal, and Interstate Unit, Immigration and Customs Enforcement, Central Date Computation Unit, Transfer Unit, Sex Offender Management, Central Records, Education Division and Operations Analyst.

Commissioner: The Commissioner of the Massachusetts Department of Correction.

Department: The Massachusetts Department of Correction.

Department Transfer Coordinator (DTC): A staff member of the Classification Division designated by the Director of Classification (DOC) to schedule and coordinate transfers of incarcerated individuals and detainees from one Department institution to another. Transfers to and from the county system, other states and the Federal system are scheduled and coordinated as well.

Deputy Commissioner of Clinical Services and Reentry: The executive staff person who reports to the Commissioner, and whose duties include, but are not limited to, the management of the Special Programs Division, Assistant Deputy Commissioner of Clinical Services, and the Assistant Deputy Commissioner of Reentry.

Director of the Central Transportation Unit (Director of the CTU): The unit director who reports directly to the Director of Operational Services and whose responsibilities include, but are not limited to, the management of:

- Central Transportation Unit
- Vehicle Maintenance Program

Director of the Classification Division (DOC): A program manager responsible for ensuring compliance with the Department's classification policies, developing procedures as needed, monitoring adherence to such procedures, and overseeing the performance of classification staff.

Inmate Management System (IMS): The Department's automated information system that provides processing, storage and retrieval of inmate related information needed by Department personnel and other authorized users within the criminal justice system.

Institution Transfer Coordinator (ITC): A staff member designated by the Superintendent to coordinate transfers of incarcerated individuals to and from the institution.

Superintendent: The chief administrative officer of a state correctional institution

461.02 DEPARTMENTAL GOAL

It is the Department's goal that the most effective use of bed space is afforded by the transfer of incarcerated individuals to those institutions and security levels to which they are most appropriately suited. The rules set forth herein establish policy for effectuating the intra-institutional and inter-Departmental transfer of incarcerated individuals. Nothing in this policy shall be deemed to limit the discretion of the Commissioner or their designee to transfer incarcerated individuals pursuant to their statutory authority.

461.03 TRANSFER WAITING LISTS

The Director of the Classification Division or designee shall maintain an accurate and updated waiting list. Waiting lists shall be maintained automatically in the IMS database. Incarcerated individuals shall normally be transferred according to the date of the Commissioner or designee's approval for said transfer.

461.04 NOTIFICATION OF TRANSFER

The DTC or their designee shall give advance notice to the ITC at the sending and receiving institutions and to the Director of the CTU or their designee prior to the actual incarcerated individual transfer. The DTC shall schedule all transfers by 2:00 pm the day prior, utilizing the "Schedule Inmate Transfer" screen in the IMS. The ITC shall utilize the "Detailed Institutional Wait List Query" screen in the IMS daily to identify incarcerated individuals scheduled to transfer in and out of their institution for the following day. For any transfer scheduled after 2:00 pm, the DTC shall contact institutional staff and CTU directly by e-mail or telephone. All Superintendents shall designate an ITC at their respective institutions to accept notice of transfer. Incarcerated individual transfers shall occur after the designated institutional staff and the Director of the CTU or designee have received advance notice of the actual transfer. Lack of available resources shall not preclude incarcerated individual transfers where institutional personnel and resources can be utilized with the respective Superintendent's approval. The CTU Unit shall first be consulted before any transfer is implemented via institutional resources.

461.05 SUPERINTENDENT'S RESPONSIBILITY

Each Superintendent shall ensure that:

A. An ITC is designated to act as contact person with the DTC.

B. Having received prior notification of transfer, the incarcerated individual shall be made available for transfer prior to the arrival of the transporting correctional officers or personnel.

C. The six-part and a copy of the mittimus accompanies the incarcerated individual upon transfer to another Department institution. In instances when an incarcerated individual transfers to a county, federal, or out-of-state facility, the incarcerated individual is sent with a copy of the mittimus, and the original mittimus and six-part are forwarded to the County and Interstate Unit.

D. An incarcerated individual's updated case file shall be simultaneously transferred with the incarcerated individual to any Department institution.

E. Any incarcerated individual transferred to another county, federal, or state institution, the updated case file shall be forwarded to the County, Federal and Interstate Unit located at the Classification Division in Milford (clearly marked County, Federal, and Interstate) where it will be retained until such time that the incarcerated individual returns to Department custody.

F. The medical record and/or an updated health record or summary (including health status report), accompanies the incarcerated individual upon transfer, except for transfers to an out-of-state or federal institution, as a medical transfer summary is forwarded to the receiving state as part of the referral process in accordance with 103 DOC 419, *Federal/Interstate Compact.*

G. Incarcerated individual property shall be handled in accordance with 103 CMR 403, *Inmate Property*.

H. The incarcerated individual's status shall be reviewed by the ITC for any changes that may have occurred prior to transfer that would potentially affect transfer suitability. The IMS Classification Recommendations/Results Information Change screen shall be utilized as a tool to identify changes. This shall include, but not be limited to, a review of the offender's DNA status, conflicts, parole status, disciplinary status, legal issues (updated electronic checks should be run and reviewed in accordance with 103 DOC 417, *Criminal History Records Information*), and medical and mental health changes. When an issue arises that changes an incarcerated individual's status or precludes a transfer (e.g. DNA not secured, conflict situation, parole hearing, recent disciplinary report, non-permissible outstanding legal issues, change in medical coverage needs), immediate consultation with the central office Classification Division must occur. Refer to 103 DOC 487, *DNA Sample Collection* for specific information relative to collection of DNA.

I. Any incarcerated individual pending transfer as a result of an institutional failure (return to higher security or laterally based on a failure) shall be maintained under constant visual observation. The incarcerated individual shall remain on said status until medically screened and cleared by the receiving institution.

461.06 EMERGENCIES

Whenever, in the opinion of the Commissioner or their designee, an emergency exists which requires suspension of all or part of this regulation, the Commissioner or their designee may authorize such suspension. Whenever, in the opinion of the Superintendent an emergency exists within their institution, which requires suspension of all or part of this regulation, the Superintendent may authorize such suspension, provided, that any suspension lasting more than forty-eight (48) hours shall be approved by the Commissioner.