

HOUSE BILL NO. 223

INTRODUCED BY BARDANOUE

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

IN THE HOUSE

JANUARY 15, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON HUMAN SERVICES & AGING.

JANUARY 27, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 28, 1987 PRINTING REPORT.

JANUARY 29, 1987 SECOND READING, DO PASS.

JANUARY 30, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 97; NOES, 1.

 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 2, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

MARCH 4, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 7, 1987 SECOND READING, CONCURRED IN.

MARCH 10, 1987 THIRD READING, CONCURRED IN.
 AYES, 49; NOES, 0.

 RETURNED TO HOUSE.

IN THE HOUSE

MARCH 11, 1987 RECEIVED FROM SENATE.

 SENT TO ENROLLING.

1 HB BILL NO. 223
 2 INTRODUCED BY Balcer
 3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT THE INTERSTATE
 6 CORRECTIONS COMPACT."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Compact adopted -- text. The Interstate
 10 Corrections Compact is entered into by this state with any
 11 and all other states legally joining therein in the form
 12 substantially as follows:

13 INTERSTATE CORRECTIONS COMPACT

14 Article I. Purpose and Policy

15 The party states, desiring by common action to fully
 16 utilize and improve their institutional facilities and
 17 provide adequate programs for the confinement, treatment and
 18 rehabilitation of various types of offenders, declare that
 19 it is the policy of each of the party states to provide such
 20 facilities and programs on a basis of cooperation with one
 21 another, thereby serving the best interests of such
 22 offenders and of society and effecting economies in capital
 23 expenditures and operational costs. The purpose of this
 24 compact is to provided for the mutual development and
 25 execution of such programs of cooperation for the

1 confinement, treatment and rehabilitation of offenders with
 2 the most economical use of human and material resources.

3 Article II. Definitions

4 As used in this compact, unless the context requires
 5 otherwise:

6 (a) "State" means a state of the United States; the
 7 United States of America; a territory or possession of the
 8 United States; the District of Columbia; the Commonwealth of
 9 Puerto Rico.

10 (b) "Sending state" means a state party to this
 11 compact in which conviction or court commitment was had.

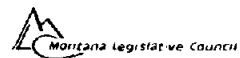
12 (c) "Receiving state" means a state party to this
 13 compact to which an inmate is sent for confinement other
 14 than a state in which conviction or court commitment was
 15 had.

16 (d) "Inmate" means a male or female offender who is
 17 committed, under sentence to or confined in a penal or
 18 correctional institution.

19 (e) "Institution" means any penal or correctional
 20 facility, including but not limited to a facility for the
 21 mentally ill or mentally defective, in which inmates may
 22 lawfully be confined.

23 Article III. Contracts

24 (a) Each party state may make one or more contracts
 25 with any one or more of the other party states for the



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1 confinement of inmates on behalf of a sending state in
 2 institutions situated within receiving states. Any such
 3 contract shall provide for:

4 1. Its duration.

5 2. Payments to be made to the receiving state by the
 6 sending state for inmate maintenance, extraordinary medical
 7 and dental expenses, and any participation in or receipt by
 8 inmates of rehabilitative or correctional services,
 9 facilities, programs or treatment not reasonably included as
 10 part of normal maintenance.

11 3. Participation in programs of inmate employment, if
 12 any; the disposition or crediting of any payments received
 13 by inmates on account thereof; and the crediting of proceeds
 14 from or disposal of any products resulting therefrom.

15 4. Delivery and retaking of inmates.

16 5. Such other matters as may be necessary and
 17 appropriate to fix the obligations, responsibilities and
 18 rights of the sending and receiving states.

19 (b) The terms and provisions of this compact shall be
 20 a part of any contract entered into by the authority of or
 21 pursuant thereto, and nothing in any such contract shall be
 22 inconsistent therewith.

23 Article IV. Procedures and Rights

24 (a) Whenever the duly constituted authorities in a
 25 state party to this compact, and which has entered into a

1 contract pursuant to Article III, shall decide that
 2 confinement in, or transfer of an inmate to, an institution
 3 within the territory of another party state is necessary or
 4 desirable in order to provide adequate quarters and care or
 5 an appropriate program of rehabilitation or treatment, said
 6 officials may direct that the confinement be within an
 7 institution within the territory of said other party state,
 8 the receiving state to act in that regard solely as agent
 9 for the sending state.

10 (b) The appropriate officials of any state party to
 11 this compact shall have access, at all reasonable times, to
 12 any institution in which it has a contractual right to
 13 confine inmates for the purpose of inspecting the facilities
 14 thereof and visiting such of its inmates as may be confined
 15 in the institution.

16 (c) Inmates confined in an institution pursuant to the
 17 terms of this compact shall at all times be subject to the
 18 jurisdiction of the sending state and may at any time be
 19 removed therefrom for transfer to a prison or other
 20 institution within the sending state. For transfer to
 21 another institution in which the sending state may have a
 22 contractual or other right to confine inmates, for release
 23 on probation or parole, for discharge, or for any other
 24 purpose permitted by the laws of the sending state; provided
 25 that the sending state shall continue to be obligated to

1 such payments as may be required pursuant to the terms of
2 any contract entered into under the terms of Article III.

3 (d) Each receiving state shall provide regular reports
4 to each sending state on the inmates of that sending state
5 in institutions pursuant to this compact including a conduct
6 record of each inmate and certify said record to the
7 official designated by the sending state, in order that each
8 inmate may have official review of his or her record in
9 determining and altering the disposition of said inmate in
10 accordance with the law which may obtain in the sending
11 state and in order that the same may be a source of
12 information for the sending state.

13 (e) All inmates who may be confined in an institution
14 pursuant to the provisions of this compact shall be treated
15 in a reasonable and humane manner and shall be treated
16 equally with such similar inmates of the receiving state as
17 may be confined in the same institution. The fact of
18 confinement in a receiving state shall not deprive any
19 inmate so confined of any legal rights which said inmate
20 would have had if confined in an appropriate institution of
21 the sending state.

22 (f) Any hearing or hearings to which an inmate
23 confined pursuant to this compact may be entitled by the
24 laws of the sending state may be had before the appropriate
25 authorities of the sending state, or of the receiving state

1 if authorized by the sending state. The receiving state
2 shall provide adequate facilities for such hearings as may
3 be conducted by the appropriate officials of a sending
4 state. In the event such hearing or hearings are had before
5 officials of the receiving state, the governing law shall be
6 that of the sending state and a record of the hearing or
7 hearings as prescribed by the sending state shall be made.
8 Said record together with any recommendations of the hearing
9 officials shall be transmitted forthwith to the official or
10 officials before whom the hearing would have been had if it
11 had taken place in the sending state. In any and all
12 proceedings had pursuant to the provisions of this
13 subsection, the officials of the receiving state shall act
14 solely as agents of the sending state and no final
15 determination shall be made in any matter except by the
16 appropriate officials of the sending state.

17 (g) Any inmate confined pursuant to this compact shall
18 be released within the territory of the sending state unless
19 the inmate, and the sending and receiving states, shall
20 agree upon release in some other place. The sending state
21 shall bear the cost of such return to its territory.

22 (h) Any inmate confined pursuant to the terms of this
23 compact shall have any and all rights to participate in and
24 derive any benefits or incur or be relieved of any
25 obligations or have such obligations modified or his status

1 changed on account of any action or proceeding in which he
2 could have participated if confined in any appropriate
3 institution of the sending state located within such state.

4 (i) The parent, guardian, trustee, or other person or
5 persons entitled under the laws of the sending state to act
6 for, advise, or otherwise function with respect to any
7 inmate shall not be deprived of or restricted in his
8 exercise of any power in respect of any inmate confined
9 pursuant to the terms of this compact.

10 Article V. Acts Not Reviewable in Receiving

11 State -- Extradition

12 (a) Any decision of the sending state in respect of
13 any matter over which it retains jurisdiction pursuant to
14 this compact shall be conclusive upon and not reviewable
15 within the receiving state, but if at the time the sending
16 state seeks to remove an inmate from an institution in the
17 receiving state there is pending against the inmate within
18 such state any criminal charge or if the inmate is formally
19 accused of having committed within such state a criminal
20 offense, the inmate shall not be returned without the
21 consent of the receiving state until discharged from
22 prosecution or other form of proceeding, imprisonment or
23 detention for such offense. The duly accredited officers of
24 the sending state shall be permitted to transport inmates
25 pursuant to this compact through any and all states party to

1 this compact without interference.

2 (b) An inmate who escapes from an institution in which
3 he is confined pursuant to this compact shall be deemed a
4 fugitive from the sending state and from the state in which
5 the institution is situated. In the case of an escape to a
6 jurisdiction other than the sending or receiving state, the
7 responsibility for institution of extradition or rendition
8 proceedings shall be that of the sending state, but nothing
9 contained herein shall be construed to prevent or affect the
10 activities of officers and agencies of any jurisdiction
11 directed toward the apprehension and return of an escapee.

12 Article VI. Federal Aid

13 Any state party to this compact may accept federal aid
14 for use in connection with any institution or program, the
15 use of which is or may be affected by this compact or any
16 contract pursuant hereto and any inmate in a receiving state
17 pursuant to this compact may participate in any such
18 federally aided program or activity for which the sending
19 and receiving states have made contractual provision,
20 provided that if such program or activity is not part of the
21 customary correctional regimen, the express consent of the
22 appropriate official of the sending state shall be required
23 therefor.

24 Article VII. Entry Into Force

25 This compact shall enter into force and become

1 effective and binding upon the states so acting when it has
 2 been enacted into law by any two states. Thereafter, this
 3 compact shall enter into force and become effective and
 4 binding as to any other of said states upon similar action
 5 by such state.

6 Article VIII. Withdrawal and Termination

7 This compact shall continue in force and remain binding
 8 upon a party state until it shall have enacted a statute
 9 repealing the same and providing for the sending of formal
 10 written notice of withdrawal from the compact to the
 11 appropriate officials of all other party states. An actual
 12 withdrawal shall not take effect until one year after the
 13 notices provided in said statute have been sent. Such
 14 withdrawal shall not relieve the withdrawing state from its
 15 obligations assumed hereunder prior to the effective date of
 16 withdrawal. Before the effective date of withdrawal, a
 17 withdrawing state shall remove to its territory, at its own
 18 expense, such inmates as it may have confined pursuant to
 19 the provisions of this compact.

20 Article IX. Other Arrangements Unaffected

21 Nothing contained in this compact shall be construed to
 22 abrogate or impair any agreement or other arrangement which
 23 a party state may have with a nonparty state for the
 24 confinement, rehabilitation or treatment of inmates nor to
 25 repeal any other laws of a party state authorizing the

1 making of cooperative institutional arrangements.

2 Article X. Construction and Severability

3 The provisions of this compact shall be liberally
 4 construed and shall be severable. If any phrase, clause,
 5 sentence or provision of this compact is declared to be
 6 contrary to the constitution of any participating state or
 7 of the United States or the applicability thereof to any
 8 government, agency, person or circumstance is held invalid,
 9 the validity of the remainder of this compact and the
 10 applicability thereof to any government, agency, person or
 11 circumstance shall not be affected thereby. If this compact
 12 shall be held contrary to the constitution of any state
 13 participating therein, the compact shall remain in full
 14 force and effect as to the remaining states and in full
 15 force and effect as to the state affected as to all
 16 severable matters.

17 Section 2. Effectuation of purposes of compact. The
 18 courts, departments, agencies, and officers of this state
 19 and its subdivisions shall enforce this compact and shall do
 20 all things appropriate to the effectuation of its purposes
 21 and intent which may be within their respective
 22 jurisdictions, including but not limited to the making and
 23 submission of such reports as are required by the compact.

-End-

APPROVED BY COMM. ON
HUMAN SERVICES AND AGING

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(a) "State" means a state of the United States; the
United States of America; a territory or possession of the
United States; the District of Columbia; the Commonwealth of
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(b) "Sending state" means a state party to this
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 16 contract pursuant hereto and any inmate in a receiving state
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 18 federally aided program or activity for which the sending
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 20 provided that if such program or activity is not part of the
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 13 notices provided in said statute have been sent. Such
 14 withdrawal shall not relieve the withdrawing state from its
 15 obligations assumed hereunder prior to the effective date of
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 19 ~~and its subdivisions~~ DEPARTMENT OF INSTITUTIONS shall
 20 enforce this compact and shall do all things appropriate to
 21 the effectuation of its purposes and intent which may be
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 23 including but not limited to the making and submission of
 24 such reports as are required by the compact.

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23 confined pursuant to this compact may be entitled by the
24 laws of the sending state may be had before the appropriate
25 authorities of the sending state, or of the receiving state

1 if authorized by the sending state. The receiving state
2 shall provide adequate facilities for such hearings as may
3 be conducted by the appropriate officials of a sending
4 state. In the event such hearing or hearings are had before
5 officials of the receiving state, the governing law shall be
6 that of the sending state and a record of the hearing or
7 hearings as prescribed by the sending state shall be made.
8 Said record together with any recommendations of the hearing
9 officials shall be transmitted forthwith to the official or
10 officials before whom the hearing would have been had if it
11 had taken place in the sending state. In any and all
12 proceedings had pursuant to the provisions of this
13 subsection, the officials of the receiving state shall act
14 solely as agents of the sending state and no final
15 determination shall be made in any matter except by the
16 appropriate officials of the sending state.

17 (g) Any inmate confined pursuant to this compact shall
18 be released within the territory of the sending state unless
19 the inmate, and the sending and receiving states, shall
20 agree upon release in some other place. The sending state
21 shall bear the cost of such return to its territory.

22 (h) Any inmate confined pursuant to the terms of this
23 compact shall have any and all rights to participate in and
24 derive any benefits or incur or be relieved of any
25 obligations or have such obligations modified or his status

1 changed on account of any action or proceeding in which he
 2 could have participated if confined in any appropriate
 3 institution of the sending state located within such state.

4 (i) The parent, guardian, trustee, or other person or
 5 persons entitled under the laws of the sending state to act
 6 for, advise, or otherwise function with respect to any
 7 inmate shall not be deprived of or restricted in his
 8 exercise of any power in respect of any inmate confined
 9 pursuant to the terms of this compact.

10 Article V. Acts Not Reviewable in Receiving
 11 State -- Extradition

12 (a) Any decision of the sending state in respect of
 13 any matter over which it retains jurisdiction pursuant to
 14 this compact shall be conclusive upon and not reviewable
 15 within the receiving state, but if at the time the sending
 16 state seeks to remove an inmate from an institution in the
 17 receiving state there is pending against the inmate within
 18 such state any criminal charge or if the inmate is formally
 19 accused of having committed within such state a criminal
 20 offense, the inmate shall not be returned without the
 21 consent of the receiving state until discharged from
 22 prosecution or other form of proceeding, imprisonment or
 23 detention for such offense. The duly accredited officers of
 24 the sending state shall be permitted to transport inmates
 25 pursuant to this compact through any and all states party to

1 this compact without interference.

2 (b) An inmate who escapes from an institution in which
 3 he is confined pursuant to this compact shall be deemed a
 4 fugitive from the sending state and from the state in which
 5 the institution is situated. In the case of an escape to a
 6 jurisdiction other than the sending or receiving state, the
 7 responsibility for institution of extradition or rendition
 8 proceedings shall be that of the sending state, but nothing
 9 contained herein shall be construed to prevent or affect the
 10 activities of officers and agencies of any jurisdiction
 11 directed toward the apprehension and return of an escapee.

12 Article VI. Federal Aid

13 Any state party to this compact may accept federal aid
 14 for use in connection with any institution or program, the
 15 use of which is or may be affected by this compact or any
 16 contract pursuant hereto and any inmate in a receiving state
 17 pursuant to this compact may participate in any such
 18 federally aided program or activity for which the sending
 19 and receiving states have made contractual provision,
 20 provided that if such program or activity is not part of the
 21 customary correctional regimen, the express consent of the
 22 appropriate official of the sending state shall be required
 23 therefor.

24 Article VII. Entry Into Force

25 This compact shall enter into force and become

1 effective and binding upon the states so acting when it has
 2 been enacted into law by any two states. Thereafter, this
 3 compact shall enter into force and become effective and
 4 binding as to any other of said states upon similar action
 5 by such state.

6 Article VIII. Withdrawal and Termination

7 This compact shall continue in force and remain binding
 8 upon a party state until it shall have enacted a statute
 9 repealing the same and providing for the sending of formal
 10 written notice of withdrawal from the compact to the
 11 appropriate officials of all other party states. An actual
 12 withdrawal shall not take effect until one year after the
 13 notices provided in said statute have been sent. Such
 14 withdrawal shall not relieve the withdrawing state from its
 15 obligations assumed hereunder prior to the effective date of
 16 withdrawal. Before the effective date of withdrawal, a
 17 withdrawing state shall remove to its territory, at its own
 18 expense, such inmates as it may have confined pursuant to
 19 the provisions of this compact.

20 Article IX. Other Arrangements Unaffected

21 Nothing contained in this compact shall be construed to
 22 abrogate or impair any agreement or other arrangement which
 23 a party state may have with a nonparty state for the
 24 confinement, rehabilitation or treatment of inmates nor to
 25 repeal any other laws of a party state authorizing the

1 making of cooperative institutional arrangements.

2 Article X. Construction and Severability

3 The provisions of this compact shall be liberally
 4 construed and shall be severable. If any phrase, clause,
 5 sentence or provision of this compact is declared to be
 6 contrary to the constitution of any participating state or
 7 of the United States or the applicability thereof to any
 8 government, agency, person or circumstance is held invalid,
 9 the validity of the remainder of this compact and the
 10 applicability thereof to any government, agency, person or
 11 circumstance shall not be affected thereby. If this compact
 12 shall be held contrary to the constitution of any state
 13 participating therein, the compact shall remain in full
 14 force and effect as to the remaining states and in full
 15 force and effect as to the state affected as to all
 16 severable matters.

17 Section 2. Effectuation of purposes of compact. The
 18 ~~courts, departments, agencies, and officers of this state~~
 19 ~~and its subdivisions~~ DEPARTMENT OF INSTITUTIONS shall
 20 enforce this compact and shall do all things appropriate to
 21 the effectuation of its purposes and intent which may be
 22 within ~~their respective jurisdictions~~ ITS JURISDICTION,
 23 including but not limited to the making and submission of
 24 such reports as are required by the compact.

-End-

1 HOUSE BILL NO. 223
 2 INTRODUCED BY BARDANOUVE
 3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT THE INTERSTATE
 6 CORRECTIONS COMPACT."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 9 Section 1. Compact adopted -- text. The Interstate
 10 Corrections Compact is entered into by this state with any
 11 and all other states legally joining therein in the form
 12 substantially as follows:

13 INTERSTATE CORRECTIONS COMPACT

14 Article I. Purpose and Policy

15 The party states, desiring by common action to fully
 16 utilize and improve their institutional facilities and
 17 provide adequate programs for the confinement, treatment and
 18 rehabilitation of various types of offenders, declare that
 19 it is the policy of each of the party states to provide such
 20 facilities and programs on a basis of cooperation with one
 21 another, thereby serving the best interests of such
 22 offenders and of society and effecting economies in capital
 23 expenditures and operational costs. The purpose of this
 24 compact is to provide for the mutual development and
 25 execution of such programs of cooperation for the

1 confinement, treatment and rehabilitation of offenders with
 2 the most economical use of human and material resources.

3 Article II. Definitions

4 As used in this compact, unless the context requires
 5 otherwise:

6 (a) "State" means a state of the United States; the
 7 United States of America; a territory or possession of the
 8 United States; the District of Columbia; the Commonwealth of
 9 Puerto Rico.

10 (b) "Sending state" means a state party to this
 11 compact in which conviction or court commitment was had.

12 (c) "Receiving state" means a state party to this
 13 compact to which an inmate is sent for confinement other
 14 than a state in which conviction or court commitment was
 15 had.

16 (d) "Inmate" means a male or female offender who is
 17 committed under sentence to or confined in a penal or
 18 correctional institution.

19 (e) "Institution" means any penal or correctional
 20 facility, including but not limited to a facility for the
 21 mentally ill or mentally defective, in which inmates may
 22 lawfully be confined.

23 Article III. Contracts

24 (a) Each party state may make one or more contracts
 25 with any one or more of the other party states for the



1 confinement of inmates on behalf of a sending state in
2 institutions situated within receiving states. Any such
3 contract shall provide for:

- 4 1. Its duration.
- 5 2. Payments to be made to the receiving state by the
6 sending state for inmate maintenance, extraordinary medical
7 and dental expenses, and any participation in or receipt by
8 inmates of rehabilitative or correctional services,
9 facilities, programs or treatment not reasonably included as
10 part of normal maintenance.
- 11 3. Participation in programs of inmate employment, if
12 any; the disposition or crediting of any payments received
13 by inmates on account thereof; and the crediting of proceeds
14 from or disposal of any products resulting therefrom.
- 15 4. Delivery and retaking of inmates.
- 16 5. Such other matters as may be necessary and
17 appropriate to fix the obligations, responsibilities and
18 rights of the sending and receiving states.

19 (b) The terms and provisions of this compact shall be
20 a part of any contract entered into by the authority of or
21 pursuant thereto, and nothing in any such contract shall be
22 inconsistent therewith.

23 Article IV. Procedures and Rights

24 (a) Whenever the duly constituted authorities in a
25 state party to this compact, and which has entered into a

1 contract pursuant to Article III, shall decide that
2 confinement in, or transfer of an inmate to, an institution
3 within the territory of another party state is necessary or
4 desirable in order to provide adequate quarters and care or
5 an appropriate program of rehabilitation or treatment, said
6 officials may direct that the confinement be within an
7 institution within the territory of said other party state,
8 the receiving state to act in that regard solely as agent
9 for the sending state.

10 (b) The appropriate officials of any state party to
11 this compact shall have access, at all reasonable times, to
12 any institution in which it has a contractual right to
13 confine inmates for the purpose of inspecting the facilities
14 thereof and visiting such of its inmates as may be confined
15 in the institution.

16 (c) Inmates confined in an institution pursuant to the
17 terms of this compact shall at all times be subject to the
18 jurisdiction of the sending state and may at any time be
19 removed therefrom for transfer to a prison or other
20 institution within the sending state. For transfer to
21 another institution in which the sending state may have a
22 contractual or other right to confine inmates, for release
23 on probation or parole, for discharge, or for any other
24 purpose permitted by the laws of the sending state; provided
25 that the sending state shall continue to be obligated to

1 such payments as may be required pursuant to the terms of
2 any contract entered into under the terms of Article III.

3 (d) Each receiving state shall provide regular reports
4 to each sending state on the inmates of that sending state
5 in institutions pursuant to this compact including a conduct
6 record of each inmate and certify said record to the
7 official designated by the sending state, in order that each
8 inmate may have official review of his or her record in
9 determining and altering the disposition of said inmate in
10 accordance with the law which may obtain in the sending
11 state and in order that the same may be a source of
12 information for the sending state.

13 (e) All inmates who may be confined in an institution
14 pursuant to the provisions of this compact shall be treated
15 in a reasonable and humane manner and shall be treated
16 equally with such similar inmates of the receiving state as
17 may be confined in the same institution. The fact of
18 confinement in a receiving state shall not deprive any
19 inmate so confined of any legal rights which said inmate
20 would have had if confined in an appropriate institution of
21 the sending state.

22 (f) Any hearing or hearings to which an inmate
23 confined pursuant to this compact may be entitled by the
24 laws of the sending state may be had before the appropriate
25 authorities of the sending state, or of the receiving state

1 if authorized by the sending state. The receiving state
2 shall provide adequate facilities for such hearings as may
3 be conducted by the appropriate officials of a sending
4 state. In the event such hearing or hearings are had before
5 officials of the receiving state, the governing law shall be
6 that of the sending state and a record of the hearing or
7 hearings as prescribed by the sending state shall be made.
8 Said record together with any recommendations of the hearing
9 officials shall be transmitted forthwith to the official or
10 officials before whom the hearing would have been had if it
11 had taken place in the sending state. In any and all
12 proceedings had pursuant to the provisions of this
13 subsection, the officials of the receiving state shall act
14 solely as agents of the sending state and no final
15 determination shall be made in any matter except by the
16 appropriate officials of the sending state.

17 (g) Any inmate confined pursuant to this compact shall
18 be released within the territory of the sending state unless
19 the inmate, and the sending and receiving states, shall
20 agree upon release in some other place. The sending state
21 shall bear the cost of such return to its territory.

22 (h) Any inmate confined pursuant to the terms of this
23 compact shall have any and all rights to participate in and
24 derive any benefits or incur or be relieved of any
25 obligations or have such obligations modified or his status

1 changed on account of any action or proceeding in which he
2 could have participated if confined in any appropriate
3 institution of the sending state located within such state.

4 (i) The parent, guardian, trustee, or other person or
5 persons entitled under the laws of the sending state to act
6 for, advise, or otherwise function with respect to any
7 inmate shall not be deprived of or restricted in his
8 exercise of any power in respect of any inmate confined
9 pursuant to the terms of this compact.

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11 State -- Extradition

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13 any matter over which it retains jurisdiction pursuant to
14 this compact shall be conclusive upon and not reviewable
15 within the receiving state, but if at the time the sending
16 state seeks to remove an inmate from an institution in the
17 receiving state there is pending against the inmate within
18 such state any criminal charge or if the inmate is formally
19 accused of having committed within such state a criminal
20 offense, the inmate shall not be returned without the
21 consent of the receiving state until discharged from
22 prosecution or other form of proceeding, imprisonment or
23 detention for such offense. The duly accredited officers of
24 the sending state shall be permitted to transport inmates
25 pursuant to this compact through any and all states party to

1 this compact without interference.

2 (b) An inmate who escapes from an institution in which
3 he is confined pursuant to this compact shall be deemed a
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5 the institution is situated. In the case of an escape to a
6 jurisdiction other than the sending or receiving state, the
7 responsibility for institution of extradition or rendition
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9 contained herein shall be construed to prevent or affect the
10 activities of officers and agencies of any jurisdiction
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13 Any state party to this compact may accept federal aid
14 for use in connection with any institution or program, the
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16 contract pursuant hereto and any inmate in a receiving state
17 pursuant to this compact may participate in any such
18 federally aided program or activity for which the sending
19 and receiving states have made contractual provision,
20 provided that if such program or activity is not part of the
21 customary correctional regimen, the express consent of the
22 appropriate official of the sending state shall be required
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 12 withdrawal shall not take effect until one year after the
 13 notices provided in said statute have been sent. Such
 14 withdrawal shall not relieve the withdrawing state from its
 15 obligations assumed hereunder prior to the effective date of
 16 withdrawal. Before the effective date of withdrawal, a
 17 withdrawing state shall remove to its territory, at its own
 18 expense, such inmates as it may have confined pursuant to
 19 the provisions of this compact.

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 22 abrogate or impair any agreement or other arrangement which
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 21 the effectuation of its purposes and intent which may be
 22 within ~~their respective jurisdictions~~ ITS JURISDICTION,
 23 including but not limited to the making and submission of
 24 such reports as are required by the compact.

-End-