
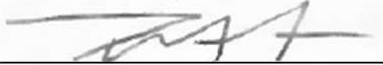


POLICY TITLE: OUT OF STATE TRAVEL		PAGE 1 OF 5
POLICY NUMBER: 9.12 (ACC)		
CHAPTER 9: SUPERVISION AND CASE MANAGEMENT		
	STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS See Section VIII
	EFFECTIVE DATE: July 17, 2006	LATEST REVISION: March 6, 2025

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

Adult Community Corrections

III. POLICY

It is the policy of the Department of Corrections that clients under adult community supervision may be granted permission to travel out of state in the discretion of the Department, unless such travel is prohibited by their conditions or is not permitted under the Interstate Compact for Adult Offender Supervision.

IV. DEFINITIONS

None

V. CONTENTS

- Procedure A: Travel within the Continental United States (Other than for a Client with Problematic Sexual Behavior)
- Procedure B: Travel outside the Continental United States (Other than for a Client with Problematic Sexual Behavior)
- Procedure C: Out of State Travel for a Client with Problematic Sexual Behavior
- Procedure D: Imposition of Out of State Travel Permit Fees

VI. ATTACHMENTS

Attachment A: [Out of State Travel Permit](#)

VII. PROCEDURES

Procedure A: Travel within the Continental United States (Other than for a Client with Problematic Sexual Behavior)

1. For a client on probation, parole, or supervised community confinement (SCCP) who is not identified as a client with problematic sexual behavior under Department Policy (ACC) 9.7, Management of Clients with Problematic Sexual Behavior, permission to travel within the continental United States may be granted by the client's probation officer, unless such travel is prohibited by the conditions of supervision or is not permitted under the Interstate Compact for Adult Offender Supervision (compact).
2. This includes not only a client with a Maine conviction, but also a client transferred to Maine for supervision under the compact while on probation, parole, the equivalent of SCCP, deferred disposition, etc.
3. Travel within the continental United States may be granted if there is a legitimate purpose (e.g., medical care that is necessary and unavailable within the State of Maine, employment, education, attendance at a funeral, deathbed visit, wedding, graduation, vacation, etc.) and there is no significant risk that the client will not comply with the travel permit or will otherwise violate a condition of supervision.
4. Permission to travel shall not be granted to circumvent, directly or indirectly, the requirements of the compact. When a client is requesting permission to travel for a single trip for an extended period of time, the probation officer shall not authorize travel for a period exceeding forty-five (45) days.
5. When a client is requesting permission to travel on a periodic basis (e.g., daily employment out of state), the probation officer shall not authorize travel for a period exceeding sixty (60) days, but additional permits for travel on a periodic basis may be issued upon review of the purpose and risk.
6. If permission is granted to travel out of state, prior to the client's departure, the probation officer shall:
 - a. ensure that an Out of State Travel Permit (Attachment A) has been signed by the client and the probation officer;
 - b. ensure that the client has read or has had read to them the "waiver of extradition" language located on the lower portion of the permit and that the client understands the language contained in this statement;
 - c. explain to the client that unapproved changes in travel plans or failure to return at the time designated on the travel permit may result in a revocation of probation, parole, or SCCP, as applicable;
 - d. document in the Department's resident and client records management system that permission to travel out of state has been granted and the related details; and
 - e. ensure required travel permit fees have been paid and the payment documented in the Department's resident and client records management system.

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
9.12 (ACC) Out of State Travel	9. Supervision and Case Management	Page 2 of 5 3/6/25R

Procedure B: Travel outside the Continental United States (Other than for a Client with Problematic Sexual Behavior)

1. For a client under supervision who is not identified as a client with problematic sexual behavior under Department Policy (ACC) 9.7, Management of Clients with Problematic Sexual Behavior, permission to travel outside the continental United States may be granted by (and only by) the Regional Correctional Administrator, or designee, after consultation with the client's probation officer, unless such travel is prohibited by the conditions of supervision or is not permitted under the Interstate Compact for Adult Offender Supervision (compact).
2. This includes not only a client with a Maine conviction, but also a client transferred to Maine for supervision under the compact while on probation, parole, the equivalent of supervised community confinement (SCCP), deferred disposition, etc.
3. Permission to travel to Hawaii, Alaska, Puerto Rico, the United States Virgin Islands, American Samoa, or any other U.S. jurisdiction outside the continental United States shall not be granted unless there is a legitimate purpose (e.g., attendance at a funeral, deathbed visit, wedding, graduation, vacation, etc.) and there is no significant risk that the client will not comply with the travel permit or will otherwise violate a condition of supervision.
4. Permission to travel shall not be granted to circumvent, directly or indirectly, the requirements of the compact. When a client is requesting permission to travel for a single trip for an extended period of time, the Regional Correctional Administrator, or designee shall not authorize travel for a period exceeding forty-five (45) days.
5. Permission to travel to a foreign country shall not be granted to a client on probation or parole unless there is a compelling purpose (e.g., attendance at a funeral of a close family member, deathbed visit to a close family member, etc.) and there is no significant risk that the client will not comply with the travel permit or will otherwise violate a condition of supervision.
6. In addition, if the client is not a citizen of the destination country, they must first request and receive written permission from the immigration office or consulate office of the country that they wish to travel to and must provide evidence that they have fully disclosed to the immigration office or consulate office that they are presently on probation or parole and the nature of the offense for which they are on probation or parole. If permission is granted to travel outside the continental United States, prior to the client's departure, the probation officer shall complete the requirements set out above in Procedure A.
7. Permission to travel to a foreign country shall not be granted to a client on SCCP.
8. Permission to travel to a foreign country shall not be granted to a client transferred to Maine under the compact unless the travel has been approved by the sending state's Compact Administrator, or designee.

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
9.12 (ACC) Out of State Travel	9. Supervision and Case Management	Page 3 of 5 3/6/25R

Procedure C: Out of State Travel for a Client with Problematic Sexual Behavior

1. For a client on probation, parole, or supervised community confinement (SCCP) who is identified as a client with problematic sexual behavior under Department Policy (ACC) 9.7, Management of Clients with Problematic Sexual Behavior or for a client on supervised release for sex offenders, in addition to the provisions that must be complied with for other clients under community supervision, as set out in Procedure A. or B. above, as applicable, the following provisions shall also be complied with.
2. This includes not only a client with a Maine conviction, but also a client transferred to Maine for supervision under the Interstate Compact for Adult Offender Supervision (compact) while on probation, parole, the equivalent of SCCP, deferred disposition, the equivalent of supervised release for sex offenders, etc.
3. If the client is on supervised release for sex offenders (or the equivalent for a client transferred to Maine under the compact), permission to travel out of state may be granted only by the Department's Director of Adult Community Corrections after consulting with the Regional Correctional Administrator (RCA) and, as appropriate, the probation officer.
4. Unless an exception is made as set out below, at the time of their request for permission to travel out of state, the client's record while under community supervision must be free, for a period of at least the prior twelve (12) consecutive months, of any criminal conviction, finding by a court of a violation of a condition, pending criminal charge, pending motion to revoke (whether for criminal conduct or a technical violation), or violation resulting in a graduated sanction (whether for criminal conduct or a technical violation), and their record must remain free of these up to and including the date of travel.
5. Unless an exception is made as set out below, if sex offender treatment was ordered by the court, the client must have completed or be actively engaged in a Department of Corrections approved sex offender treatment program to the satisfaction of the treatment provider and the client's probation officer.
6. The RCA, or designee, or, in the case of a client on supervised release for sex offenders (or the equivalent for a client transferred to Maine under the compact), the Department's Director of Adult Community Corrections, may make an exception to the requirements set out in C.4 above for employment-related travel.
7. The RCA, or designee, or, in the case of a client on supervised release for sex offenders (or the equivalent for a client transferred to Maine under the compact), the Department's Director of Adult Community Corrections, may make an exception to the requirements set out in C.4 or C.5 above for emergency travel. Emergency travel may include, but is not limited to, attendance at a funeral of a close family member, deathbed visit to a close family member, or necessary emergency medical care that is unavailable within Maine.
8. If permission is granted to the client to travel out of state for an employment or education purpose, in addition to the requirements set out above in Procedure A, prior to the client's departure, the probation officer shall explain to the client that they must provide notification to the appropriate Maine criminal justice agencies, if required by the

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
9.12 (ACC) Out of State Travel	9. Supervision and Case Management	Page 4 of 5 3/6/25R

applicable Maine sex offender registration law (or the equivalent law for a client transferred to Maine under the compact).

9. If permission is granted to the client to travel out of state for any purpose, in addition to the requirements set out above., prior to the client's departure, the probation officer shall explain to the client that they must obtain information about and comply with any applicable sex offender registration law of the state to which they are traveling.

Procedure D: Imposition of Out of State Travel Permit Fees

1. A client on probation or on supervised release for sex offenders shall be required to pay an out of state travel application fee as set forth in Department Policy (ACC) 9.6, Restitution and Fees.
2. The travel application fee may be waived by the probation officer in accordance with Department Policy (ACC) 9.6, Restitution and Fees.
3. A client on probation or on supervised release for sex offenders shall be required to pay a monthly fee if permission is sought and granted to travel out of state on a periodic basis as set forth in that policy.
4. The monthly fee may be waived by the probation officer in accordance with Department Policy (ACC) 9.6, Restitution and Fees.
5. There are no travel permit fees for a client on parole or supervised community confinement or for a client transferred to Maine under the Interstate Compact for Adult Offender Supervision.

VIII. PROFESSIONAL STANDARDS

None

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
9.12 (ACC) Out of State Travel	9. Supervision and Case Management	Page 5 of 5 3/6/25R