



- **TITLE 18--APPENDIX**
 - **INTERSTATE AGREEMENT ON DETAINERS**

Pub. L. 91-538, Dec. 9, 1970, 84 Stat. 1397, as amended by Pub. L. 100-690, title VII, § 7059, Nov. 18, 1988, 102 Stat. 4403

§ 1. Short title

This Act may be cited as the "Interstate Agreement on Detainers Act".

(Pub. L. 91-538, § 1, Dec. 9, 1970, 84 Stat. 1397.)

§ 2. Enactment into law of Interstate Agreement on Detainers

The Interstate Agreement on Detainers is hereby enacted into law and entered into by the United States on its own behalf and on behalf of the District of Columbia with all jurisdictions legally joining in substantially the following form:

"The contracting States solemnly agree that:

"Article I

"The party States find that charges outstanding against a prisoner, detainees based on untried indictments, informations, or complaints and difficulties in securing speedy trial of persons already incarcerated in other jurisdictions, produce uncertainties which obstruct programs of prisoner treatment and rehabilitation. Accordingly, it is the policy of the party States and the purpose of this agreement to encourage the expeditious and orderly disposition of such charges and determination of the proper status of any and all detainees based on untried indictments, informations, or complaints. The party States also find that proceedings with reference to such charges and detainees, when emanating from another jurisdiction, cannot properly be had in the absence of cooperative procedures. It is the further purpose of this agreement to provide such cooperative procedures.

"Article II

"As used in this agreement:

"(a) 'State' shall mean 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 Puerto Rico.

"(b) 'Sending State' shall mean a State in which a prisoner is incarcerated at the time that he initiates a request for final disposition pursuant to article III hereof or at the time that a request for custody or availability is initiated pursuant to article IV hereof.

"(c) 'Receiving State' shall mean the State in which trial is to be had on an indictment, information, or complaint pursuant to article III or article IV hereof.

"Article III

"(a) Whenever a person has entered upon a term of imprisonment in a penal or correctional institution of a party State, and whenever during the continuance of the term of imprisonment there is pending in any other party State any untried indictment, information, or complaint on the basis of which a detainer has been lodged against the prisoner, he shall be brought to trial within one hundred and eighty days after he shall have caused to be delivered to the prosecuting officer and the appropriate court of the prosecuting officer's jurisdiction written notice of the place of his imprisonment and his request for a final disposition to be made of the indictment, information, or complaint: *Provided*, That, for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. The request of the prisoner shall be accompanied by a certificate of the appropriate official having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decision of the State parole agency relating to the prisoner.

"(b) The written notice and request for final disposition referred to in paragraph (a) hereof shall be given or sent by the prisoner to the warden, commissioner of corrections, or other official having custody of him, who shall promptly forward it together with the certificate to the appropriate prosecuting official and court by registered or certified mail, return receipt requested.

"(c) The warden, commissioner of corrections, or other official having custody of the prisoner shall promptly inform him of the source and contents of any detainer lodged against him and shall also inform him of his right to make a request for final disposition of the indictment, information, or complaint on which the detainer is based.

"(d) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall operate as a request for final disposition of all untried indictments, informations, or complaints on the basis of which detainers have been lodged against the prisoner from the State to whose prosecuting official the request for final disposition is specifically directed. The warden, commissioner of corrections, or other official having custody of the prisoner shall forthwith notify all appropriate prosecuting officers and courts in the several jurisdictions within the State to which the prisoner's request for final disposition is being sent of the proceeding being initiated by the prisoner. Any notification sent pursuant to this paragraph shall be accompanied by copies of the prisoner's written notice, request, and the certificate. If trial is not had on any indictment, information, or complaint contemplated hereby prior to the return of the prisoner to the original place of imprisonment, such indictment, information, or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

"(e) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall also be deemed to be a waiver of extradition with respect to any charge or proceeding contemplated thereby or included therein by reason of paragraph (d) hereof, and a waiver of extradition to the receiving State to serve any sentence there imposed upon him, after

completion of his term of imprisonment in the sending State. The request for final disposition shall also constitute a consent by the prisoner to the production of his body in any court where his presence may be required in order to effectuate the purposes of this agreement and a further consent voluntarily to be returned to the original place of imprisonment in accordance with the provisions of this agreement. Nothing in this paragraph shall prevent the imposition of a concurrent sentence if otherwise permitted by law.

"(f) Escape from custody by the prisoner subsequent to his execution of the request for final disposition referred to in paragraph (a) hereof shall void the request.

"Article IV

"(a) The appropriate officer of the jurisdiction in which an untried indictment, information, or complaint is pending shall be entitled to have a prisoner against whom he has lodged a detainer and who is serving a term of imprisonment in any party State made available in accordance with article V(a) hereof upon presentation of a written request for temporary custody or availability to the appropriate authorities of the State in which the prisoner is incarcerated: *Provided*, That the court having jurisdiction of such indictment, information, or complaint shall have duly approved, recorded, and transmitted the request: *And provided further*, That there shall be a period of thirty days after receipt by the appropriate authorities before the request be honored, within which period the Governor of the sending State may disapprove the request for temporary custody or availability, either upon his own motion or upon motion of the prisoner.

"(b) Upon request of the officer's written request as provided in paragraph (a) hereof, the appropriate authorities having the prisoner in custody shall furnish the officer with a certificate stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the State parole agency relating to the prisoner. Said authorities simultaneously shall furnish all other officers and appropriate courts in the receiving State who has lodged detainers against the prisoner with similar certificates and with notices informing them of the request for custody or availability and of the reasons therefor.

"(c) In respect of any proceeding made possible by this article, trial shall be commenced within one hundred and twenty days of the arrival of the prisoner in the receiving State, but for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance.

"(d) Nothing contained in this article shall be construed to deprive any prisoner of any right which he may have to contest the legality of his delivery as provided in paragraph (a) hereof, but such delivery may not be opposed or denied on the ground that the executive authority of the sending State has not affirmatively consented to or ordered such delivery.

"(e) If trial is not had on any indictment, information, or complaint contemplated hereby prior to the prisoner's being returned to the original place of imprisonment pursuant to article V(e) hereof, such indictment, information, or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

"Article V

"(a) In response to a request made under article III or article IV hereof, the appropriate authority in a sending State shall offer to deliver temporary custody of such prisoner to the appropriate authority in the State where such indictment, information, or complaint is pending against such person in order that speedy and efficient prosecution may be had. If the request for final disposition is made by the prisoner, the offer of temporary custody shall accompany the written notice provided for in article III of this agreement. In the case of a Federal prisoner, the appropriate authority in the receiving State shall be entitled to temporary custody as provided by this agreement or to the prisoner's presence in Federal custody at the place of trial, whichever custodial arrangement may be approved by the custodian.

"(b) The officer or other representative of a State accepting an offer of temporary custody shall present the following upon demand:

"(1) Proper identification and evidence of his authority to act for the State into whose temporary custody this prisoner is to be given.

"(2) A duly certified copy of the indictment, information, or complaint on the basis of which the detainer has been lodged and on the basis of which the request for temporary custody of the prisoner has been made.

"(c) If the appropriate authority shall refuse or fail to accept temporary custody of said person, or in the event that an action on the indictment, information, or complaint on the basis of which the detainer has been lodged is not brought to trial within the period provided in article III or article IV hereof, the appropriate court of the jurisdiction where the indictment, information, or complaint has been pending shall enter an order dismissing the same with prejudice, and any detainer based thereon shall cease to be of any force or effect.

"(d) The temporary custody referred to in this agreement shall be only for the purpose of permitting prosecution on the charge or charges contained in one or more untried indictments, informations, or complaints which form the basis of the detainer or detainers or for prosecution on any other charge or charges arising out of the same transaction. Except for his attendance at court and while being transported to or from any place at which his presence may be required, the prisoner shall be held in a suitable jail or other facility regularly used for persons awaiting prosecution.

"(e) At the earliest practicable time consonant with the purposes of this agreement, the prisoner shall be returned to the sending State.

"(f) During the continuance of temporary custody or while the prisoner is otherwise being made available for trial as required by this agreement, time being served on the sentence shall continue to run but good time shall be earned by the prisoner only if, and to the extent that, the law and practice of the jurisdiction which imposed the sentence may allow.

"(g) For all purposes other than that for which temporary custody as provided in this agreement is exercised, the prisoner shall be deemed to remain in the custody of and subject to the jurisdiction of the sending State and any escape from temporary custody may be dealt with in the same manner as an escape from the original place of imprisonment or in any other manner permitted by law.

"(h) From the time that a party State receives custody of a prisoner pursuant to this agreement until such prisoner is returned to the territory and custody of the sending State, the State in which the one or more untried indictments, informations, or complaints are pending or in which trial is being had shall be responsible for the prisoner and shall also pay all costs of transporting, caring for, keeping, and returning the prisoner. The provisions of this paragraph shall govern unless the States concerned shall have entered into a supplementary agreement providing for a different allocation of costs and responsibilities as between or among themselves. Nothing herein contained shall be construed to alter or affect any internal relationship among the departments, agencies, and officers of and in the government of a party State, or between a party State and its subdivisions, as to the payment of costs, or responsibilities therefor.

"Article VI

"(a) In determining the duration and expiration dates of the time periods provided in articles III and IV of this agreement, the running of said time periods shall be tolled whenever and for as long as the prisoner is unable to stand trial, as determined by the court having jurisdiction of the matter.

"(b) No provision of this agreement, and no remedy made available by this agreement shall apply to any person who is adjudged to be mentally ill.

"Article VII

"Each State party to this agreement shall designate an officer who, acting jointly with like officers of other party States, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this agreement, and who shall provide, within and without the State, information necessary to the effective operation of this agreement.

"Article VIII

"This agreement shall enter into full force and effect as to a party State when such State has enacted the same into law. A State party to this agreement may withdraw herefrom by enacting a statute repealing the same. However, the withdrawal of any State shall not affect the status of any proceedings already initiated by inmates or by State officers at the time such withdrawal takes effect, nor shall it affect their rights in respect thereof.

"Article IX

"This agreement shall be liberally construed so as to effectuate its purposes. The provisions of this agreement shall be severable and if any phrase, clause, sentence, or provision of this agreement is declared to be contrary to the constitution of any party State or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this agreement shall be held contrary to the constitution of any State party hereto, the agreement shall remain in full force and effect as to the remaining States and in full force and effect as to the State affected as to all severable matters."

(Pub. L. 91-538, § 2, Dec. 9, 1970, 84 Stat. 1397.)

§ 3. Definition of term "Governor" for purposes of United States and District of Columbia

The term "Governor" as used in the agreement on detainers shall mean with respect to the United States, the Attorney General, and with respect to the District of Columbia, the Mayor of the District of Columbia.

(Pub. L. 91-538, § 3, Dec. 9, 1970, 84 Stat. 1402.)

TRANSFER OF FUNCTIONS

"Mayor of the District of Columbia" substituted in text for "Commissioner of the District of Columbia" pursuant to section 421 of Pub. L. 93-198. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3, of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by Office of Mayor of District of Columbia by section 421 of Pub. L. 93-198.

§ 4. Definition of term "appropriate court"

The term "appropriate court" as used in the agreement on detainers shall mean with respect to the United States, the courts of the United States, and with respect to the District of Columbia, the courts of the District of Columbia, in which indictments, informations, or complaints, for which disposition is sought, are pending.

(Pub. L. 91-538, § 4, Dec. 9, 1970, 84 Stat. 1402.)

§ 5. Enforcement and cooperation by courts, departments, agencies, officers, and employees of United States and District of Columbia

All courts, departments, agencies, officers, and employees of the United States and of the District of Columbia are hereby directed to enforce the agreement on detainers and to cooperate with one another and with all party States in enforcing the agreement and effectuating its purpose.

(Pub. L. 91-538, § 5, Dec. 9, 1970, 84 Stat. 1402.)

§ 6. Regulations, forms, and instructions

For the United States, the Attorney General, and for the District of Columbia, the Mayor of the District of Columbia, shall establish such regulations, prescribe such forms, issue such instructions, and perform such other acts as he deems necessary for carrying out the provisions of this Act.

(Pub. L. 91-538, § 6, Dec. 9, 1970, 84 Stat. 1403.)

TRANSFER OF FUNCTIONS

"Mayor of the District of Columbia" substituted in text for "Commissioner of the District of Columbia" pursuant to section 421 of Pub. L. 93-198. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by

Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by Office of Mayor of District of Columbia by section 421 of Pub. L. 93-198.

§ 7. Reservation of right to alter, amend, or repeal

The right to alter, amend, or repeal this Act is expressly reserved.

(Pub. L. 91-538, § 7, Dec. 9, 1970, 84 Stat. 1403.)

§ 8. Effective Date

This Act shall take effect on the ninetieth day after the date of its enactment.

(Pub. L. 91-538, § 8, Dec. 9, 1970, 84 Stat. 1403.)

REFERENCES IN TEXT

The date of its enactment, referred to in text, means Dec. 9, 1970.

§ 9. Special Provisions when United States is a Receiving State

Notwithstanding any provision of the agreement on detainers to the contrary, in a case in which the United States is a receiving State--

(1) any order of a court dismissing any indictment, information, or complaint may be with or without prejudice. In determining whether to dismiss the case with or without prejudice, the court shall consider, among others, each of the following factors: The seriousness of the offense; the facts and circumstances of the case which led to the dismissal; and the impact of a re prosecution on the administration of the agreement on detainers and on the administration of justice; and

(2) it shall not be a violation of the agreement on detainers if prior to trial the prisoner is returned to the custody of the sending State pursuant to an order of the appropriate court issued after reasonable notice to the prisoner and the United States and an opportunity for a hearing.

(Pub. L. 91-538, § 9, as added Pub. L. 100-690, title VII, § 7059, Nov. 18, 1988, 102 Stat. 4403.)

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(Last updated May 10, 2002)

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(Last updated January 21, 2004)

inmate. Institution staff submit all requests for transfer and waivers of inmate public safety factors and management variables to the DSCC, for review and approval.

The DSCC first receives notification of a newly-sentenced federal offender from the U.S. Marshal in the sentencing district. If the court does not direct the defendant to self-surrender, the USMS will arrange for transportation of the inmate to the designated institution. See Program Statement 5100.08, Inmate Security Designation and Custody Classification. The DSCC will ordinarily complete the initial designation within three working days of receiving all the necessary documentation from the USMS and the U.S. Probation Office, including the Presentence Investigation Report, the J&C, Statement of Reasons, and Central Inmate Monitoring information, when such an assignment is necessary.

Designation decisions take into account a number of factors including the level of security and staff supervision the inmate requires, and the level of security and staff supervision the institution provides. Other considerations include the medical classification care level of the inmate and the care level of the institution, as well as the inmate's program needs (e.g., substance abuse treatment, education and vocational training, individual and/or group counseling, medical/mental health treatment). Various administrative factors are considered as well, including institution bedspace capacity, the inmate's release plans, judicial recommendations, separation needs, and security measures needed to ensure the safety of victims, witnesses, and the general public.

Should the court make findings regarding controverted matters contained in the Presentence Investigation Report affecting the defendant's classification, the court should record these findings in the Statement of Reasons attachment to the J&C. See FED. R. CRIM. P. 32(c)(1). Recommendations from the sentencing court are considered in the designation decision.

2. Movement to the Institution

After an initial designation has been made, an inmate may be transported to the assigned facility by the USMS, either by vehicle or contract carrier airline. The USMS also operates a fleet of aircraft in conjunction with the Justice Prisoner and Alien Transportation System (JPATS). Additionally, BOP ground transportation and support provide for economical and expeditious movement of inmates.

On occasion, the court may order a defendant to voluntarily surrender at the facility to which he or she is initially designated. The BOP draws a positive inference from the court's determination that the defendant is sufficiently trustworthy to surrender voluntarily, and self-surrender will favorably impact the inmate in terms of classification and designation decisions.

3. Interstate Agreement on Detainers

Many prisoners in BOP custody have detainers for unresolved criminal charges pending against them in one or more jurisdictions. To facilitate programming designed for treatment and

rehabilitation, and to resolve pending matters, BOP joins with many states as a party to the Interstate Agreement on Detainers (IAD). See 18 U.S.C. App. II; and Program Statement 5800.14, Inmate Systems Management Manual, Ch. 6. This agreement enables a jurisdiction carrying an untried criminal indictment, information, or complaint, to secure temporary custody of the inmate. Such proceedings may be initiated by the state or by the inmate. Program Statement 5800.14 delineates the appropriate procedures for a jurisdiction to obtain custody of an inmate with a detainer lodged by a member state.

4. Central Inmate Monitoring System

The BOP monitors and controls the transfer, temporary release on writ, and community activities of certain inmates who present special management needs or security concerns. See Central Inmate Monitoring System, 28 C.F.R. § 524.70 et. seq.; Program Statement 5180.04, Central Inmate Monitoring System. Central Inmate Monitoring (CIM) inmates require a higher level of review which may include Central Office and/or Regional Office clearance for transfers, temporary releases, or community activities. Monitoring does not preclude a CIM inmate from such activities when the inmate is otherwise eligible, but contributes to the safe and orderly operation of federal institutions and to the protection of the public.

Special measures are taken to protect at-risk inmates. Individuals who agree to cooperate with law enforcement, judicial, or correctional authorities frequently place their lives or safety in jeopardy by being a witness or intended witness against persons or groups involved in illegal activities. While in custody, an offender may require separation from other inmates stemming from such events that either preceded confinement, or occurred during incarceration. Accordingly, procedures have been developed to help ensure the safety of these individuals. An inmate may have a Separation assignment, or may be admitted to the Witness Security program. If deemed necessary, such a classification may continue throughout the period of incarceration.

B. Admission and Orientation Program for Inmates

Every inmate designated to a BOP institution is required to participate in the Admission and Orientation (A&O) program. See Program Statement 5290.14, Admission and Orientation Program. Staff presentations provide each inmate with written materials describing institution operations, program availability, inmate rights and responsibilities, and the BOP inmate discipline process. Each inmate receives an introduction to all aspects of the institution and meets with staff from the case management, medical, and mental health units.

C. Programs and General Services

Research has demonstrated that inmate participation in programs teaching marketable skills helps to reduce recidivism rates. Additionally, institution misconduct can be significantly reduced through programs emphasizing personal responsibility, respect, and tolerance of others.

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CHAPTER 6

DETAINERS, INTERSTATE AGREEMENT ON DETAINERS, FOREIGN DETAINERS AND WRITS

601. INTRODUCTION

The Interstate Agreement on Detainers Act (IADA) allows the disposal of detainers lodged against inmates by jurisdictions in states that are party to the agreement.

- Either an inmate or a state may initiate proceedings for this purpose.
- Under the IADA, a jurisdiction having an untried indictment, information, or complaint lodged as a detainer may secure temporary custody of the inmate for trial.

602. DEFINITIONS

a. Detainer. A formal request from a federal, state, or local jurisdiction for an inmate's custody upon completion of a term of imprisonment. This definition includes requests for criminal and non-criminal charges (e.g., material witnesses, deportation, probation/parole violator warrants, child support, etc.).

b. Interstate Agreement on Detainers Act (IADA). A statutory provision authorizing "party states" to enter an agreement, for the disposition of "untried" charges, indictments, informations, or complaints which form the basis of a detainer.

The agreement applies to all detainers based on pending charges lodged against an inmate by a "party state" no matter when the detainer was lodged.

- The IADA does not apply to probation/parole violators (see Carchman V. Nash, 473 U.S. 716, 105 S.Ct. 340, 87 L.Ed.2d 516 (1985)).

c. Charge. Any untried indictment, information, or complaint.

d. Notify. A formal request from a federal, state, or local jurisdiction for notification before an inmate's release from a term of imprisonment.

e. Party State. The United States of America, the District of Columbia, and any U.S. state or territory that has codified the IADA into its statutes. The states of Louisiana, Mississippi, the Commonwealth of Puerto Rico, and none of the territories or possessions have joined the IADA to date. (Refer to Appendix II, Title 18 U.S. Code.)

603. DETAINER ACTIONS

a. Inmate Systems Management (ISM) Review. ISM staff must review the FBI RAP sheet and the PSI to learn the existence of any possible pending charges or sentences.

When possible, pending charges or sentences are indicated, ISM staff will initiate an inquiry by sending a Detainer Action Letter (BP-S394) (DAL) to the appropriate officials, usually the Sheriff or Prosecuting Attorney.

The manager or designee must sign the DAL. All DAL requests should include a business reply envelope.

Note: FBI Rap Sheets are requested when an inmate arrives at his/her initial designation. Additional information may be obtained by submitting an NCIC request.

If no response was received, a second and final DAL will be sent within one year of release. Local procedures must be established to ensure the second DAL is sent in a timely manner for all unanswered detainer inquiries. A copy will be placed in the J&C file. Copies will also be forwarded to the appropriate unit staff for inclusion in the inmate central file and a copy to the inmate.

b. Lodging Requirements (Detainers). For a state or local authority to lodge a detainer against an inmate in Bureau custody, including Bureau-contracted private-sector secure corrections facilities, the requesting authority must provide a copy of the warrant/abstract along with a cover letter requesting placement of a detainer in its favor.

- SENTRY will be used to lodge the detainer and a DAL will be used to acknowledge the lodging of the detainer.

Ordinarily, the warrant/abstract will be certified, however, if the requesting authority does not certify the document, ISM staff must verify its authenticity with the requesting authority via telephone and document the verification on the warrant/abstract.

If the warrant/abstract is received without a letter requesting placement as a detainer, staff must return the document(s) to the issuing agency with instructions to forward a certified copy of the warrant/abstract along with a cover letter. ISM staff will use the DAL for this purpose.

Federal authorities are not required to provide certified copies of the warrant/abstract to lodge a detainer in their favor. The nature of the federal detainer, however, must be clear on the documentation presented to the institution.

When a federal detainer is filed, ISM staff will advise the inmate of the inmate's right to a speedy trial under the provisions of 18 U.S.C. § 3161. (These same procedures apply for D.C. Code offenders.)

If at any time thereafter the inmate informs the custodian that they demand a trial, such person will promptly notify the U.S. Attorney or AUSA who filed the detainer. Forms used for notifying inmates of the filing of the federal detainer based on untried charges are usually sent with the USMS detainer request. If not, notify the requesting USMS.

c. Lodging Procedures for Notifications. When a formal request is received from a federal, state, or local jurisdiction requesting notification of an inmate's release, a DAL will be used to acknowledge the lodging of the notify.

d. SENTRY Update. When a detainer or request for notification is received, ISM staff will update the inmate's current detainer/notify status (Sentence Monitoring, Update Detainer/Update Notify screen) in SENTRY.

ISM staff will update, in a timely manner, the inmate's current detainer/notify status each time a detainer or notification is filed, removed, or changed.

e. Removal of Detainers or Notifications. ISM staff must verify any correspondence requesting a detainer or notification removal. The name of the person contacted, title, telephone number, date, and signature of ISM staff verifying this information must be clearly marked on the correspondence requesting the removal of the detainer or notification. A DAL will be sent to the agency notifying them that their detainer or notification has been removed per their request.

**604. U.S. MARSHALS SERVICE (USMS) & IMMIGRATION AND
CUSTOMS ENFORCEMENT (ICE) DETAINERS**

Warrants are not required when the USMS or ICE files a federal detainer. Ordinarily, the USMS will use their detainer request (Forms M-16A-D or M-17) and ICE will use their Immigration Detainer form.

ISM staff are encouraged to establish procedures with the local ICE office in order to streamline receipt and verification of an immigration detainer. A DAL may be used for this purpose, however, if local procedures are established, appropriate distribution of the lodged detainer must be followed within the institution.

605. U.S. PAROLE COMMISSION (USPC) WARRANTS

If a USPC warrant has been filed as a detainer, a copy of the DAL and a complete copy of the USPC warrant, to include the warrant application and subsequent NOA(s), will be forwarded to the DSCC and unit team for inclusion in the inmate central file. Upon executing the warrant for the parole violation, the detainer will be removed from SENTRY, copies will be forwarded to the USPC, unit team, and the DSCC. Questions concerning NOA(s) should be directed to the DSCC.

606. PRE-RELEASE NOTIFICATION

No later than 60 calendar days before the inmate's release, ISM staff will notify the agency that placed a detainer or notification, usually via a DAL or letter, of the inmate's projected release date. The authority that filed a detainer must notify the institution of its intent to take custody of the inmate. It is the responsibility of the agency placing the detainer to arrange with local law enforcement authorities when the need for an extradition hearing arises.

If the requesting authority indicates in writing it will not take custody of the inmate, the detainer will be canceled, the warrant will be returned, and the institution may continue with release planning.

The unit team will be notified of the removal of all detainees via DAL. If the detainer is removed within one month of release, the unit team will be notified of the action without delay (ordinarily within the same business day).

If the filing authority has indicated it will take custody, but on the day of scheduled release chooses not to, it is requested that the filing authority provide written documentation of its intent. (A fax copy is adequate, however, ISM staff must verify the document and file it in the J&C file.)

If the filing authority cannot provide written documentation, telephonic verification will be accepted and documented accordingly. In either case, the inmate will be released to the community provided no other detainer has been lodged against the inmate.

If multiple detainers have been filed, custody will be offered first to the earliest lodged detainer. All jurisdictions that have lodged detainers are to be notified of the detaining authority taking custody at release to allow those jurisdictions to re-file their detainer(s).

- Federal detainers, excluding ICE deportation matters, will take priority over non-federal detainers.
- Normally, ICE will not accept custody of an inmate until all state and federal criminal matters have been satisfied.

607. PAROLE TO A DETAINER

When an inmate is granted parole to a detainer, all appropriate staff must refer to the conditions cited on the NOA to ensure compliance. When situations arise that are unclear, ISM staff must contact the USPC for further direction.

608. EXTRADITION

An inmate's extradition from one state to another will be the sole responsibility of the state in which the inmate is being housed. The exception exists when an inmate files for disposition of charges under the provisions of Article III of the IADA.

Under Article III, the inmate waives extradition rights only for those charges for which he is being removed and may be turned over directly to the agency that placed the detainer.

- Note:** Extradition hearings are not required in some states. Refer to Chapter 9 of this manual for the list of states not requiring extradition hearings.

ISM staff must contact the Attorney General's office in both the state the inmate is housed and the state that lodged the detainer, after consultation with the assigned legal representative, if the inmate is due for release and meets the following criteria:

- a detainer is on file for an outstanding charge or conviction;
- the inmate has not waived extradition; and
- the local Sheriff refuses to take custody of the inmate.

It must be made clear to the Attorney General's office that the Bureau is obligated by statute to release the inmate at the expiration of the sentence and cannot violate any state extradition law by releasing the inmate directly to the state requesting custody.

609. INMATE NOTIFICATION AND RESPONSE

The IADA applies to federal and state inmates who have entered upon a term of imprisonment in an institution designated for service of the sentence. Resolution of any untried charges may be obtained through provisions of the Act. The portions of the Act related to inmates confined in federal institutions are incorporated as follows:

a. Availability. The IADA is not available for the inmate or the prosecutor until the inmate arrives at the designated institution for service of the sentence. Before reaching the designated institution, the requesting agency may obtain custody via a writ of habeas corpus ad prosequendum. (Refer to the Program Statement on Transfer of Inmates to State Agents for Production on State Writs for more information.)

b. Notification. Article III (c) requires the Bureau to inform the inmate of the source and content of any detainer lodged. ISM staff will notify the inmate by completing the IAD - Notice of Untried Indictment form (BP-S235). The inmate will sign the form acknowledging the detainer has been lodged and that he/she was advised of inmate's rights under the IADA. This form will then be forwarded to the Warden, or designee, for signature. Upon return of the signed form, the original will be forwarded to the inmate.

c. Inmate Appearance in Court. An inmate may appear in state court to dispose of pending charges under Article III of the IADA. If a situation occurs that precludes an inmate's release under this provision (i.e., medical condition, other pending court actions, security concerns, etc.) the assigned legal representative and the requesting agency will be consulted to discuss and resolve any conflicts.

610. INMATE REQUEST FOR FINAL DISPOSITION

Article III (d) provides that once an inmate has been notified of any detainer, and the inmate has arrived at the designated institution, the inmate may request final disposition of the charges for which the detainer is based. By doing so, the inmate waives the right to contest extradition for any charges that form the basis of the request, either during or after completion of the federal sentence. Extradition procedures will apply separately to charges unrelated to the IADA charges.

a. Waiver of Extradition. A Waiver of Extradition means that the receiving state may take custody of the inmate directly from the institution for those charges that the IADA is based upon. This is regardless of whether the state in which the institution is located requires that the inmate be released to its jurisdiction to satisfy the extradition rules for its state.

b. Appointment of Counsel. The inmate initiates final disposition of pending charges by completing the IAD - Place of Imprisonment form (BP-S236). It is important that the inmate show on the BP-S236 his or her designated counsel or request the court to appoint counsel for representation. If the inmate needs assistance to complete the form, institution staff must assist.

c. Disposition of Charges. Once an inmate requests disposition of charges, ISM staff will prepare the IAD - Certificate of Inmate Status form (BP-S238) and the IAD - Offer to Deliver Temporary Custody form (BP-S239).

Note: In the body of the BP-S239, first and second paragraph, there are two types of requests listed, inmate request and prosecutor request. ISM staff must ensure that clarification is made as to the appropriate request.

d. Required Paperwork - Distribution. ISM staff will prepare a Prosecutor's Notification letter (see sample - Attachment B) and mail it along with the inmate's request for final disposition of charges to the prosecuting official. This letter addresses the

prosecutor's requirement to send the Bureau the following completed forms:

- IAD Form VI - Evidence of Agents' Authority (BP-S564);
- IAD Form VII - Prosecutor's Acceptance of Temporary Custody (BP-S566); and
- Prosecutor's Certification (BP-S565). (A blank copy must be included in the IADA packet sent to the prosecutor.)

The Prosecutor's Notification letter must also address any security requirements the Bureau deems necessary.

Note: The above forms (BP-S564, BP-S565, BP-S566) are Bureau forms. If the requesting prosecuting official does not have the equivalent of these forms, the Bureau will supply them.

e. Notification to the Receiving State. ISM staff must notify the following of the inmate's request:

- Clerk of the Court, via Certified Mail, Return Receipt;
- Prosecuting Officer, via Certified Mail, Return Receipt; and
- IADA Compact Administrator, via First-Class Mail.

Copies of the forms, including the BP-S235, along with the cover letter, are to be forwarded as follows:

- Clerk of the Court: a copy of the cover letter and copies of the forms;
- Prosecuting Officer: the original cover letter and copies of the forms;
- IADA Compact Administrator: a copy of the cover letter and the original forms.

In addition, a copy of the letter and all forms are to be placed in the J&C file, inmate central file, and a copy will be forwarded to the inmate.

f. Additional IADA Notifications. ISM staff will also mail, via First-Class Mail, a copy of the IADA packet to any other prosecutor and Clerk of the Court who has lodged a detainer from

the state in which the inmate's request for final disposition is being sent.

The prosecuting officials must be notified by an accompanying letter (see sample, Attachment C) that all such indictments, informations, or complaints, as listed on form BP-S239, must be disposed of according to the provisions of Article III of the Agreement.

g. Return Receipts. The return receipts will be placed in the J&C file and attached to copies of the appropriate IAD forms. ISM staff must set up a retrieval system for tracking the two-week follow-up date. In the event the return receipt is not received, ISM staff may visit the U.S. Postal Service public web site to obtain delivery date confirmation.

h. Notification Follow-Up. ISM staff will determine, two weeks after mailing, whether the IAD packet has arrived at the proper destinations and the institution has received the return receipts.

If ISM staff have not received a reply to the inmate's request for disposition within 90 days, or to any letters of notification sent to other jurisdictions in the state, ISM staff will send a letter to the prosecutor and the IADA Compact Administrator in the receiving state to learn the state's intent for assuming temporary custody (see sample, Attachment D).

i. 180-Day Period. If the inmate has not been brought to trial within 180 days from the date prosecuting officials received the IAD packet, ISM staff will correspond with the prosecutor (see sample, Attachment E) calling attention to the lapse of the 180-day period.

- Only the state may authorize the removal of its detainer.
- The inmate must address any request regarding a possible violation of the IADA to the appropriate state court.

611. PROSECUTOR REQUEST FOR TEMPORARY CUSTODY

Article IV gives the prosecutor an opportunity to request temporary custody of an individual. The purpose is to resolve the untried charges which form the basis of the associated detainer. Ordinarily, a prosecutor's request is received as an IAD Form V, Request for Temporary Custody (BP-S568).

Sometimes, a state writ of habeas corpus ad prosequendum is issued. When this occurs, and a detainer has been lodged, the state writ will be treated the same as the IAD Form V.

Note: If a detainer is on file for one jurisdiction and another jurisdiction within the same "party state" files a state writ, the state writ will be treated as an Article IV IAD request and the inmate must go out "IAD" on all.

a. 30-Day Period. Under the provisions of Article IV(a) the Warden has up to 30 days to approve or disapprove the state's request for temporary custody. During this time, the inmate may petition the Warden to disapprove the state's request for temporary custody. The inmate will sign a waiver, either requesting or waiving the 30-day period (See sample, Attachment F). The Warden is not obligated to grant the inmate's request and may use some or all of the 30-day period to decide whether to grant the state's request for temporary custody. The 30-day period begins on the date the prosecutor's request is received at the institution.

Anytime before the date the state accepts the inmate's custody, the inmate may request final disposition of charges under the provisions of Article III. If this occurs, follow procedures outlined in section 510, **Inmate Request for Final Disposition.**

b. Required Paperwork - Distribution. After receiving the IAD request from the prosecutor, ISM staff will prepare the following:

- IAD - Certificate of Inmate Status (BP-S238);
- IAD - Offer to Deliver Temporary Custody (BP-S239); and
- Prosecutor's Certification (BP-S565). (A blank copy must be included in the IADA packet sent to the prosecutor.)

Note: In the body of the BP-S239, first and second paragraph, there are two types of requests listed, inmate and prosecutor. ISM staff must ensure that clarification is made as to the appropriate request.

These forms will be forwarded, with the Prosecutor's Request for Temporary Custody letter (see sample, Attachment G), to the prosecutor requesting custody.

The letter must state that the offer to deliver temporary custody is contingent upon receiving a properly executed copy of the IAD Form VI (BP-S564) and the completed Prosecutor's Certification (BP-S565).

Note: The above forms (BP-S564 and BP-S565) are Bureau forms. If the requesting prosecuting official does not have the equivalent of these forms, the Bureau will supply them.

c. Notification to the Receiving State. ISM staff must send copies of all forms, including the BP-S235 and the cover letter to:

- Clerk of the Court, via Certified Mail, Return Receipt
- Prosecuting Officer, via Certified Mail, Return Receipt
- IADA Compact Administrator, via First-Class Mail.

Distribution is as follows:

- Clerk of the Court: a copy of the cover letter and copies of the forms;
- Prosecuting Officer: the original cover letter and copies of the forms;
- IADA Compact Administrator: a copy of the cover letter and the original forms.

Copies of the forms and cover letter will be placed in the J&C file, inmate central file, and a complete copy will be forwarded to the inmate.

d. Additional IADA Notifications. ISM staff must send copies of the BP-S235, BP-S238, BP-S239, BP-S565, and a cover letter to any other prosecutor and Clerk of the Court who has lodged a detainer within the same state that requested temporary custody.

- Copies are also to be mailed to the IADA Compact Administrator. All forms will be sent via First-Class Mail.
- Copies will also be placed in the J&C file, inmate central file, and a complete copy will be forwarded to the inmate.

612. CHALLENGES TO AN INMATE'S IADA RIGHTS

If an inmate says that his or her rights have been violated under the IAD, the inmate will be advised to contact the state authorities or his or her attorney.

- The Bureau does not decide the validity of the detainer or violation of any IAD provision.
- All detainers will remain in full force and effect, unless and until the charges from the "receiving state" are dismissed and/or the receiving state authorizes, in writing, the removal of the detainer.

a. Return of Inmate Before Completion of Proceedings. If the inmate is returned to the Bureau before completion of all state court proceedings, the detainer will remain on file. The Bureau will honor the "receiving state's" request for temporary custody if they should request to assume custody again under the IAD.

- The original IAD paperwork suffices to return the inmate to the "receiving state" if the agents assuming custody are the same.
- Requirements applicable to the initial temporary transfer of custody will still apply.

b. Re-filing of Charges. If an inmate files for disposition of charges and the state drops the detainer that forms the basis for the inmate's request, the detainer will be returned to the originating agency, making the inmate's IAD request moot.

Once the detainer is removed, all documentation, except the letter requesting removal of the detainer and the IAD - Place of Imprisonment form (BP-S236), will be disposed of.

If the same agency wishes to re-file the same charges later, it may do so, and the detainer request will be honored and the inmate may again request disposition of the charges under the IAD.

c. State Writ Request - No Detainer on File. If the state wishes to issue a writ to request temporary custody and does not file a detainer, the inmate may be released via state writ.

Note: Refer to the Note in section 611, **Prosecutor Request for Temporary Custody**. For more information on state writs, refer to the Program Statement, Transfer of Inmates to State Agents for Production on State Writs.

613. BEFORE TEMPORARY RELEASE TO IAD

ISM staff will present and explain the IAD/State Writ Acknowledgment (BP-S567) to the inmate prior to release under either Article III or Article IV of the IAD.

If the inmate is improperly released to the community by local authorities or improperly transferred to any non-federal facility or agency while under the IAD process, this form requires the inmate to call the person designated on the BP-S567 (collect or through any other communication systems available) immediately, upon the release or transfer.

- ISM staff must have the inmate sign the BP-S567 before release to state agents under the IAD. If the inmate refuses to sign the Acknowledgment, staff must advise the inmate of the form's contents and document the refusal to sign.
- The Warden designates the contact person to be listed on the BP-S567.
- A copy of the form is given to the inmate prior to being released under the IAD.
- ISM staff must provide a copy of the BP-S567 to the Control Center and the Operations Lieutenant. This form provides the basis for accepting an inmate's collect call.
- If the inmate is improperly released to the community, the contact person will instruct the inmate to surrender to the nearest U.S. Marshals Office.

614. FEDERAL INMATES HOUSED IN NON-FEDERAL FACILITIES

Federal inmates housed in non-federal facilities, i.e., state concurrency cases and long term boarders, may request disposition of "untried" indictments, informations, or complaints pursuant to Article III of the IAD, provided those charges are lodged as detainers with the authorities who are housing the inmate. Staff

at the non-federal facility are responsible for processing the IAD paperwork.

All policies governing the state in which the inmate is housed will be followed regarding the federal inmate. Similarly, the prosecuting officer can request a federal boarder's temporary custody under Article IV of the IADA provided a detainer is on file and the charges which form the basis for the detainer are otherwise processed under the Agreement.

When Bureau staff receive a detainer, the original detainer and any other correspondence concerning the detainer will be forwarded to the state facility housing the inmate. When applicable, the CCM is to maintain a copy of the detainer paperwork in the J&C file.

When the IADA's provisions arise for federal inmates boarded in the states of Mississippi, Louisiana, the Commonwealth of Puerto Rico, or other non-members of the IAD, the CCM will contact the appropriate Regional Counsel for further instruction.

615. STATE BOARDERS HOUSED IN BUREAU CUSTODY

All requests for disposition of charges by the inmate, or a prosecutor's request for temporary custody of an inmate placed as a State Boarder in a federal facility, will be processed in the same manner as if the State Boarder was a federal inmate.

616. FOREIGN DETAINERS

If information indicates an inmate may be wanted in a foreign country, (i.e., foreign criminal charges, escape from a foreign prison, etc.), ISM staff will make a written request to the Correctional Programs Branch, Central Office, to investigate possible pending foreign charges. The request must include the source document that is the basis of the inquiry.

Once received, Correctional Programs staff will review and forward the request to the Office of International Affairs. Follow-up procedures and time frames will be the same as for domestic DALs.

If the inmate is wanted in a foreign country, the foreign country files a request for extradition with the Office of International Affairs who then contacts the International Coordinator at the appropriate U.S. Attorney's Office who assigns an AUSA to handle extradition proceedings through the federal court.

If the court determines the inmate is to be extradited to the foreign country, it will issue an Order of Extradition or warrant to be filed with the USMS as a detainer.

617. FEDERAL WRITS AND REQUESTS FOR PRODUCTION

Federal Writs of Habeas Corpus and Requests for Production (often referred to as Attorney Special Requests or ASRs) are issued by the court and U.S. Attorneys. The purpose is to acquire confined individuals for hearings on issues concerning the legality or conditions of confinement, modification of a sentence, new prosecution, or as a witness to give testimony.

Civil and criminal Writs of Habeas Corpus from the D.C. Superior Court will be considered and processed as Federal Writs. ISM staff must contact the issuing court or U.S. Attorney to verify the authenticity of the writ or production request. The verification will be noted on the document itself.

Note: Refer to Chapter 4 for verification requirements. Some local courts may not verify the authenticity of writs. In these cases, contact the Regional Correctional Programs Administrator for further guidance.

If the institution has not previously received a copy of the writ or production request, the agent directed to assume custody must present it upon arrival to the institution. Ordinarily the agent will be a Deputy U.S. Marshal from the district in which the inmate is located.

If the writ/Request for Production calls for appearance in another district, transportation is arranged by Prisoner Coordination of the USMS.

618. STATE WRITS

The Warden may authorize an inmate to be released on writ for production in state court.

All authorized releases via state writ will require ISM staff to verify the authenticity using the same procedures as for a federal writ. (Refer to the Program Statement on Transfer of Inmates to State Agents for Production on State Writs for more information.)

619. FOLLOW-UP OF TRANSFER

To ensure that inmates released under the provisions of the IAD, state, or federal writ remain in custody and are returned to the sending institution upon completion of court proceedings, ISM staff will contact the authorities who have custody of the inmate at 60 calendar day intervals to learn the inmate's status.

These contacts are to be documented in the J&C file and include:

- date of contact;
- name of person contacted;
- telephone number of person contacted;
- current status of the inmate;
- current location of the inmate; and
- name of the staff member making contact.

If the inmate was moved via a U.S. Marshals cooperative agreement and is being housed in a federal institution, SENTRY may be used to verify the necessary information. ISM staff must note the date, the institution where the inmate is currently housed, and that the information was verified by SENTRY. Upon the inmate's return to the institution, this documentation may be discarded, if appropriate, at the discretion of the local manager.

620. NOTIFICATIONS TO DSCC

If an inmate is returned from a federal writ, state writ, or IAD ISM staff will notify and forward pertinent material to the DSCC.

PROSECUTOR'S NOTIFICATION (SAMPLE LETTER)

(DATE)

PROSECUTOR'S NAME
TITLE
STREET ADDRESS
CITY, STATE ZIP CODE

RE: INMATE NAME
INMATE REGISTER NO.
STATE CASE/REFERENCE NO.

Dear **PROSECUTOR'S NAME**:

The above referenced defendant has requested disposition of pending charges in your jurisdiction pursuant to the Interstate Agreement on Detainers Act (IADA). Necessary forms are enclosed.

We request action be taken under Article III of the IADA and IAD Form VI, (BP-S564), "Evidence of Agents' Authority" and Form VII, (BP-S566), "Prosecutor's Acceptance of Temporary Custody" be submitted to us, as necessary. The two (2) persons who are the designated agents to return the prisoner to your State **must** also be the persons whose signatures appear on the Form VI. It would be advisable to designate alternate agents whose signatures must also appear on the Form VI, in the event the primary agents are unable to make the trip. Also be advised that the designated agents must have in their possession a copy of the Form VI, proper identification, and a certified copy of the warrant when assuming custody of the prisoner. Any questions regarding this procedure may be directed to the individual listed below or the Agreement Administrator for your State.

Inmates who are temporarily transferred pursuant to the IAD remain under the primary jurisdiction of federal authorities. Should you accept temporary custody of this inmate, we wish to remind you that under Article V(e) of the IAD, you are required to return the above named inmate to this institution after prosecution on all pending charges. While this inmate is in your temporary custody, he or she will be held in a suitable jail that meets the level of security required by the Bureau of Prisons. **In addition, security requirements for the inmate (e.g., type of restraints, number of escorting staff, who may transport, etc.) must be met.** Any problems associated with this inmate must be reported to the individual listed below. This inmate may not be

PROSECUTOR'S NOTIFICATION

Page Two

RE: INMATE'S NAME

released on bail or bond while in your custody. Additionally, this inmate is not to be committed to a state correctional institution for service of any state sentence(s) that may be imposed because of your prosecution.

To help us with processing, please fill out the enclosed certification form and return to us before scheduling a date for assuming custody. Upon completion of the State proceedings, contact this office to schedule a date for the inmate's return to federal custody.

If you have any questions on this matter, please call:
MANAGER'S NAME AND TELEPHONE NUMBER.

Sincerely,

CEO'S NAME

/S/
NAME
MANAGER

Enclosures: BP-Forms S235, S236, S238, S239
BP-S565, Prosecutor's Certification Form

cc: Clerk of Court
State IADA Administrator

OTHER PROSECUTOR'S NOTIFICATION (SAMPLE LETTER)

(DATE)

PROSECUTOR'S NAME
TITLE
STREET ADDRESS
CITY, STATE ZIP CODE

RE: INMATE NAME
INMATE REGISTER NO.
STATE CASE/REFERENCE NO.

Dear **OTHER PROSECUTOR'S NAME:**

The above referenced defendant has requested disposition of pending charges in **(ORIGINAL JURISDICTION)** pursuant to Article III of the Interstate Agreement on Detainers Act (IADA). According to Article III(d), the inmate's request also is a request for disposition of the charges in your jurisdiction lodged as a detainer. Consistent with the same Article, copies of the appropriate forms are enclosed. You should contact the prosecuting official named above to arrange for a transfer of custody once trial is had in their jurisdiction. Any questions regarding this procedure may be directed to the individual listed below or the Agreement Administrator for your state.

Inmates who are temporarily transferred pursuant to the IAD remain under the primary jurisdiction of federal authorities. Should you accept temporary custody of this inmate, and are the last to prosecute the inmate among those eligible to do so, you will be required to return him or her to this institution after prosecution of all pending charges that form the basis for your detainer (Article V(e)). While in your temporary custody, the inmate must be held in a suitable jail that meets the level of security required by the Bureau of Prisons. **In addition, security requirements for the inmate (e.g., type of restraints, number of escorting staff, who may transport, etc.) must be met.** Any problems encountered with this inmate must be reported to the individual listed below. This inmate may not be released on bail or bond while in your custody. Additionally, this inmate is not to be committed to a state correctional institution for service of any state sentence(s) that may be imposed because of your prosecution.

OTHER PROSECUTOR'S NOTIFICATION

Page Two

RE: INMATE'S NAME

To help us with processing, please fill out the enclosed certification form and return to us before scheduling a date for assuming custody.

If you have any questions on this matter, please call:
MANAGER'S NAME AND TELEPHONE NUMBER.

Sincerely,

CEO'S NAME

/s/
NAME
MANAGER

Enclosures: BP-Forms S235, S236, S238, S239
BP-S565, Prosecutor's Certification Form

cc: Clerk of Court **(COUNTY)**
(ORIGINAL PROSECUTOR'S NAME & ADDRESS)
State IADA Administrator

ARTICLE III FOLLOW-UP (SAMPLE 90-DAY LETTER)

(DATE)

PROSECUTOR'S NAME
TITLE
STREET ADDRESS
CITY, STATE ZIP CODE

RE: INMATE NAME
INMATE REGISTER NO.
STATE CASE/REFERENCE NO.

Dear **PROSECUTOR'S NAME**:

The above named subject applied for final disposition of pending charges pursuant to the Interstate Agreement on Detainers Act (IADA) which application was received in your office on **(DATE)**. As you are aware, under Article III of the IADA, inmate **(NAME)** is to be brought to trial on these charges within 180 days from the date the forms were received in your office as noted on the certified mail receipt. It appears that inmate **(NAME)** has not been brought to trial on the charges specified in your detainer and the 180-day period will lapse on **(DATE)**.

I would appreciate hearing from you at your earliest convenience as to your state's intentions in this case. Further arrangements may be made by contacting me at **(TELEPHONE NUMBER)**.

Sincerely,

/S/
NAME
MANAGER

cc: Agreement Administrator