



Notice of Public Hearing

In accordance with Compact Rule 2.109(c), prior to the Commission voting on any proposed rule or amendment, the text of the proposed rule or amendment shall be published by the Rules Committee no later than 30 days prior to the meeting at which vote on the rule is scheduled. The following rules, Rule 1.101 (Relocate), Rule 1.101 (Special condition,) Rule 1.101 (Warrant,) Rule 2.101, Rule 2.105, Rule 2.109, Rule 3.101, Rule 3.101-1, Rule 3.103, Rule 3.104-1, Rule 3.106, Rule 3.108-1, Rule 4.111, Rule 4.103-1, Rule 4.109-1, Rule 5.102, Rule 5.103, Rule 5.106, Rule 5.108, and Rule 5.111 are scheduled for vote on October 3, 2006. A public hearing is scheduled for these rules. Details on location and time as well as the process for attending the hearing are outlined below:

Place: East Courtroom 3, Pointe South Mountain Resort, 7777 South Pointe Parkway East,
Phoenix, Arizona, 85044
Date: Tuesday, October 3, 2006
Time: 5:00 pm (MDT)

The manner which interested persons may submit notice to the Commission of their intent to attend and submit written comments, if any:

In writing, either mail or email to Don Blackburn, Executive Director, 2760 Research Park Drive, Lexington, KY 40511, dblackburn@interstatecompact.org, 859-244-8008, Fax (859)244-8001.



**INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION
ANNUAL BUSINESS MEETING**

October 1 - 5, 2006

**Pointe South Mountain Resort
7777 South Pointe Parkway
Phoenix, Arizona**

Sunday, October 1, 2006

8:00 am **Commissioner Training
DCA Training**

12:00 pm **Lunch**

5:00 pm **Adjourn**

Monday, October 2, 2006

Open

Tuesday, October 3, 2006

10:00am - 12:00pm **East Region Meeting
South Region Meeting
Midwest Region Meeting
West Region Meeting**

1:00 pm - 4:00 pm **Executive Committee Meeting**

5:00 pm - 6:00pm **Public Hearing**

6:00 pm **Reception**

Wednesday, October 4, 2006

7:00 am **Continental Breakfast**

8:00 am **Welcome & Overview**

8:20 am **Roll Call
Approval of Minutes
November 18-19, 2002
September 13-14, 2005
January 19, 2006
Approval of Agenda**

ICAOS

Annual Business Meeting Phoenix, AZ. October 1 - 5, 2006 Page 2 of 2

8:30 am **Legal Counsel Report**
Amendment to the By-Laws

9:00 am **Sex Offender Ad Hoc Committee**

9:15 am **Rules Committee Report**

12:15 pm **Lunch**
[on your own]

1:30 pm **Information & Technology Committee Report**

2:30 pm **Compliance Committee Report**
OH v. PA Complaint
OH v. TX Complaint

6:00 pm **Recess**

Thursday, October 5, 2006

7:00 am **Continental Breakfast**

8:00 am **Call to Order**

8:10 am **Roll Call**

8:15 am **Finance Committee Report**

8:45 am **Training & Education Committee Report**

9:15 am **Region Breakouts**

10:00 am **Nomination Committee Meeting**

10:15 am **Elections**
Oath of Office

10:30 am **Awards Presentation**

10:45 am **Old Business**

11:00 am **New Business**

12:00 pm **Adjourn**

12:01 pm **Executive Committee Meeting**

**Adult Interstate Compact Commission
Inaugural Meeting
The Scottsdale Plaza Resort
Scottsdale, AZ
November 18-19, 2002**

November 18, 2002

- Sen. Denton Darrington called the Adult Interstate Compact Commission to order at 8:05 a. m. Sen. Darrington then introduced Kermit Humphries for background comments. Upon completion of Kermit Humphries' presentation, Sen. Darrington introduced Mike McCabe who recognized NIC and described the role of the commission.
- Sen. Darrington delivered two charges for approval:
 - 1) **Approval of Interim Chair**
- adopted by unanimous voice vote (motion to approve made by Sheryl Ramstaad-Hvass, seconded by Judith Uphoff)
 - 2) **Authorize Interim Secretary (CSG Staff)**
- adopted by unanimous voice vote (motion by David Guntharp, seconded by Kathy Winckler)
- Sen. Darrington then introduced the Compact Commissioners.
- After the introduction of the commissioners the meeting was turned over to Rick Masters for a review of the Commission's bylaws. Sen. Darrington provided an outline of the commission procedures. At the close of these remarks several questions were fielded:
 - Rick Masters answered a question on staggering terms asked by Harry Hageman
 - Rick Masters answered a question on Article IV-Executive Director Appointment-asked by Jacqueline Kotkin
 - Judith Sachwald requested that staff be authorized to clean up the grammar and style of the draft
 - Rick Maters answered a question asked of Kathy Winckler about Section VIII, Line 6 regarding preceding sentence
- After all questions were answered Sheryl Ramstad-Hvass made a motion to adopt amendments and was seconded by Hazel Combs. The vote resulted in a unanimous adoption.
- At the conclusion of the vote Mike McCabe introduced regional meetings that allow other, nonmember states, to attend as well as other nonmember participants.

- Report by state Councils:
 - **Arkansas:** has met; very active
 - **Utah:** selected; met twice; Blackburn chair of Supreme Court
 - **Nevada:** appointed with the exception of judge; group met in early November
 - **New Mexico:** Governor's office has said it lacks the authority to make appointments; meeting week after Thanksgiving
 - **Arizona:** appointed; has not met, but planning to meet in January, 2003
 - **Oregon:** awaiting appointments
 - **Montana:** Supreme Court selected; awaiting legislative appointment; meeting in late 2002
 - **Colorado:** still struggling with organization
 - **California:** has held three meetings; appointments in 2001 include the Department of Corrections director in California and Commissioner
 - **Washington:** Sentencing Commission is State Council; meeting in late 2002
 - **Hawaii:** met three times; composition has changed; new members coming on board; need funding
 - **Wyoming:** term limits and reappointment are having impacts on Supreme Court; letting new Governor and his administration make appointments
 - **Idaho:** next meeting in 2003

- Sen. Darrington adjourned the meeting for a lunch break.
- Sen. Darrington reconvened the meeting at 1:40 p. m.
- Sen. Darrington introduced the Regional Representatives, introduced the break out summaries, and then introduced Mike McCabe to address the committees.
- Mike McCabe addressed the committees' structures, form of members, described action items, and fielded several questions before the vote:
 - Jacqueline Kotkin asked a question regarding participation by The Council of State Governments Eastern Office
 - Don Blackburn asked if only Commissioners serve on committees
 - Sheryl Ramstad-Hvass asked if committees are elected

- At the conclusion of the questions a vote was taken on the primary characteristics of the committees:
 - Sheryl Ramstad-Hvass moved to adopt an amendment with the exception that committee chairs be appointed by committee and members be appointed by chairs of committee and commission. W. L. Kautzky seconded the motion.
 - The motion failed with all participants voting "nay" except for Sheryl Ramstad-Hvass and W. L. Kautzky

- Kathy Winkler made a motion to adopt without amendments and was seconded by Robert Steinman which was approved with all present voting "aye," except Sheryl Ramstad-Hvass. This vote adopted committee appointment process (appointed by chair)
 - A vote was taken on the length of committee terms after a motion was made by Harry Hageman and was seconded by Jim Cotton. The motion was passed unanimously and adopted
 - A vote was taken on the frequency of committee terms after a motion was passed by Milt Gilliam and was seconded by Hazel Combs. The motion was passed unanimously and adopted
- The meeting was then turned over to Rick Masters for discussion on Transition Issues. By consensus, PCAA Rules (as is) were adopted.
 - The floor was opened for public comment:
 - Don La Fratta suggested bridging the gap between PCAA and the Commission
 - Sen. Darrington made closing remarks and adjourned the meeting for the day.

November 19, 2002

- Sen. Darrington called the meeting to order at 8:00 a. m.
- Once the meeting was convened election were held for the Commissions' Executive Officers and plan:
 - Robert Steinman made a motion to make David Guntharp the Chair of the Commission, Kathy Winkler seconded the motion, and David Guntharp was made Chair of the Commission by a majority vote.
 - Kip Kutslor made a motion to make Harry Hageman the Vice Chair of the Commission, Hazel Combs seconded the motion, and Harry Hageman was made Vice Chair of the Commission by a majority vote.
 - Kathy Winkler made a motion to make Hazel Combs the Treasurer of the Commission, A. T. Wall seconded the motion, and Hazel Combs was made Treasurer of the Commission by a majority vote
 - Jeaneene Miller made a motion to make Bonnie Long-Oliver Secretary of the Commission, Ann Hyde seconded the motion, and Bonnie Long-Oliver was made Secretary of the Commission by a majority vote.
 - Milt Gill made a motion to accept the proposed budget, Joe Kuebler seconded the motion, and the budget was accepted by a majority vote
 - Ana Hyde made a motion to adopt the proposed timeline, Jim Cotton seconded the motion, and the timeline was adopted by a majority vote
 - Kathy Winkler made a motion to adopt the proposed fee formula, Ann Hyde seconded the motion, and the fee formula was adopted by a majority vote

- Don Blackburn made a motion to accept the proposed fee for participating states, Milt Gilliam seconded the motion, and the state fees were approved by a majority vote
- Upon the conclusion of the voting, Bert Harberson presented an endorsement for an ongoing relationship between the Commission and The Council of State Governments.
 - W. L. Kautzky made a motion to endorse the proposal to have an ongoing relationship with CSG. The motion was seconded by Hazel Combs and passed with a majority approval
 - Jim Cotton made a motion to pass the proposed budget. The motion was seconded by Pilkington and the motion passed with a majority approval
- After the presentation and votes, Sen. Darrington adjourned the meeting for a short break at 9:50a. m. and reconvened at 10:10 a. m.
- After reconvening from the break Sen. Darrington called on Rick Masters for other business.
- Rick Masters called on Kathy Winckler to brief members on the amicus brief being submitted on the Texas and North Dakota cases.
- A call for the Commission to take action was made to approve an investigation and file an Amicus brief in support of Texas.
 - Kathy Winckler made a motion to approve an investigation, followed by a second by Jim Cotton. The motion passed with a majority vote, with Judith Sachwald abstaining and Warren Emmer vote against the motion
 - William Rankin made a motion for ex-officio status for PPCAA, the motion did not receive a second and the motion died
- APPA made a presentation on a potential information project.
 - A motion was made to appoint someone to the APPA information project. The motion was made by Joe Kuebler and seconded by Jim Cotton. The motion passed by a majority vote.
- After the APPA presentation the floor was given to non-member states for comments regarding the status of the Adult Supervision Interstate Compact. Presentations were made by:
 - Mike Dowling, New Jersey Parole Board
 - Paul Quander, Director of Court Services
 - Don La Fratta, Massachusetts, who also spoke on behalf of the PPCAA and called on the Commission to recognize PPCAA as an ex-officio
 - Ed Murezchek, New York, called on the Commission to include CA and DCA in committee and commission work
 - Al Gurgin, Supervisor of Delaware Interstate Commission Office, called on Commission to endorse PPCAA

- Mississippi, no representative present
 - Bob Champion, Indiana Probation Administration
 - Henry Lowry, DCA West Virginia, called on commission to support William Rankin's proposal
- Upon completion of non-member state presentations, a call was made for public comment:
 - Don Blackburn called for the inclusion of CA and DCA
 - Joe Kuebler called for PPCAA President to be an ex-officio member
 - Ed Ligtenberg cited his opposition to have the PPCAA President be an ex-officio member
 - Sherry Pilkington cited a mechanism to have a liaison for PPCAA, rather than have their President be an ex-officio
 - Meeting Summary and Closing Comments.



**INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION
ANNUAL BUSINESS MEETING**

September 13-14, 2005

**Pointe South Mountain Resort
7777 South Pointe Parkway
Phoenix, Arizona**

Tuesday, September 13, 2005

Call to Order

- The meeting was called to order by Chairman D. Guntharp (AR) at 8:33 a.m. PST. Following welcoming remarks and an overview of the agenda; Chairman D. Guntharp (AR) noted there will be changes made to the agenda.
- Chairman D. Guntharp (AR) recognized Dave Byers, Director of the Arizona Administrative Office of the Courts to introduce Arizona Chief Justice Ruth McGregor.
- Commissioner D. Ege (AZ) introduced Dora Schriro, Arizona Compact Administrator and Director of Corrections who welcomed the Commission to Arizona and shared success stories of the Compact in Arizona.
- Chairman D. Guntharp (AR) recognized the representatives of Louisiana, Mississippi, and Alabama affected by the recent hurricane.

Roll Call

- Executive Director D. Blackburn instructed the Commission on the Audience Response System (ARS) to be used during voting.
- Roll was called by Executive Director D. Blackburn. 52 of 52 members were present, thereby constituting a quorum.

1. Alabama	Robert Oakes
2. Alaska	Leitoni Tupou
3. Arizona	Dori Ege
4. Arkansas	David Guntharp
5. California	Karen Stoll
6. Colorado	Jeanene Miller
7. Connecticut	Theresa Lantz
8. Delaware	Karl Hines
9. District of Columbia	Paul Quander, Jr.
10. Florida	R. Beth Atchison
11. Georgia	Joe Kuebler
12. Hawaii	Ronald Hajime
13. Idaho	David Nelson
14. Illinois	Michelle Bushcher
15. Indiana	Jenny Bauer
16. Iowa	Jennette Bucklew
17. Kansas	Keven Pelland
18. Kentucky	Lella Yankhouse
19. Louisiana	Genie Powers
20. Maine	Wayne Theriault
21. Maryland	Judith Sachwald
22. Michigan	Joan Jenkins
23. Minnesota	Kel Merz
24. Mississippi	Ivy Keys
25. Missouri	Wanda LaCour
26. Montana	Dike Ferriter
27. Nebraska	James McKenzie
28. Nevada	Amy Wright
29. New Hampshire	Mike McAlister
30. New Jersey	John D'Amico
31. New Mexico	Edward Gonzales
32. New York	Michael DePietro
33. North Carolina	Robert Lee Guy
34. North Dakota	Warren Emmer
35. Ohio	Harry Hageman
36. Oklahoma	Milton Gilliam
37. Oregon	Scott Taylor
38. Pennsylvania	Benjamin Martinez
39. Puerto Rico	Alexis Bird
40. Rhode Island	A. T. Wall
41. South Carolina	D. Ann Hyde
42. South Dakota	Ed Ligtenberg
43. Tennessee	Gary Tullock
44. Texas	Kathie Winckler

45. Utah	Leo Lucey
46. Vermont	Jacqueline Kotkin
47. Virginia	James Camache
48. Virgin Islands	Arline Swan
49. Washington	Doreen Geiger
50. West Virginia	Henry Lowery
51. Wisconsin	William Rankin
52. Wyoming	Les Pozsgi

After roll call Executive Director D. Blackburn recognized ex officio members:

- | | |
|---------------------|--|
| • Pat Tuthill | <i>Victim's Representative</i> |
| • Gerald Vandewalle | <i>Conference of Chief Justices</i> |
| • Denton Darrington | <i>National Conference of State Legislators</i> |
| • Kermit Humphreys | <i>National Institute of Corrections</i> |
| • Dave Byers | <i>Conference of State Court Administrators</i> |
| • Linda Sydney | <i>American Probation & Parole Association</i> |
| • Marilyn Scafe | <i>Association of Juvenile Authorities International</i> |

- A sample question was given to the Commission to demonstrate how the ARS is used.

Approval of Minutes

- Motion to approve the October 26-27, 2005 meeting minutes made by Commissioner K. Merz (MN), seconded by Vice-Chairman H. Hageman (OH). Chairman D. Gunther (AR) noted that revised minutes were handed out prior to the meeting. Minutes were approved.

Approval of Agenda

- Motion to approve and amend the agenda by adding "By-law amendment" prior to the Litigation Report and switching the Compliance and Finance Reports made by Commissioner D. Ege (AZ), seconded by Commissioner W. Emmer (ND). Agenda was approved.

By-Law Amendment

- R. Masters, Legal Counsel, presented the proposed By-law amendment to Article VII, Section 3 to call for the election of regional representatives at this meeting and every other year thereafter. 2/3rd s vote of the Commission is needed to approve the amendment.

- Motion to amend Article VII, Section 3 of the By-Laws made by Commissioner H. Lowery (WV), seconded by Commissioner M. Gilliam (OK). Motion carried unanimously.
- The Commission broke for region sessions at 9:00 a.m. PST and reconvened at 9:45 a.m. PST.

Litigation Report

- R. Masters, Legal Counsel gave a summary of the Commission's lawsuit against Tennessee. The action was successfully concluded and Tennessee was ordered to reimburse the Commission for its attorney fees and costs. Information, including the injunction is posted on the ICAOS website.
- Executive Director D. Blackburn introduced the staff of the National Office.

Information & Technology Report

- Commissioner J. Kuebler (GA), Technology Committee Chair, presented the Committee's report, which is posted on the ICAOS website. The presentation recognized the Committee members & technical assistants, goals & accomplishments of the Committee, and provided an overview of the ICAOS website statistics.
- S. Perry, ICAOS National Office Technology Manager, demonstrated NACIS to the Commission. S. Perry reviewed login, queues, user levels & administration, offender management, and transfer request & processes. S. Perry will provide screen shots and sample reports to the Commission before the end to the meeting on Wednesday.
- S. Perry stated that CraftScape, Inc. built and hosts the database on a server in Boston, Massachusetts and is responsible by contract for disasters.
- Vice-Chairman H. Hageman (OH) presented the NACIS report which is posted with the Technology Committee report on the ICAOS website. 3 documents pertaining to legacy data and integration were handed out to the Commission.
- NACIS Report
 - Testing: The vendor will have the system released for testing each piece of functionality in the next few weeks.
 - Revisions: After testing
 - Training: Comprehensive training for trainers then end-users will be trained. Researching software and e-learning types of applications for end-users.
 - Legacy Data: Minimum of 3 of the 16 tables of data elements are required to be migrated into the system. Document 2.1 Technical Specification can be used to assist in migrating the legacy data.

- Users: States are responsible for administrating their own users. It is suggested to narrow down the number of POs to handle Compact cases.
- Integration: Integration document was distributed to the Commission. It is recommended the document be given to MIS professionals to build an interface. SoftScape has contracted to do for \$100/hour. Vice-Chair H. Hageman noted that for Ohio it will be about 2 weeks worth of work.
- Please note that documents are not final drafts and have been sent to a third party to ensure they are Justice XML compliant.
- The Commission was polled to find out if 10% of offender data is sufficient for their state to migrate into NACIS. 41-Yes, 10-No

- Vice-Chairman H. Hageman noted that additional offender information can always be added and it is important that there is not a lag between migration and production. NACIS is a web-based, free-standing application, interfacing is unnecessary to use system.
 - Production: Anticipated to be March, April, or May
 - Survey for implementation date: March-10 (responses), April-7 (responses), May-32 (responses)
 - Survey for implementation date: June-17 (responses), July-14 (responses), August-10 (responses)
 - Discussion of budget and training issues
 - Survey for training time to states: 1 month-13, 2 months-12, 3 months-20
 - Discussion of time periods. Vice-Chairman H. Hageman would not advocate using the system prior to migration and stressed the importance of setting dates. Using 2 systems would be difficult to administrate.
 - Discussion of getting Compact offices online only. Vice-Chairman H. Hageman noted this will eliminate the workflow the system is designed to manage.
 - Survey for NACIS Migration: 1 month-10, 2 months-38
 - Survey for Implementation method: Full implementation-40, phased in implementation-7
 - Commissioner W. Emmer (ND) noted that the Commission can work with states that have problems getting up in the system.
 - Discussion of testing: Commissioner D. Ege (AZ) noted that the JAD will be doing "dummy" transfers. Discussion of others, besides JAD members testing.
 - Vice-Chairman H. Hageman noted the Committee will plan on giving states 3 months to train and 2 months to migrate legacy data.
 - SoftScape, Inc. can provide states with a live demo and the National Office can provide assistance.

- The Commission recessed for lunch at 11:33 a.m. PST
- The Commission reconvened at 1:18 p.m. PST
 - Vice-Chairman H. Hageman noted the training and migration for NACIS can be done at the same time.

Finance Committee Report

- Treasurer G. Powers (LA) presented the FY 07 budget to the Commission and recommended to the Commission an increase in the dues.
 - Summary of the cost savings of the National Office
 - Effective and efficient dues collection
 - Reduced administration cost by 15%
 - Indirect costs to CSG were reduced from 27% to 13% (\$120,000/year)
 - Committee meetings held at National Office
 - Annual meeting cost (Phoenix-\$70,000) *not anticipated for next year*
 - Rental Space decreased from \$15/sq ft to \$12/sq ft
 - Applied for own tax ID number for tax exemption purposes.
 - Attorney fees are to be reimbursed from the Tennessee litigation
 - \$633,000 carry-over is for NACIS and dedicated to the system.
 - Motion to accept the FY 07 budget made by Treasurer G. Powers, seconded by Commissioner K. Merz (MN). Motion carried.
- Treasurer G. Powers (LA) noted that the originally proposed 2% increase in dues was thought to bring in \$100,000 but actually approximately \$20,000.
 - The cost for having NACIS and having a help desk person is approximately \$155,900/year, charges not included.
 - It is also recommended the Commission establish a legal defense fund.
 - Motion to increase dues by 2% made by Treasurer G. Powers (LA), seconded by Commissioner W. Emmer (ND). Motion Carried.
 - Motion to increase dues to 8% made by Commissioner W. Theriault (ME). Motion failed.
 - Chairman D. Guntharp (AR) noted effective date will be for the next fiscal year (FY 07).
 - Massachusetts dues are projected to be \$25,000/year.
 - Treasurer G. Powers (LA) noted the \$37,000 received from Tennessee will go into the legal budget and it is recommended by CSG to have 10% on reserve in case of legal action.
 - Discussion of budget increases. Chairman D. Guntharp (AR) noted that not all staff is built into budget until needed with the Executive Committee's approval.

- Commissioner K. Winckler (TX) noted states do not have the opportunity to go back to their states for such an increase.
- Commissioner A. Bird (PR) recommended saving on the annual meeting and asking Congress for extra money without increasing the dues. Chairman D. Guntharp noted the staff is pursuing grants and federal money may be easier to get once the database system is up.
- Commissioner J. Kuebler (GA) suggested the Commission reevaluate and dues formula.

- Chairman D. Guntharp (AR) recognized Commissioner G. Powers (LA), Commissioner R. Oakes (AL), and Representative I. Keys (MS) for their efforts and experiences with the recent hurricane affecting their states.
- Commissioner G. Powers (LA) expressed appreciation of the support received to help find offenders. A list of Louisiana sex offenders are posted on the ICAOS website. Chairman D. Guntharp (AR) noted states should help out by getting the evacuated offenders under supervision as soon as possible.
 - Commissioner R. Oakes (AL) expressed appreciation for received support. Southern counties in Alabama are back up.
 - Representative I. Keys (MS) noted the Mississippi Compact is functional, but some coastal areas are not and some offenders are displaced. Expressed appreciation for support.

Approval of Orders of the Day

- Commissioner M. Gilliam (OK), Rules Committee Chair, recognized the members and ex-officios of the Rules Committee
- Motion to approve the orders of the day to include the adoption of Rule 2.109 made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico. Motion carried.
 - R. Masters, Legal Counsel, noted that the purpose of the approval is to limit discussion and adopt Rule 2.109 to limit amendment consideration.
- Motion to approve Rule 2.109 to be effective immediately made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico. Motion carried.
 - Motion to delete language in section (i) "In the event that a petition for judicial review of a rule is filed against the Interstate Commission by a state, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees," made by Commissioner B. Martinez, seconded by Commissioner M. DePeitro. Motion failed.

- Motion to call for vote made by Vice-Chair H. Hageman (OH), seconded by Commissioner J. Kuebler (GA). Motion passed with 2/3rds vote of the Commission.
- Motion to include language in section (b), "for consideration by the Commission at the next annual meeting," made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.
 - Chairman D. Guntharp noted that a proposed rule or amendment could be brought to the Commission for a vote prior to the next annual business meeting.
- Motion to delete language in section (a)(1), "during the annual Commission meeting. This proposal would be made in the form of a motion and would have to be approved by a majority vote of a quorum of the Commission members present at the meeting." made by Commissioner K. Winckler (TX), seconded by Commissioner W. Theriault (ME). Motion failed.
- Motion to amend section (b) to strike "at," and add "not later than" made by Commissioner M. DePeitro (NY), seconded by Commissioner W. Emmer (ND). Motion carried.
- Motion to add language to (b) "All comments received by the Rules Committee on proposed rules shall be posted on the Commission's website upon receipt." made by Commissioner K. Winckler (TX), seconded by Commissioner W. Theriault (ME). Motion carried.
 - Friendly amendment to add "bulletin board" offered by Commissioner A. Bird (PA). Not accepted.
 - Friendly amendment to add "written" before "comments" made by Commissioner W. Emmer. Accepted.

RULE 2.109 Adoption of rules; amendment

Proposed new rules or amendments to the rules shall be adopted by majority vote of the members of the Interstate Commission in the following manner.

- (a) Proposed new rules and amendments to existing rules shall be submitted to the Interstate Commission office for referral to the Rules Committee in the following manner:
- (1) Any Commissioner may submit a proposed rule or rule amendment for referral to the Rules Committee during the annual Commission meeting. This proposal would be made in the form of a motion and would have to be approved by a majority vote of a quorum of the Commission members present at the meeting.
 - (2) Standing ICAOS Committees may propose rules or rule amendments by a majority vote of that committee.
 - (3) ICAOS Regions may propose rules or rule amendments by a majority vote of members of that region.

- (b) The Rules Committee shall prepare a draft of all proposed rules and provide the draft to all Commissioners for review and comments. All written comments received by the Rules Committee on proposed rules shall be posted on the Commission's website upon receipt. Based on the comments made by the Commissioners the Rules Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by the Commission not later than the next annual meeting.
- (c) Prior to the Commission voting on any proposed rule or amendment, the text of the proposed rule or amendment shall be published by the Rules Committee not later than 30 days prior to the meeting at which vote on the rule is scheduled, on the official web site of the Interstate Commission and in any other official publication that may be designated by the Interstate Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.
- (d) Each proposed rule or amendment shall state—
- (1) The place, time, and date of the scheduled public hearing;
 - (2) The manner in which interested persons may submit notice to the Interstate Commission of their intention to attend the public hearing and any written comments; and
 - (3) The name, position, physical and electronic mail address, telephone, and telefax number of the person to whom interested persons may respond with notice of their attendance and written comments.
- (e) Every public hearing shall be conducted in a manner guaranteeing each person who wishes to comment a fair and reasonable opportunity to comment. No transcript of the public hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall pay for the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Interstate Commission from making a transcript or recording of the public hearing if it so chooses.
- (f) Nothing in this section shall be construed as requiring a separate public hearing on each rule. Rules may be grouped for the convenience of the Interstate Commission at public hearings required by this section.
- (g) Following the scheduled public hearing date, the Interstate Commission shall consider all written and oral comments received.
- (h) The Interstate Commission shall, by majority vote of a quorum of the commissioners, take final action on the proposed rule or amendment by a vote of

yes/no or by referring the rule back to the Rules Committee for further action. The Commission shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

- (i) Not later than sixty days after a rule is adopted, any interested person may file a petition for judicial review of the rule in the United States District Court of the District of Columbia or in the federal district court where the Interstate Commission's principal office is located. If the court finds that the Interstate Commission's action is not supported by substantial evidence, as defined in the federal Administrative Procedures Act, in the rulemaking record, the court shall hold the rule unlawful and set it aside. In the event that a petition for judicial review of a rule is filed against the Interstate Commission by a state, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.
- (j) Upon determination that an emergency exists, the Interstate Commission may promulgate an emergency rule that shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. An emergency rule is one that must be made effective immediately in order to--
- (1) Meet an imminent threat to public health, safety, or welfare;
 - (2) Prevent a loss of federal or state funds;
 - (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
 - (4) Protect human health and the environment.

Rules Committee Report

Rule 101

- (f) Victim: Motion to accept the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.
- (ii) Relocate: Motion to adopt the proposed definition made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.
 - Discussion of "90 days"
 - Discussion of consecutive vs non-consecutive days
 - Motion to send (ii) relocate back to the Rules Committee. Motion carried.
- (ij) Compact: Motion to adopt the proposed definition made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.
- (r) Resident: Motion to accept the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.

- (ee) Travel Permit: Motion to accept the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.
- Motion made to rescind the vote adopting the definition of "relocate" made by Commissioner K. Winckler (TX), seconded by Commissioner J. Sachwald (MD). Motion was ruled out of order.

RULE 1.101 Definitions

- (ff) "Victim" means a natural person or the family of a natural person who has incurred direct or threatened physical or psychological harm as a result of an act or omission of an offender.
- (ii) "Relocate" means to remain in another state for more than 90 days in any 12 month period.
- (ij) "Compact" means the Interstate Compact for Adult Offender Supervision.
- (r) "Resident" means a person who—
- (1) has continuously inhabited a state for at least one year prior to the commission of the offense for which the offender is under supervision; and
 - (2) intends that such state shall be the person's principal place of residence; and
 - (3) has not, unless incarcerated, remained in another state or states for a continuous period of six months or more with the intent to establish a new principal place of residence.
- (ee) "Travel permit" means the written permission granted to an offender authorizing the offender to travel from one state to another.

Rule 2.110

- Motion to accept the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried unanimously.

RULE 2.110 Transfer of offenders under this compact

- (a) No state shall permit an offender who is eligible for transfer under this compact to relocate to another state except as provided by the Compact and these rules.
- (b) An offender who is not eligible for transfer under this Compact is not subject to these rules and remains subject to the laws and regulations of the state responsible for the offender's supervision.

Rule 3.101, 3.101-1, & 3.101-2

- Motion to approve the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.
 - Commissioner K. Winckler (TX) noted there were numbering problems with Rule 3.101.
 - Discussion of "visible" vs "viable." It was noted that the issue may be brought up under New Business.
 - Discussion of Rule 3.101-2

RULE 3.101 Mandatory transfer of supervision

At the discretion of the sending state, an offender shall be eligible for transfer of supervision to a receiving state under the compact, and the receiving state shall accept transfer, if the offender:

- (a) has more than 90 days or an indefinite period of supervision remaining; and
- (b) has a valid plan of supervision; and
- (c) is in substantial compliance with the terms of supervision in the sending state; and
- (d) is a resident of the receiving state; or
- (e) (1) has resident family in the receiving state who have indicated a willingness and ability to assist as specified in the plan of supervision; and
 - (2) can obtain employment in the receiving state or has a visible means of support.

RULE 3.101-1 Mandatory Transfers of Military, Families of Military, and Family Members Employed;

- (a) *Transfer of Military members*- An offender who is a member of the military and has been deployed by the military to another state, shall be immediately eligible for reporting instructions and transfer of supervision.
- (b) *Transfer of Offenders who live with family who are members of the military*- An offender who meets the other criteria specified in Rules 3.101 (3) and 3.101 (5)(B) and who lives with a family member who has been deployed to another state, shall be immediately eligible for reporting instructions and transfer of supervision, provided that the offender will live with the military member in the receiving state.
- (c) *Employment transfer of family member to another state*- An offender who meets the other criteria specified in Rules 3.101(3) and 3.101(5)(B), and whose family member, with whom he or she resides, is transferred to

another state by their full-time employer, shall be immediately eligible for reporting instructions and transfer of supervision, provided that the offender will live with the family member in the receiving state.

RULE 3.101-2 Discretionary transfer of supervision

- (a) A sending state may request transfer of supervision of an offender who does not meet the eligibility requirements in Rule 3.101
- (b) The sending state must provide sufficient documentation to justify the requested transfer.
- (c) The receiving state shall have the discretion to accept or reject the transfer of supervision in a manner consistent with the purpose of the compact.

Rule 3.103

- Motion to approve the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (ND). Motion was never brought to a vote.
 - Discussion of signed forms remaining in the sending state.
 - Discussion of (E) "jail" as a term of probation
 - Discussion of (D) released from prison.
- Motion to refer proposed amendment back to the Rules Committee made by Commissioner H. Plageman (OH), seconded by Commissioner J. Yukins (MI). Motion carried.

RULE 3.103 Acceptance of the offender by receiving state; exception

◀ (a) A sending state shall not allow an offender ~~under supervision in the sending state~~ to relocate to a receiving state without the receiving state's acceptance of the transfer of supervision.

(b) Exception—

~~(1)(A) A sending state may grant a travel permit to an offender who was living in the receiving state at the time of sentencing.~~

(1)(A) A sending state may request reporting instructions from a receiving state through the electronic information system and may grant a seven day travel permit to an offender who was living in the receiving state at the time of sentencing. Prior to granting a travel permit to an offender, the sending state shall verify that the offender is living in the receiving state.

~~(B) This exception is not applicable to offenders released to supervision from prison.~~

(B) The receiving state shall issue reporting instructions no later than two business days following receipt of such a request from the sending state.

(C) The sending state shall ensure that the offender sign all forms requiring the offender's signature under Rule 3.107 (a) prior to granting a travel permit to the offender. Signed forms shall be maintained in the sending state until termination of compact supervision.

(D) The sending state shall transmit a departure notice to the receiving state per Rule 4.105 (a).

(E) This exception is applicable to offenders sentenced to jail as a condition of probation and released to probation supervision from a jail facility.

(F) This exception is not applicable to offenders released to supervision from prison.

(2) The sending state retains supervisory responsibility until the offender's arrival in the receiving state.

(3) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions ~~during the investigation of the offender's plan of supervision~~ upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.

(4) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than 15 calendar days following the granting to the offender of the reporting instructions.

(5)(A) If the receiving state rejects the transfer request for an offender granted ~~a travel permit reporting instructions~~, or if the sending state fails to send a completed transfer request by the 15th day following the granting of ~~a travel permit reporting instructions~~, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request from the receiving state, direct the offender to return to the sending state ~~by a date specified by the sending state~~ within 30 calendar days after the receipt of notification of the rejection of the transfer request.

- (B) If the offender does not return to the sending state, as directed, the sending state shall initiate the retaking of the offender by issuing a warrant or an order to return no later than 10 calendar days following the offender's failure to appear in the sending state.
- (C) The receiving state shall continue to supervise the offender until a warrant is issued or notice is given by the sending state as required under Rule 4.105.

Rule 3.104-1

- Motion to approve the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried
 - o Discussion of 120 days
 - o Discussion of paroling offenders

RULE 3.104-1 Acceptance of offender; issuance of reporting instructions

- (a) If a receiving state accepts transfer of the offender, the receiving state's acceptance shall include reporting instructions.
- (b) Upon notice of acceptance of transfer by the receiving state, the sending state shall issue a travel permit to the offender and notify the receiving state of the offender's departure as required under Rule 4.105.
- (c) An acceptance by the receiving state shall be valid for 120 calendar days. If the sending state has not sent a Departure Notice to the receiving state in that time frame, the receiving state may withdraw its acceptance and close interest in the case. This does not apply to paroling offenders. See Rule 3.105 (c)(1).

Rule 3.105

- Motion to approve the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion was never brought to a vote.
- Motion to refer proposed amendment back to the Rules Committee made by Commissioner D. Ege (AZ), seconded by Commissioner M. DePeitro (NY). Motion carried.

RULE 3.106 Request for expedited reporting instructions

- (a)(1) A sending state may request that a receiving state agree to expedited transfer reporting instructions of an offender if the sending state believes that emergency circumstances exist and the receiving state agrees with that

determination. If the receiving state does not agree with that determination, the offender shall not proceed to the receiving state until an acceptance is received under Rule 3.104-1.

- (2) (A) A receiving state that agrees to expedited transfer reporting instructions of an offender shall immediately issue reporting instructions for the offender, and a sending state shall immediately ~~issue a travel permit~~ transmit a departure notice.
- (B) The sending state shall ensure that the offender signs all forms requiring the offender's signature under Rule 3.107 (a) prior to granting a ~~travel permit~~ reporting instructions to the offender. The ~~sending state shall immediately transmit the signed forms electronically or by telefax to the receiving state~~ Signed forms shall be maintained in the sending state until termination of compact supervision.
- (C) ~~At the time of transmission of the signed forms, the sending state shall provide the receiving state with a copy of the offender's orders and conditions, documentation of the offender's residency, copy of any available pre-sentence report, copy of any order of protection, where applicable, and whether the offender is subject to sex offender registration in the sending state.~~
- (b) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.
- (c) A sending state shall transmit a completed transfer request for an offender granted ~~a travel permit~~ reporting instructions no later than the seventh calendar day following the granting to the offender of the ~~travel permit~~ reporting instructions.
- (d)(1) If the receiving state rejects the transfer request for an offender granted a ~~travel permit~~ reporting instructions, or if the sending state fails to send a completed transfer request by the ~~7th~~ seventh calendar day following the granting of a ~~travel permit~~ reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request, direct the offender to return to the sending state ~~by a date specified by the sending state~~ within 30 calendar days after receipt of notification of the rejection of the transfer request.
- (2) If the offender does not return to the sending state as directed, the sending state shall initiate the retaking of the offender no later than 10 calendar days following the offender's failure to appear in the sending state.

- (3) The receiving state shall continue to supervise the offender until a warrant is issued or notice is given by the sending state as required under Rule 4.105.

Rule 3.107

- Motion to accept the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.

Rule 3.107 Transfer Request

- (a) A Transfer request for an offender shall be transmitted through the electronic information system authorized by the commission and shall contain—
- (1) transfer request form;
 - (2) instant offense in sufficient detail to describe the type and severity of offense and whether the charge has been reduced at the time of imposition of sentence;
 - (3) photograph of offender;
 - (4) conditions of supervision;
 - (5) any orders restricting the offender's contact with victims or any other person;
 - (6) any known orders protecting the offender from contact with any other person;
 - (7) information as to whether the offender is subject to sex offender registry requirements in the sending state along with supportive documentation;
 - (8) pre-sentence investigation report, if available;
 - (9) supervision history, if available;
 - (10) information relating to any court-ordered financial obligations, including but not limited to, fines, court costs, restitution, and family support; the balance that is owed by the offender on each; and the address of the office to which payment must be made.
- (b) The Offender Application for Interstate Compact Transfer shall be maintained in the sending state.
- (c) Additional documents, such as the Judgment and Commitment, and any other information may be requested from the sending state following acceptance of the offender. The sending state shall provide the documents if available.

Rule 4.103

- Motion to accept the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.

- o R. Masters, Legal Counsel, noted that special conditions cannot be imposed in the receiving state until acceptance. Therefore, case cannot be denied for such reasons.

Rule 4.103 Special conditions

- (a) At the time of acceptance or during the term of supervision, the compact administrator or supervising authority in the receiving state may impose a special condition on an offender transferred under the interstate compact if that special condition would have been imposed on the offender if sentence had been imposed in the receiving state.
- (b) A receiving state shall notify a sending state that it intends to impose or has imposed a special condition on the offender, the nature of the special condition, and the purpose.
- (c) A sending state shall inform the receiving state of any special conditions to which the offender is subject at the time the request for transfer is made or at any time thereafter.
- (d) A receiving state that is unable to enforce a special condition imposed in the sending state shall notify the sending state of its inability to enforce a special condition at the time of request for transfer of supervision is made.

Rule 4.105

- Motion to accept the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.

RULE 4.105 Arrival and departure notifications; withdrawal of reporting instructions

(a) Departure notifications

At the time of an offender's departure from any state pursuant to a transfer of supervision or the granting of reporting instructions, the state from which the offender departs shall notify the intended receiving state, and, if applicable, the sending state, through the electronic information system of the date and time of the offender's intended departure and the date by which the offender has been instructed to arrive.

(b) Arrival notifications

At the time of an offender's arrival in any state pursuant to a transfer of supervision or the granting of reporting instructions, or upon the failure of an offender to arrive as instructed, the intended receiving state shall immediately notify the state from which the offender departed, and, if applicable, the sending state, through the electronic information system of the offender's arrival or failure to arrive.

- (c) A receiving state may withdraw its reporting instructions if the offender does not report to the receiving state as directed.

Rule 4.110

- Motion to accept the proposed amendment made by Commissioner M. Gilliam (OK), seconded by Commissioner J. D'Amico (NJ). Motion carried.

RULE. 4.110 Transfer to a subsequent receiving state

- (a) At the request of an offender for transfer to a subsequent receiving state, and with the approval of the sending state, the sending state shall prepare and transmit a request for transfer to the subsequent state in the same manner as an initial request for transfer is made.
- (b) The receiving state shall assist the sending state in acquiring the offender's signature on the "Application for Interstate Compact Transfer" and any other forms that may be required under Rule 3.107 (a), and shall transmit these forms to the sending state.
- (c) The receiving state shall submit a statement to the sending state summarizing the offender's progress under supervision.
- (d) The receiving state shall issue a travel permit to the offender when the sending state informs the receiving state that the offender's transfer to the subsequent receiving state has been approved.
- (e) Notification of offender's departure and arrival shall be made as required under Rule 4.105.
- (f) Acceptance of the offender's transfer of supervision by a subsequent state and issuance of reporting instructions to the offender terminate the receiving state's supervisory obligations for the offender.

- It was noted that any proposed rules or amendments may be brought to the floor during New Business. The 1st order of the day for Wednesday will be implementation dates for the new rules and amendments.
- The Commission recessed for the day at 5:45 p.m. PST

Wednesday, September 14, 2005

Call to Order

- The meeting reconvened and was called to order by Chairman D. Guntharp at 8:05 a.m. PST.

Roll Call

- Roll was called by Executive Director D. Blackburn. 48 of 52 members were present, thereby constituting a quorum.

- | | |
|-------------------------|-------------------|
| 1. Alabama | Robert O'Neil |
| 2. Alaska | Leiton Lapou |
| 3. Arizona | Dori Es |
| 4. Arkansas | David Guntharp |
| 5. California | Karen Stoll |
| 6. Colorado | Jeanne Miller |
| 7. Delaware | Kari Hines |
| 8. District of Columbia | Paul Quander, Jr. |
| 9. Florida | R. Beth Atchison |
| 10. Georgia | Joe Kuebler |
| 11. Hawaii | Ronald Hajime |
| 12. Illinois | Michelle Bushcher |
| 13. Indiana | Jenny Bauer |
| 14. Iowa | Jeanette Bucklew |
| 15. Kansas | Keven Pellant |
| 16. Kentucky | Lelia VanHoose |
| 17. Louisiana | Gregg Smith |
| 18. Maine | Wayne Theriault |
| 19. Maryland | Judith Sachwald |
| 20. Michigan | Joan Yukins |
| 21. Minnesota | Ken Merz |
| 22. Missouri | Wanda LaCour |

23. Montana	Mike Ferriter
24. Nebraska	James McKenzie
25. Nevada	Amy Wright
26. New Hampshire	Mike McAlister
27. New Jersey	John D'Amico
28. New Mexico	Edward Gonzales
29. New York	Michael DePietro
30. North Carolina	Robert Lee Guy
31. North Dakota	Warren Emmer
32. Ohio	Harry Hageman
33. Oklahoma	Milton Gilliam
34. Pennsylvania	Benjamin Martinez
35. Puerto Rico	Alexis Bird
36. Rhode Island	A. T. Wall
37. South Carolina	D. Ann Hyde
38. South Dakota	Ed Lichtenberg
39. Tennessee	Gary Tulleck
40. Texas	Kathie Winokler
41. Utah	Leo Lucey
42. Vermont	Emmeline Kotkin
43. Virginia	James Camache
44. Virgin Islands	Arlene Swan
45. Washington	Doreen Gieger
46. West Virginia	Henry Lowery
47. Wisconsin	William Rankin
48. Wyoming	Les Pozog

- Motion to move New Business on the agenda to before Region Elections made by Vice-Chairman H. Hageman (OH), seconded by Commissioner H. Lowery (WV). 2/3rds of the Commission's vote was needed to pass the motion. Motion carried unanimously.

Compliance Report

- Compliance Chair W. Emmer (ND) presented the Compliance Committee report which was handed out to the Commission at the meeting. Commissioner W. Emmer (ND) gave an overview of the Committee's mission, legal actions, and the 4 strategies that have been developed.
- Commissioner W. Emmer (ND) recommended the Commission form a formal audit group to assist states for compliance purposes.
- Motion to accept the Compliance Committee report made by Commissioner W. Emmer, seconded by Commissioner W. Theriault (ME). Report was adopted and the Executive Committee will appoint the ad-hoc Audit Committee.

Training & Education Committee Report

- Training Committee Chair, A. Hyde (SC) delivered the Training Committee report and will be posted on the ICAOS website. The report overviewed the past year's training sessions, curriculum available, publications, and who the Committee plans to reach out to in the next year.
- Commissioner A. Hyde (SC) distributed a worksheet developed by Margaret Thompson, PA, regarding eligibility criteria for Compact transfers. The national office will have it available to send to officers.
- Chairman D. Guntharp (AR) stated without any objection the Commission will accept the Training Report.

Award Presentations

- Executive Chair Award was presented to Vice-Chairman H. Hageman (OH) by Chairman D. Guntharp (AR).
- Executive Director Award was presented to Charles Placek (ND) by Executive Director D. Blackburn.
- Peyton Tuthill Award was accepted by Commissioner M. Ferriter (MT) on behalf of Anita Richards (Victim's Advocate Montana State Council).
- Commissioner K. Wanckler (TX) noted she was not present for roll call and requested the record be corrected.

New Business

- Motion to refer Rule 2.105 *Misdemeanants* to the Rules Committee to be amended to include "drug offenders" and "felonies reduced to misdemeanants" made by Commissioner J. McKenzie (NE), seconded by Commissioner E. Gonzales (NM). Motion carried.
- Motion for an emergency amendment to Rule 2.102 *Data Collection and Reporting* made by Commissioner M. Gilliam (OK), seconded by J. D'Amico (NJ). Motion carried.
- Motion to adopt the proposed amendment to Rule 2.102 *Data Collection and Reporting* extending the expiration date until the electronic information system is implemented and functional made by Commissioner M. Gilliam (OK), seconded by J. D'Amico (NJ). Motion carried.
 - Friendly amendment offered by Commissioner D. Ege (AZ) to make the amendment effective December 31, 2005. Accepted.
- Motion for effective dates for Rules 1.101, 2.110, 3.101, 3.104-1, 4.103 to be January 1, 2006 made by Commissioner M. Gilliam (OK), seconded by J. D'Amico (NJ). Motion carried.

- Motion for effective dates for Rules 3.104, 3.107, 4.105, and 4.110 to be when electronic system is fully functional made by Commissioner M. Gilliam (OK), seconded by J. D'Amico (NJ). Motion carried.
 - Discussion of not having set dates.
 - Discussion of "fully functional"
 - Friendly amendment offered by Vice-Chair H. Hageman (OH) to make effective date "date to be determined by the Executive Committee." Accepted.
- Motion to refer Rule 3.103 & 3.106 to the Rules Committee for a vote by the Commission in 120 days made by Commissioner J. Kuebler (GA), seconded by M. DePeitro (NY). Motion carried.
- Motion to refer Rule 3.103 section (b)(1)(F) to the Rules Committee for a vote by the Commission in 120 days made by Vice-Chair H. Hageman (OH), seconded by Commissioner B. Martinez (PA). Motion carried.
- Motion to refer Rule 1.101 (ii) *Relocate* to the Rules Committee for a vote by the Commission in 120 days made by Commissioner M. DePeitro (NY), seconded by Commissioner E. Gonzales (NM). Motion carried.
- Motion to refer Rule 3.105 *Request for transfer of controlling offender* to specify how long a parole plan is valid made by Commissioner A. Hyde (SC), seconded by Commissioner J. Kuebler (GA). Motion carried unanimously.
- Motion to have the Commission Chairman appoint an ad hoc committee to research rules specific to sex offenders made by Commissioner D. Ege (AZ), seconded by Commissioner J. Miller (CO). Motion carried.
 - Chairman D. Guntharp (AR) stated that anyone interested in serving on the committee should contact Executive Director D. Blackburn. Anticipates getting the committee appointed in the next 3 weeks.
- Motion to use data from the first 6 months of transactions through NACIS to reformulate the dues structure made by Commissioner A. Bird (PR), seconded by Commissioner A. Swan (IL). Motion failed.
 - Discussion to 6 months being too short of time
 - Discussion of "transactions"
 - Friendly amendment to change "transactions" to "transferred" offered by Commissioner W. Theriault (ME). Accepted.
 - Point of Order from R. Masters, Legal Counsel, that the dues are currently formulated differently.
 - Commissioner J. Kuebler (GA) suggested appointing an ad hoc committee to research the dues structure. Chairman D. Guntharp (AR) noted the issue would need to come up at next year's meeting after NACIS is implemented.
 - Vice-Chair H. Hageman (OH) noted that Puerto Rico and the Virgin Islands are at the bottom of the dues structure.
- Motion to refer a new proposed definition Rule 1.101 (kk) *Formal Communication* for purposes of Rule 2.101 (b) to the Rules Committee made by Commissioner J. Yukins (MI), seconded by Commissioner K. Merz (MN). Motion carried.

- Motion to have signature forms available to the Commission translated to Spanish when NACIS is implemented made by Commissioner A. Bird (PR), seconded by Commissioner K. Winckler (TX). Motion carried.
 - Vice-Chairman H. Hageman (OH) noted this would entail a change order for NACIS.
 - Discussion: Importance of offender understanding what they are signing.
 - Commissioner G. Tullock (TN) noted that Tennessee has already translated forms.
 - Friendly amendment offered by Commissioner D. Ege (AZ) to have the forms created immediately. Accepted.
 - Chairman D. Guntharp (AR) stated that the national office will have the translations validated and posted on the website.
 - Commissioner J. Sachwald (MD) suggested forming an ad hoc committee to research future translations.
- Survey was requested by Commissioner M. DePietro to poll the Commission for recommendations for the "relocate" definition. 30 days-10 votes, 45 days-11 votes, 60 days-8 votes, 90 days-13 votes, and None of the above-1 vote
- Motion to refer Rule 3.101 *Mandatory Transfer of Supervision* to the Rules Committee in regards to "visible" vs "viable" made by Commissioner B. Martinez (PA), seconded by Commissioner J. Wall (RI). Motion carried.
- Motion to refer Rule 3.108 (1) & 4.111 (b) back to the Rules Committee to make language consistent in regards to victim notification made by Commissioner B. Martinez (PA), seconded by Commissioner J. Quander (DC). Motion carried.
- Motion to refer Rule 4.112 *Closing of Supervision by the Receiving State* made by Commissioner B. Martinez (PA), seconded by Commissioner J. Yukins (MI). Motion failed.

➤ The Commission broke for region sessions at 10:00 a.m. PST and reconvened at 11:00 a.m. PST.

➤ Chairman D. Guntharp (AR) complimented the new rule adoption/amending process set forth by Rule 2.109.

Public Comment

- Compliments were delivered to the Commission and its staff for its accomplishments.

West Region Report

- Commissioner D. Ege (AZ) handed out the West Region Report to the Commission. It was noted that the region meets every 60 days to work out issues.

South Region Report

- Commissioner J. Kuebler (GA) introduced the new Region Chair, Commissioner R. Oakes (AL). It was noted the region plans to meet every 60 days and hopes to hold a possible face-to-face meeting in the future.

East Region Report

- Commissioner B. Martinez (PA) introduced the new Region Chair, Commissioner M. DePietro (NY), and complimented his efforts. The east region plans to hold meetings on a regular basis. It was also noted that the east region is most populated and the region will be looking at the fees paid by the Virgin Islands.

Midwest Region Report

- Commissioner E. Ligtenberg (SD) handed out a report to the Commission and introduced the new Region Chair, Commissioner K. Merz (MN). The importance of solving issues with border states is important to the region.
- The Region Representatives were sworn in by Chairman D. Guntharp (AR)
- Commissioner D. Ege (AZ) noted that Commissioner A. Wright (NV) will be retiring.
- Motion to adjourn made by Commissioner B. Martinez (PA), seconded by M. Ferriter (MT). Meeting adjourned at 11:25 a.m. RS/12



**INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION
NATIONAL TELECONFERENCE MEETING**

**January 19, 2006
2:00 pm EST**

Session 697 695 293

Call to Order

- The meeting was called to order by Chairman D. Guntharp at 2:10 pm. The purpose of this meeting is to vote on the three rules that were referred back to the Rules Committee for a vote within 180 days from the 2005 Annual Business Meeting

Roll Call

- Roll was called by D. Blackburn. 48 out of 53 member states were in attendance establishing a quorum

1. Alabama	Robert Oakes
2. Alaska	Leitoni Tupou
3. Arizona	Deri Ege
4. Arkansas	David Guntharp
5. California	Karen Stoll
6. Colorado	Jeanene Miller
7. Connecticut	Theresa Lantz
8. Delaware	Karl Hines
9. District of Columbia	Paul Quander, Jr.
10. Florida	R. Beth Atchison
11. Georgia	Joe Kuebler
12. Hawaii	Ronald Hajime
13. Idaho	David Nelson
14. Illinois	Michelle Buscher
15. Indiana	Jane Seigel
16. Kansas	Keven Pellant
17. Kentucky	Lelia VanHoose
18. Louisiana	Genie Powers
19. Maine	Wayne Theriault
20. Maryland	Judith Sachwald
21. Massachusetts	Maureen Walsh
22. Michigan	Joan Yukins

23. Minnesota
24. Mississippi
25. Missouri
26. Montana
27. Nebraska
28. Nevada
29. New Hampshire
30. New Jersey
31. New Mexico
32. New York
33. North Carolina
34. North Dakota
35. Ohio
36. Oklahoma
37. Pennsylvania
38. Puerto Rico
39. Rhode Island
40. South Carolina
41. South Dakota
42. Tennessee
43. Texas
44. Virginia
45. Virgin Islands
46. Washington
47. West Virginia
48. Wisconsin
49. Wyoming

Rose Ann Bisch
Ivy Keys
Wanda LaCour
Mike Ferriter
James McKenzie
John Gonska
Jeanne Stewart
John D'Amico
Edward Gonzales
Michael DePietro
Robert Lee Guy
Warren Emmer
Harry Hageman
Milton Gilliam
Benjamin Martinez
Alexis Bird
Arlene Wall
D. Ann Hyde
Ed Lightberg
Gary Tullock
Kathie Winckler
James Camache
Arlene Swan
Doreen Gergel
Henry Lowery
William Rankin
Shane Sconce

- Legal Counsel, Masters reviewed Rule 2.109 to clarify how rules are adopted. Masters stated that a vote to adopt a rule is separate from a vote to refer a rule back to the Rules Committee.
- D. Blackburn stated that all appointment letters for voting members at the meeting have been received by the national office.
- D. Blackburn recognized ex-officios Pat Tuthill and Gerald Vandewalle

Rules Vote

RULE 1.101

(ii) "Relocate" means to remain overnight in ~~any one state~~ outside a sending state for more than either 30 consecutive days or 60 cumulative days in any 12 month period.
Effective 30 days after vote.

- Motion to adopt the proposed amendment to Rule 1.101 Relocate by M. Gilliam, seconded by M. DePietro. Motion failed.
 - Call to question made by J. Sachwald, seconded by D. Ege. Motion to end debate failed.
 - Motion to refer Rule 1.101 Relocate back to the Rules Committee made by M. DePietro, seconded by B. Martinez. Motion carried.
 - Discussion of issues of defining "Relocate"

RULE 3.103. Acceptance of the offender by receiving state; exception

(a) A sending state shall not allow an offender under supervision in the sending state to relocate to a receiving state without the receiving state's acceptance of the transfer of supervision.

(b) Exception—

~~(1)(A) A sending state may grant a travel permit to an offender who was living in the receiving state at the time of sentencing.~~

(1)(A) A sending state may request reporting instructions from a receiving state through the electronic information system and may grant a seven day travel permit to an offender who was living in the receiving state at the time of sentencing. Prior to granting a travel permit to an offender, the sending state shall verify that the offender is living in the receiving state.

~~(B) This exception is not applicable to offenders released to supervision from prison.~~

(B) The receiving state shall issue reporting instructions no later than two business days following receipt of such a request from the sending state.

(C) The sending state shall ensure that the offender sign all forms requiring the offender's signature under Rule 3.107 (a) prior to granting a travel permit to the offender. Signed forms shall be maintained in the sending state until termination of compact supervision. Upon request from the receiving state the sending state shall transmit all signed forms within 5 business days.

(D) The sending state shall transmit a departure notice to the receiving state per Rule 4.105 (a).

(E) This exception is applicable to offenders sentenced to jail as a condition of probation and released to probation supervision from a jail facility.

(F) This exception is not applicable to offenders released to supervision from prison.

(2) The sending state retains supervisory responsibility until the offender's arrival in the receiving state.

(3) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.

(4) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than 15 calendar days following the granting to the offender of the reporting instructions.

(5)(A) If the receiving state rejects the transfer request for an offender granted a travel permit reporting instructions, or if the sending state fails to send a completed transfer request by the 15th day following the granting of a travel permit reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request from the receiving state, direct the offender to return to the sending state by a date specified by the sending state within 30 calendar days after the receipt of notification of the rejection of the transfer request.

(B) If the offender does not return to the sending state, as directed, the sending state shall initiate the retaking of the offender by issuing a warrant or an order to return no later than 10 calendar days following the offender's failure to appear in the sending state.

(C) The receiving state shall continue to supervise the offender until a warrant is issued or notice is given by the sending state as required under Rule 4.105

Effective: Upon the Implementation of NACIS

- Motion to adopt the proposed amendment to Rule 3.103 made by M. Gilliam, seconded by J. D'Amico. Motion failed.
 - Call to question made by M. DePietro, seconded by K. Stoll. Motion to end discussion carried.
 - Motion to refer the proposed amendment to Rule 3.103 back to the Rules Committee made by J. Kuebler, seconded by B. Martinez. Motion carried.

RULE 3.106 Request for expedited reporting instructions

- (a)(1) A sending state may request that a receiving state agree to expedited transfer reporting instructions of an offender if the sending state believes that emergency circumstances exist and the receiving state agrees with that determination. If the receiving state does not agree with that determination, the offender shall not proceed to the receiving state until an acceptance is received under Rule 3.104-1.
- (2) (A) A receiving state that agrees to expedited transfer reporting instructions of an offender shall immediately issue reporting instructions for the offender, and a sending state shall immediately ~~issue a travel permit~~ transmit a departure notice.
- (B) The sending state shall ensure that the offender signs all forms requiring the offender's signature under Rule 3.107 (a) prior to granting a ~~travel permit~~ reporting instructions to the offender. ~~The sending state shall immediately transmit the signed forms electronically or by telefax to the receiving state.~~ Signed forms shall be maintained in the sending state until termination of compact supervision. Upon request from the receiving state the sending state shall transmit all signed forms within 5 business days.
- (C) ~~At the time of transmission of the signed forms, the sending state shall provide the receiving state with a copy of the offender's orders and conditions, documentation of the offender's residency, copy of any available pre-sentence report, copy of any order of protection, where applicable, and whether the offender is subject to sex-offender registration in the sending state.~~
- (b) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.
- (c) A sending state shall transmit a completed transfer request for an offender granted ~~a travel permit~~ reporting instructions no later than the seventh calendar day following the granting to the offender of the ~~travel permit~~ reporting instructions.
- (d)(1) If the receiving state rejects the transfer request for an offender granted a ~~travel permit~~ reporting instructions, or if the sending state fails to send a completed transfer request by the ~~7th~~ seventh calendar day following the granting of a ~~travel permit~~ reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request, direct the offender to return to the sending state by a date specified by

the sending state within 30 calendar days after receipt of notification of the rejection of the transfer request.

- (1) If the offender does not return to the sending state as directed, the sending state shall initiate the retaking of the offender no later than 10 calendar days following the offender's failure to appear in the sending state.
- (2) The receiving state shall continue to supervise the offender until a warrant is issued or notice is given by the sending state as required under Rule 4.105.

Effective: Upon the implementation of NACIS

- Motion to adopt the proposed amendment to Rule 3.101 made by M. Gilliam; seconded by J. D'Amico. Motion carried.
- M. Gilliam announced the Rules Committee will meet the end of February to review proposed Rule amendments from the Annual meeting. M. Gilliam requested that Commissioners comment on proposed amendments.
- H. Hageman requested that the Committee give feedback back to Commissioners about their comments.
- K. Winckler asked that the agenda be published on the ICAOS website. D. Blackburn noted that comments and actions will be posted on the website and making that part of the website secure.
- D. Guntharp announced that dates for NACIS implementation will be set at a later date.

Motion to adjourn made by J. D'Amico, seconded by H. Lowery. The meeting adjourned at 3:18 pm EST.

INTERSTATE COMMISSION

FOR

ADULT OFFENDER

SUPERVISION

RULES

Adopted by the

Interstate Commission for Adult Offender Supervision

Pursuant to Articles V & VIII of the

Interstate Compact for Adult Offender Supervision

Rule effective January 1, 2006

Introduction

The Interstate Commission for Adult Offender Supervision is charged with overseeing the day-to-day operations of the Interstate Compact for Adult Offender Supervision, a formal agreement between member states that seeks to promote public safety by systematically controlling the interstate movement of certain adult offenders. As a creature of an interstate compact, the Commission is a quasi-governmental administrative body vested by the states with broad regulatory authority. Additionally, the Interstate Compact on Adult Offender Supervision has received that has received congressional consent under Article I, § 10 of the United States Constitution and pursuant to Title 4, Section 112(a) of the United States Code.

Through its rulemaking powers, the Commission seeks to achieve the goals of the compact by creating a regulatory system applicable to the interstate movement of adult offenders, provide an opportunity for input and timely notice to victims of crime and to the jurisdictions where offenders are authorized to travel or to relocate, establish a system of uniform data collection, provide access to information on active cases to authorized criminal justice officials, and coordinate regular reporting of Compact activities to heads of state councils, state executive, judicial, and legislative branches and criminal justice administrators. The Commission is also empowered to monitor compliance with the interstate compact and its duly promulgated rules, and where warranted to initiate interventions to address and correct noncompliance. The Commission will coordinate training and education regarding regulations of interstate movement of offenders for state officials involved in such activity.

These rules are promulgated by the Interstate Commission on Adult Offender Supervision pursuant to Article V and Article VIII of the Interstate Compact on Adult Offender Supervision. The rules are intended to effectuate the purposes of the compact and assist the member states in complying with their obligations by creating a uniform system applicable to all cases and persons subject to the terms and conditions of the compact. Under Article V, **Rules** promulgated by the Commission "shall have the force and effect of statutory law and shall be binding in the compacting states[.]" All state officials and state courts are required to effectuate the terms of the compact and ensure compliance with these rules. To the extent that state statutes, rules or policies conflict with the terms of the compact or rules duly promulgated by the Commission, such statutes, rules or policies are superseded by these rules to the extent of any conflict.

To further assist state officials in implementing the Compact and complying with its terms and these rules, the Commission has issued a number of advisory opinions. Additionally, informal opinions can be obtained from the Commission as warranted. Advisory opinions, contact information and other important information, can be found on the Commission's website at <http://www.interstatecompact.org>.

TABLE OF CONTENTS

Chapter 1	Definitions	6
Chapter 2	General Provisions	
Rule 2.101	<i>Involvement of interstate compact offices</i>	10
Rule 2.102	<i>Data collection and reporting</i>	11
Rule 2.103	<i>Dues formula</i>	12
Rule 2.104	<i>Forms</i>	13
Rule 2.105	<i>Misdemeanants</i>	14
Rule 2.106	<i>Offenders subject to deferred sentences</i>	15
Rule 2.107	<i>Offenders on furlough, work release</i>	16
Rule 2.108	<i>Offenders with disabilities</i>	17
Rule 2.109	<i>Adoption of rules; amendment</i>	18
Rule 2.110	<i>Transfer of offenders under this compact</i>	20
Chapter 3	Transfer of Supervision	
Rule 3.101	<i>Mandatory transfer of supervision</i>	21
Rule 3.101-1	<i>Mandatory transfers of military, families of military and family members employed</i>	22
Rules 3.101-2	<i>Discretionary transfers of supervision</i>	23
Rule 3.102	<i>Submission of transfer request to receiving state</i>	24
Rule 3.103	<i>Acceptance of the offender by receiving state; exception</i>	25
Rule 3.104	<i>Time allowed for investigation by receiving state</i>	27
Rule 3.104-1	<i>Acceptance of offender; issuance of reporting instructions</i>	28
Rule 3.105	<i>Request for transfer of paroling offender</i>	29
Rule 3.106	<i>Request for expedited transfer</i>	30
Rule 3.107	<i>Application for transfer of supervision</i>	31
Rule 3.108	<i>Victim notification</i>	32
Rule 3.108-1	<i>Victims' right to be heard and comment</i>	33
Rule 3.109	<i>Waiver of extradition</i>	34
Chapter 4	Supervision in Receiving State	
Rule 4.101	<i>Manner and degree of supervision in receiving state</i>	35
Rule 4.102	<i>Duration of supervision in receiving state</i>	36
Rule 4.103	<i>Special conditions</i>	37
Rule 4.104	<i>Offender registration in receiving state</i>	38
Rule 4.105	<i>Arrival and departure notifications; withdrawal of reporting instructions</i>	39
Rule 4.106	<i>Progress reports</i>	40
Rule 4.107	<i>Fees</i>	41
Rule 4.108	<i>Collection of fines and other costs</i>	42
Rule 4.109	<i>Violation reports</i>	43
Rule 4.110	<i>Transfer to subsequent receiving state</i>	44
Rule 4.111	<i>Return to sending state</i>	45
Rule 4.112	<i>Closing of supervision by receiving state</i>	46

Chapter 5	Retaking	
Rule 5.101	Retaking by the sending state	47
Rule 5.102	New felony offense	48
Rule 5.103	Violations of conditions of supervision	49
Rule 5.104	Cost of retaking offender	50
Rule 5.105	Time allowed for retaking offender	51
Rule 5.106	Cost of incarceration in receiving state	52
Rule 5.107	Officers retaking an offender in receiving state	53
Rule 5.108	Opportunity for hearing in receiving state	54
Rule 5.109	Transport of offenders	55
Rule 5.110	Retaking offenders from state or federal correctional facilities	56
Rule 5.111	Denial of bail to certain offenders	57
Rule 5.112	Effect of special conditions or requirements	58
Chapter 6	Dispute Resolution and Interpretation of Rules	
Rule 6.101	Informal communication to resolve disputes or controversies	59
Rule 6.102	Formal resolution of disputes and controversies	60
Rule 6.103	Enforcement actions against a defaulting state	61
Rule 6.104	Judicial enforcement	62

**INTERSTATE COMMISSION FOR
ADULT OFFENDER
SUPERVISION**

Chapter 1	<u>Definitions</u>
Chapter 2	<u>General Provisions</u>
Chapter 3	<u>Transfer of Supervision</u>
Chapter 4	<u>Supervision in Receiving State</u>
Chapter 5	<u>Retaking</u>
Chapter 6	<u>Dispute Resolution and Interpretation of Rules</u>

Chapter 1

Definitions

RULE 1.101 Definitions

As used in these rules, unless the context clearly requires a different construction—

- “Abscond”** means to be absent from the offender’s approved place of residence or employment with the intent of avoiding supervision.
- “Adult”** means both individuals legally classified as adults and juveniles treated as adults by court order, statute, or operation of law.
- “Application fee”** means a reasonable sum of money charged an interstate compact offender by the sending state for each application for transfer prepared by the sending state.
- “Arrival”** means to report to the location and officials designated in reporting instructions given to an offender at the time of the offender’s departure from a sending state under an interstate compact transfer of supervision.
- “By-laws”** means those by-laws established by the Interstate Commission for Adult Offender Supervision for its governance, or for directing or controlling the Interstate Commission’s actions or conduct.
- “Compact”** means the Interstate Compact for Adult Offender Supervision.
- “Compact administrator”** means the individual in each compacting state appointed under the terms of this compact and responsible for the administration and management of the state’s supervision and transfer of offenders subject to the terms of this compact, the rules adopted by the Interstate Commission for Adult Offender Supervision, and policies adopted by the State Council under this compact.
- “Compact commissioner”** or **“commissioner”** means the voting representative of each compacting state appointed under the terms of the Interstate Compact for Adult Offender Supervision as adopted in the member state.
- “Compliance”** means that an offender is abiding by all terms and conditions of supervision, including payment of restitution, family support, fines, court costs or other financial obligations imposed by the sending state.
- “Deferred sentence”** means a sentence the imposition of which is postponed pending the successful completion by the offender of the terms and conditions of supervision ordered by the court.
- “Detainer”** means an order to hold an offender in custody.
- “Discharge”** means the final completion of the sentence that was imposed on an offender by the sending state.

“Extradition” means the return of a fugitive to a state in which the offender is accused, or has been convicted of, committing a criminal offense, by order of the governor of the state to which the fugitive has fled to evade justice or escape prosecution.

References:

ICAOS Advisory Opinion 2-2004, [See Pacileo vs. Walker, 449 U.S. 86 (1980), rehearing denied 450 U.S. 960 (1981); and Michigan vs. Doran, 439 U.S. 282 (1978)].

“Offender” means an adult placed under, or made subject to, supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

References:

ICAOS Advisory Opinion 9-2004

“Plan of supervision” means the terms under which an offender will be supervised, including proposed residence, proposed employment or viable means of support and the terms and conditions of supervision.

“Probable cause hearing” a hearing in compliance with the decisions of the U.S. Supreme Court, conducted on behalf of an offender accused of violating the terms or conditions of the offender’s parole or probation.

“Receiving state” means a state to which an offender requests transfer of supervision or is transferred.

“Relocate” means to remain in another state for more than 90 days in any 12 month period.

“Reporting instructions” means the orders given to an offender by a sending or receiving state directing the offender to report to a designated person or place, at a specified date and time, in another state. Reporting instructions shall include place, date, and time on which the offender is directed to report in the receiving state.

“Resident” means a person who—

- (1) has continuously inhabited a state for at least one year prior to the commission of the offense for which the offender is under supervision; and
- (2) intends that such state shall be the person’s principal place of residence; and
- (3) has not, unless incarcerated, remained in another state or states for a continuous period of six months or more with the intent to establish a new principal place of residence.

“Resident family” means a parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian, or step-parent who--

- (1) has resided in the receiving state for 180 days or longer as of the date of the transfer request; and
- (2) indicates willingness and ability to assist the offender as specified in the plan of supervision.

“Retaking” means the act of a sending state in physically removing an offender, or causing to have an offender removed, from a receiving state.

“Rules” means acts of the Interstate Commission, which have the force and effect of law in the compacting states, and are promulgated under the Interstate Compact for Adult Offender Supervision, and substantially affect interested parties in addition to the Interstate Commission,

“Sending state” means a state requesting the transfer of an offender, or which transfers supervision of an offender, under the terms of the Compact and its rules.

“Shall” means that a state or other actor is required to perform an act, the non-performance of which may result in the imposition of sanctions as permitted by the Interstate Compact for Adult Offender Supervision, its by-laws and rules.

“Significant violation” means an offender’s failure to comply with the terms or conditions of supervision that, if occurring in the receiving state, would result in a request for revocation of supervision.

“Special condition” means a condition or term that is added to the standard conditions of parole or probation by either the sending or receiving state.

“Subsequent receiving state” means a state to which an offender is transferred that is not the sending state or the original receiving state.

“Substantial compliance” means that an offender is sufficiently in compliance with the terms and conditions of his or her supervision so as not to result in initiation of revocation of supervision proceedings by the sending state.

References:

ICAOS Advisory Opinion 7-2004, ICAOS Advisory Opinion 9-2004

“Supervision” means the authority or oversight exercised by supervising authorities of a sending or receiving state over an offender for a period of time determined by a court or releasing authority, during which the offender is required to report to or be monitored by supervising authorities, and includes any condition, qualification, special condition or requirement imposed on the offender at the time of the offender’s release to the community or during the period of supervision in the community.

References:

ICAOS Advisory Opinion 8-2004 and 3-2005

“Supervision fee” means a fee collected by the receiving state for the supervision of an offender.

"Temporary travel permit" means, for the purposes of Rule 3.108 (b), the written permission granted to an offender, whose supervision has been designated a "victim-sensitive" matter, to travel outside the supervising state for more than 24 hours but no more than 31 days. A temporary travel permit shall include a starting and ending date for travel.

"Travel permit" means the written permission granted to an offender authorizing the offender to travel from one state to another.

"Victim" means a natural person or the family of a natural person who has incurred direct or threatened physical or psychological harm as a result of an act or omission of an offender.

"Victim-sensitive" means a designation made by the sending state in accordance with its definition of "crime victim" under the statutes governing the rights of crime victims in the sending state. The receiving state shall give notice of offender's movement to the sending state as specified in Rules 3.108 and 3.108-1.

"Waiver" means the voluntary relinquishment, in writing, of a known constitutional right or other right, claim or privilege by an offender.

History: Adopted November 3, 2003. Rule 1.101(h) amended October 26, 2004; Rule 1.101(r) amended October 26, 2004; Rule 1.101(s) amended October 26, 2004; Rule 1.101(aa) adopted October 26, 2004; Rule 1.101 (bb) amended October 26, 2004; Rule 1.101(ee) amended September 13, 2005; Rule 1.101(ff) amended September 13, 2005; Rule 1.101(ii) adopted September 13, 2005; Rule 1.101(ji) adopted September 13, 2005; Rule 1.101(r) amended September 13, 2005.

Chapter 2

General Provisions

RULE 2.101 Involvement of interstate compact offices

- (a) Acceptance, rejection or termination of supervision of an offender under this compact shall be made only with the involvement and concurrence of a state's compact administrator or the compact administrator's designated deputies.
- (b) All formal written, electronic, and oral communication regarding an offender under this compact shall be made only through the office of a state's compact administrator or the compact administrator's designated deputies.
- (c) Transfer, modification or termination of supervision authority for an offender under this compact may be authorized only with the involvement and concurrence of a state's compact administrator or the compact administrator's designated deputies.
- (d) Violation reports or other notices regarding offenders under this compact shall be transmitted only through direct communication of the compact offices of the sending and receiving states.

History: Adopted November 3, 2003.

RULE 2.102 Data collection and reporting

- (a) As required by the compact, and as specified by the operational procedures and forms approved by the commission, the states shall gather, maintain and report data regarding the transfer and supervision of offenders supervised under this compact.
- (b) (1) Each state shall report to the commission each month the total number of offenders supervised under the compact in that state.
(2) Each state shall report to the commission each month the numbers of offenders transferred to and received from other states in the previous month.
(3) Reports required under Rule 2.102 (b)(1) and (2) shall be received by the commission no later than the 15th day of each month.
- (c) This Rule will not expire until the Electronic Information System approved by the commission is fully implemented and functional.

History: Adopted November 3, 2003; amended September 14, 2005.

RULE 2.103 Dues formula

- (a) The commission shall determine the formula to be used in calculating the annual assessments to be paid by states. Public notice of any proposed revision to the approved dues formula shall be given at least 30 days prior to the Commission meeting at which the proposed revision will be considered.
- (b) The commission shall consider the population of the states and the volume of offender transfers between states in determining and adjusting the assessment formula.
- (c) The approved formula and resulting assessments for all member states shall be distributed by the commission to each member state annually.
- (d)(1) The dues formula is the—
(Population of the state **divided** by Population of the United States) plus (Number of offenders sent from and received by a state **divided** by Total number of offenders sent from and received by all states) divided by two.
- (2) The resulting ratios derived from the dues formula in Rule 2.103 (d)(1) shall be used to rank the member states and to determine the appropriate level of dues to be paid by each state under a tiered dues structure approved and adjusted by the Commission at its discretion.

History: Adopted November 3, 2003.

RULE 2.104 Forms

States shall use the forms or electronic information system authorized by the commission for all communication regarding offenders between or among states.

History: Adopted November 3, 2003.

RULE 2.105 Misdemeanants

(a) A misdemeanor offender whose sentence includes one year or more of supervision shall be eligible for transfer, provided that all other criteria for transfer, as specified in Rule 3.101, have been satisfied; and the instant offense includes one or more of the following—

- (1) an offense in which a person has incurred direct or threatened physical or psychological harm ;
- (2) an offense that involves the use or possession of a firearm;
- (3) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol;
- (4) a sexual offense that requires the offender to register as a sex offender in the sending state.

References:

ICAOS Advisory Opinion 3-2005 and 4-2005

History: Adopted November 3, 2003; amended March 12, 2004; amended October 26, 2004.

RULE 2.106 Offenders subject to deferred sentences

Offenders subject to deferred sentences are eligible for transfer of supervision under the same eligibility requirements, terms, and conditions applicable to all other offenders under this compact. Persons subject to supervision pursuant to a pre-trial intervention program, bail, or similar program are not eligible for transfer under the terms and conditions of this compact.

References:

ICAOS Advisory Opinion June 30, 2004

ICAOS Advisory Opinion 6-2005

History: Adopted November 3, 2003; amended March 12, 2004; amended October 26, 2004.

RULE 2.107 Offenders on furlough, work release

A person who is released from incarceration under furlough, work-release, or other pre-parole program is not eligible for transfer under the compact.

History: Adopted November 3, 2003.

RULE 2.108 Offenders with disabilities

A receiving state shall continue to supervise offenders who become mentally ill or exhibit signs of mental illness or who develop a physical disability while supervised in the receiving state.

History: Adopted November 3, 2003.

RULE 2.109 Adoption of rules; amendment

Proposed new rules or amendments to the rules shall be adopted by majority vote of the members of the Interstate Commission in the following manner.

(a) Proposed new rules and amendments to existing rules shall be submitted to the Interstate Commission office for referral to the Rules Committee in the following manner:

- (1) Any Commissioner may submit a proposed rule or rule amendment for referral to the Rules Committee during the annual Commission meeting. This proposal would be made in the form of a motion and would have to be approved by a majority vote of a quorum of the Commission members present at the meeting.
- (2) Standing ICAOS Committees may propose rules or rule amendments by a majority vote of that committee.
- (3) ICAOS Regions may propose rules or rule amendments by a majority vote of members of that region.

(b) The Rules Committee shall prepare a draft of all proposed rules and provide the draft to all Commissioners for review and comments. All written comments received by the Rules Committee on proposed rules shall be posted on the Commission's website upon receipt. Based on the comments made by the Commissioners the Rules Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by the Commission not later than the next annual meeting.

(c) Prior to the Commission voting on any proposed rule or amendment, the text of the proposed rule or amendment shall be published by the Rules Committee not later than 30 days prior to the meeting at which vote on the rule is scheduled, on the official web site of the Interstate Commission and in any other official publication that may be designated by the Interstate Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.

(d) Each proposed rule or amendment shall state—

- (1) The place, time, and date of the scheduled public hearing;
- (2) The manner in which interested persons may submit notice to the Interstate Commission of their intention to attend the public hearing and any written comments; and
- (3) The name, position, physical and electronic mail address, telephone, and telefax number of the person to whom interested persons may respond with notice of their attendance and written comments.

(e) Every public hearing shall be conducted in a manner guaranteeing each person who wishes to comment a fair and reasonable opportunity to comment. No transcript of the public hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall pay for the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Interstate Commission from making a transcript or recording of the public hearing if it so chooses.

- (f) Nothing in this section shall be construed as requiring a separate public hearing on each rule. Rules may be grouped for the convenience of the Interstate Commission at public hearings required by this section.
- (g) Following the scheduled public hearing date, the Interstate Commission shall consider all written and oral comments received.
- (h) The Interstate Commission shall, by majority vote of a quorum of the commissioners, take final action on the proposed rule or amendment by a vote of yes/no or by referring the rule back to the Rules Committee for further action. The Commission shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
- (i) Not later than sixty days after a rule is adopted, any interested person may file a petition for judicial review of the rule in the United States District Court of the District of Columbia or in the federal district court where the Interstate Commission's principal office is located. If the court finds that the Interstate Commission's action is not supported by substantial evidence, as defined in the federal Administrative Procedures Act, in the rulemaking record, the court shall hold the rule unlawful and set it aside. In the event that a petition for judicial review of a rule is filed against the Interstate Commission by a state, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.
- (j) Upon determination that an emergency exists, the Interstate Commission may promulgate an emergency rule that shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. An emergency rule is one that must be made effective immediately in order to--
 - (1) Meet an imminent threat to public health, safety, or welfare;
 - (2) Prevent a loss of federal or state funds;
 - (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
 - (4) Protect human health and the environment.

References:

ICAOS Advisory Opinion 3-2006

History: Adopted November 3, 2003; amended September 13, 2005.

RULE 2.110 Transfer of offenders under this compact

- (a) No state shall permit an offender who is eligible for transfer under this compact to relocate to another state except as provided by the Compact and these rules.
- (b) An offender who is not eligible for transfer under this Compact is not subject to these rules and remains subject to the laws and regulations of the state responsible for the offender's supervision.

References:

ICAOS Advisory Opinion 3-2004

History: Adopted November 3, 2003; amended September 13, 2005.

Chapter 3

Transfer of Supervision

RULE 3.101 ***Mandatory transfer of supervision***

At the discretion of the sending state, an offender shall be eligible for transfer of supervision to a receiving state under the compact, and the receiving state shall accept transfer, if the offender:

- (a) has more than 90 days or an indefinite period of supervision remaining; and
- (b) has a valid plan of supervision; and
- (c) is in substantial compliance with the terms of supervision in the sending state; and
- (d) is a resident of the receiving state; or
- (e) (1) has resident family in the receiving state who have indicated a willingness and ability to assist as specified in the plan of supervision; and
 (2) can obtain employment in the receiving state or has a visible means of support.

References:

ICAOS Advisory Opinion 7-2004

ICAOS Advisory Opinion 9-2004

ICAOS Advisory Opinion 3-2005

ICAOS Advisory Opinion 4-2005

ICAOS Advisory Opinion 7-2005

ICAOS Advisory Opinion 8-2005

RULE 3.101-1 Mandatory Transfers of Military, Families of Military, and Family Members Employed;

- (a) *Transfer of Military members-* An offender who is a member of the military and has been deployed by the military to another state, shall be immediately eligible for reporting instructions and transfer of supervision.
- (b) *Transfer of Offenders who live with family who are members of the military-* An offender who meets the other criteria specified in Rules 3.101 (c) and 3.101 (e)(2) and who lives with a family member who has been deployed to another state, shall be immediately eligible for reporting instructions and transfer of supervision, provided that the offender will live with the military member in the receiving state.
- (c) *Employment transfer of family member to another state-* An offender who meets the other criteria specified in Rules 3.101(c) and 3.101(e)(2), and whose family member, with whom he or she resides, is transferred to another state by their full-time employer, shall be immediately eligible for reporting instructions and transfer of supervision, provided that the offender will live with the family member in the receiving state.

RULE 3.101-2 Discretionary transfer of supervision

- (a) A sending state may request transfer of supervision of an offender who does not meet the eligibility requirements in Rule 3.101
- (b) The sending state must provide sufficient documentation to justify the requested transfer.
- (c) The receiving state shall have the discretion to accept or reject the transfer of supervision in a manner consistent with the purpose of the compact

History: Adopted September 13, 2005.

RULE 3.102 Submission of transfer request to a receiving state

- (a) Subject to the exception in Rule 3.103 (b), a sending state seeking to transfer supervision of an offender to another state shall submit a completed transfer request with all required information to the receiving state prior to allowing the offender to leave the sending state.

- (b) Subject to the exception in Rule 3.103 (b), the receiving state shall be given the opportunity to investigate the proposed plan of supervision prior to allowing the offender to leave the sending state.

References:

ICAOS Advisory Opinion 3-2004

History: Adopted November 4, 2003.

RULE 3.103 Acceptance of the offender by receiving state; exception

- (a) A sending state shall not allow an offender under supervision in the sending state to relocate to a receiving state without the receiving state's acceptance of the transfer of supervision.
- (b) Exception—
- (1) (A) A sending state may grant a travel permit to an offender who was living in the receiving state at the time of sentencing.
- (B) This exception is not applicable to offenders released to supervision from prison.
- (2)(A) Prior to granting a travel permit to an offender under Rule 3.103(b)(1), the sending state shall verify that the offender is living in the receiving state and shall immediately contact the receiving state's interstate compact office by telephone, telefax or electronic mail to request provisional reporting instructions.
- (B) A travel permit, not to exceed seven days, may be issued to the offender to allow for the request and issuance of reporting instructions. A copy of the travel permit will be immediately forwarded to the receiving state by telefax or electronic mail and will expire either upon the offender's arrival in the receiving state or on the travel permit's expiration date. The sending state retains supervisory responsibility during this period. If the receiving state rejects the transfer request or the travel permit's expiration date is reached, rules 3.103 (b)(5)(A) & (B) shall apply.
- (C) The sending state shall ensure that the offender sign all forms requiring the offender's signature under Rule 3.107 (a) prior to granting a travel permit to the offender. The sending state shall immediately transmit the signed forms electronically or by telefax to the receiving state.
- (D) The receiving state shall issue reporting instructions no later than two business days following receipt of such notification and requests from the sending state.
- (3) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state.
- (4) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than 15 calendar days following the granting to the offender of the reporting instructions.
- (5)(A) If the receiving state rejects the transfer request for an offender granted a travel permit, or if the sending state fails to send a completed transfer request by the 15th day following the granting of a travel permit, the sending state shall, upon receiving notice of rejection or upon failure to timely send a

required transfer request from the receiving state, direct the offender to return to the sending state by a date specified by the sending state

- (B) If the offender does not return to the sending state, the sending state shall initiate the retaking of the offender by issuing a warrant or an order to return no later than 10 calendar days following the offender's failure to appear in the sending state.
- (C) The receiving state shall continue to supervise the offender until a warrant is issued or notice is given by the sending state as required under Rule 4.105.

References:

ICAOS Advisory Opinion 3-2004

ICAOS Advisory Opinion 1-2006

History: Adopted November 4, 2003; amended October 26, 2004.

RULE 3.104 Time allowed for investigation by receiving state

- (a) A receiving state shall complete investigation and respond to a sending state's request for an offender's transfer of supervision no later than the 45th calendar day following receipt of a completed transfer request in the receiving state's compact office. Receipt of completed transfer request shall be presumed to occur by the fifth business day following transmission.
- (b)(1) If a receiving state determines that an offender transfer request is incomplete, the receiving state shall notify the sending state of that determination and the nature of the incompleteness no later than five business days following receipt of the transfer request by the receiving state.
- (2) A sending state that has been notified of an incomplete transfer request shall, within five business days following receipt of notice of incompleteness, remedy the incompleteness by providing the missing material or demonstrating good cause why the incompleteness cannot be remedied within five business days, which the receiving state shall consider. Receipt by the sending state of notice of an incomplete transfer request shall be presumed to occur by the fifth business day following transmission by the receiving state.
- (3) The 45-calendar-day period for investigation of and response to a sending state's request for transfer of an offender's supervision shall be suspended until the sending state supplies the missing material in the transfer request.

Reference:

ICAOS Advisory Opinion 5-2006

History: Adopted November 4, 2003; amended October 26, 2004.

RULE 3.104-1 Acceptance of offender; issuance of reporting instructions

- (a) If a receiving state accepts transfer of the offender, the receiving state's acceptance shall include reporting instructions.
- (b) Upon notice of acceptance of transfer by the receiving state, the sending state shall issue a travel permit to the offender and notify the receiving state of the offender's departure as required under Rule 4.105.
- (c) An acceptance by the receiving state shall be valid for 120 calendar days. If the sending state has not sent a Departure Notice to the receiving state in that time frame, the receiving state may withdraw its acceptance and close interest in the case. This does not apply to paroling offenders. See Rule 3.105 (c)(1).

History: Adopted October 26, 2004; amended September 13, 2005.

RULE 3.105 Request for transfer of a paroling offender

- (a) A sending state shall submit a completed request for transfer of a paroling offender to a receiving state no earlier than 120 days prior to the offender's planned prison release date.
- (b) A sending state shall notify a receiving state of the offender's date of release from prison or if recommendation for parole of the offender has been withdrawn or denied.
- (c)(1) A receiving state may withdraw its acceptance of the transfer request if the offender does not report to the receiving state by the fifth calendar day following the offender's intended date of departure from the sending state.
- (2) A receiving state that withdraws its acceptance under Rule 3.105 (c)(1) shall immediately notify the sending state.
- (3) Following withdrawal of the receiving state's acceptance, a sending state must resubmit a request for transfer of supervision of a paroling offender in the same manner as required in 3.105 (a).

References:

ICAOS Advisory Opinion 5-2005

RULE 3.106 Request for expedited transfer

- (a)(1) A sending state may request that a receiving state agree to an expedited transfer of an offender if the sending state believes that emergency circumstances exist and the receiving state agrees with that determination.
- (2) (A) A receiving state that agrees to expedited transfer of an offender shall immediately issue reporting instructions for the offender, and a sending state shall immediately issue a travel permit.
- (B) The sending state shall ensure that the offender signs all forms requiring the offender's signature under Rule 3.107 (a) prior to granting a travel permit to the offender. The sending state shall immediately transmit the signed forms electronically or by telefax to the receiving state.
- (C) At the time of transmission of the signed forms, the sending state shall provide the receiving state with a copy of the offender's orders and conditions, documentation of the offender's residency, copy of any available pre-sentence report, copy of any order of protection, where applicable, and whether the offender is subject to sex offender registration in the sending state.
- (b) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state.
- (c) A sending state shall transmit a completed transfer request for an offender granted a travel permit no later than the seventh calendar day following the granting to the offender of the travel permit.
- (d)(1) If the receiving state rejects the transfer request for an offender granted a travel permit, or if the sending state fails to send a completed transfer request by the 7th calendar day following the granting of a travel permit, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request, direct the offender to return to the sending state by a date specified by the sending state.
- (2) If the offender does not return to the sending state, the sending state shall initiate the retaking of the offender no later than 10 calendar days following the offender's failure to appear in the sending state.
- (3) The receiving state shall continue to supervise the offender until a warrant is issued or notice is given by the sending state as required under Rule 4.105.

History: Adopted November 4, 2003; amended October 26, 2004

RULE 3.107 Application for transfer of supervision

An application for transfer of supervision of an offender shall contain—

- (a) offender's full name and any aliases by which the offender is known;
- (b) indication of whether the offender seeks transfer to the receiving state based on residency in the receiving state, family residing in the receiving state, or consent of the receiving state;
- (c) name, address, and telephone number of family in the receiving state if the offender bases the transfer request on family's residency in the receiving state;
- (d) offender's proposed residence in the receiving state;
- (e) offender's current or prospective employer in the receiving state;
- (f) offender's criminal justice identification number in the sending state;
- (g) offender's date of birth;
- (h) offender's social security number, if known;
- (i) county of conviction or imposition of supervision;
- (j) indication of the type of criminal justice supervision to which the offender has been sentenced;
- (k) instant offense in sufficient detail to describe the type and severity of offense and whether the charge has been reduced at the time of imposition of sentence;
- (l) offender's criminal history;
- (m) notice, if applicable, indicating that the supervision of the offender is a victim-sensitive matter;
- (n) date supervision is to begin, if known;
- (o) date supervision is to terminate, if known;
- (p) name and title of supervising officer;
- (q) signed "Offender Application for Interstate Compact Transfer" form, which shall include "Agreement to Return on Demand of the sending state" and "Waiver of Extradition";
- (r) signed "Consent to Random Drug or Alcohol Testing and to Searches Based on Reasonable Suspicion" form;
- (s) signed "Authorization for Release of Medical and Psychological Information" form;
- (t) photograph of offender;
- (u) conditions of supervision;
- (v) any orders restricting the offender's contact with victims or any other person;
- (w) any known orders protecting the offender from contact with any other person;
- (x) information as to whether the offender is subject to sex offender registry requirements in the sending state along with supportive documentation;
- (y) judgment and commitment documents;
- (z) pre-sentence investigation report, if available;
- (aa) supervision history, if available;
- (bb) information relating to any court-ordered financial obligations, including but not limited to, fines, court costs, restitution, and family support; the balance that is owed by the offender on each; and the address of the office to which payment must be made.
- (cc) medical information, if available; and
- (dd) psychological evaluation, if available.

References:

ICAOS Advisory Opinion 1-2005, 5-2005, FBI legal Opinion

History: Adopted November 4, 2003; amended October 26, 2004.

RULE 3.108 Victim notification

(a) Notification to victims upon transfer of offenders

Within one business day of the issuance of reporting instructions or acceptance of transfer by the receiving state, the sending state shall initiate notification procedures of the transfer of supervision of the offender in accordance with its own laws to known victims in the sending state, and the receiving state shall initiate notification procedures of the transfer of supervision of the offender in accordance with its own laws to victims in the receiving state.

(b) Notification to victims upon violation by offender or other change in status

(1) The receiving state is responsible for reporting information to the sending state when an offender—

(A) Commits a significant violation;

(B) Changes address;

(C) Returns to the sending state where an offender's victim resides;

(D) Departs the receiving state under an approved plan of supervision in a subsequent receiving state; or

(E) Is issued a temporary travel permit where supervision of the offender has been designated a victim-sensitive matter.

(2) Both the sending state and the receiving state shall notify known victims in their respective states of this information in accordance with their own laws or procedures.

(c) The receiving state shall respond to requests for offender information from the sending state no later than the fifth business day following the receipt of the request.

History: Adopted November 4, 2003.

RULE 3.108-1 Victims' right to be heard and comment

- (a) When an offender submits a request to transfer to a receiving state or a subsequent receiving state, or to return to a sending state, the victim notification authority in the sending state shall, at the time of notification to the victim as required in Rule 3.108 (a), inform victims of the offender of their right to be heard and comment. Victims of the offender have the right to be heard regarding their concerns relating to the transfer request for their safety and family members' safety. Victims have the right to contact the sending state's interstate compact office at any time by telephone, telefax, or conventional or electronic mail regarding their concerns relating to the transfer request for their safety and family members' safety. The victim notification authority in the sending state shall provide victims of the offender with information regarding how to respond and be heard if the victim chooses.
- (b)(1) Victims shall have ten business days from receipt of notice required in Rule 3.1081 (a) to respond to the sending state. Receipt of notice shall be presumed to have occurred by the fifth business day following its sending.
- (2) The receiving state shall continue to investigate the transfer request while awaiting response from the victim.
- (c) Upon receipt of the comments from victims of the offender, the sending state shall consider comments regarding their concerns relating to the transfer request for their safety and family members' safety. Victims' comments shall be confidential and shall not be disclosed to the public. The sending state or receiving state may impose special conditions of supervision on the offender, if the safety of the offender's victims or family members of victims is deemed to be at risk by the approval of the offender's request for transfer.
- (d) The sending state shall respond to the victim no later than five business days following receipt of victims' comments, indicating how victims' concerns will be addressed when transferring supervision of the offender

History: Adopted November 4, 2003.

RULE 3.109 Waiver of extradition

- (a) An offender applying for interstate supervision shall execute, at the time of application for transfer, a waiver of extradition from any state to which the offender may abscond while under supervision in the receiving state.
- (b) States that are party to this compact waive all legal requirements to extradition of offenders who are fugitives from justice.

References:

ICAOS Advisory Opinion 2-2005

History: Adopted November 4, 2003.

Chapter 4

Supervision in Receiving State

RULE 4.101 Manner and degree of supervision in receiving state

A receiving state shall supervise an offender transferred under the interstate compact in a manner determined by the receiving state and consistent with the supervision of other similar offenders sentenced in the receiving state.

References:

ICAOS Advisory Opinion 2-2005

ICAOS Advisory Opinion 5-2006

History: Adopted November 4, 2003.

RULE 4.102 Duration of supervision in the receiving state

A receiving state shall supervise an offender transferred under the interstate compact for a length of time determined by the sending state.

History: Adopted November 4, 2003..

RULE 4.103 Special conditions

- (a) At the time of acceptance or during the term of supervision, the compact administrator or supervising authority in the receiving state may impose a special condition on an offender transferred under the interstate compact if that special condition would have been imposed on the offender if sentence had been imposed in the receiving state.
- (b) A receiving state shall notify a sending state that it intends to impose or has imposed a special condition on the offender, the nature of the special condition, and the purpose.
- (c) A sending state shall inform the receiving state of any special conditions to which the offender is subject at the time the request for transfer is made or at any time thereafter.
- (d) A receiving state that is unable to enforce a special condition imposed in the sending state shall notify the sending state of its inability to enforce a special condition at the time of request for transfer of supervision is made.

References:

ICAOS Advisory Opinion 2-2005

History: Adopted November 4, 2003; amended September 13, 2005.

RULE 4.104 Offender registration in receiving state

A receiving state shall require that an offender transferred under the interstate compact comply with any offender registration and DNA testing requirements in accordance with the laws or policies of the receiving state.

History: Adopted November 4, 2003.

RULE 4.105 Arrival and departure notifications; withdrawal of reporting instructions

(a) Departure notifications

At the time of an offender's departure from any state pursuant to a transfer of supervision or the granting of a travel permit, the state from which the offender departs shall notify the intended receiving state, and, if applicable, the sending state, by telephone, electronic mail or telefax of the date and time of the offender's intended departure and the date by which the offender has been instructed to arrive.

(b) Arrival notifications

At the time of an offender's arrival in any state pursuant to a transfer of supervision or the granting of a travel permit, or upon the failure of an offender to arrive as instructed, the intended receiving state shall immediately notify the state from which the offender departed, and, if applicable, the sending state, by telephone, electronic mail or telefax of the offender's arrival or failure to arrive.

(c) A receiving state may withdraw its reporting instructions if the offender does not report to the receiving state as directed in the reporting instructions.

(d) A receiving state that withdraws its reporting instructions or subsequently determines that an offender granted a travel permit has absconded, shall immediately notify the sending state.

History: Adopted November 4, 2003.

RULE 4.106 Progress reports

- (a) A receiving state shall provide to the sending state a progress report annually, or more frequently, upon the request of the sending state, for good cause shown.

- (b) A progress report shall include—
 - (1) offender's name;
 - (2) offender's residence address;
 - (3) offender's telephone number and electronic mail address;
 - (4) name and address of offender's employer;
 - (5) supervising officer's summary of offender's conduct, progress and attitude, and compliance with conditions of supervision;
 - (6) programs of treatment attempted and completed by the offender;
 - (7) information about any sanctions that have been imposed on the offender since the previous progress report;
 - (8) supervising officer's recommendation;
 - (9) any other information requested by the sending state that is available in the receiving state.

History: Adopted November 4, 2003; amended October 26, 2004.

RULE 4.107 Fees

(a) *Application fee*

A sending state may impose a fee for each transfer application prepared for an offender.

(b) *Supervision fee*

(1) A receiving state may impose a reasonable supervision fee on an offender whom the state accepts for supervision, which shall not be greater than the fee charged to the state's own offenders.

(2) A sending state shall not impose a supervision fee on an offender whose supervision has been transferred to a receiving state.

References:

ICAOS Advisory Opinion 2-2006

History: Adopted November 4, 2003.

RULE 4.108 Collection of restitution, fines and other costs

- (a) A sending state is responsible for collecting all fines, family support, restitution, court costs, or other financial obligations imposed by the sending state on the offender.
- (b) Upon notice by the sending state that the offender is not complying with family support and restitution obligations, and financial obligations as set forth in subsection (a), the receiving state shall notify the offender that the offender is in violation of the conditions of supervision and must comply. The receiving state shall inform the offender of the address to which payments are to be sent.

History: Adopted November 4, 2003.

RULE 4.109 Violation reports

- (a) A receiving state shall notify a sending state of significant violations of conditions of supervision by an offender within 30 calendar days of discovery of the violation.
- (b) A violation report shall contain—
- (1) offender's name and location;
 - (2) offender's state-issued identifying numbers;
 - (3) date of the offense or infraction that forms the basis of the violation;
 - (4) description of the offense or infraction;
 - (5) status and disposition, if any, of offense or infraction;
 - (6) dates and descriptions of any previous violations;
 - (7) receiving state's recommendation of actions sending state may take;
 - (8) name and title of the officer making the report; and
 - (9) if the offender has absconded, the offender's last known address and telephone number, name and address of the offender's employer, and the date of the offender's last personal contact with the supervising officer.
- (c)(1) The sending state shall respond to a report of a violation made by the receiving state no later than ten business days following receipt by the sending state. Receipt of a violation report shall be presumed to have occurred by the fifth business day following its transmission by the receiving state;
- (2) The response by the sending state shall include action to be taken by the sending state and the date by which that action will begin and its estimated completion date.

History: Adopted November 4, 2003.

RULE 4.110 Transfer to a subsequent receiving state

- (a) At the request of an offender for transfer to a subsequent receiving state, and with the approval of the sending state, the sending state shall prepare and transmit a request for transfer to the subsequent state in the same manner as an initial request for transfer is made.
- (b) The receiving state shall assist the sending state in acquiring the offender's signature on the "Application for Interstate Compact Transfer," the "Agreement to Return on Demand of the sending state" and the "Consent to Random Drug Testing and to Searches Based on Reasonable Suspicion" forms, and any other forms that may be required under Rule 3.107 (a), and shall transmit these forms to the sending state.
- (c) The receiving state shall submit a statement to the sending state summarizing the offender's progress under supervision.
- (d) The receiving state shall issue a travel permit to the offender when the sending state informs the receiving state that the offender's transfer to the subsequent receiving state has been approved.
- (e) Notification of offender's departure and arrival shall be made as required under Rule 4.105.
- (f) Acceptance of the offender's transfer of supervision by a subsequent state and issuance of reporting instructions to the offender terminate the receiving state's supervisory obligations for the offender.

History: Adopted November 4, 2003; amended October 26, 2004.

RULE 4.111 Return to the sending state

- (a) Upon an offender's request to return to the sending state, the receiving state shall request reporting instructions, unless the offender is under active criminal investigation or is charged with a subsequent criminal offense in the receiving state.
- (b) The sending state shall grant the request and provide reporting instructions no later than two business days following receipt of the request for reporting instructions from the receiving state.
- (c) A receiving state shall notify the sending state as required in Rule 4.105 (a).

History: Adopted November 4, 2003; amended October 26, 2004.

RULE 4.112 Closing of supervision by the receiving state

- (a) The receiving state may close its supervision of an offender and cease supervision upon—
 - (1) The date of discharge indicated for the offender at the time of application for supervision unless informed of an earlier or later date by the sending state;
 - (2) Notification to the sending state of the absconding of the offender from supervision in the receiving state;
 - (3) (A) Notification to the sending state of the sentencing of the offender to incarceration for 180 days or longer and receipt from the sending state of a warrant and detainer or other acknowledgement by the sending state of responsibility for the offender within 90 days of the notification. If the sending state fails to provide the warrant and detainer or other acknowledgement within 90 days of notification, the receiving state may close its supervision of the offender.
(B) After 90 days the sending state shall be responsible for the offender.
 - (4) Notification of death; or
 - (5) Return to sending state.
- (b) A receiving state shall not terminate its supervision of an offender while the sending state is in the process of retaking the offender under Rule 5.101.
- (c) At the time a receiving state closes supervision, a case closure notice shall be provided to the sending state which shall include last known address and employment.

History: Adopted November 4, 2003; amended October 26, 2004.

Chapter 5

Retaking

RULE 5.101 Retaking by the sending state

- (a) Except as required in Rules 5.102 and 5.103, at its sole discretion, a sending state may retake an offender, unless the offender has been charged with a subsequent criminal offense in the receiving state.

- (b) If the offender has been charged with a subsequent criminal offense in the receiving state, the offender shall not be retaken without the consent of the receiving state, or until criminal charges have been dismissed, or the offender has been released to supervision for the subsequent offense.

History: Adopted November 4, 2003.

RULE 5.102 New felony offense

Upon a request from the receiving state, a sending state shall retake or order the return of an offender from the receiving state or a subsequent receiving state upon the offender's conviction for a new felony offense and —

- (a) completion of a term of incarceration for that conviction; or
- (b) placement on probation for that felony offense.

History: Adopted November 4, 2003; amended October 26, 2004.

RULE 5.103 Violations of conditions of supervision

Upon a request by the receiving state and a showing that the offender has committed three or more significant violations arising from separate incidents that establish a pattern of non-compliance of the conditions of supervision, a sending state shall retake or order the return of an offender from the receiving state or a subsequent receiving state .

References:

ICAOS Advisory Opinion 9-2004

ICAOS Advisory Opinion 2-2005

History: Adopted November 4, 2003.

RULE 5.104 Cost of retaking an offender

A sending state shall be responsible for the cost of retaking the offender.

History: Adopted November 4, 2003.

RULE 5.105 Time allowed for retaking an offender

A sending state shall retake an offender within 30 calendar days after the decision to retake has been made or upon release of the offender from incarceration in the receiving state.

History: Adopted November 4, 2003.

RULE 5.106 Cost of incarceration in receiving state

A receiving state shall be responsible for the cost of detaining the offender in the receiving state pending the offender's relating by the sending state.

History: Adopted November 4, 2003..

RULE 5.107 Officers retaking an offender

- (a) Officers authorized under the law of a sending state may enter a state where the offender is found and apprehend and retake the offender, subject to this compact, its rules, and due process requirements.
- (b) The sending state shall be required to establish the authority of the officer and the identity of the offender to be retaken.

History: Adopted November 4, 2003.

RULE 5.108 Opportunity for hearing in receiving state

The offender shall be afforded the opportunity for a probable cause hearing in the receiving state consistent with due process requirements. No waiver of a probable cause hearing shall be accepted unless accompanied by an admission by the offender to one or more significant violations of the terms or conditions of supervision. Any evidence or record generated during a probable cause hearing shall be forwarded to the sending state.

References:

ICAOS Advisory Opinion 2-2005

Gagnon v. Scarpelli, 411 U.S. 778 (1973),

Ogden v. Klundt, 550 P.2d 36, 39 (Wash. Ct. App. 1976),

See, People ex rel. Crawford v. State, 329 N.Y.S.2d 739 (N.Y. 1972),

State ex rel. Nagy v. Alvis, 90 N.E.2d 582 (Ohio 1950),

State ex rel. Reddin v. Meekma, 306 N.W.2d 664 (Wis. 1981),

Bills v. Shulsen, 700 P.2d 317 (Utah 1985),

California v. Crump, 433 A.2d 791 (N.J. Super. Ct. App. Div. 1981),

California v. Crump, 433 A.2d at 794,

Fisher v. Crist, 594 P.2d 1140 (Mont. 1979),

State v. Maglio, 459 A.2d 1209 (N.J. Super. Ct. 1979),

In re Hayes, 468 N.E.2d 1083 (Mass. Ct. App. 1984),

Morrissey v. Brewer, 408 U.S. 471 (1972),

In State v. Hill, 334 N.W.2d 746 (Iowa 1983),

See e.g., State ex rel. Ohio Adult Parole Authority v. Coniglio, 610 N.E.2d 1196, 1198 (Ohio Ct. App. 1993)

History: Adopted November 4, 2003.

RULE 5.109 Transport of offenders

States that are party to this compact shall allow officers authorized by the law of the sending or receiving state to transport offenders through the state without interference.

History: Adopted November 4, 2003.

RULE 5.110 Retaking offenders from local, state or federal correctional facilities

- (a) Officers authorized by the law of a sending state may take custody of an offender from a local, state or federal correctional facility at the expiration of the sentence or the offender's release from that facility provided that—
- (1) No detainer has been placed against the offender by the state in which the correctional facility lies; and
 - (2) No extradition proceedings have been initiated against the offender by a third-party state.

History: Adopted November 4, 2003.

RULE 5.111 Denial of bail to certain offenders

An offender against whom retaking procedures have been instituted by a sending or receiving state shall not be admitted to bail in any state where the offender is found.

History: Adopted November 4, 2003.

RULE 5.112 Effect of special conditions or requirements

For purposes of revocation or other punitive action against an offender, the probation or paroling authority of a sending state shall give the same effect to a violation of special conditions or requirement imposed by a receiving state as if those conditions or requirement had been imposed by the sending state. Failure of an offender to comply with special conditions or additional requirements imposed by a receiving state shall form the basis of punitive action in the sending state notwithstanding the absence of such conditions or requirements in the original plan of supervision issued by the sending state. For purposes of this rule, the original plan of supervision shall include, but not be limited to, any court orders setting forth the terms and conditions of probation, any orders incorporating a plan of supervision by reference, or any orders or directives of the paroling or probation authority.

History: Adopted October 26, 2004.

Chapter 6

Dispute Resolution and Interpretation of Rules

RULE 6.101 Informal communication to resolve disputes or controversies and obtain interpretation of the rules

- (a) Through the office of a state's compact administrator, states shall attempt to resolve disputes or controversies by communicating with each other by telephone, telefax, or electronic mail.
- (b) *Failure to resolve dispute or controversy*
- (1) Following an unsuccessful attempt to resolve controversies or disputes arising under this compact, its by-laws or its rules as required under Rule 6.101 (a), states shall pursue one or more of the informal dispute resolution processes set forth in Rule 6.101 (b)(2) prior to resorting to formal dispute resolution alternatives.
 - (2) Parties shall submit a written request to the executive director for assistance in resolving the controversy or dispute. The executive director shall provide a written response to the parties within ten business days and may, at the executive director's discretion, seek the assistance of legal counsel or the executive committee in resolving the dispute. The executive committee may authorize its standing committees or the executive director to assist in resolving the dispute or controversy.
- (c) *Interpretation of the rules*
- Any state may submit an informal written request to the executive director for assistance in interpreting the rules of this compact. The executive director may seek the assistance of legal counsel, the executive committee, or both, in interpreting the rules. The executive committee may authorize its standing committees to assist in interpreting the rules. Interpretations of the rules shall be issued in writing by the executive director or the executive committee and shall be circulated to all of the states.

History: Adopted November 4, 2003.

RULE 6.102 *Formal resolution of disputes and controversies*

(a) *Alternative dispute resolution*

Any controversy or dispute between or among parties that arises from or relates to this compact that is not resolved under Rule 6.101 may be resolved by alternative dispute resolution processes. These shall consist of mediation and arbitration.

(b) *Mediation and arbitration*

(1) *Mediation*

(A) A state that is party to a dispute may request, or the executive committee may require, the submission of a matter in controversy to mediation.

(B) Mediation shall be conducted by a mediator appointed by the executive committee from a list of mediators approved by the national organization responsible for setting standards for mediators, and pursuant to procedures customarily used in mediation proceedings.

(2) *Arbitration*

(A) Arbitration may be recommended by the executive committee in any dispute regardless of the parties' previous submission of the dispute to mediation.

(B) Arbitration shall be administered by at least one neutral arbitrator or a panel of arbitrators not to exceed three members. These arbitrators shall be selected from a list of arbitrators maintained by the commission staff.

(C) The arbitration may be administered pursuant to procedures customarily used in arbitration proceedings and at the direction of the arbitrator.

(D) Upon the demand of any party to a dispute arising under the compact, the dispute shall be referred to the American Arbitration Association and shall be administered pursuant to its commercial arbitration rules.

(E)(i) The arbitrator in all cases shall assess all costs of arbitration, including fees of the arbitrator and reasonable attorney fees of the prevailing party, against the party that did not prevail.

(ii) The arbitrator shall have the power to impose any sanction permitted by this compact and other laws of the state or the federal district in which the commission has its principal offices.

(F) Judgment on any award may be entered in any court having jurisdiction.

History: Adopted November 4, 2003.

RULE 6.103 Enforcement actions against a defaulting state

- (a) If the Interstate Commission determines that any state has at any time defaulted ("defaulting state") in the performance of any of its obligations or responsibilities under this Compact, the by-laws or any duly promulgated rules the Interstate Commission may impose any or all of the following penalties—
- (1) Fines, fees and costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission;
 - (2) Remedial training and technical assistance as directed by the Interstate Commission;
 - (3) Suspension and termination of membership in the compact. Suspension shall be imposed only after all other reasonable means of securing compliance under the by-laws and rules have been exhausted. Immediate notice of suspension shall be given by the Interstate Commission to the governor, the chief justice or chief judicial officer of the state; the majority and minority leaders of the defaulting state's legislature, and the state council.
- (b) The grounds for default include, but are not limited to, failure of a Compacting State to perform such obligations or responsibilities imposed upon it by this compact, Interstate Commission by-laws, or duly promulgated rules. The Interstate Commission shall immediately notify the defaulting state in writing of the penalty imposed by the Interstate Commission on the defaulting state pending a cure of the default. The Interstate Commission shall stipulate the conditions and the time period within which the defaulting state must cure its default. If the defaulting state fails to cure the default within the time period specified by the Interstate Commission, in addition to any other penalties imposed herein, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the compacting states and all rights, privileges and benefits conferred by this Compact shall be terminated from the effective date of suspension.
- (c) Within sixty days of the effective date of termination of a defaulting state, the Interstate Commission shall notify the governor, the chief justice or chief judicial officer and the majority and minority leaders of the defaulting state's legislature and the state council of such termination.
- (d) The defaulting state is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.
- (e) The Interstate Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon between the Interstate Commission and the defaulting state.
- (f) Reinstatement following termination of any compacting state requires both a reenactment of the Compact by the defaulting state and the approval of the Interstate Commission pursuant to the rules.

History: Adopted November 4, 2003.

RULE 6.104 Judicial enforcement

The Interstate Commission may, by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its offices to enforce compliance with the provisions of the Compact, its duly promulgated rules and by-laws, against any compacting state in default. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorneys' fees.

History: Adopted November 4, 2003.

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION BYLAWS

ARTICLE I

COMMISSION PURPOSE, FUNCTION AND BY-LAWS

Section 1. Purpose.

Pursuant to the terms of the Interstate Compact for Adult Offender Supervision, (the "Compact"), the Interstate Commission for Adult Offender Supervision (the "Commission") is established to fulfill the objectives of the Compact, through means of joint cooperative action among the Compacting States: to promote, develop and facilitate safe, orderly, efficient, cost effective and uniform transfer and supervision of adult offenders in the community who are authorized pursuant to the bylaws and rules of this Compact to travel across state lines both to and from each compacting state, and, when necessary, return offenders to the originating jurisdictions.

Section 2. Functions.

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Compacting States. The Commission's activities shall include, but are not limited to, the following: the promulgation of binding rules and operating procedures; oversight and coordination of offender transfer and supervision activities in Compacting States; provision of a framework for the promotion of public safety and protection of victims; provision for the effective tracking, supervision, and rehabilitation of these offenders by the sending and receiving states; equitable distribution of the costs, benefits and obligations of the Compact among the Compacting States; enforcement of Commission Rules, Operating Procedures and By-laws; provision for dispute resolution; coordination of training and education regarding the regulation of interstate movement of offenders for officials involved in such activity; and the collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact.

Section 3. By-laws.

As required by the Compact, these By-laws shall govern the management and operations of the Commission. As adopted and subsequently amended, these By-laws shall remain at all times subject to, and limited by, the terms of the Compact.

ARTICLE II

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

MEMBERSHIP

Section 1. Commissioners

The Commission Membership shall be comprised as provided by the Compact. Each Compacting State shall have and be limited to one Member. A Member shall be the Commissioner of the Compacting State. Each Compacting State shall forward the name of its Commissioner to the Commission chairperson. The Commission chairperson shall promptly advise the Governor and State Council for Interstate Adult Supervision of the Compacting State of the need to appoint a new Commissioner upon the expiration of a designated term or the occurrence of mid-term vacancies.

Section 2. Ex-Officio Members

The Commission membership shall also include individuals who are not commissioners and who shall not have a vote, but who are members of interested organizations. Such non-commissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general and crime victims. In addition representatives of the National Institute of Corrections, the American Parole and Probation Association and Association of Paroling Authorities International shall be ex-officio members of the Commission.

ARTICLE III

OFFICERS

Section 1. Election and Succession.

The officers of the Commission shall include a chairperson, vice chairperson, secretary and treasurer. The officers shall be duly appointed Commission Members, except that if the Commission appoints an Executive Director, then the Executive Director shall serve as the secretary. Officers shall be elected every two years by the Commission at any meeting at which a quorum is present, and shall serve for two years or until their successors are elected by the Commission. The officers so elected shall serve without compensation or remuneration, except as provided by the Compact.

Section 2. Duties.

The officers shall perform all duties of their respective offices as provided by the Compact and these By-laws. Such duties shall include, but are not limited to, the following:

a. *Chairperson.* The chairperson shall call and preside at all meetings of the Commission and in conjunction with the Executive Committee shall prepare agendas for such meetings, shall make appointments to all committees of the Commission, and, in accordance with the Commission's directions, or subject to ratification by the Commission, shall act on the Commission's behalf during the interims between Commission meetings.

b. *Vice Chairperson.* The vice chairperson shall, in the absence or at the direction of the chairperson, perform any or all of the duties of the chairperson. In the event of a vacancy in the office of chairperson, the vice chairperson shall serve as acting chairperson until a new chairperson is elected by the Commission.

e. *Secretary.* The secretary shall keep minutes of all Commission meetings and shall act as the custodian of all documents and records pertaining to the status of the Compact and the business of the Commission.

d. *Treasurer.* The treasurer, with the assistance of the Commission's executive director, shall act as custodian of all Commission funds and shall be responsible for monitoring the administration of all fiscal policies and procedures set forth in the Compact or adopted by the Commission. Pursuant to the Compact, the treasurer shall execute such bond as may be required by the Commission covering the treasurer, the executive director and any other officers, Commission Members and Commission personnel, as determined by the Commission, who may be responsible for the receipt, disbursement, or management of Commission funds.

Section 3. Costs and Expense Reimbursement.

Subject to the availability of budgeted funds, the officers shall be reimbursed for any actual and necessary costs and expenses incurred by the officers in the performance of their duties and responsibilities as officers of the Commission.

Section 4. Vacancies.

Upon the resignation, removal, or death of an officer of the Commission before the next annual meeting of the Commission, a majority of the Executive Committee shall appoint a successor to hold office for the unexpired portion of the term of the officer whose position shall so become vacant or until the next regular or special meeting of the Commission at which the vacancy is filled by majority vote of the Commission, whichever first occurs.

ARTICLE IV

COMMISSION PERSONNEL

Section 1. Commission Staff and Offices.

The Commission may by a majority of its Members, or through its executive committee appoint or retain an executive director, who shall serve at its pleasure and who shall act as secretary to the Commission, but shall not be a Member of the Commission. The executive director shall hire and supervise such other staff as may be authorized by the Commission. The executive director shall establish and manage the Commission's office

or offices, which shall be located in one or more of the Compacting States as determined by the Commission.

Section 2. Duties of the Executive Director.

As the Commission's principal administrator, the executive director shall also perform such other duties as may be delegated by the Commission or required by the Compact and these By-laws, including, but not limited to, the following:

- a. Recommend general policies and program initiatives for the Commission's consideration;
- b. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;
- c. Implement and monitor administration of all policies programs, and initiatives adopted by Commission;
- d. Prepare draft annual budgets for the Commission's consideration;
- e. Monitor all Commission expenditures for compliance with approved budgets, and maintain accurate records of account;
- f. Assist Commission Members as directed in securing required assessments from the Compacting States;
- g. Execute contracts on behalf of the Commission as directed;
- h. Receive service of process on behalf of the Commission;
- i. Prepare and disseminate all required reports and notices directed by the Commission; and
- j. Otherwise assist the Commission's officers in the performance of their duties under Article III herein.

ARTICLE V

QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION

Section 1. Immunity.

The Commission, its Members, officers, executive director, and employees shall be immune from suit and liability, either personally or in their official capacity, for any

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that any such person shall not be protected from suit or liability, or both, for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

Section 2. Defense

Subject to the provisions of the Compact and rules promulgated thereunder, the Commission shall defend the Commissioner of a Compacting State, the Commissioner's representatives or employees, or the Commission, and its representatives or employees in any civil action seeking to impose liability against such person arising out of or relating to any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

Section 3. Indemnification.

The Commission shall indemnify and hold the Commissioner of a Compacting State, his or her representatives or employees, or the Commission, and its representatives or employees harmless in the amount of any settlement or judgment obtained against such person arising out of or relating to any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

ARTICLE VI

MEETINGS OF THE COMMISSION

Section 1. Meetings and Notice.

The Commission shall meet at least once each calendar year at a time and place to be determined by the Commission. Additional meetings may be scheduled at the discretion of the chairperson, and must be called upon the request of a majority of Commission Members, as provided by the Compact. All Commission Members shall be given written notice of Commission meetings at least thirty (30) days prior to their scheduled dates.

Final agendas shall be provided to all Commission Members no later than ten (10) days prior to any meeting of the Commission. Thereafter, additional agenda items requiring Commission action may not be added to the final agenda, except by an affirmative vote of a majority of the Members. All Commission meetings shall be open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be provided in a manner consistent with the federal Government in Sunshine Act, 5 U.S.C. § 552b, including, but not limited to, the following: publication of notice of the meeting at least ten (10) days prior to the meeting in a nationally distributed newspaper or an official newsletter regularly published by or on behalf of the Commission and distribution to interested parties who have requested in writing to receive such notices. A meeting may be closed to the public where the Commission determines by two-thirds (2/3rds) vote of its Members that there exists at least one of the conditions for closing a meeting, as provided by the Compact or Commission Rules.

Section 2. Quorum.

Commission Members representing a majority of the Compacting States shall constitute a quorum for the transaction of business, except as otherwise required in these By-laws. The participation of a Commission Member from a Compacting State in a meeting is sufficient to constitute the presence of that state for purposes of determining the existence of a quorum, provided the Member present is entitled to vote on behalf of the Compacting State represented. The presence of a quorum must be established before any vote of the Commission can be taken.

Section 3. Voting.

Each Compacting State represented at any meeting of the Commission by its Member is entitled to one vote. A Member shall vote himself or herself and shall not delegate his or her vote to another Member. Members may participate and vote in meetings of the Commission and its duly authorized committees by telephone or other means of telecommunication or electronic communication. Except as otherwise required by the Compact or these By-laws, any question submitted to a vote of the Commission shall be determined by a simple majority.

Section 4. Procedure.

Matters of parliamentary procedure not covered by these By-laws shall be governed by Robert's Rules of Order.

ARTICLE VII

COMMITTEES

Section 1. Executive Committee.

The Commission may establish an executive committee, which shall be empowered to act on behalf of the Commission during the interim between Commission meetings, except for rulemaking or amendment of the Compact. The Committee shall be composed of all officers of the Interstate Commission, the chairpersons of each committee, the regional representatives, and the ex-officio victims' representative to the Interstate Commission. The procedures, duties, budget, and tenure of such an executive committee shall be determined by the Commission. The power of such an executive committee to act on behalf of the Commission shall at all times be subject to any limitations imposed by the Commission, the Compact or these By-laws.

Section 2. Other Committees.

The Commission may establish such other committees as it deems necessary to carry out its objectives, which shall include, but not be limited to Finance Committee; Rules Committee; Compliance Committee; Information Technology Committee; and Training, Education and Public Relations Committee. The composition, procedures, duties, budget and tenure of such committees shall be determined by the Commission.

Section 3. Regional Representatives.

A regional representative of each of the four regions of the United States, Northeastern, Midwestern, Southern, and Western, shall be elected or reelected, beginning with the 2005 annual meeting, by a plurality vote of the commissioners of each region, and shall serve for two years or until a successor is elected by the commissioners of that region. The states and territories comprising each region shall be determined by reference to the regional divisions used by the Council of State Governments.

ARTICLE VIII

FINANCE

Section 1. Fiscal Year.

The Commission's fiscal year shall begin on July 1 and end on June 30.

Section 2. Budget.

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years only after notice and comment as provided by the Compact.

Section 3. Accounting and Audit.

The Commission, with the assistance of the executive director, shall keep accurate and timely accounts of its internal receipts and disbursements of the Commission funds, other than receivership assets. The treasurer, through the executive director, shall cause the Commission's financial accounts and reports, including the Commission's system of internal controls and procedures, to be audited annually by an independent certified or licensed public accountant, as required by the Compact, upon the determination of the Commission, but no less frequently than once each year. The report of such independent audit shall be made available to the public and shall be included in and become part of the annual report to the governors, legislatures, and judiciary of the Compacting States.

The Commission's internal accounts, any workpapers related to any internal audit, and any workpapers related to the independent audit shall be confidential; provided, that such materials shall be made available: (i) in compliance with the order of any court of competent jurisdiction; (ii) pursuant to such reasonable rules as the Commission shall promulgate; and (iii) to any Commissioner of a Compacting State, or their duly authorized representatives.

Section 4. Public Participation in Meetings.

Upon prior written request to the Commission, any person who desires to present a statement on a matter that is on the agenda shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. The chairperson may, depending on the circumstances, afford any person who desires to present a statement on a matter that is on the agenda an opportunity to be heard absent a prior written request to the Commission. The chairperson may limit the time and manner of any such statements at any open meeting.

Section 5. Debt Limitations.

The Commission shall monitor its own and its committees' affairs for compliance with all provisions of the Compact, its rules and these By-laws governing the incurring of debt and the pledging of credit.

Section 6. Travel Reimbursements.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commission Members shall be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission or its committees as provided by the Compact.

ARTICLE IX

WITHDRAWAL, DEFAULT, AND TERMINATION

Compacting States may withdraw from the Compact only as provided by the Compact. The Commission may terminate a Compacting State as provided by the Compact.

ARTICLE X

ADOPTION AND AMENDMENT OF BY-LAWS

Any By-law may be adopted, amended or repealed by a majority vote of the Members, provided that written notice and the full text of the proposed action is provided to all Commission Members at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rds) majority vote of the Members shall be required for such action.

ARTICLE XI

DISSOLUTION OF THE COMPACT

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Compacting State that reduces membership in the Compact to one Compacting State as provided by the Compact.

Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force and effect, and the business and affairs of the Commission shall be wound up. Each Compacting State in good standing at the time of the Compact's dissolution shall receive a pro rata distribution of surplus funds based upon a ratio, the numerator of which shall be the amount of its last paid annual assessment, and the denominator of which shall be the sum of the last paid annual assessments of all Compacting States in good standing at the time of the Compact's dissolution. A Compacting State is in good standing if it has paid its assessments timely.

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION BYLAWS

ARTICLE I

COMMISSION PURPOSE, FUNCTION AND BY-LAWS

Section 1. Purpose.

Pursuant to the terms of the Interstate Compact for Adult Offender Supervision, (the "Compact"), the Interstate Commission for Adult Offender Supervision (the "Commission") is established to fulfill the objectives of the Compact, through means of joint cooperative action among the Compacting States: to promote, develop and facilitate safe, orderly, efficient, cost effective and uniform transfer and supervision of adult offenders in the community who are authorized pursuant to the bylaws and rules of this Compact to travel across state lines both to and from each compacting state, and, when necessary, return offenders to the originating jurisdictions.

Section 2. Functions.

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Compacting States. The Commission's activities shall include, but are not limited to, the following: the promulgation of binding rules and operating procedures; oversight and coordination of offender transfer and supervision activities in Compacting States; provision of a framework for the promotion of public safety and protection of victims; provision for the effective tracking, supervision, and rehabilitation of these offenders by the sending and receiving states; equitable distribution of the costs, benefits and obligations of the Compact among the Compacting States; enforcement of Commission Rules, Operating Procedures and By-laws; provision for dispute resolution; coordination of training and education regarding the regulation of interstate movement of offenders for officials involved in such activity; and the collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact.

Section 3. By-laws.

As required by the Compact, these By-laws shall govern the management and operations of the Commission. As adopted and subsequently amended, these By-laws shall remain at all times subject to, and limited by, the terms of the Compact.

ARTICLE II

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

MEMBERSHIP

Section 1. Commissioners

The Commission Membership shall be comprised as provided by the Compact. Each Compacting State shall have and be limited to one Member. A Member shall be the Commissioner of the Compacting State. Each Compacting State shall forward the name of its Commissioner to the Commission chairperson. The Commission chairperson shall promptly advise the Governor and State Council for Interstate Adult Supervision of the Compacting State of the need to appoint a new Commissioner upon the expiration of a designated term or the occurrence of mid-term vacancies.

Section 2. Ex-Officio Members

The Commission membership shall also include individuals who are not commissioners and who shall not have a vote, but who are members of interested organizations. Such non-commissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general and crime victims. In addition representatives of the National Institute of Corrections, the American Parole and Probation Association and Association of Paroling Authorities International shall be ex-officio members of the Commission.

ARTICLE III

Committees

Section 1. Executive Committee.

The Commission may establish an executive committee, which shall be empowered to act on behalf of the Commission during the interim between Commission meetings, except for rulemaking or amendment of the Compact. The Committee shall be composed of all officers of the Interstate Commission, the chairpersons of each committee, the regional representatives, and the ex-officio victims' representative to the Interstate Commission. The immediate past chairperson of the Commission shall also serve as an ex-officio member of the executive committee and both the ex-officio victims' representative and immediate past chairperson shall serve for a term of two years.

Comment [WH1]: Inserted language.

The procedures, duties, budget, and tenure of such an executive committee shall be determined by the Commission. The power of such an executive committee to act on behalf of the Commission shall at all times be subject to any limitations imposed by the Commission, the Compact or these By-laws.

Section 2. Duties.

The officers shall perform all duties of their respective offices as provided by the Compact and these By-laws. Such duties shall include, but are not limited to, the following:

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

a. *Chairperson.* The chairperson shall call and preside at all meetings of the Commission and in conjunction with the Executive Committee shall prepare agendas for such meetings, shall make appointments to all committees of the Commission, and, in accordance with the Commission's directions, or subject to ratification by the Commission, shall act on the Commission's behalf during the interims between Commission meetings.

b. *Vice Chairperson.* The vice chairperson shall, in the absence or at the direction of the chairperson, perform any or all of the duties of the chairperson. In the event of a vacancy in the office of chairperson, the vice chairperson shall serve as acting chairperson until a new chairperson is elected by the Commission.

c. *Secretary.* The secretary shall keep minutes of all Commission meetings and shall act as the custodian of all documents and records pertaining to the status of the Compact and the business of the Commission.

d. *Treasurer.* The treasurer, with the assistance of the Commission's executive director, shall act as custodian of all Commission funds and shall be responsible for monitoring the administration of all fiscal policies and procedures set forth in the Compact or adopted by the Commission. Pursuant to the Compact, the treasurer shall execute such bond as may be required by the Commission covering the treasurer, the executive director and any other officers, Commission Members and Commission personnel, as determined by the Commission, who may be responsible for the receipt, disbursement, or management of Commission funds.

Section 3. Costs and Expense Reimbursement.

Subject to the availability of budgeted funds, the officers shall be reimbursed for any actual and necessary costs and expenses incurred by the officers in the performance of their duties and responsibilities as officers of the Commission.

Section 4. Vacancies.

Upon the resignation, removal, or death of an officer of the Commission before the next annual meeting of the Commission, a majority of the Executive Committee shall appoint a successor to hold office for the unexpired portion of the term of the officer whose position shall so become vacant or until the next regular or special meeting of the Commission at which the vacancy is filled by majority vote of the Commission, whichever first occurs.

ARTICLE IV

COMMISSION PERSONNEL

Section 1. Commission Staff and Offices.

The Commission may by a majority of its Members, or through its executive committee appoint or retain an executive director, who shall serve at its pleasure and who shall act as secretary to the Commission, but shall not be a Member of the Commission. The executive director shall hire and supervise such other staff as may be authorized by the Commission. The executive director shall establish and manage the Commission's office or offices, which shall be located in one or more of the Compacting States as determined by the Commission.

Section 2. Duties of the Executive Director.

As the Commission's principal administrator, the executive director shall also perform such other duties as may be delegated by the Commission or required by the Compact and these By-laws, including, but not limited to, the following:

- a. Recommend general policies and program initiatives for the Commission's consideration;
- b. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;
- c. Implement and monitor administration of all policies programs, and initiatives adopted by Commission;
- d. Prepare draft annual budgets for the Commission's consideration;
- e. Monitor all Commission expenditures for compliance with approved budgets, and maintain accurate records of account;
- f. Assist Commission Members as directed in securing required assessments from the Compacting States;
- g. Execute contracts on behalf of the Commission as directed;
- h. Receive service of process on behalf of the Commission;
- i. Prepare and disseminate all required reports and notices directed by the Commission; and

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004, amended September 13, 2005.

j. Otherwise assist the Commission's officers in the performance of their duties under Article III herein.

ARTICLE V

QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION

Section 1. Immunity.

The Commission, its Members, officers, executive director, and employees shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that any such person shall not be protected from suit or liability, or both, for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

Section 2. Defense

Subject to the provisions of the Compact and rules promulgated thereunder, the Commission shall defend the Commissioner of a Compacting State, the Commissioner's representatives or employees, or the Commission, and its representatives or employees in any civil action seeking to impose liability against such person arising out of or relating to any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

Section 3. Indemnification.

The Commission shall indemnify and hold the Commissioner of a Compacting State, his or her representatives or employees, or the Commission, and its representatives or employees harmless in the amount of any settlement or judgment obtained against such person arising out of or relating to any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

ARTICLE VI

History: Adopted November 20, 2002, amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

MEETINGS OF THE COMMISSION

Section 1. Meetings and Notice.

The Commission shall meet at least once each calendar year at a time and place to be determined by the Commission. Additional meetings may be scheduled at the discretion of the chairperson, and must be called upon the request of a majority of Commission Members, as provided by the Compact. All Commission Members shall be given written notice of Commission meetings at least thirty (30) days prior to their scheduled dates.

Final agendas shall be provided to all Commission Members no later than ten (10) days prior to any meeting of the Commission. Thereafter, additional agenda items requiring Commission action may not be added to the final agenda, except by an affirmative vote of a majority of the Members. All Commission meetings shall be open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be provided in a manner consistent with the federal Government in Sunshine Act, 5 U.S.C. § 552b, including, but not limited to, the following: publication of notice of the meeting at least ten (10) days prior to the meeting in a nationally distributed newspaper or an official newsletter regularly published by or on behalf of the Commission and distribution to interested parties who have requested in writing to receive such notices. A meeting may be closed to the public where the Commission determines by two-thirds (2/3rds) vote of its Members that there exists at least one of the conditions for closing a meeting, as provided by the Compact or Commission Rules.

Section 2. Quorum.

Commission Members representing a majority of the Compacting States shall constitute a quorum for the transaction of business, except as otherwise required in these By-laws. The participation of a Commission Member from a Compacting State in a meeting is sufficient to constitute the presence of that state for purposes of determining the existence of a quorum, provided the Member present is entitled to vote on behalf of the Compacting State represented. The presence of a quorum must be established before any vote of the Commission can be taken.

Section 3. Voting.

Each Compacting State represented at any meeting of the Commission by its Member is entitled to one vote. A Member shall vote himself or herself and shall not delegate his or her vote to another Member. Members may participate and vote in meetings of the Commission and its duly authorized committees by telephone or other means of telecommunication or electronic communication. Except as otherwise required by the Compact or these By-laws, any question submitted to a vote of the Commission shall be determined by a simple majority.

Section 4. Procedure.

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

Matters of parliamentary procedure not covered by these By-laws shall be governed by Robert's Rules of Order.

ARTICLE VII

COMMITTEES

Section 1. Executive Committee.

The Commission may establish an executive committee, which shall be empowered to act on behalf of the Commission during the interim between Commission meetings, except for rulemaking or amendment of the Compact. The Committee shall be composed of all officers of the Interstate Commission, the chairpersons of each committee, the regional representatives, and the ex-officio victims' representative to the Interstate Commission. The procedures, duties, budget, and tenure of such an executive committee shall be determined by the Commission. The power of such an executive committee to act on behalf of the Commission shall at all times be subject to any limitations imposed by the Commission, the Compact or these By-laws.

Section 2. Other Committees.

The Commission may establish such other committees as it deems necessary to carry out its objectives, which shall include, but not be limited to Finance Committee; Rules Committee; Compliance Committee; Information Technology Committee; and Training, Education and Public Relations Committee. The composition, procedures, duties, budget and tenure of such committees shall be determined by the Commission.

Section 3. Regional Representatives.

A regional representative of each of the four regions of the United States, Northeastern, Midwestern, Southern, and Western, shall be elected or reelected, beginning with the 2005 annual meeting, by a plurality vote of the commissioners of each region, and shall serve for two years or until a successor is elected by the commissioners of that region. The states and territories comprising each region shall be determined by reference to the regional divisions used by the Council of State Governments.

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

ARTICLE VIII

FINANCE

Section 1. Fiscal Year.

The Commission's fiscal year shall begin on July 1 and end on June 30.

Section 2. Budget.

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years only after notice and comment as provided by the Compact.

Section 3. Accounting and Audit.

The Commission, with the assistance of the executive director, shall keep accurate and timely accounts of its internal receipts and disbursements of the Commission funds, other than receivership assets. The treasurer, through the executive director, shall cause the Commission's financial accounts and reports, including the Commission's system of internal controls and procedures, to be audited annually by an independent certified or licensed public accountant, as required by the Compact, upon the determination of the Commission, but no less frequently than once each year. The report of such independent audit shall be made available to the public and shall be included in and become part of the annual report to the governors, legislatures, and judiciary of the Compacting States.

The Commission's internal accounts, any workpapers related to any internal audit, and any workpapers related to the independent audit shall be confidential; provided, that such materials shall be made available: (i) in compliance with the order of any court of competent jurisdiction; (ii) pursuant to such reasonable rules as the Commission shall promulgate; and (iii) to any Commissioner of a Compacting State, or their duly authorized representatives.

Section 4. Public Participation in Meetings.

Upon prior written request to the Commission, any person who desires to present a statement on a matter that is on the agenda shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. The chairperson may, depending on the circumstances, afford any person who desires to present a statement on a matter that is on the agenda an opportunity to be heard absent a prior written request to the Commission. The chairperson may limit the time and manner of any such statements at any open meeting.

Section 5. Debt Limitations.

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

The Commission shall monitor its own and its committees' affairs for compliance with all provisions of the Compact, its rules and these By-laws governing the incurring of debt and the pledging of credit.

Section 6. Travel Reimbursements.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commission Members shall be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission or its committees as provided by the Compact.

ARTICLE IX

WITHDRAWAL, DEFAULT, AND TERMINATION

Compacting States may withdraw from the Compact only as provided by the Compact. The Commission may terminate a Compacting State as provided by the Compact.

ARTICLE X

ADOPTION AND AMENDMENT OF BY-LAWS

Any By-law may be adopted, amended or repealed by a majority vote of the Members, provided that written notice and the full text of the proposed action is provided to all Commission Members at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rds) majority vote of the Members shall be required for such action.

ARTICLE XI

DISSOLUTION OF THE COMPACT

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Compacting State that reduces membership in the Compact to one Compacting State as provided by the Compact.

Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force and effect, and the business and affairs of the Commission shall be wound up. Each Compacting State in good standing at the time of the Compact's dissolution shall receive a pro rata distribution of surplus funds based upon a ratio, the numerator of which shall be the amount of its last paid annual assessment, and the denominator of which shall be the sum of the last paid annual assessments of all Compacting States in

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.

good standing at the time of the Compact's dissolution. A Compacting State is in good standing if it has paid its assessments timely.

History: Adopted November 20, 2002; amended November 3, 2003; amended October 27, 2004; amended September 13, 2005.



Interstate Commission for Adult Offender Supervision

August 17, 2006

... Ensuring public safety for the 21st century

Re:Rule Amendments

Dear Commissioners,

The Rules Committee has met several times during this past year to address new proposed rules and rule amendments forwarded to us at last years ICAOS Annual Business Meeting and from the ICAOS Teleconference in January, 2006. Based on recommendations from the ICAOS General Counsel the Rules Committee also voted to review all the rules in Chapter 5. The amendments were drafted and were sent to all Commissioners and Deputy Compact Administrators for review and comment in May of this year. The Rules Committee met in June, 2006, to prepare final drafts of the proposed amendments and rule changes based on the comments received. The final drafts of the changes are attached with justifications and comments concerning the rules.

Please review the proposed changes prior to attending the ICAOS Annual Meeting in Phoenix. Comments will be taken in support or opposition to each rule, but there will be no amendments to the rules from the floor.

If a Commissioner has a proposed rule or amendment for the Rules Committee for the upcoming year it must be presented by majority vote of the entire Commission during a meeting, referred by a majority vote of a region, or referred by a majority voted of a ICAOS standing committee. These changes should be made in writing. If approved the change will be forwarded to the Rules Committee to be placed in the proper format and voted on at the next Commission Meeting.

Thank you again for all your support.

Sincerely,

Milton Gilliam
Rules Committee Chair

Interstate Commission for
Adult Offender Supervision

The Council of State Governments
2760 Research Park Drive
P.O. Box 11910

Lexington, Kentucky 40578-1910

phone: (859) 244-8008

fax: (859) 244-8001

email: icaos@interstatecompact.org

web: www.interstatecompact.org

(ii) "Relocate" means to remain in another state for more than ~~90~~ **45** consecutive days in any 12 month period

Comment [WHL]: Deleted 90 and inserted 45.

Justification: This definition was voted on and approved at the September, 2005, Annual ICAOS Meeting. The effective date was January 1, 2006. During the September, 2005, meeting the definition was referred back to the Rules Committee for further revisions. The rule was scheduled for a vote during the January 19, 2006, teleconference. The revised definition was voted down during the teleconference and was referred back to the Rules Committee for further work. The main issues expressed by the Commissioners were that the 90 day time frame was too long and there was confusion with the revised language concerning whether the days should be consecutive or cumulative.

The Rules Committee received comments from Delaware, West Region, Alabama, Texas, Connecticut, Florida, Oregon, Minnesota, Maryland, Arizona, Puerto Rico, Michigan, Pennsylvania, Indiana, Colorado, Kentucky, and Victim's Representatives. All comments were reviewed and discussed and a final draft of the rule was approved.

The comments centered around consecutive days versus cumulative days, the number of days, and the potential for abuse. Another topic that was discussed several times was whether the definition was for offenders actually moving or for temporary travel permits. The Rules Committee agreed that the intent of this rule is that offenders moving to the state should be covered by the compact, but that offenders working in one state and living in another should be supervised by the state of residence with movement being regulated by travel permits.

"Special condition" means a condition or term that is added to the standard conditions of parole or probation by either the sending or receiving state.

Justification: The Rules Committee voted to add additional language to this definition to clarify its meaning during the February, 2006 committee meeting.

Comments were received from The West Region, Delaware, Ohio, Texas Missouri, Florida, Maryland, Virginia, and Kentucky.

The majority of the comments indicated that the added language was too vague and that it was not needed.

The Rules Committee voted to remove the additional language from the rule. The definition of "Special Condition" will not be voted on and the definition will remain the same.

"Warrant"

Justification: The Rules Committee voted to recommend a definition for warrant to the Commission for a vote during the February, 2006 meeting. The Committee sent it out for comments from the Commissioners.

Comments were received and reviewed from Indiana, the West Region, Alabama, Pennsylvania, Texas, Minnesota, Arizona, Puerto Rico, Massachusetts, and Kentucky.

The majority of the comments indicated problems or confusion with the proposed definition of warrant. The ICAOS, General Counsel indicated that a general legal definition of warrant already exists and there is no need to define it further.

The Rules Committee based on comments voted to withdraw the definition of "warrant" from consideration.

RULE 2.101 Involvement of interstate compact offices

- (a) Acceptance, rejection or termination of supervision of an offender under this compact shall be made only with the involvement and concurrence of a state's compact administrator or the compact administrator's designated deputies.
- (b) All ~~formal~~ written, electronic, and oral communication regarding an offender under this compact shall be made only through the office of a state's compact administrator or the compact administrator's designated deputies.
- (c) Transfer, modification or termination of supervision authority for an offender under this compact may be authorized only with the involvement and concurrence of a state's compact administrator or the compact administrator's designated deputies.
- (d) Violation reports or other notices regarding offenders under this compact shall be transmitted only through direct communication of the compact offices of the sending and receiving states.

Comment [WN2]: Struck "formal"

Justification: During the September, 2005, ICAOS Annual Meeting voted that the Rules Committee should draft a definition of formal communication. The term formal communication is only used in Rule 2.101. The recommendation of the Rules Committee is that the word formal should be deleted from 2.101, b. The Committee agreed that the intent of the rule is that all communication should be forwarded through the Compact Office.

Comments on this rule change were received and reviewed from the West Region, Minnesota, Michigan, Indiana, and Kentucky.

Discussion was held concerning the need to send all communication through the compact office when NACIS comes on line. This would be the official record concerning all transactions.

The Rules Committee voted to forward this rule to the Commission for a vote during the ICAOS Annual Meeting.

Rule 2.105

(a) A misdemeanor offender whose sentence includes one year or more of supervision shall be eligible for transfer, provided that all other criteria for transfer, as specified in Rule 3.101, have been satisfied; and the instant offense includes one or more of the following—

- (1) an offense in which a person has incurred direct or threatened physical or psychological harm;
- (2) an offense that involves the use or possession of a firearm;
- (3) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol;

(4) a sexual offense that requires the offender to register as a sex offender in the sending state.

(5) a drug offense which due to its seriousness originated as a felony and was amended to a misdemeanor.

Comment [WH3]: Increased language.

Justification: This rule was referred to the Rules Committee by a majority vote of the Commission at the September, 2005, ICAOS Annual Meeting. The State of Nebraska made the motion to refer it to the Rules Committee to put language in the rule to include drug offenders who were originally charged with felonies that were reduced to misdemeanors.

Comments were reviewed and discussed from the West Region, Delaware, Nebraska, Ohio, Missouri, Florida, South Carolina, Texas, Minnesota, Maryland, Louisiana, Puerto Rico, Virginia, Michigan, Idaho, Indiana, Massachusetts, Colorado, Kentucky, and Arkansas.

The majority of the comments from states indicated that they did not agree with the changes and recommended that this rule not be amended.

Because the rule was referred by a majority of the Commission for a vote the Rules Committee voted to refer this rule to the ICAOS Annual Meeting for a vote. The Rules Committee reviewed the minutes of last years annual meeting and drafted the rule as it was presented by the State of Nebraska and voted on by the Commissioners for referral back to the Rules Committee

RULE 2.109 Adoption of rules; amendment

Proposed new rules or amendments to the rules shall be adopted by majority vote of the members of the Interstate Commission in the following manner.

- (a) Proposed new rules and amendments to existing rules shall be submitted to the Interstate Commission office for referral to the Rules Committee in the following manner:
 - (1) Any Commissioner may submit a proposed rule or rule amendment for referral to the Rules Committee during the annual Commission meeting. This proposal would be made in the form of a motion and would have to be approved by a majority vote of a quorum of the Commission members present at the meeting.
 - (2) Standing ICAOS Committees may propose rules or rule amendments by a majority vote of that committee.
 - (3) ICAOS Regions may propose rules or rule amendments by a majority vote of members of that region.
- (b) The Rules Committee shall prepare a draft of all proposed rules and provide the draft to all Commissioners for review and comments. All written comments received by the Rules Committee on proposed rules shall be posted on the Commission's website upon receipt. Based on the comments made by the Commissioners the Rules Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by the Commission not later than the next annual meeting.
- (c) Prior to the Commission voting on any proposed rule or amendment, the text of the proposed rule or amendment shall be published by the Rules Committee not later than 30 days prior to the meeting at which vote on the rule is scheduled, on the official web site of the Interstate Commission and in any other official publication that may be designated by the Interstate Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.
- (d) Each proposed rule or amendment shall state—
 - (1) The place, time, and date of the scheduled public hearing;
 - (2) The manner in which interested persons may submit notice to the Interstate Commission of their intention to attend the public hearing and any written comments; and
 - (3) The name, position, physical and electronic mail address, telephone, and telefax number of the person to whom interested persons may respond with notice of their attendance and written comments.

- (e) Every public hearing shall be conducted in a manner guaranteeing each person who wishes to comment a fair and reasonable opportunity to comment. No transcript of the public hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall pay for the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Interstate Commission from making a transcript or recording of the public hearing if it so chooses.
- (f) Nothing in this section shall be construed as requiring a separate public hearing on each rule. Rules may be grouped for the convenience of the Interstate Commission at public hearings required by this section.
- (g) Following the scheduled public hearing date, the Interstate Commission shall consider all written and oral comments received.
- (h) The Interstate Commission shall, by majority vote ~~of a quorum of the commissioners, take final action on the proposed rule or amendment by a vote of yes or no or by referring the rule back to the Rules Committee for further action.~~ Additionally, by majority vote of the Commission, a proposed rule or amendment may be referred back to the Rules Committee for further action prior to or subsequent to action by the Commission. The Commission shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
- (i) Not later than sixty days after a rule is adopted, any interested person may file a petition for judicial review of the rule in the United States District Court of the District of Columbia or in the federal district court where the Interstate Commission's principal office is located. If the court finds that the Interstate Commission's action is not supported by substantial evidence, as defined in the federal Administrative Procedures Act, in the rulemaking record, the court shall hold the rule unlawful and set it aside. In the event that a petition for judicial review of a rule is filed against the Interstate Commission by a state, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.
- (j) Upon determination that an emergency exists, the Interstate Commission may promulgate an emergency rule that shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. An emergency rule is one that must be made effective immediately in order to—
- (1) Meet an imminent threat to public health, safety, or welfare;
 - (2) Prevent a loss of federal or state funds;

Comment [WH4]: Struck "of a quorum"

Comment [WH5]: Inserted "or"

Comment [WH6]: Struck "or by referring the rule back to the Rules Committee for further action."

Comment [WH7]: Inserted "Additionally... Commission."

- (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
- (4) Protect human health and the environment.

References:

ICAOS Advisory Opinion 3-2006

Justification: The Rules Committee voted to review this rule to clear up confusion to the language passed during the September, 2005, ICAOS Annual Meeting. The recommendation is for rules to be voted on at Commission Meetings by a yes or no vote. Prior to the vote or after the vote the Commission may vote by separate motion to send a rule back to the Rules Committee for further review and changes.

The Committee reviewed comments from Texas, the West Region, Colorado, and Kentucky.

After review of the comments the suggestion was to remove language concerning further amendments or actions following a yes or no vote. This was considered to be confusing and redundant and parliamentary procedure allows such alternate motions to be made without the need for including reference to them in the rule.

The Rules Committee voted to forward this rule to the full Commission for a vote during the ICAOS Annual Meeting.

RULE 3.101 ***Mandatory transfer of supervision***

At the discretion of the sending state, an offender shall be eligible for transfer of supervision to a receiving state under the compact, and the receiving state shall accept transfer, if the offender:

- (a) has more than 90 days or an indefinite period of supervision remaining; and
- (b) has a valid plan of supervision; and
- (c) is in substantial compliance with the terms of supervision in the sending state; and
- (d) is a resident of the receiving state; or
- (e) (1) has resident family in the receiving state who have indicated a willingness and ability to assist as specified in the plan of supervision; and
(2) can obtain employment in the receiving state or has a **visible** means of support.

Comment [WHS]: Strike "visible"

Justification: This rule was referred back to the Rules Committee during the ICAOS Annual Meeting, September, 2005. The motion was sent to the Committee in regards to the terms "visible" versus "viable". The discussion by the Committee indicated that both terms were subjective and open to interpretation. The Committee voted to recommend removal of the term "visible" from the rule.

Comments were reviewed from The West Region, Pennsylvania, and Puerto Rico.

The comments agreed that the term "visible" was subjective and felt that the word should be removed from the rule.

The Rules Committee voted to forward this change to the ICAOS Annual Meeting for a vote.

RULE 3.101-1 Mandatory Transfers of Military, Families of Military, and Family Members Employed;

- (a) *Transfer of Military members-* An offender who is a member of the military and has been deployed by the military to another state, shall be immediately eligible for reporting instructions and transfer of supervision.
- (b) *Transfer of Offenders who live with family who are members of the military-* An offender who meets the "other" criteria specified in Rules 3.101(a), (b), & (c) and 3.101(e)(2) and who lives with a family member who has been deployed to another state, shall be immediately eligible for reporting instructions and transfer of supervision, provided that the offender will live with the military member in the receiving state.
- (c) *Employment transfer of family member to another state-* An offender who meets the "other" criteria specified in Rules 3.101(a), (b), & (c) and 3.101(e)(2), and whose family member, with whom he or she resides, is transferred to another state by their full-time employer, shall be immediately eligible for reporting instructions and transfer of supervision, provided that the offender will live with the family member in the receiving state.

Comment [SS9]: Inserted language and struck "other" and "3.101"

Comment [SS10]: Inserted language and struck "other"

Justification: The Rules Committee voted to add to sections (b) and (c) "as specified by Rule 3.101 (a), (b), and (c) and leave (e) (2) in the rule. This recommendation is to further clarify the criteria for transfer in reference to families of military and family members employed.

Comments were received and reviewed from the West Region, Pennsylvania, and Texas.

A comment was made to delete the word "other" where it pertains to criteria because it is not needed. The Rules Committee voted to remove the word "other" in two places.

The Rules Committee voted to refer this rule to the full Commission at the ICAOS Annual Meeting for a vote.

RULE 3.103 ~~Acceptance of the offender by receiving state; probation exception-Reporting Instructions; Probation Exception to Rule 2.110~~

Comment [WH11]: Inserted language

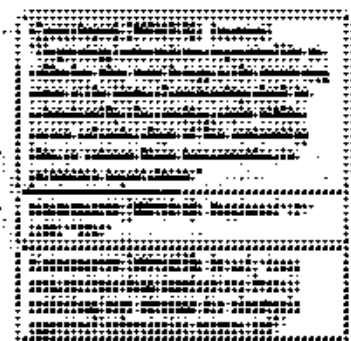
~~(a) As an exception to Rule 2.110, a sending state shall not allow an offender under supervision in the sending state to relocate to a receiving state without the receiving state's acceptance of the transfer of supervision.~~

Comment [WH12]: Inserted language

~~(b) Exception—~~

~~(1)(A) A sending state may grant a travel permit to an offender who was living in the receiving state at the time of sentencing.~~

(1)(A) (a)(1) Reporting instructions requested for an offender who was living in the receiving state at the time of sentencing shall be submitted by the sending state within seven calendar days of the sentencing date or release from incarceration to probation supervision. The A sending state may request reporting instructions from a receiving state through the electronic approved information system and may grant a seven day travel permit to an offender who was living in the receiving state at the time of sentencing. Prior to granting a travel permit to an offender, the sending state shall verify that the offender is living in the receiving state.



~~(B) This exception is not applicable to offenders released to supervision from prison.~~

~~(2)(B) The receiving state shall issue reporting instructions no later than two business days following receipt of such a request from the sending state.~~

~~(3)(C) The sending state shall ensure that the offender sign all forms requiring the offender's signature under Rule 3.107 (a) prior to granting a travel permit to the offender. Signed forms shall be maintained in the sending state until termination of compact supervision. Upon request from the receiving state the sending state shall transmit all signed forms within 5 business days.~~

~~(4)(D) The sending state shall transmit a departure notice to the receiving state per Rule 4.105 (a).~~

~~(5)(E) This exception is applicable to offenders incarcerated for 6 months or less and released to probation supervision.~~

~~sentenced to jail as a condition of probation and released to probation supervision from a jail facility.~~

~~(6)(F) This exception is not applicable to paroling offenders. Released to supervision from prison.~~

~~(b)(2) The sending state retains supervisory responsibility until the offender's arrival in the receiving state.~~

~~(c)(3) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.~~

~~(d)(4) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than 15 calendar days following the granting to the offender of the reporting instructions.~~

~~(e)(1) If the receiving state rejects the transfer request for an offender granted a travel permit reporting instructions, or if the sending state fails to send a completed transfer request by the 15th calendar day following the granting of a travel permit reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request from the receiving state, direct the offender to return to the sending state immediately and the supervision responsibility shall revert to the sending state after the receipt of notification of the transfer request.~~

~~(2) If the offender does not return to the sending state, as ordered, the sending state shall initiate the retaking of the offender by issuing a warrant that is effective in all compact member states without limitation as to specific geographic area, or an order to return no later than 10 calendar days following the offender's failure to appear in the sending state.~~

~~(c) The receiving state shall continue to supervise the offender until a warrant is issued or notice is given by the sending state as required under Rule 4.105.~~

Justification: Rule 3.103 was referred back to the Rules Committee at the 2005, Annual ICAOS Meeting. The Commission voted to have this rule brought to the Commission during a teleconference national meeting on January 19, 2006. During the teleconference the rule revisions were voted down and the rules was referred back to the Rules Committee for additional review. The main area of concern was dealing with offenders

Comment [WH16]: Inserted "calendar"

Comment [WH17]: Struck "from the receiving state"

Comment [WH18]: Inserted language - 6-28-06

Comment [WH19]: Inserted language - 6-28-06

that are incarcerated as a condition of probation and released to probation supervision. Another recommendation by the Rules Committee is to return supervision of the offender immediately to the sending state upon rejection or failure to send the required transfer request.

Comments were received on this rule from the West Region, Ohio, Missouri, South Carolina, Texas, Michigan, Indiana, Pennsylvania, Massachusetts, Colorado, and Kentucky.

Based on comments the Rules Committee voted to change the title of the rule to more accurately indicate the content of the rule. A recommendation was made to allow this exception for offender incarcerated for 6 months or less and released to probation supervision. This would address "Shock Probation." Also the committee voted to recommend this rule be amended to include that warrants shall be issued with 10 calendar days for retaking without limitation to specific geographic areas.

The Rules Committee voted to forward this rule to the Commission at the ICAOS Annual Meeting for a vote.

RULE 3.104-1 Acceptance of offender; issuance of reporting instructions

- (a) If a receiving state accepts transfer of the offender, the receiving state's acceptance shall include reporting instructions.
- (b) Upon notice of acceptance of transfer by the receiving state, the sending state shall issue a travel permit to the offender and notify the receiving state of the offender's departure as required under Rule 4.105.
- (c) An acceptance by the receiving state shall be valid for 120 calendar days. If the sending state has not sent a Departure Notice to the receiving state in that time frame, the receiving state may withdraw its acceptance and close interest in the case. ~~This does not apply to paroling offenders. See Rule 3.105 (e)(1).~~

Comment [WH20]: Struck the last sentence of Rule 3.104-1.

Justification: Rule 3.105 was referred to the Rules Committee at the September, 2005, ICAOS Annual Meeting. The motion stated that there should be a specific time frame for how long a parole plan is valid after acceptance. Rule 3.104-1 states that an acceptance is valid for 120 calendar days. The Rules Committee recommended that 3.104-1 be amended to remove the language that this does not apply to paroling offenders. If adopted no further changes would be needed to 3.105.

Comments were received from the West Region and Kentucky.

After review of the comments the Rules Committee voted to forward this rule to the Commission for a vote at the ICAOS Annual Meeting.

RULE 3.106 Request for expedited reporting instructions

- (a)(1) A sending state may request that a receiving state agree to expedited transfer reporting instructions of an offender if the sending state believes that emergency circumstances exist and the receiving state agrees with that determination. If the receiving state does not agree with that determination, the offender shall not proceed to the receiving state until an acceptance is received under Rule 3.104-1.
- (2) (A) A receiving state that agrees to expedited transfer reporting instructions of an offender shall immediately issue reporting instructions for the offender, and a sending state shall immediately ~~issue a travel permit~~ transmit a departure notice.
- (B) The sending state shall ensure that the offender signs all forms requiring the offender's signature under Rule 3.107 (a) prior to granting ~~a travel permit~~ reporting instructions to the offender. ~~The sending state shall immediately transmit the signed forms electronically or by telefax to the receiving state.~~ Signed forms shall be maintained in the sending state until termination of compact supervision. Upon request from the receiving state the sending state shall transmit all signed forms within 5 business days.
- (C) ~~At the time of transmission of the signed forms, the sending state shall provide the receiving state with a copy of the offender's orders and conditions, documentation of the offender's residency, copy of any available pre-sentence report, copy of any order of protection, where applicable, and whether the offender is subject to sex offender registration in the sending state.~~
- (b) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.
- (c) A sending state shall transmit a completed transfer request for an offender granted ~~a travel permit~~ reporting instructions no later than the seventh calendar day following the granting to the offender of the ~~travel permit~~ reporting instructions.
- (d)(1) If the receiving state rejects the transfer request for an offender granted ~~a travel permit~~ reporting instructions, or if the sending state fails to send a completed transfer request by the ~~7th~~ seventh calendar day following the granting of ~~a travel permit~~ reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to

timely send a required transfer request, direct the offender to return to the sending state immediately and the supervision responsibility shall revert to the sending state by a date specified by the sending state within 30 calendar days after receipt of notification of the rejection of the transfer request.

- (2) If the offender does not return to the sending state as ordered, the sending state shall initiate the retaking of the offender by issuing a warrant that is effective in all compact member states without limitation as to specific geographic area, no later than 10 calendar days following the offender's failure to appear in the sending state.
- (3) ~~The receiving state shall continue to supervise the offender until a warrant is issued or notice is given by the sending state as required under Rule 4.105.~~

Comment [WH21]: Inserted "immediately and the supervision responsibility shall revert to the sending state."

Comment [WH22]: Struck "within 30 calendar days"

Comment [WH23]: Inserted language 6-27-06

Comment [WH24]: Inserted language 6-28-06

Justification: The Rules Committee voted to reopen this rule for review, in order to make it consistent with changes recommended to Rule 3.103. The recommendation was to return supervision immediately to the sending state following rejection or failure to send a required transfer requests in the required time frame.

Comments were received on this rule from the West Region, Missouri, Florida, Pennsylvania, South Carolina, Oregon, Minnesota, Texas, Arizona, Colorado, and Kentucky.

Discussion by the committee indicated that the language in this rule concerning returns for offenders granted reporting instructions should "mirror" the language in 3.103.

The Rules Committee voted to forward this rule to the Commission at the ICAOS Annual Meeting for a vote.

RULE 3.108-1 Victims' right to be heard and comment

- (a) When an offender submits a request to transfer to a receiving state or a subsequent receiving state, or to return to a sending state, the victim notification authority in the sending state shall, at the time of notification to the victim as required in Rule 3.108 (a), inform victims of the offender of their right to be heard and comment. Victims of the offender have the right to be heard regarding their concerns relating to the transfer request for their safety and family members' safety. Victims have the right to contact the sending state's interstate compact office at any time by telephone, telefax, or conventional or electronic mail regarding their concerns relating to the transfer request for their safety and family members' safety. The victim notification authority in the sending state shall provide victims of the offender with information regarding how to respond and be heard if the victim chooses.
- (b)(1) Victims shall have ten business days from receipt of notice required in Rule 3.1081 (a) to respond to the sending state. Receipt of notice shall be presumed to have occurred by the fifth business day following its sending.
- (2) The receiving state shall continue to investigate the transfer request while awaiting response from the victim.
- (c) Upon receipt of the comments from victims of the offender, the sending state shall consider comments regarding their concerns relating to the transfer request for their safety and family members' safety. Victims' comments shall be confidential and shall not be disclosed to the public. The sending state or receiving state may impose special conditions of supervision on the offender, if the safety of the offender's victims or family members of victims is deemed to be at risk by the approval of the offender's request for transfer.
- (e) The sending state shall respond to the victim no later than five business days following receipt of victims' comments, indicating how victims' concerns will be addressed when transferring supervision of the offender.

Justification: This rule was returned to the Rules Committee during the annual business meeting in Phoenix to make the language of Rule 3.108-1 and 4.111 consistent. After review by the committee the recommendation is to make no changes and forward this to the Training Committee as a training issue

Comments were received from Indiana and the West Region.

The Rules Committee voted to forward this recommendation to the Commission for a vote at the ICAOS Annual Meeting.

RULE 4.111 Return to the sending state

- (a) Upon an offender's request to return to the sending state, the receiving state shall request reporting instructions, unless the offender is under active criminal investigation or is charged with a subsequent criminal offense in the receiving state.
- (b) The sending state shall grant the request and provide reporting instructions no later than two business days following receipt of the request for reporting instructions from the receiving state.
- (c) A receiving state shall notify the sending state as required in Rule 4.105 (a).

Justification: This rule was returned to the Rules Committee during the annual business meeting in Phoenix to make the language of Rule 3.108-1 and 4.111 consistent. After review by the committee the recommendation is to make no changes and forward this to the Training Committee as a training issue.

Comments were received from the West Region, Pennsylvania, and Pat Tuthill

The Rules Committee voted to send this recommendation to the Commission for a vote at the ICAOS Annual Meeting.

RULE ~~5.112~~ 4.103-1 *Effect of special conditions or requirements*

Comment [WH25]: Changed rule
5.112 to 4.103-1.

For purposes of revocation or other punitive action against an offender, the probation or paroling authority of a sending state shall give the same effect to a violation of special conditions or requirement imposed by a receiving state as if those conditions or requirement had been imposed by the sending state. Failure of an offender to comply with special conditions or additional requirements imposed by a receiving state shall form the basis of punitive action in the sending state notwithstanding the absence of such conditions or requirements in the original plan of supervision issued by the sending state. For purposes of this rule, the original plan of supervision shall include, but not be limited to, any court orders setting forth the terms and conditions of probation, any orders incorporating a plan of supervision by reference, or any orders or directives of the paroling or probation authority.

Justification: The Rules Committee voted to recommend this rule be moved from Section 5 to Section 4 because it fits more appropriately with Rule 4.103.

The only comment received on this rule was from the West Region. The region concurred with moving the rule to section 4.

The Rules Committee voted to forward this change to the ICAOS Annual Meeting for a vote.

Rule ~~6.104-1~~ 4.109-1 Authority to arrest and detain pending retaking

Comment [WH26]: Changed rule number 6-28-06

An offender in violation of the terms and conditions of supervision subject to retaking may be taken into custody or continued in custody by the receiving state.

Comment [WH27]: Inserted language 6-28-06

Justification: The General Counsel for ICAOS recommended that all of Chapter 5 of the ICAOS Rules be reviewed to determine if changes were needed to make the rules more specific in dealing with retaking and hearings for violators.

Comments were received on the rule change from Indiana, the West Region, Texas, Puerto Rico, Michigan, Indiana, and Kentucky.

The discussion in regards to this rule focused on clarifying the ability through the Compact for all the receiving states to take an offender into custody or continue an offender in custody based on violations. While many states have the ability to do this by statute or policy the compact rules did not address this. The recommendation by the Rules Committee would place this rule as 4.109-1.

The Rules Committee voted to forward this rule to the ICAOS Annual Meeting for a vote.

RULE 5.102 ~~New felony offense~~ Mandatory retaking for a new felony conviction.

Comment [WH28]: Removed "offense" and replaced it with "conviction." 6-28-06

Upon a request from the receiving state, a sending state shall retake or order the return of an offender from the receiving state or a subsequent receiving state upon the offender's conviction for a new felony offense and —

- (a) completion of a term of incarceration for that conviction; or
- (b) placement ~~on probation~~ under supervision for that felony offense.

Comment [WH29]: Deleted "probation" and inserted "under supervision."

If the offender does not return to the sending state as ordered, then the sending state shall issue a warrant that is effective in all compact member states, without limitation as to specific geographic area.

Comment [WH30]: Inserted language.

Justification: The General Counsel for ICAOS recommended that all of Chapter 5 of the ICAOS Rules be reviewed to determine if changes were needed to make the rules more specific in dealing with retaking and hearings for violators. The Rules Committee is recommending the title of the rule be changed for clarification and that on probation be replaced with under supervision.

Comments on this rule were received from Indiana, Delaware, the West Region, and Kentucky.

Discussion on this rule centered on states issuing warrants on offenders that are only valid in the sending state. Language has been recommended by the Rules Committee in 5.103 (b) to assist with this issue.

The Rules Committee voted to forward this rule to the Commissioners for a vote at the ICAOS Annual Meeting.

RULE 5.103 Mandatory retaking for Violations of conditions of supervision

Comment (WH31): Inserted
"Mandatory retaking for" at the
beginning of the title of Rule 5.103

- (a) Upon a request by the receiving state and a showing that the offender has committed three or more significant violations arising from separate incidents that establish a pattern of non-compliance of the conditions of supervision, a sending state shall retake or order the return of an offender from the receiving state or a subsequent receiving state .
- (b) If the offender does not return to the sending state as ordered, then the sending state shall issue a warrant that is effective in all compact member states, without limitation as to specific geographic area.

References:

ICAOS Advisory Opinion 9-2004

ICAOS Advisory Opinion 2-2005

Justification: The General Counsel for ICAOS recommended that all of Chapter 5 of the ICAOS Rules be reviewed to determine if changes were needed to make the rules more specific in dealing with retaking and hearings for violators. The Rules Committee recommends that the title of this rule be changed to include the words mandatory retaking.

Comments on this rule were received from Indiana, the West Region, Virginia, Michigan, and Kentucky.

Discussion on this rule centered on states issuing warrants on offenders that are only valid in the sending state. Language has been recommended by the Rules Committee in 5.103 (b) to assist with this issue.

The Rules Committee voted to forward this rule to the Commissioners for a vote at the ICAOS Annual Meeting.

RULE 5.106 Cost of incarceration in receiving state

- (a) A receiving state shall be responsible for the cost of detaining the offender in the receiving state pending the offender's retaking by the sending state.

Justification: The General Counsel for ICAOS recommended that all of Chapter 5 of the ICAOS Rules be reviewed to determine if changes were needed to make the rules more specific in dealing with retaking and hearings for violators. The Rules Committee voted to recommend that the cost of detaining an offender revert to the sending state if the time frame in Rule 5.105 is not met.

Comments were submitted by Delaware, the West Region, Ohio, Missouri, Connecticut, Florida, Texas, Iowa, Virginia, Michigan, Colorado, Arkansas, and Kentucky.

The majority of the comments indicated that this process would be difficult to track and would be burdensome to states. The Rules Committee after discussion voted to withdraw the proposed amendments concerning this rule. This rule will not be voted on during the ICAOS Annual Meeting. The current rule will remain in place.

RULE 5.108 Opportunity for Probable cause hearing in receiving state

(a) An offender subject to retaking for violation of conditions of supervision that may result in a revocation shall be afforded the opportunity for a probable cause hearing in the receiving state consistent with due process requirements.

Comment [WH32]: Inserted "subject to retaking for violation of conditions of supervision that result in revocation"

(b) No waiver of a probable cause hearing shall be accepted unless accompanied by an admission by the offender to one or more significant violations of the terms or conditions of supervision.

Comment [WH33]: Created new paragraph

(c) A copy of a judgment of conviction regarding the conviction of a new felony offense by the offender shall be deemed conclusive proof that an offender may be retaken by a sending state without the need for further proceedings.

(d) **The offender shall be entitled to the following rights at the probable cause hearing:**

- (1) Written notice of the alleged violation(s);**
- (2) Disclosure of non-privileged or non-confidential evidence regarding the alleged violation(s);**
- (3) The opportunity to be heard in person and to present witnesses and documentary evidence relevant to the alleged violation(s);**
- (4) The opportunity to confront and cross-examine adverse witnesses, unless the hearing officer determines that a risk of harm to a witness exists.**

Comment [WH34]: Inserted language 6-28-06

(e) The receiving state shall prepare and submit to the sending state a written report within 30 calendar days of the hearing that identifies the time, date and location of the hearing, lists the parties present at the hearing, and includes a clear and concise summary of the testimony taken and the evidence relied upon in rendering the decision. Any evidence or record generated during a probable cause hearing shall be forwarded to the sending state.

Comment [WH35]: Inserted "calendar," 6-28-06

Comment [WH36]: Inserted "(c) a copy of... decision"

(f) If the hearing officer determines that there is probable cause to believe that the offender has committed the alleged violations of conditions of supervision, the receiving state shall hold the offender in custody, and the sending state shall notify the receiving state of the decision to retake or other action to be taken within 30 calendar days of receipt of the hearing officer's report and determination.

(g) If probable cause is not established, the receiving state shall:

- (1) Continue supervision if the offender is not in custody

- ~~(2) Notify the sending state to vacate the warrant, and continue supervision upon release if the offender is in custody on the sending state's warrant.~~
- ~~(3) Vacate the receiving state's warrant and release the offender back to supervision within 24 hours of the hearing if the offender is in custody.~~

Comment [WH37]: Inserted sections (e) & (f) in Rule 5.108

Justification: The General Counsel for ICAOS recommended that all of Chapter 5 of the ICAOS Rules be reviewed to determine if changes were needed to make the rules more specific in dealing with retaking and hearings for violators. The Rules Committee is recommending a change in the title to specify this rule refers to a probable cause hearing. Other recommendations include the process to be followed if there is a new conviction, time frames for the hearing process and what should happen if probable cause is not found.

Comments on this rule were received from Indiana, the West Region, Ohio, Missouri, Florida, Colorado, and Kentucky.

After review of the comments and discussion and based on the results of the Probable Cause Hearing Survey, the Rules Committee voted to add the requirements for a due process hearing to the rule consistent with existing legal requirements. The Rules Committee voted to forward this rule as amended to the ICAOS Annual Meeting for a vote by the Commissioners.

RULE 5.111 Denial of bail to certain offenders

An offender against whom retaking procedures have been instituted by a sending or receiving state shall not be admitted to bail or other release conditions in any state ~~where the offender is found.~~

Comment [WH38]: Inserted language 6-21-06

Comment [WH39]: Struck "where the offender is found"

Justification: The General Counsel for ICAOS recommended that all of Chapter 5 of the ICAOS Rules be reviewed to determine if changes were needed to make the rules more specific in dealing with retaking and hearings for violators. The Rules Committee recommends that the phrase, "where the offender is found", be removed from the rule. It was felt that the intent of the rule was that bail be denied wherever the offender was in custody and this language was redundant.

Comments were received on this rule from the West Region, Minnesota, Kentucky, and Indiana.

The Rules Committee voted to forward this rule to the Commission for a vote at the ICAOS Annual Meeting.

**Interstate Compact for Adult Offender Supervision
State Dues Assessment - FY07**

State	State Dues Ratio 2	State Population 3	U.S. Population 3	State Offender Transfers 4	U.S. Offenders 4	Dues per State 1	Dues per State with 2% Increase 5
U.S. Virgin Islands (a)	0.000358	102000	285230516	83	234085	\$18,000	\$18,360
Alaska	0.002257	626932	285230516	542	234085	\$18,000	\$18,360
Wyoming	0.002559	493782	285230516	793	234085	\$18,000	\$18,360
North Dakota	0.003206	642200	285230516	974	234085	\$18,000	\$18,360
Vermont	0.003293	608827	285230516	1042	234085	\$18,000	\$18,360
South Dakota (b)	0.003662	754844	285230516	1095	234085	\$18,000	\$18,360
Maine	0.003687	1274923	285230516	680	234085	\$18,000	\$18,360
New Hampshire (b)	0.004067	1235786	285230516	890	234085	\$18,000	\$18,360
Rhode Island	0.004200	1048319	285230516	1106	234085	\$18,000	\$18,360
Hawaii	0.004249	1211537	285230516	995	234085	\$18,000	\$18,360
Montana	0.004337	902195	285230516	1290	234085	\$18,000	\$18,360
Delaware	0.004338	783600	285230516	1388	234085	\$18,000	\$18,360
Idaho	0.004953	1293953	285230516	1257	234085	\$18,000	\$18,360
West Virginia	0.005554	1808344	285230516	1116	234085	\$18,000	\$18,360
Dist. of Columbia (b)	0.005725	572059	285230516	2211	234085	\$18,000	\$18,360
Nebraska	0.005830	1711263	285230516	1325	234085	\$18,000	\$18,360
Utah	0.005901	2233169	285230516	930	234085	\$18,000	\$18,300
New Mexico	0.007157	1819046	285230516	1858	234085	\$18,000	\$18,380
Puerto Rico (a)	0.007744	3808610	285230516	500	234085	\$18,000	\$18,360
Nevada	0.009746	1998257	285230516	2923	234085	\$25,000	\$25,500
Kansas	0.009959	2688418	285230516	2456	234085	\$25,000	\$25,500
Iowa	0.010651	2926324	285230516	2585	234085	\$25,000	\$25,500
Mississippi	0.010668	2844658	285230516	2660	234085	\$25,000	\$25,500
Oregon	0.011248	3421399	285230516	2458	234085	\$25,000	\$25,500
Connecticut	0.011250	3405585	285230516	2472	234085	\$25,000	\$25,500
Arkansas	0.012090	2673400	285230516	3466	234085	\$25,000	\$25,500
Oklahoma	0.014729	3450854	285230516	4064	234085	\$25,000	\$25,500
Kentucky	0.014864	4041769	285230516	3842	234085	\$25,000	\$25,500
Colorado	0.014922	4301261	285230516	3456	234085	\$25,000	\$25,500
South Carolina	0.015931	4012012	285230516	4168	234085	\$25,000	\$25,500
Alabama	0.016621	4447100	285230516	4132	234085	\$25,000	\$25,500
Indiana (b)	0.016725	6080485	285230516	2840	234085	\$25,000	\$25,500
Washington	0.017050	5894121	285230516	3145	234085	\$25,000	\$25,500
Arizona	0.017079	5130632	285230516	3785	234085	\$25,000	\$25,500
Massachusetts (b)	0.017405	6349097	285230516	2938	234085	\$25,000	\$25,500
Tennessee	0.017614	5689283	285230516	3577	234085	\$25,000	\$25,500
Louisiana	0.018275	4468976	285230516	4888	234085	\$25,000	\$25,500
Minnesota	0.018665	4919479	285230516	4701	234085	\$25,000	\$25,500
Wisconsin	0.018688	5363675	285230516	4338	234085	\$25,000	\$25,500

**Interstate Compact for Adult Offender Supervision
State Dues Assessment - FY07**

<u>State</u>	<u>State Dues Ratio</u> 2	<u>State Population</u> 3	<u>U.S. Population</u> 3	<u>State Offender Transfers</u> 4	<u>U.S. Offender Transfers</u> 4	<u>Dues per State</u> 1	<u>Dues per State with 2% Increase</u> 5
Maryland	0.021496	5296486	285230516	5717	234085	\$32,000	\$32,640
New Jersey	0.024148	8414350	285230516	4400	234085	\$32,000	\$32,640
Michigan	0.025457	9938444	285230516	3762	234085	\$32,000	\$32,640
North Carolina	0.028784	8049313	285230516	6870	234085	\$32,000	\$32,640
Ohio	0.029452	11353140	285230516	4471	234085	\$32,000	\$32,640
Missouri	0.029649	5595211	285230516	9289	234085	\$32,000	\$32,640
Pennsylvania	0.031196	12281054	285230516	4526	234085	\$32,000	\$32,640
Georgia	0.032677	8186453	285230516	8580	234085	\$32,000	\$32,640
Virginia	0.035263	7078515	285230516	10700	234085	\$32,000	\$32,640
Florida	0.047751	15982378	285230516	9239	234085	\$39,000	\$39,780
New York	0.053217	18976457	285230516	9341	234085	\$39,000	\$39,780
Illinois	0.054220	12419293	285230516	15192	234085	\$39,000	\$39,780
Texas	0.088867	20851820	285230516	24492	234085	\$46,000	\$46,920
California	0.114864	33871648	285230516	25978	234085	\$46,000	\$46,920
						\$1,339,000	\$1,365,780

- 1 - Based on total projected operating budget
 - 2 - (State population / U.S. Population) + (State Offender Transfers / Total U.S. Offender Transfers) / 2
 - 3 - Population data; U.S. Dept. of Commerce & U.S. Census Bureau; Census 2000
 - 4 - Compact populations as of April 1, 2002; annual number of offender transfers both into and out of the state
 - 5 - Dues increase voted on and approved at the 2005 Annual Business Meeting
- (a) - Territory data is projected based on an average state offender transfers to population ratio (1:1236)
 (b) - Projected state transfer numbers; actual numbers not available

September 2005

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Robert Oakes	Alabama	Sep-05	29	2	31	35	2	37	43	22	65	65	1	66
Dan Delapina	Alaska	Sep-05	167	60	227	184	68	252	10	4	14	4	2	6
Lance Delmore	Arizona	Sep-05		404	404		328	328		36	36		24	24
Dori Ege	Arizona	Sep-05	1,296		1,296	1,932		1,932	90		90	85		85
Linda Strong	Arkansas	Sep-05	1,359	612	1,971	1,408	744	2,152	54	19	73	31	20	51
Marita Williams	California	Sep-05	5,555	1,517	7,072	4,459	1,238	5,697	175	106	281	165	34	199
Tracy Johnson	Connecticut	Sep-05		178	178		134	134		2	2		3	3
Alan R. Kerrigan	Delaware	Sep-05	497	119	616	463	37	500	50	0	50	15	12	27
Catherine Terry-Crusc	District of Columbia	Sep-05	574	167	741	608	46	654	5	13	18	6	0	6
Ronald E. Williams	Florida	Sep-05	4,368	1,542	5,910	4,504	228	4,732	193	78	271	154	2	156
Joe Kuebler	Georgia	Sep-05	2,789	698	3,487	4,906	2,302	7,208	319	45	364	241	29	270
Ronald Hajime	Hawaii	Sep-05	115	40	155	251	148	399	8	1	9	10	0	10
Margaret Lint	Idaho	Sep-05	434	153	587	737	260	997	8	4	12	15	9	24
Art Hegewald	Indiana	Sep-05		659	659		352	352		22	22		51	51
Debra Klinzing	Iowa	Sep-05	981	291	1,272	705	298	1,003	78	25	103	42	10	52
Jerry Bauer	Kansas	Sep-05	984	341	1,325	904	571	1,475	88	26	114	95	54	149
Angela D. Tolley	Kentucky	Sep-05	1,401	454	1,855	1,934	953	2,887	83	29	112	70	58	128
TIMA ELLSMORE	Maine	Sep-05	239	61	300	227	6	233	11	1	12	8	0	8
Melanie P. Brock	Maryland	Sep-05	2,553	469	3,022	1,641	550	2,191	67	15	82	22	15	37
Cynthia Johnson	Michigan	Sep-05	1,670	613	2,283	841	446	1,287	47	16	63	29	19	48
Rose Ann Bisch	Minnesota	Sep-05	1,575	371	1,946	1,909	172	2,081	36	10	46	67	10	77
Christopher Epps	Mississippi	Sep-05	1,227	433	1,660	962	243	1,205	53	15	68	54	23	77
Wanda La Cour	Missouri	Sep-05	2,209	718	2,927	2,966	2,163	5,129	177	68	245	180	106	286
Jamie DeLappe	Montana	Sep-05	254	94	348	809	175	984	9	2	11	26	12	38
Marcella A. Shortt	Nebraska	Sep-05		183	183		71	71		6	6		5	5
Gary D. Grable	Nebraska	Sep-05	619		619	376		376	48		48	18		18
John Gusz	New Jersey	Sep-05	5,479		5,479	6,532		6,532	232		232	82		82
Debra Alt	New Jersey	Sep-05		516	516		434	434			0			0
Tim Moose	North Carolina	Sep-05	2,794	715	3,509	1,465	76	1,541	43	5	48	38	10	48
Charles R. Placek	North Dakota	Sep-05	528	86	614	482	92	574	19	3	22	27	7	34
Katrina Ransom	Ohio	Sep-05	2,187	848	3,035	1,796	861	2,657	91	21	112	133	58	191
Denise Sittler	Oregon	Sep-05			1,217			1,405	30	20	50	52	29	81
Colleen M. Fickel	Pennsylvania	Sep-05	2,189	464	2,653	2,050	1,169	3,219	131	23	154	76	36	112
Carmen Ayala	Puerto Rico	Sep-05	200	114	314	82	21	103	6	8	14	0	1	1
Laura Queenan	Rhode Island	Sep-05	287	46	333	896	44	940	11	5	16	24	2	26
D. Ann Hyde	South Carolina	Sep-05	1,665	414	2,079	888	436	1,324	72	11	83	51	17	68
David Geffre	South Dakota	Sep-05		55	55		327	327		7	7		10	10
Linda Ott	South Dakota	Sep-05	445		445	520		520	30		30	23		23

September 2005

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Bobby Halliburton	Tennessee	Sep-05	1,823	738	2,561	1,960	250	2,210	32	4	36	75	30	105
Jessica Teseny	Texas	Sep-05	3,765	2,117	5,882	8,219	3,582	11,801	151	44	195	211	48	259
Cliff Butter	Utah	Sep-05	553	198	751	261	155	416	8	3	11	8	3	11
Elaine Davis	Vermont	Sep-05	351	65	416	730	94	824	8	2	10	13	2	15
Arline L. Swan	Virgin Islands	Sep-05	24	5	29	5	2	7	0	0	0	0	0	0
Dennis Gaulden	Virginia	Sep-05	3,035	688	3,723	6,638	857	7,495	79	13	92	52	8	60
Dennis Johnston	Washington	Sep-05		2,211	2,211		666	666		35	35		82	82
William Rankin	Wisconsin	Sep-05	1,070	218	1,288	1,725	743	2,468	52	16	68	72	43	115

Total	78,184	Total	89,759	Total	3,432	Total	3,224
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October 2005

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Robert Oakes	Alabama	Oct-05	1,696	604	2,300	941	303	1,244	65	12	77	30	2	32
Dori Ege	Arizona	Oct-05	1,289		1,289	1,914		1,914	43		43	48		48
Lance Delmore	Arizona	Oct-05		409	409		302	302		16	16		27	27
Linda Strong	Arkansas	Oct-05	1,380	605	1,985	1,398	714	2,112	53	29	82	16	34	50
Marita Williams	California	Oct-05	5,652	1,556	7,208	4,530	1,237	5,767	144	60	204	102	67	169
Sally Skiver	Colorado	Oct-05	1,570	249	1,819	1,599	630	2,229	57	6	63	121	35	156
Tracy Johnson	Connecticut	Oct-05		174	174		132	132		8	8		7	7
Pamela J. Mason	Connecticut	Oct-05	800		800	1,400		1,400	47		47	78		78
Alan Kerrigan	Delaware	Oct-05	497	124	621	452	37	489	26	10	36	13	0	13
Catherine Terry-Crusc	District of Columbia	Oct-05	573	131	704	550	31	581	28	2	30	17	0	17
Ronald E. Williams	Florida	Oct-05	4,749	1,571	6,320	4,488	227	4,715	251	116	367	178	10	188
Joyce Donald	Georgia	Oct-05	2,733		2,733	4,807		4,807	75		75	64		64
Ronald Hajime	Hawaii	Oct-05	129	34	163	268	149	417	9	2	11	5	1	6
Margaret Lint	Idaho	Oct-05	395	151	546	809	361	1,170	16	7	23	21	8	29
Debra Klinzing	Iowa	Oct-05	998	287	1,285	695	295	990	68	12	80	41	10	51
Jerry Bauer	Kansas	Oct-05	995	333	1,328	948	571	1,519	66	25	91	91	48	139
Angela D. Tolley	Kentucky	Oct-05	1,408	451	1,859	1,967	969	2,936	102	17	119	88	77	165
TIMA ELLSMORE	Maine	Oct-05	251	60	311	233	6	239	13	1	14	6	0	6
Melanie P. Brock	Maryland	Oct-05	2,571	479	3,050	1,653	555	2,208	89	19	108	31	16	47
Cynthia Johnson	Michigan	Oct-05	1,676	611	2,287	854	469	1,323	36	12	48	26	13	39
Rose Ann Bisch	Minnesota	Oct-05	1,538	367	1,905	1,893	169	2,062	55	18	73	52	16	68
Christopher B. Epps	Mississippi	Oct-05	1,211	422	1,633	982	252	1,234	71	50	121	54	18	72
Wanda LaCour	Missouri	Oct-05	2,209	718	2,927	2,966	2,093	5,059	168	69	237	220	99	319
Jamie DeLappe	Montana	Oct-05	269	92	361	805	178	983	11	2	13	21	9	30
Jeanne Stewart	New Hampshire	Oct-05	377	78	455	398	240	638	13	1	14	23	11	34
Edward Gonzales	New Mexico	Oct-05	1,156	484	1,640	931	360	1,291	43	27	70	32	11	43
Charles R. Placek	North Dakota	Oct-05	532	88	620	466	95	561	19	5	24	15	5	20
Katrina Ransom	Ohio	Oct-05	2,177	869	3,046	1,804	870	2,674	116	21	137	95	29	124
Denise Sittler	Oregon	Oct-05			1,216			1,417	37	16	53	46	25	71
Benjamin A. Martinez	Pennsylvania	Oct-05	2,226	461	2,687	2,023	1,146	3,169	182	30	212	84	47	131
Carmen Ayala	Puerto Rico	Oct-05	198	113	311	79	21	100	5	1	6	0	0	0
Laura Queenan	Rhode Island	Oct-05	293	48	341	916	44	960	26	5	31	38	1	39
D. Ann Hyde	South Carolina	Oct-05	1,646	404	2,050	887	439	1,326	43	17	60	55	16	71
David Geffre	South Dakota	Oct-05		56	56		326	326		3	3		15	15
Deborah Duke	Tennessee	Oct-05	1,855	743	2,598	1,956	249	2,205	77	26	103	25	6	31
Jessica Teseny	Texas	Oct-05	3,735	2,168	5,903	8,187	3,616	11,803	145	85	230	215	52	267
Cliff Butter	Utah	Oct-05	549	193	742	254	147	401	21	3	24	15	7	22
Arline L. Swan	Virgin Islands	Oct-05	24	5	29	5	2	7	0	0	0	0	0	0

October 2005

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Amanda Hill-Dandridge	Virginia	Oct-05	3,079	707	3,786	6,671	880	7,551	36	11	47	87	14	101
Dennis Johnston	Washington	Oct-05			2,215			642			85			45
William Rankin	Wisconsin	Oct-05	1,080	224	1,304	1,711	761	2,472	40	12	52	88	38	126

Total	73,016	Total	83,375	Total	3,137	Total	2,960
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November 2005

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Robert Oakes	Alabama	Nov-05	1,769	625	2,394	947	371	1,318	75	19	94	22	5	27
Dan Delapina	Alaska	Nov-05	169	60	229	188	62	250	4	2	6	5	0	5
Dori Ege	Arizona	Nov-05	1,297		1,297	1,928		1,928	55		55	66		66
Linda Strong	Arkansas	Nov-05	1,381	611	1,992	1,402	701	2,103	55	33	88	31	43	74
Marita Williams	California	Nov-05	3,702	1,542	5,244	4,592	1,208	5,800	140	41	181	134	47	181
Tracy Johnson	Connecticut	Nov-05		177	177		131	131		8	8		7	7
Alan Kerrigan	Delaware	Nov-05	488	125	613	415	38	453	16	18	34	49	2	51
Catherine Terry-Crusc	District of Columbia	Nov-05	554	150	704	583	29	612	8	19	27	34	0	34
Ronald Williams	Florida	Nov-05	4,801	1,577	6,378	4,518	228	4,746	177	88	265	180	10	190
Joe Kuebler	Georgia	Nov-05	2,697	680	3,377	4,845	2,363	7,208	161	39	200	266	55	321
Ronald Hajime	Hawaii	Nov-05	133	35	168	272	149	421	10	1	11	8	8	16
Margaret Lint	Idaho	Nov-05	407	154	561	817	262	1,079	25	4	29	20	5	25
Richard Ludolph	Illinois	Nov-05	5,686		5,686	3,333		3,333	120		120	86		86
Jane Seigel	Indiana	Nov-05	2,083		2,083	3,708		3,708	96		96	101		101
Debra Klinzing	Iowa	Nov-05	1,006	283	1,289	701	286	987	27	11	38	38	4	42
Jerry Bauer	Kansas	Nov-05	994	336	1,330	949	543	1,492	48	21	69	105	61	166
Jennifer Kinchen	Louisiana	Nov-05	1,202	494	1,696	1,408	622	2,030	42	24	66	85	71	156
TIMA ELLSMORE	Maine	Nov-05	255	61	316	234	6	240	11	3	14	4	0	4
Melanie P. Brock	Maryland	Nov-05	2,555	484	3,039	1,613	554	2,167	62	17	79	13	5	18
Donald LaFratta	Massachusetts	Nov-05		263	263		114	114		10	10		2	2
Cynthia Johnson	Michigan	Nov-05	1,672	601	2,273	865	466	1,331	52	18	70	38	22	60
Rose Ann Bisch	Minnesota	Nov-05	1,504	371	1,875	1,891	169	2,060	33	15	48	57	12	69
Christopher B. Epps	Mississippi	Nov-05	1,215	439	1,654	1,015	258	1,273	77	22	99	67	10	77
Wanda LaCour	Missouri	Nov-05	2,189	712	2,901	3,046	2,250	5,296	153	85	238	195	68	263
Jamie DeLappe	Montana	Nov-05	268	91	359	813	181	994	14	2	16	29	6	35
Judy Riddle	Nebraska	Nov-05	620		620	380		380	49		49	21		21
Marcella A. Shortt	Nebraska	Nov-05		174	174		64	64		4	4		6	6
Karen Finley	Nevada	Nov-05	572	246	818	923	302	1,225	39	20	59	29	17	46
Jeanne Stewart	New Hampshire	Nov-05	480	84	564	495	242	737	17	4	21	24	17	41
John Gusz	New Jersey	Nov-05	5,498		5,498	6,703		6,703	90		90	163		163
debra alt	New Jersey	Nov-05		507	507		409	409		18	18		17	17
Sandra A. Layton	New York	Nov-05	3,273		3,273	2,948		2,948	145		145	219		219
Tim Moose	North Carolina	Nov-05	2,803	718	3,521	1,391	89	1,480	48	19	67	18	8	26
Charles R. Placek	North Dakota	Nov-05	531	89	620	466	92	558	17	6	23	18	3	21
Katrina Ransom	Ohio	Nov-05	2,174	857	3,031	1,805	870	2,675	169	68	237	123	22	145
Denise Sittler	Oregon	Nov-05			1,216			1,430	32	14	46	49	13	62
Colleen M. Fickel	Pennsylvania	Nov-05	2,194	446	2,640	1,970	1,146	3,116	181	30	211	64	26	90
Carmen Ayala	Puerto Rico	Nov-05	201	110	311	76	21	97	7	2	9	0	0	0

November 2005

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Laura Queenan	Rhode Island	Nov-05	303	49	352	919	44	963	18	2	20	34	2	36
Ann Hyde	South Carolina	Nov-05	1,650	404	2,054	855	431	1,286	29	10	39	69	15	84
David Geffre	South Dakota	Nov-05		53	53		333	333		0	0		12	12
Deborah Duke	Tennessee	Nov-05	1,865	769	2,634	1,962	251	2,213	71	40	111	22	10	32
Jessica Teseny	Texas	Nov-05	3,835	2,182	6,017	8,194	3,604	11,798	223	94	317	200	76	276
Cliff butter	Utah	Nov-05	558	188	746	256	141	397	14	2	16	15	6	21
Elaine Davis	Vermont	Nov-05	286	50	336	468	77	545	13	2	15	13	1	14
Arline L. Swan	Virgin Islands	Nov-05	25	5	30	5	2	7	0	0	0	0	0	0
Amanda Hill-Dandridge	Virginia	Nov-05	3,105	702	3,807	6,758	884	7,642	46	17	63	132	14	146
Gordy Ouellette	Washington	Nov-05		2,193	2,193		631	631		63	63		19	19
William Rankin	Wisconsin	Nov-05	1,091	229	1,320	1,696	780	2,476	45	13	58	63	43	106

Total	90,233	Total	101,187	Total	3,642	Total	3,679
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December 2005

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Robert Oakes	Alabama	Dec-05	1,782	588	2,370	917	588	1,505	95	10	105	14	4	18
Dan Delapina	Alaska	Dec-05	171	65	236	195	66	261	5	4	9	7	1	8
Dori Ege	Arizona	Dec-05	1,308	431	1,739	1,934	288	2,222	52	41	93	57	29	86
Linda Strong	Arkansas	Dec-05	1,380	612	1,992	1,405	699	2,104	44	18	62	32	24	56
Marita Williams	California	Dec-05	5,774	1,530	7,304	4,622	1,187	5,809	195	52	247	123	53	176
Tracy Johnson	Connecticut	Dec-05		167	167		144	144		2	2		9	9
Pamela J. Mason	Connecticut	Dec-05			0			0	46		46	70		70
Alan Kerrigan	Delaware	Dec-05	486	123	609	393	38	431	15	13	28	31	1	32
Ronald Williams	Florida	Dec-05	4,820	1,585	6,405	4,537	227	4,764	252	100	352	173	12	185
Joe Kuebler	Georgia	Dec-05	2,700	691	3,391	4,933	2,347	7,280	137	40	177	218	42	260
Ronald Hajime	Hawaii	Dec-05	130	36	166	272	151	423	13	5	18	8	2	10
Margaret Lint	Idaho	Dec-05	400	157	557	816	265	1,081	7	5	12	21	7	28
Rich Ludolph	Illinois	Dec-05	5,745		5,745	3,325		3,325	133		133	53		53
Art Hegewald	Indiana	Dec-05		683	683		386	386		49	49		26	26
Debra Klinzing	Iowa	Dec-05	1,018	284	1,302	729	294	1,023	19	13	32	33	11	44
Jerry Bauer	Kansas	Dec-05	988	337	1,325	959	538	1,497	49	23	72	93	48	141
Amanda S. Burt	Kentucky	Dec-05	1,429	449	1,878	2,006	1,009	3,015	68	36	104	90	69	159
Jennifer Kinchen	Louisiana	Dec-05	1,167	488	1,655	1,453	652	2,105	25	14	39	47	44	91
TIMA ELLSMORE	Maine	Dec-05	250	58	308	222	6	228	8	0	8	5	0	5
Melanie P. Brock	Maryland	Dec-05	2,573	479	3,052	1,590	547	2,137	80	12	92	17	8	25
Donald LaFratta	Massachusetts	Dec-05		267	267		120	120		10	10		5	5
Donald LaFratta	Massachusetts	Dec-05	1,956		1,956	927		927	152		152	53		53
Cynthia Johnson	Michigan	Dec-05	1,646	596	2,242	864	463	1,327	28	8	36	15	18	33
Rose Ann Bisch	Minnesota	Dec-05	1,487	375	1,862	1,900	175	2,075	41	13	54	49	19	68
Christopher B. Epps	Mississippi	Dec-05	1,205	422	1,627	1,023	261	1,284	67	8	75	41	10	51
Wanda LaCour	Missouri	Dec-05	2,218	708	2,926	2,971	2,105	5,076	128	84	212	154	108	262
Kim Nyman	Montana	Dec-05	270	95	365	819	182	1,001	8	1	9	33	11	44
Judy Riddle	Nebraska	Dec-05	570		570	349		349	44		44	26		26
Marcella A. Shortt	Nebraska	Dec-05		178	178		71	71		14	14		5	5
John Gusz	New Jersey	Dec-05	5,519		5,519	6,721		6,721	83		83	159		159
Debra Alt	New Jersey	Dec-05		528	528		461	461		16	16		8	8
Sandra A. Layton	New York	Dec-05	3,279		3,279	2,934		2,934	136		136	76		76
Anne L. Precythe	North Carolina	Dec-05	2,767	702	3,469	1,384	85	1,469	36	9	45	40	4	44
Charles R. Placek	North Dakota	Dec-05	529	89	618	468	94	562	16	2	18	25	5	30
Katrina Ransom	Ohio	Dec-05	2,182	867	3,049	1,813	865	2,678	145	58	203	103	17	120
Denise Sittler	Oregon	Dec-05			1,224			1,430	50	20	70	50	21	71
Colleen M. Fickel	Pennsylvania	Dec-05	2,303	463	2,766	1,991	1,150	3,141	138	24	162	72	53	125
Carmen Ayala	Puerto Rico	Dec-05	208	113	321	77	21	98	8	6	14	0	1	1

December 2005

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Laura Queenan	Rhode Island	Dec-05	311	52	363	923	39	962	0	0	0	0	0	0
Ann Hyde	South Carolina	Dec-05	1,670	407	2,077	843	432	1,275	39	16	55	62	12	74
David Geffre	South Dakota	Dec-05		58	58		337	337		8	8		14	14
Deborah Duke	Tennessee	Dec-05	1,858	767	2,625	2,025	415	2,440	53	27	80	22	1	23
LAUREN CURYLO	Texas	Dec-05	3,816	2,199	6,015	8,225	3,640	11,865	121	91	212	214	89	303
Elaine Davis	Vermont	Dec-05	289	52	341	458	79	537	13	3	16	4	1	5
Arline L. Swan	Virgin Islands	Dec-05	23	5	28	4	1	5	0	0	0	0	0	0
Amanda Hill-Dandridge	Virginia	Dec-05	3,145	737	3,882	6,810	888	7,698	23	7	30	76	12	88

Total	89,039	Total	96,583	Total	3,434	Total	3,170
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January 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Rich Pierce	Alabama	Jan-06	1,796	579	2375	908	303	1211	56	21	77	18	2	20
Dan Delapina	Alaska	Jan-06	158	61	219	179	59	238	5	3	8	6	1	7
Dori Ege	Arizona	Jan-06	1,348		1348	1,945		1945	86		86	63		63
Lance Delmore	Arizona	Jan-06		432	432		302	302		19	19		22	22
Linda Strong	Arkansas	Jan-06	1400	626	2026	1308	691	1999	63	43	106	41	29	70
Marita V. Williams	California	Jan-06	5779	1589	7368	4638	1180	5818	197	73	270	101	68	169
Sally Skiver	Colorado	Jan-06	1170	231	1401	1870	667	2537	63	10	73	42	34	76
Tracy Johnson	Connecticut	Jan-06		150	150		145	145		7	7		6	6
Alan R. Kerrigan	Delaware	Jan-06	480	121	601	388	37	425	30	8	38	53	1	54
Catherine Terry-Crusc	District of Columbia	Jan-06	530	143	673	618	29	647	18	0	18	21	0	21
Ronald Williams	Florida	Jan-06	4,815	1,561	6376	4,566	232	4798	179	82	261	162	14	176
Joe Kuebler	Georgia	Jan-06	2666	716	3382	4939	2312	7251	31	48	79	53	51	104
Ronald Hajime	Hawaii	Jan-06	126	36	162	278	151	429	9	4	13	7	2	9
Margaret Lint	Idaho	Jan-06	417	157	574	824	268	1092	25	7	32	31	5	36
Rich Ludolph	Illinois	Jan-06	5,765		5765	3,366		3366	98		98	78		78
Arthur Hegewald	Indiana	Jan-06		661	661		395	395		48	48		50	50
Debra Klinzing	Iowa	Jan-06	1006	286	1292	716	288	1004	31	18	49	23	8	31
Jerry Bauer	Kansas	Jan-06	1010	341	1351	943	554	1497	66	28	94	69	47	116
Tima Ellsmore	Maine	Jan-06	254	60	314	219	7	226	12	3	15	9	0	9
Melanie P. Brock	Maryland	Jan-06	2531	476	3007	1584	560	2144	77	20	97	17	9	26
Donald LaFratta	Massachusetts	Jan-06		272	272		119	119		10	10		1	1
Donald LaFratta	Massachusetts	Jan-06	1969		1969	922		922	47		47	20		20
Cynthia Johnson	Michigan	Jan-06	1643	607	2250	878	455	1333	46	22	68	38	22	60
Rose Ann Bisch	Minnesota	Jan-06	1456	365	1821	1881	183	2064	42	5	47	57	14	71
Christopher B. Epps	Mississippi	Jan-06	1157	409	1566	1023	260	1283	44	16	60	35	4	39
Wanda LaCour	Missouri	Jan-06	2202	728	2930	3022	2214	5236	134	72	206	215	81	296
Kimberly Nyman	Montana	Jan-06	262	83	345	817	181	998	11	3	14	23	7	30
Marcella A. Shortt	Nebraska	Jan-06		174	174		72	72		13	13		8	8
kathy thompson	Nevada	Jan-06	578	272	850	1045	326	1371	31	17	48	35	27	62
Debra Alt	New Jersey	Jan-06		520	520		441	441		18	18		17	17
John Gusz	New Jersey	Jan-06	5527		5527	6892		6892	101		101	204		204
Sandra A. Layton	New York	Jan-06	3,299		3299	2,904		2904	265		265	117		117
Anne L. Precythe	North Carolina	Jan-06	2761	695	3456	1403	90	1493	43	11	54	46	7	53
Charles R. Placek	North Dakota	Jan-06	534	89	623	464	96	560	21	4	25	14	5	19
Katrina Ransom	Ohio	Jan-06	2177	880	3057	1857	852	2709	171	52	223	158	55	213
Denise Sittler	Oregon	Jan-06			1219			1422	41	14	55	59	28	87

January 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Colleen M. Fickel	Pennsylvania	Jan-06	2277	443	2720	1957	1064	3021	131	23	154	76	26	102
Laura Queenan	Rhode Island	Jan-06	307	53	360	903	42	945	25	4	29	30	6	36
Ann Hyde	South Carolina	Jan-06	1669	413	2082	843	432	1275	23	10	33	63	22	85
David Geffre	South Dakota	Jan-06		58	58		334	334		3	3		18	18
Linda Ott	South Dakota	Jan-06	452		452	554		554	14		14	34		34
Bobby Halliburton	Tennessee	Jan-06	1876	769	2645	2050	420	2470	80	30	110	27	10	37
Lauren Curylo	Texas	Jan-06	3,842	2,267	6109	8,190	3,662	11852	147	68	215	153	50	203
Cliff Butter	Utah	Jan-06	549	190	739	263	136	399	16	4	20	9	7	16
Elaine Davis	Vermont	Jan-06	282	50	332	446	74	520	9	0	9	14	0	14
Arline L. Swan	Virgin Islands	Jan-06	23	5	28	4	1	5	0	0	0	0	0	0
Amanda Dandridge	Virginia	Jan-06	3052	748	3800	6712	898	7610	28	10	38	59	3	62
Gordy Ouellette	Washington	Jan-06	2237		2237	625		625	83		83	28		28
William Rankin	Wisconsin	Jan-06	1110	235	1345	1670	838	2508	48	12	60	70	49	119

Total	92,262	Total	99,406	Total	3,510	Total	3,194
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February 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Rich Pierce	Alabama	Feb-06	1,871	576	2447	907	301	1208	83	35	118	22	3	25
Dan Delapina	Alaska	Feb-06	158	62	220	195	62	257	8	4	12	6	0	6
Lance Delmore	Arizona	Feb-06		431	431		284	284		22	22		28	28
Dori Ege	Arizona	Feb-06	1380		1380	1965		1965	70		70	50		50
Linda Strong	Arkansas	Feb-06	1402	629	2031	1275	671	1946	160	32	192	21	36	57
Marita V. Williams	California	Feb-06	5805	1548	7353	4666	1174	5840	101	107	208	49	31	80
Tracy Johnson	Connecticut	Feb-06		176	176		144	144		5	5		2	2
Pamela J. Mason	Connecticut	Feb-06							21		21	41		41
Alan R. Kerrigan	Delaware	Feb-06	473	126	599	397	41	438	39	4	43	39	0	39
Catherine Terry-Crusc	District of Columbia	Feb-06	539	150	689	608	29	637	9	7	16	25	0	25
Ronald Williams	Florida	Feb-06	4,800	1,573	6373	4,606	235	4841	189	95	284	189	15	204
Joe Kuebler	Georgia	Feb-06		734	734		2348	2348		37	37		25	25
Lindy S. Clark	Georgia	Feb-06	2728		2728	5030		5030	68		68	47		47
Ronald Hajime	Hawaii	Feb-06	135	40	175	284	144	428	15	3	18	10	1	11
Margaret Lint	Idaho	Feb-06	420	154	574	808	267	1075	18	7	25	26	13	39
Rich Ludolph	Illinois	Feb-06	5,769		5769	3,369		3369	96		96	67		67
Art Hegewald	Indiana	Feb-06		777	777		377	377		32	32		37	37
Debra Klinzing	Iowa	Feb-06	995	279	1274	723	297	1020	55	14	69	54	18	72
Jerry Bauer	Kansas	Feb-06	1028	348	1376	969	534	1503	56	22	78	61	40	101
Amanda S. Burt	Kentucky	Feb-06	1454	457	1911	2046	1051	3097	146	42	188	124	77	201
Tima Ellsmore	Maine	Feb-06	248	60	308	224	7	231	3	1	4	10	0	10
Melanie P. Brock	Maryland	Feb-06	2496	463	2959	1579	542	2121	86	14	100	11	6	17
Donald LaFratta	Massachusetts	Feb-06	1973		1973	913		913	117		117	50		50
Donald LaFratta	Massachusetts	Feb-06		271	271		120	120		11	11		2	2
Cynthia Johnson	Michigan	Feb-06	1659	610	2269	892	462	1354	44	21	65	47	25	72
Rose Ann Bisch	Minnesota	Feb-06	1468	370	1838	1916	178	2094	49	21	70	80	14	94
Christopher B. Epps	Mississippi	Feb-06	1126	403	1529	1028	263	1291	69	29	98	30	16	46
Wanda LaCour	Missouri	Feb-06	2208	744	2952	3044	2110	5154	151	68	219	169	117	286
Kimberly Nyman	Montana	Feb-06	261	86	347	818	185	1003	11	4	15	24	10	34
Judy Riddle	Nebraska	Feb-06	603		603	365		365	42		42	21		21
Marcella A. Shortt	Nebraska	Feb-06		175	175		73	73		6	6		4	4
Karen Finley	Nevada	Feb-06	591	264	855	1065	303	1368	30	15	45	19	11	30
Jeanne Stewart	New Hampshire	Feb-06	349	62	411	420	217	637	12	0	12	31	10	41
John Gusz	New Jersey	Feb-06	5535		5535	6895		6895	96		96	196		196
Edward Gonzales	New Mexico	Feb-06	1329	514	1843	946	296	1242	56	8	64	50	15	65

February 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Sandra A. Layton	New York	Feb-06	3,279		3279	2,856		2856	228		228	149		149
Anne L. Precythe	North Carolina	Feb-06	2757	689	3446	1398	81	1479	30	6	36	48	4	52
Charles R. Placek	North Dakota	Feb-06	550	90	640	464	102	566	36	5	41	22	7	29
katrina ransom	Ohio	Feb-06	2180	892	3072	1877	874	2751	194	48	242	131	23	154
Denise Sitler	Oregon	Feb-06			1202			1409	30	21	51	32	18	50
Colleen M. Fickel	Pennsylvania	Feb-06	2285	450	2735	1940	1087	3027	134	27	161	140	28	168
Carmen Ayala	Puerto Rico	Feb-06	183	109	292	77	18	95	1	0	1	13	5	18
Laura Queenan	Rhode Island	Feb-06	276	51	327	910	42	952	14	7	21	33	4	37
Ann Hyde	South Carolina	Feb-06	1647	419	2066	855	432	1287	49	16	65	40	18	58
David Geffre	South Dakota	Feb-06		53	53		339	339		1	1		11	11
Linda Ott	South Dakota	Feb-06	454		454	559		559	18		18	24		24
Bobby Halliburton	Tennessee	Feb-06	1892	770	2662	2064	415	2479	29	6	35	66	32	98
Lauren Curylo	Texas	Feb-06	3,791	2,282	6073	8,124	3,673	11797	58	107	165	119	97	216
Cliff Butter	Utah	Feb-06	547	196	743	260	138	398	12	5	17	18	8	26
Elaine Davis	Vermont	Feb-06	273	50	323	434	74	508	9	0	9	11	2	13
Arline L. Swan	Virgin Islands	Feb-06	22	5	27	5	1	6	1	0	1	1	0	1
Amanda Hill-Dandridge	Virginia	Feb-06	3035	750	3785	6707	922	7629	41	7	48	64	7	71
Gordy Ouellette	Washington	Feb-06	2192		2192	621		621	64		64	26		26
William Rankin	Wisconsin	Feb-06	1103	231	1334	1673	836	2509	38	4	42	49	38	87

Total	95,590	Total	101,935	Total	3,812	Total	3,413
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March 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Rich Pierce	Alabama	Mar-06	1968	591	2559	905	297	1202	184	59	243	37	3	40
Dan Delapina	Alaska	Mar-06	163	64	227	192	63	255	11	4	15	8	4	12
Dori Ege	Arizona	Mar-06	1380		1380	1999		1999	66		66	68		68
Lance Delmore	Arizona	Mar-06		433	433		307	307		24	24		47	47
Linda Strong	Arkansas	Mar-06	1422	644	2066	1281	664	1945	56	21	77	36	45	81
Nancy Sears	California	Mar-06	5728	1544	7272	4582	1169	5751	85	65	150	165	66	231
Sally Skiver	Colorado	Mar-06	1589	241	1830	1530	653	2183	40	11	51	50	33	83
Tracy Johnson	Connecticut	Mar-06		182	182		145	145		4	4		2	2
Alan R. Kerrigan	Delaware	Mar-06	471	130	601	404	38	442	38	5	43	42	0	42
Catherine Terry-Crusc	District of Columbia	Mar-06	532	152	684	607	29	636	4	2	6	7	0	7
Ronald Williams	Florida	Mar-06	4795	1569	6364	4639	231	4870	209	110	319	246	10	256
Joe Kuebler	Georgia	Mar-06		737	737		2372	2372		32	32		69	69
Joe Kuebler	Georgia	Mar-06	2761		2761	5146		5146	93		93	128		128
Ronald Hajime	Hawaii	Mar-06	140	43	183	285	151	436	10	2	12	14	6	20
Margaret Lint	Idaho	Mar-06	415	157	572	808	270	1078	24	4	28	21	4	25
Art Hegewald	Indiana	Mar-06		784	784		377	377		34	34		34	34
Debra Klinzing	Iowa	Mar-06	1026	268	1294	713	292	1005	61	16	77	36	13	49
Jerry Bauer	Kansas	Mar-06	1032	343	1375	955	540	1495	98	29	127	95	69	164
Amanda S. Burt	Kentucky	Mar-06	1440	468	1908	1919	1060	2979	58	39	97	137	67	204
Jennifer Laborde	Louisiana	Mar-06	1087	448	1535	1537	733	2270	14	15	29	71	62	133
TIMA ELLSMORE	Maine	Mar-06	248	60	308	229	7	236	7	4	11	7	0	7
Melanie P. Brock	Maryland	Mar-06	2490	464	2954	1574	534	2108	102	11	113	16	18	34
Donald LaFratta	Massachusetts	Mar-06	1974	268	2242	905	113	1018	81	18	99	48	6	54
Cynthia Johnson	Michigan	Mar-06	1642	534	2176	908	462	1370	40	29	69	19	30	49
Christopher B. Epps	Mississippi	Mar-06	1062	393	1455	1034	264	1298	74	30	104	55	13	68
Kimberly Nyman	Montana	Mar-06	267	88	355	810	195	1005	11	3	14	20	14	34
Marcella A. Shortt	Nebraska	Mar-06		170	170		72	72		14	14		4	4
Karen Finley	Nevada	Mar-06	602	267	869			0	998	362	1360	30	12	42
Jeanne Stewart	New Hampshire	Mar-06	340	62	402	394	206	600	18	4	22	14	15	29
John Gusz	New Jersey	Mar-06	5582		5582	7003		7003	100		100	221		221
Edward Gonzales	New Mexico	Mar-06	1292	513	1805	981	297	1278	69	13	82	57	15	72
Sandra A. Layton	New York	Mar-06	3331		3331	2859		2859	163		163	209		209
Anne L. Precythe	North Carolina	Mar-06	3498	700	4198	1444	77	1521	77	23	100	52	5	57
Charles R. Placek	North Dakota	Mar-06	558	95	653	468	101	569	30	12	42	28	5	33

March 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Katrina Ransom	Ohio	Mar-06	2146	890	3036	1938	869	2807	202	42	244	153	36	189
Denise Sittler	Oregon	Mar-06	311	900	1211	961	489	1450	67	24	91	71	29	100
Colleen M. Fickel	Pennsylvania	Mar-06	2305	455	2760	1945	1102	3047	167	21	188	97	57	154
Carmen Ayala-Rios	Puerto Rico	Mar-06	200	111	311	78	20	98	4	0	4	1	0	1
Laura Queenan	Rhode Island	Mar-06	265	49	314	898	43	941	16	3	19	37	2	39
Ann Hyde	South Carolina	Mar-06	1647	424	2071	859	430	1289	61	17	78	61	25	86
David Geffre	South Dakota	Mar-06		52	52		330	330		3	3		18	18
Linda Ott	South Dakota	Mar-06	461		461	589		589	20		20	29		29
Bobby Halliburton	Tennessee	Mar-06	1910	777	2687	1978	403	2381	90	33	123	30	11	41
Lauren Curylo	Texas	Mar-06	3912	2287	6199	8348	3637	11985	202	94	296	363	92	455
Cliff Butter	Utah	Mar-06	546	198	744	255	137	392	3	1	4	16	8	24
Elaine Davis	Vermont	Mar-06	273	50	323	434	74	508	1	0	1	1	1	2
Arlene L. Swan	Virgin Islands	Mar-06	22	5	27	4	1	5	1	0	1	0	0	0
Amanda Hill-Dandridge	Virginia	Mar-06	2984	749	3733	6588	924	7512	52	9	61	82	15	97
Doreen Geiger	Washington	Mar-06	1765	588	2353	239	343	582	60	24	84	18	6	24
William Rankin	Wisconsin	Mar-06	1106	226	1332	1719	876	2595	47	11	58	97	61	158

Total	88,861	Total	94,341	Total	5,095	Total	4,025
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April 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Rich Pierce	Alabama	Apr-06	2024	615	2639	900	302	1202	60	29	89	24		24
DAN DELAPINA	Alaska	Apr-06	160	64	224	196	68	264	2	3	5	5	3	8
Dori Ege	Arizona	Apr-06	1396	427	1823	2003	315	2318	80		80	59		59
Lance Delmore	Arizona	Apr-06		427	427		315	315		14	14		39	39
Linda Strong	Arkansas	Apr-06	1435	653	2088	1285	673	1958	61	27	88	36	21	57
Nancy Sears	California	Apr-06	6099	1580	7679	4828	1205	6033	118	85	203	207	65	272
Tracy Johnson	Connecticut	Apr-06		181	181		141	141		4	4		4	4
Alan R. Kerrigan	Delaware	Apr-06	452	134	586	405	36	441	26	5	31	20	0	20
Catherine Terry-Crusc	District of Columbia	Apr-06	541	156	697	622	29	651	19	8	27	15	0	15
Ronald Williams	Florida	Apr-06	6368	1579	7947	4671	226	4897	203	80	283	203	8	211
Joe Kuebler	Georgia	Apr-06	2762	730	3492	5164	2400	7564	88	32	120	94	25	119
Lindy Clark	Georgia	Apr-06	2762		2762	5164		5164	88		88	94		94
Ronald Hajime	Hawaii	Apr-06	147	45	192	288	152	440	8	5	13	8	3	11
Margaret Lint	Idaho	Apr-06	417	153	570	828	264	1092	12	4	16	25	8	33
Rich Ludolph	Illinois	Apr-06	5824		5824	3353		3353	135		135	80		80
Art Hegewald	Indiana	Apr-06		768	768		382	382		27	27		19	19
Debra Klinzing	Iowa	Apr-06	1026	275	1301	722	294	1016	52	12	64	22	4	26
Jerry Bauer	Kansas	Apr-06	1036	348	1384	947	537	1484	79	33	112	85	45	130
Amanda S. Burt	Kentucky	Apr-06	1476	476	1952	1907	1071	2978	84	36	120	70	61	131
Jennifer Kinchen	Louisiana	Apr-06	1086	447	1533	1387	709	2096	43	22	65	71	94	165
Melanie P. brock	Maryland	Apr-06	2480	459	2939	1565	548	2113	85	10	95	10	13	23
Donald LaFratta	Massachusetts	Apr-06	1987	264	2251	907	117	1024	89	9	98	61	6	67
Cynthia Johnson	Michigan	Apr-06	1638	561	2199	926	461	1387	46	27	73	38	31	69
Rose Ann Bisch	Minnesota	Apr-06	1486	387	1873	1945	182	2127	73	28	101	91	18	109
Christopher Epps	Mississippi	Apr-06	946	347	1293	1034	263	1297	66	17	83	42	4	46
Wanda LaCour	Missouri	Apr-06	2205	773	2978	3024	2179	5203	166	63	229	184	109	293
Kimberly Nyman	Montana	Apr-06	273	87	360	796	193	989	21	2	23	21	9	30
Marcella A. Shortt	Nebraska	Apr-06		164	164		74	74		9	9		10	10
Karen Finley	Nevada	Apr-06	590	270	860	940	373	1313	29	24	53	36	19	55
Jeanne Stewart	New Hampshire	Apr-06	346	66	412	413	226	639	13	0	13	12	10	22
John Gusz	New Jersey	Apr-06	5587		5587	7034		7034	165		165	381		381
Edward Gonzales	New Mexico	Apr-06	1358	522	1880	1022	302	1324	61	18	79	87	15	102
Sandra A. Layton	New York	Apr-06	3320		3320	2834		2834	174		174	87		87

April 2006

Anne L. Precythe	North Carolina	Apr-06	2728	690	3418	1320	79	1399	38	17	55	46	5	51
Charles R. Placek	North Dakota	Apr-06	561	95	656	470	103	573	22	2	24	25	7	32
Katrina Ransom	Ohio	Apr-06	2139	883	3022	1942	869	2811	131	26	157	101	12	113
Denise Sittler	Oregon	Apr-06	878	322	1200	949	528	1477	45	20	65	67	22	89
Colleen M. Fickel	Pennsylvania	Apr-06	2329	448	2777	1935	1126	3061	147	21	168	71	34	105
Carmen Ayala-Rios	Puerto Rico	Apr-06	194	107	301	79	20	99	4	1	5	3	1	4
Laura Queenan	Rhode Island	Apr-06	277	47	324	895	43	938	21	4	25	36	2	38
Ann Clarke	South Carolina	Apr-06	1650	435	2085	849	428	1277	45	9	54	54	23	77
David Geffre	South Dakota	Apr-06		47	47		336	336		2	2		17	17
Linda Ott	South Dakota	Apr-06	452		452	593		593	22		22	33		33
Deborah Duke	Tennessee	Apr-06	1909	779	2688	1619	406	2025	72	36	108	36	10	46
Lauren Curylo	Texas	Apr-06	3855	2355	6210	8327	3687	12014	148	105	253	252	84	336
Elaine Davis	Vermont	Apr-06	253	50	303	406	77	483	9	1	10	9	4	13
Arline L. Swan	Virgin Islands	Apr-06	26	5	31	4	1	5	3	1	4	0	0	0
Amanda Hill-Dandridge	Virginia	Apr-06	2802	735	3537	6386	910	7296	30	16	46	73	9	82
William Rankin	Wisconsin	Apr-06	1112	226	1338	1779	894	2673	46	13	59	84	51	135

Total	100,839	Total	108,767	Total	3,910	Total	3,992
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May 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
DAN DELAPINA	Alaska	May-06	159	69	228	196	65	261	6	6	12	10	5	15
Dori Ege	Arizona	May-06	1430		1430	2013		2013	81		81	68		68
Lance Delmore	Arizona	May-06		428	428		316	316		21	21		37	37
Linda Strong	Arkansas	May-06	1456	663	2119	1250	648	1898	58	27	85	42	37	79
Tracy Johnson	Connecticut	May-06		182	182		142	142		6	6		4	4
Alan R. Kerrigan	Delaware	May-06	452	134	586	391	35	426	42	17	59	35	0	35
Catherine Terry-Crusc	District of Columbia	May-06	537	148	685	632	29	661	2	0	2	10	0	10
Joe Kuebler	Georgia	May-06		729	729		2437	2437		33	33		54	54
Joe Kuebler	Georgia	May-06	2818		2818	5228		5228	158		158	243		243
Lindy S. Clark	Georgia	May-06	2818		2818	5228		5228	158		158	243		243
Ronald Hajime	Hawaii	May-06	148	44	192	292	155	447	14	1	15	11	4	15
Nichole Case	Idaho	May-06	424	150	574	821	265	1086	25	6	31	31	6	37
Rich Ludolph	Illinois	May-06	5853		5853	3368		3368	137		137	90		90
Art Hegewald	Indiana	May-06		776	776		383	383		36	36		16	16
Debra Klinzing	Iowa	May-06	1026	280	1306	739	297	1036	82	31	113	33	11	44
Jerry Bauer	Kansas	May-06	1049	362	1411	960	531	1491	64	27	91	73	55	128
Amanda S. Burt	Kentucky	May-06	1482	472	1954	1943	1060	3003	94	30	124	97	75	172
TIMA ELLSMORE	Maine	May-06	238	64	302	228	7	235	10	3	13	10	0	10
Melanie P. Brock	Maryland	May-06	2431	457	2888	1572	548	2120	70	17	87	18	6	24
Donald LaFratta	Massachusetts	May-06		272	272		120	120		14	14		6	6
Cynthia Johnson	Michigan	May-06	1617	533	2150	913	458	1371	58	24	82	25	26	51
Rose Ann Bisch	Minnesota	May-06	1473	388	1861	1951	175	2126	39	17	56	60	10	70
Christopher Epps	Mississippi	May-06	844	310	1154	1018	260	1278	103	29	132	62	8	70
Wanda LaCour	Missouri	May-06	2248	783	3031	3033	2125	5158	165	75	240	214	110	324
Kimberly Nyman	Montana	May-06	283	87	370	814	204	1018	20	1	21	25	11	36
Lynda McBride	Nebraska	May-06	2		2	0		0	1		1	0		0
Karen Finley	Nevada	May-06	622	314	936	1012	271	1283	37	13	50	40	23	63
Jeanne Stewart	New Hampshire	May-06	345	70	415	417	238	655	18	4	22	17	10	27
John Gusz	New Jersey	May-06	5602		5602	7067		7067	85		85	217		217
Sandra A. Layton	New York	May-06	3367		3367	2813		2813	251		251	122		122
Anne L. Precythe	North Carolina	May-06	2768	706	3474	1311	81	1392	71	22	93	53	6	59
Charles R. Placek	North Dakota	May-06	559	96	655	474	101	575	28	3	31	23	4	27
Katrina Ransom	Ohio	May-06	2139	883	3022	1970	863	2833	202	72	274	151	31	182

May 2006

Denise Sittler	Oregon	May-06	889	320	1209	951	530	1481	51	23	74	82	27	109
Colleen M. Fickel	Pennsylvania	May-06	2349	438	2787	1906	1147	3053	123	24	147	73	37	110
Carmen Ayala	Puerto Rico	May-06	196	100	296	81	21	102	7	0	7	3	0	3
Laura Queenan	Rhode Island	May-06	284	47	331	910	43	953	32	4	36	38	1	39
D. Ann Clarke	South Carolina	May-06	1653	444	2097	891	434	1325	55	19	74	55	25	80
David Geffre	South Dakota	May-06		52	52		342	342		6	6		17	17
Bobby Halliburton	Tennessee	May-06	108	31	139	43	4	47	1959	788	2747	1532	408	1940
Elaine Davis	Vermont	May-06	254	52	306	410	85	495	13	2	15	16	10	26
Arline L. Swan	Virgin Islands	May-06	24	5	29	4	1	5	0	0	0	0	0	0
Amanda Hill-dandridg	Virginia	May-06	3598	737	4335	6407	902	7309	34	11	45	114	8	122
Doreen Geiger	Washington	May-06	1583	524	2107	300	317	617	62	13	75	19	2	21
William Rankin	Wisconsin	May-06	1112	223	1335	1770	910	2680	50	14	64	83	75	158

Total	68,613	Total	77,877	Total	5,904	Total	5,203
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June 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Rich Pierce	Alabama	Jun-06	2150	646	2796	922	312	1234	109	36	145	29	3	32
Dan Delapina	Alaska	Jun-06	160	73	233	195	69	264	6	1	7	4	0	4
Dori Ege	Arizona	Jun-06	1407		1407	2013		2013	46		46	59		59
Linda Strong	Arkansas	Jun-06	1475	677	2152	1263	666	1929	65	31	96	45	42	87
sally skiver	Colorado	Jun-06	1632	255	1887	1594	673	2267	41	11	52	51	0	51
Tracy Johnson	Connecticut	Jun-06		178	178		146	146		8	8		6	6
Alan Kerrigan	Delaware	Jun-06	450	133	583	383	36	419	39	6	45	27	0	27
Catherine Terry-Crusc	District of Columbia	Jun-06	519	147	666	638	29	667	5	2	7	12	0	12
Pamela Levine	Florida	Jun-06	4736	1579	6315	4728	230	4958	251	128	379	197	17	214
Joe Kuebler	Georgia	Jun-06		756	756		2417	2417		45	45		60	60
Ronald Hajime	Hawaii	Jun-06	156	44	200	297	156	453	7	6	13	8	6	14
Nichole Case	Idaho	Jun-06	418	145	563	830	262	1092	29	8	37	40	3	43
Richard Ludolph	Illinois	Jun-06	5877		5877	3416		3416	134		134	128		128
Art Hegewald	Indiana	Jun-06		784	784		406	406		29	29		28	28
Debra Klinzing	Iowa	Jun-06	1040	291	1331	734	289	1023	92	33	125	47	11	58
Jerry Bauer	Kansas	Jun-06	1042	373	1415	962	518	1480	42	29	71	83	50	133
Amanda Burt	Kentucky	Jun-06	1532	477	2009	1979	1071	3050	88	30	118	99	68	167
TIMA ELLSMORE	Maine	Jun-06	255	62	317	231	7	238	13	1	14	12	0	12
Melanie P. Brock	Maryland	Jun-06	2446	458	2904	1537	546	2083	107	18	125	10	10	20
Donald LaFratta	Massachusetts	Jun-06		271	271		121	121		11	11		5	5
Donald LaFratta	Massachusetts	Jun-06	2053		2053	935		935	130		130	83		83
Cynthia Johnson	Michigan	Jun-06	1616	554	2170	914	474	1388	23	17	40	10	30	40
Rose Ann Bisch	Minnesota	Jun-06	1464	391	1855	1989	180	2169	52	19	71	85	16	101
Christopher Epps	Mississippi	Jun-06	753	298	1051	1016	257	1273	100	35	135	85	25	110
Wanda LaCour	Missouri	Jun-06	2288	761	3049	3123	2019	5142	162	79	241	174	99	273
Kimberly Nyman	Montana	Jun-06	285	88	373	810	209	1019	16	7	23	24	13	37
Judy Riddle	Nebraska	Jun-06	620		620	360		360	50		50	22		22
Marcella A.Shortt	Nebraska	Jun-06		171	171		86	86		10	10		12	12
Karen Finley	Nevada	Jun-06	528	328	856	1008	279	1287	40	27	67	40	16	56
Jeanne Stewart	New Hampshire	Jun-06	357	68	425	421	248	669	18	1	19	18	14	32
John Gusz	New Jersey	Jun-06	5598		5598	7209		7209	55		55	186		186
Sandra A. Layton	New York	Jun-06	3433		3433	2824		2824	185		185	125		125
Betty Payton	North Carolina	Jun-06	2762	712	3474	1311	76	1387	45	16	61	44	8	52

June 2006

Charles R. Placek	North Dakota	Jun-06	554	98	652	469	99	568	23	7	30	17	1	18
Katrina Ransom	Ohio	Jun-06	2175	905	3080	1971	888	2859	154	59	213	130	34	164
Denise Sittler	Oregon	Jun-06	317	887	1204	526	959	1485	29	16	45	54	19	73
Colleen M. Fickel	Pennsylvania	Jun-06	2433	461	2894	1919	1155	3074	149	28	177	100	33	133
Carmen Ayala-Rios	Puerto Rico	Jun-06	196	108	304	80	19	99	7	3	10	2	0	2
Laura Queenan	Rhode Island	Jun-06	290	51	341	920	45	965	22	4	26	26	2	28
Ann Clarke	South Carolina	Jun-06	1653	434	2087	863	426	1289	61	17	78	63	17	80
David Geffre	South Dakota	Jun-06		50	50		347	347		1	1		15	15
Linda Ott	South Dakota	Jun-06	450		450	591		591	22		22	31		31
Bobby Halliburton	Tennessee	Jun-06	1985	773	2758	1492	419	1911	95	27	122	31	10	41
Larry Hermance	Texas	Jun-06	3713	2373	6086	7827	3701	11528	274	111	385	327	116	443
Regina Grimes	Texas	Jun-06	3904	2329	6233	8412	3657	12069	733	504	1237	1260	437	1697
Cliff Butter	Utah	Jun-06	546	205	751	250	119	369	14	3	17	10	9	19
Elaine Davis	Vermont	Jun-06	252	54	306	405	81	486	8	3	11	12	5	17
Amanda Hill-Dandridge	Virginia	Jun-06	2791	739	3530	6310	915	7225	44	14	58	108	24	132
Doreen Geiger	Washington	Jun-06	1631	545	2176	292	323	615	50	5	55	34	7	41
William Rankin	Wisconsin	Jun-06	1109	231	1340	1777	938	2715	56	21	77	94	49	143

Total	92,014	Total	103,619	Total	5,158	Total	5,366
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July 2006

Name	State	Month	Total In Prob.	Total In Parole	Total Supervised In-State	Total Out Prob.	Total Out Parole	Total Supervised Out-of-State	IN Prob.	IN Parole	Total In Reporting Month	OUT Prob.	OUT Parole	Total Out Reporting Month
Rich Pierce	Alabama	Jul-06	2232	657	2889	930	317	1247	95	25	120	32	3	35
Dan Delapina	Alaska	Jul-06	154	64	218	181	65	246	3	0	3	2	0	2
Dori Ege	Arizona	Jul-06	1401		1401	2059		2059	77		77	94		94
Lance Delmore	Arizona	Jul-06		447	447		335	335		29	29		36	36
Linda Strong	Arkansas	Jul-06	1484	671	2155	1261	656	1917	52	19	71	54	24	78
Sally Skiver	Colorado	Jul-06	1630	255	1885	1583	673	2256	41	11	52	52	0	52
Tracy Johnson	Connecticut	Jul-06		188	188		146	146		7	7		5	5
Alan R Kerrigan	Delaware	Jul-06	452	137	589	373	25	398	20	7	27	49	2	51
Joe Kuebler	Georgia	Jul-06		766	766		2372	2372		40	40		68	68
Ronald Hajime	Hawaii	Jul-06	158	44	202	304	155	459	13	1	14	8	4	12
nichole case	Idaho	Jul-06	419	151	570	848	271	1119	22	7	29	32	10	42
Art Hegewald	Indiana	Jul-06		789	789		410	410		29	29		30	30
Jerry Bauer	Kansas	Jul-06	1034	374	1408	965	523	1488	59	22	81	55	44	99
Rich Ludolph	Kansas	Jul-06	5907		5907	3445		3445	97		97	91		91
Amanda S. Burt	Kentucky	Jul-06	1556	476	2032	2021	1091	3112	79	27	106	73	76	149
DAPHINE DENNEY	Louisiana	Jul-06	1081	439	1520	1479	767	2246	37	29	66	33	12	45
Carol Terrance	Louisiana	Jul-06			0			0	54	21	75	63	60	123
TIMA ELLSMORE	Maine	Jul-06	259	60	319	231	7	238	14	2	16	6	0	6
Donald LaFratta	Massachusetts	Jul-06	2048	282	2330	954	124	1078	84	16	100	47	9	56
Cynthia Johnson	Michigan	Jul-06	1622	554	2176	918	471	1389	49	29	78	31	29	60
Rose Ann Bisch	Minnesota	Jul-06	1453	380	1833	1980	184	2164	58	29	87	87	31	118
Chistopher Epps	Mississippi	Jul-06	717	267	984	982	251	1233	57	36	93	41	10	51
Wanda LaCour	Missouri	Jul-06	2279	775	3054	3092	2034	5126	116	50	166	186	59	245
Jamie Gibson	Montana	Jul-06	285	85	370	803	212	1015	9	0	9	22	7	29
Kari Rumbaugh	Nebraska	Jul-06	635		635	358		358	43		43	22		22
Marcella A. Shortt	Nebraska	Jul-06		174	174		77	77		9	9		5	5
John Gusz	New Jersey	Jul-06	5599		5599	7269		7269	65		65	115		115
Sandra A. Layton	New York	Jul-06	3478		3478	2818		2818	176		176	87		87
Betty Payton	North Carolina	Jul-06	2823	738	3561	1274	75	1349	48	17	65	29	10	39
Charles R. Placek	North Dakota	Jul-06	523	93	616	478	101	579	20	7	27	28	7	35
Katrina Ransom	Ohio	Jul-06	1971	888	2859	1983	868	2851	101	74	175	72	29	101
Denise Sittler	Oregon	Jul-06	904	314	1218	956	514	1470	19	10	29	48	13	61
Colleen M. Fickel	Pennsylvania	Jul-06	2440	478	2918	1941	1136	3077	97	29	126	56	37	93

July 2006

Carmen Ayala-Rios	Puerto Rico	Jul-06	195	105	300	82	19	101	3	4	7	3	0	3	
Ann Clarke	South Carolina	Jul-06	1641	424	2065	876	420	1296	57	13	70	48	21	69	
David Geffre	South Dakota	Jul-06		55	55		366	366		6	6		15	15	
Linda Ott	South Dakota	Jul-06	456		456	599		599	18		18	29		29	
Bobby Halliburton	Tennessee	Jul-06	2010	763	2773	1384	419	1803	72	25	97	43	14	57	
Cliff Butter	Utah	Jul-06	553	211	764	236	122	358	13	5	18	12	9	21	
Elaine Davis	Vermont	Jul-06	257	53	310	402	79	481	11	1	12	7	1	8	
Amanda Hill-Dandridge	Virginia	Jul-06	2755	725	3480	6293	906	7199	27	11	38	50	6	56	
Doreen Geiger	Washington	Jul-06	1749	572	2321	236	328	564	24	5	29	6	6	12	
William Rankin	Wisconsin	Jul-06	1109	243	1352	1785	938	2723	40	20	60	53	56	109	
			Total	68,966	Total	70,836				Total	2,542	Total	2,514		

ICDS
Budget Presentation
FY '07
FY '08 Proposed

	FY 06 Actual	(1) FY 07 Budget	(2) Proposed FY 08 Budget
REVENUE			
APPROPRIATIONS (dues)	1,339,000	1,339,000	1,365,780
Refunds & Sponsorships	45,225		
Dues Increase 2%		26,780	
INTEREST INCOME	42,303		
Total Cash Reserves-Previous Year	665,597	1,037,345	564,635
Total Administration Revenue	2,092,125	2,403,125	1,930,415
EXPENSES			
Administration Expenditures	629,224	874,315	831,975
Total Administration Expenses	629,224	874,315	831,975
OTHER EXPENSES			
Executive Committee Meetings	15,894	17,500	17,500
Annual Meeting	81,509	108,100	99,691
Compliance Committee	10,306	9,000	9,000
Finance Committee			
Rules Committee	23,842	28,000	15,000
Technology Committee	19,902	54,900	15,000
Training/Education Committee	48,645	63,000	50,000
NACIS	100,000	465,000	170,000
Total Other Expenses	300,098	745,500	376,191
Total Indirect Expense	125,458	218,675	163,102
Total Commission Expenses	1,054,780	1,838,490	1,371,268
Total Revenue Over/(Under) Expense	918,552	273,135	412,147
Designated Technology Fund	78,100	260,000	100,000
Designated Legal Fund	40,693	31,500	47,000
Total Designated Funds	118,793	291,500	147,000
Total Cash Reserves	1,037,345	564,635	559,147

If you have any questions, please contact
Genie Powers, Treasurer

ICAOS Presentation
2007
Annual Business Meeting

NACIS Dedicated Fund \$900,000.00

PAID

Phase 1 - Project Charter (9/15/2004)	\$100,000.00
Phase 2 - Requirements Document (1/5/2005)	\$100,000.00
Phase 3 - Detail Design Document (7/31/2005)	\$100,000.00

Un-Paid Costs

Phase 4 - User Acceptance Testing (FY'07)	\$100,000.00
Phase 5 - System Certification (FY'07)	\$230,000.00
Hosting and Support (FY'07)	\$135,000.00
Hosting and Support (FY'08)	\$135,000.00

 **ICAOS Regions**





State Compact Directory

Interstate Commission
for Adult Offender Supervision

Updated August 21, 2006

2760 Research Park Drive
Lexington, KY 40578

www.interstatecompact.org

Alabama

Commissioner: Robert Oakes
Address: Alabama Board of Pardons and Paroles
P. O. Box 302405
(Deliveries only:
301 S. Ripley St.
Montgomery, AL 36104)
Montgomery, AL 36130-2405
Phone: (334) 242-1695
Fax: (334) 353-3391
Office Email: interstate.compact@alabpp.gov
Email: robert.oakes@alabpp.gov

CA: Rich Pierce
DCA: Janet Ingram
Address: Alabama Board of Pardons & Paroles
P.O. Box 302405
Montgomery, AL 36130-2405
Delivery Only: 301 S. Ripley St.
Montgomery AL, 36104
Phone: (334) 242-1695
(334) 353-7443 Pierce
(334) 242-8707 Ingram
Fax: (334) 353-3391
Office Email: interstate.compact@alabpp.gov
Email: rich.pierce@alabpp.gov
janet.ingram@alabpp.gov

Alaska

Commissioner: **Leltoni M. Tupou**
Address: Division of Community Corrections
 431 N. Franklin, Suite 400
 Juneau, AK 99801
Phone: (907) 465-4652
Fax: (907) 465-3390
Office Email: alaska_interstate@correct.state.ak.us
Email: leitoni_tupou@correct.state.ak.us

CA: **Leltoni M. Tupou**
DCA: **Robert Carlson**
Address: Alaska Department of Corrections
 310 K Street, Suite 508
 Anchorage, AK 99501
Phone: (907) 269-7370
Fax: (907) 269-7438
Office Email: alaska_interstate@correct.state.ak.us
Email: leitoni_tupou@correct.state.ak.us
 robert_carlson@correct.state.ak.us

Arizona

Commissioner: **Dori Ege**
Address: Administrative Office of the Courts
 1501 W. Washington, Suite 344
 Phoenix, AZ 85007
Phone: (602) 542-2305 or (602) 542-2324
Fax: (602) 542-9673
Office Email: az-isc-prob@courts.az.gov
Email: dege@courts.az.gov

CA: **Dora B. Schirio**

Parole

DCA: **Mary Schamer**
Supervisor: Lance Delmore
Address: Department of Corrections
 363 N. 1st Avenue
 Phoenix, AZ 85003
Phone: (602) 255-4236
Fax: (602) 255-3825
Office Email: isc_parole@azcorrections.gov
Email: mschame@azcorrections.gov
 ldelmore@azcorrections.gov

Probation

DCA: **Dori Ege**
Address: Administrative Office of the Courts
 1501 W. Washington, Suite 344
 Phoenix, AZ 85007
Phone: (602) 542-2305 or (602) 542-2324
Fax: (602) 542-9673
Office Email: az-isc-prob@courts.az.gov
Email: dege@courts.az.gov

Arkansas

Commissioner: **G. David Guntharp**
Address: Department of Community Correction
 Union National Plaza, 2nd Floor
 105 West Capitol
 Little Rock, AR 72201
Phone: (501) 682-9566
Fax: (501) 682-9539
Office Email: ardcic@arkansas.gov
Email: david.guntharp@arkansas.gov

CA: **G. David Guntharp**
DCA: **Linda Strong**
Correspondence: Brad Coyle
Address: Department of Community Correction
 Two Union National Plaza, 2nd Floor
 105 West Capitol
 Little Rock, AR 72201
Delivery Only: (501) 682-9584 & (501) 682-9587
Phone: (501) 682-9589
Fax: (501) 682-9589
Office Email: ardcic@arkansas.gov
Email: david.guntharp@arkansas.gov
 linda.strong@arkansas.gov

California

Commissioner: **Marilyn Kalvelage**
Address: California Department of Corrections and
 Rehabilitation
 Division of Adult Parole Operations
 1515 S Street, Room 212N
 Sacramento, CA 95814
Phone: (916) 323-0474
Email: Marilyn.Kalvelage@cdcr.ca.gov

CA: **Marilyn Kalvelage**
Parole
DCA: **Nancy Sears**
Address: Interstate Compact Unit
 9825 Goethe Rd., Ste. 200
 Sacramento, CA 95827
Phone: (916) 255-2781
Fax: (916) 255-2757
Office Email: interstateparole@cdcr.ca.gov
Email: marilyn.kalvelage@cdcr.ca.gov

Probation

DCA: **Nancy Sears**
Address: Interstate Compact Unit
 9825 Goethe Rd., Ste. 200
 Sacramento, CA 95827
Phone: (916) 255-2781
Fax: (916) 255-2047
Office Email: nancy.sears@cdcr.ca.gov

Colorado

Commissioner: **Jeaneene Miller**
Address: Department of Corrections
 12157 West Cedar Drive
 Lakewood, CO 80228
Phone: (303) 763-2420
Fax: (303) 763-2451
Office Email: interstate@doc.state.co.us
Email: jeaneene.miller@doc.state.co.us

CA: **Joe Ortiz**
DCA: **Sally Skiver**
Address: Department of Corrections
 12157 West Cedar Drive
 Lakewood, CO 80228
Phone: (303) 763-2420
Fax (Parole): (303) 763-2446
Fax (Prob., Report. Instr., Travel Permits): (303) 763-2451
Office Email: interstate@doc.state.co.us
Email: sally.skiver@doc.state.co.us

Connecticut

Commissioner: **Theresa C. Lantz**
Address: Department of Correction
 24 Wolcott Hill Road
 Weathersfield, CT 06109
Phone: (860) 692-7481
Fax: (860) 692-7483
Email: theresa.lantz@po.state.ct.us

CA: **Theresa Lantz**

Parole

DCA: **Greg Everett**
Coordinator: Tracy Johnson (Parole Supervisor)
Address: Board of Pardons and Paroles
 Interstate Compact Office
 55 West Main Street, Suite 520
 Waterbury, CT 06702
Phone: (203) 805-6683
Fax: (203) 805-6652
Office Email: ct.intcomp@po.state.ct.us
Email: greg.everett@po.state.ct.us
Email: tracy.johnson@po.state.ct.us

Probation

DCA: **Pamela Mason**
Coordinator: Tami Ford
Address: CSSD Adult Probation
 Interstate Compact Unit, 4th floor
 936 Silas Deane Highway
 Wethersfield, CT 06109
Phone: (860)-721-2167 (Mason)
 (860)-721-2135 (Ford)
Fax: (860) 258-8977
Office Email: ct.interstate@jud.state.ct.us
Email: pamela.mason@jud.ct.gov
Email: tami.ford@jud.ct.gov

Delaware

Commissioner: Stan Taylor
Address: Department of Corrections
 1601 N. Pine Street
 Wilmington, DE 19802-5007
Phone: (302) 577-3443
Fax: (302) 577-7471
Email: Interstate@state.de.us

CA: Alan Grinstead
DCA: Alan Kerrigan
Coordinator: Karl Hines
Address: Department of Corrections
 1601 N. Pine Street
 Wilmington, DE 19802-5007
Phone: (302) 577-3443
Fax: (302) 577-7471
Office Email: Interstate@state.de.us
Email: alan.grinstead@state.de.us
 khines@state.de.us
 alan.kerrigan@state.de.us

Case Movement:
Wilmington: Rodney Feazell
 (302) 577-3443
 rodney.feazell@state.de.us
Kent: Don St. Jean
 (302) 739-5387
 don.stjean@state.de.us
Sussex: Brett Graves
 (302) 856-5243
 brett.graves@state.de.us

District of Columbia

Commissioner: Paul A. Quander, Jr.
Address: Court Services
 & Offender Supervision Agency for DC
 633 Indiana Ave., Ste. 1200
 Washington, DC 20001
Phone: (202) 220-5344
Fax: (202) 220-5350
Office Email: dc.interstate@csosa.gov
Email: paul.quanderjr@csosa.gov

CA: Paul A. Quander Jr.
DCA: Catherine "Cathy" Terry-Crusor
Address: Court Services & Offender Supervision
 Agency for DC (CSOSA)
 25 K Street NE, Room 304
 Washington, DC 20002
Phone: (202) 442-1275
Fax: (202) 442-1396
Office Email: dc.interstate@csosa.gov
Email: paul.quanderjr@csosa.gov
 catherine.terry-crusor@csosa.gov

<p>Florida</p> <p>Commissioner: Beth Atchison Address: Department of Corrections 2601 Blair Stone Road Tallahassee, FL 32399-2500 Phone: (850) 488-5561 Fax: (850) 921-1322 Office Email: fl.compact@mail.dc.state.fl.us Email: atchison.beth@mail.dc.state.fl.us</p> <p>CA: Pamela Levine DCA: Clarence Rudloff Program Admin: Karen Tucker Address: Department of Corrections 2601 Blair Stone Road Tallahassee, FL 32399-2500 Phone: (850) 487-0558 or (850) 488-4839 Fax: (850) 488-2710 or (850) 921-8195 Office Email: fl.compact@mail.dc.state.fl.us Email: levine.pamela@mail.dc.state.fl.us tucker.karen@mail.dc.state.fl.us</p>			
<p>Georgia</p> <p>Commissioner: Joe Kuebler Address: State Board of Pardons and Paroles Two Martin Luther King, Jr. Dr. SE East Tower, Ste 1470 Atlanta, GA 30334 Phone: (404) 651-6686 Fax: (404) 654-6349 Office Email: compact_services@pap.state.ga.us Email: joe_kuebler@pap.state.ga.us</p> <p>CA: Joe Kuebler</p> <p>Parole</p> <p>DCA: Vacant Address: State Board of Pardons and Paroles #2 Martin Luther King, Jr. Dr. SE East Tower, Suite 1470 Atlanta, GA 30334 Phone: (404) 656-5747 Fax: (404) 654-6349 Office Email: compact_services@pap.state.ga.us Email: joe_kuebler@pap.state.ga.us</p>		<p>Probation</p> <p>DCA: Joyce Donald Address: Department of Corrections #2 Martin Luther King, Jr. Dr. SE East Tower, Suite 958 Atlanta, GA 30334 Phone: (404) 656-4747 Fax: (404) 463-6511 Office Email: lscga@dcor.state.ga.us Email: donalj22@dcor.state.ga.us</p>	

Hawaii

Commissioner: Ron Hajime
Address: First Judicial Circuit
 Judiciary, State of Hawaii
 777 Punchbowl Street
 Honolulu, HI 96813

Phone: (808) 539-4585
Fax: (808) 539-4559
Office Email: hi-compact@courts.state.hi.us
Email: ron.t.hajime@courts.state.hi.us

CA: Ron Hajime (office with probation)

Parole

DCA: Max N. Otani
Address: Hawaii Paroling Authority
 1177 Alakea Street, Ground Floor
 Honolulu, HI 96813

Phone: (808) 587-1295
Fax: (808) 587-1314
Office Email: hi-compact@courts.state.hi.us
Email: max.n.otani@hawaii.gov

Probation

DCA: Sidney Nakamoto
Address: First Judicial Circuit Judiciary,
 State of Hawaii
 777 Punchbowl Street
 Honolulu, HI 96813

Phone: (808) 539-4585
Fax: (808) 539-4559
Office Email: hi-compact@courts.state.hi.us
Email: ron.t.hajime@courts.state.hi.us
 sidney.h.nakamoto@courts.state.hi.us

Idaho

Commissioner: Kevin Kempf
Address: Idaho Department of Correction
 Interstate Compact Office
 1299 North Orchard Suite 110
 Boise, ID 83706

Phone: (208) 658-2000
Fax: (208) 327-7455
Office Email: idahoisc@corr.state.id.us
Email: kkempf@corr.state.id.us

CA: Kevin Kempf
DCA: Vacant
Coordinator: Judy Mesick
Coordinator: Margaret Lint
Coordinator: Vacant
Outgoing Cases: Bonnie Viker (Probation/Parole officer Sr)
Address: Idaho Dept. of Correction
 Interstate Compact Office
 1299 North Orchard Suite 110
 Boise, ID 83706

Phone: (208) 658-2122
Fax: (208) 327-7424
Office Email: idahoisc@corr.state.id.us
Email: kkempf@corr.state.id.us
 jmesick@corr.state.id.us
 mlint@corr.state.id.us
 bviker@corr.state.id.us

<p>Illinois</p> <p>Commissioner: Michelle Bushcher Address: Department of Corrections P.O. Box 19277 1301 Concordia Court Springfield, IL 62794-9277 Phone: (217) 522-4461 Fax: (217) 522-9652 Office Email: il-isc-parole@idoc.state.il.us Email: mbuscher@idoc.state.il.us</p> <p>CA: Michelle Bushcher</p> <p>Parole</p> <p>DCA: Vacant Address: Department of Corrections P.O. Box 19277 1301 Concordia Court Springfield, IL 62794-9277 Phone: (217) 522-4461 Fax: (217) 522-9652 Office Email: il-isc-parole@idoc.state.il.us Email: mbuscher@idoc.state.il.us</p>		<p>Probation</p> <p>DCA: David Hitchcock Address: Administrative Office of Illinois Courts Probation Division (Interstate Compact) 3101 Old Jacksonville Road Springfield, Illinois 62704-6488 Phone: (217) 785-7589 Fax: (217) 557-5706 Office Email: interstate@court.state.il.us Email: dhitchcock@court.state.il.us</p>	
<p>Indiana</p> <p>Commissioner: Jane Seigel Address: 115 West Washington St, Ste 1075 Indianapolis, IN 46204-2278 Phone: (317) 232-1313 Fax: (317) 233-3367 Office Email: inisc@coa.doc.state.in.us Email: jseigel@courts.state.in.us</p> <p>CA: Jane Seigel</p> <p>Parole</p> <p>DCA: Art Hegewald ISC Secretary: Shanna Farmer Address: Indiana Interstate Compact / Parole 1535 N. Meridian St. Indianapolis, IN 46202 Phone: (317) 234-1931 ext.251 Fax: (317) 234-2593 Office Email: inisc@doc.in.gov Email: ahegewald@doc.in.gov sfarmer@doc.in.gov</p>		<p>Probation</p> <p>DCA: Robert Champion Coord. Incoming: Tom Mitcham Coord. Outgoing: Nita Coleman Address: National City Center – South Tower 115 W Washington St, Suite 1075 Indianapolis, IN 46204-3424 Phone: (317) 232-1314 incoming Fax: (317) 232-1315 outgoing Office Email: (317) 234-3602 Email: interstate_compact@courts.state.in.us tmitcham@courts.state.in.us ncoleman@courts.state.in.us</p>	

Iowa

Commissioner: Jeanette Bucklew
Address: Department of Corrections
 420 Watson Powell Jr. Way
 Des Moines, IA 50309
Phone: (515) 242-5713 & (515) 242-5725
Fax: (515) 281-4062
Office Email: compact@doc.state.ia.us
Email: jeanette.bucklew@iowa.gov

CA: Charles Lauterbach
DCA: Sharon Beckman
Address: Department of Corrections
 420 Watson Powell Jr. Way
 Des Moines, IA 50309
Phone: (515) 242-5732 and (515) 242-5725
Fax: (515) 281-4062
Office Email: compact@doc.state.ia.us
Email: charles.lauterbach@doc.state.ia.us
 sharon.beckman@doc.state.ia.us

Kansas

Commissioner: Keven Pellant
Address: Kansas Department of Corrections
 Landon State Office Building
 900 S. W. Jackson, 4th Floor
 Topeka, KS 66612-1284
Phone: (785) 296-4522
Fax: (785) 296-0759
Office Email: kscompact@kdoc.dc.state.ks.us
Email: kevenp@kdoc.dc.state.ks.us

CA: Keven Pellant
DCA: Jerry Bauer
Parole Officer II: Elizabeth Mechler
Parole Officer II: Kimberly Schwant
Address: Kansas Department of Corrections
 Landon State Office Building
 900 S. W. Jackson, 4th Floor
 Topeka, KS 66612-1284
Phone: (785) 368-6330
Fax: (785) 296-0759
Office Email: kscompact@kdoc.dc.state.ks.us
Email: kevenp@kdoc.dc.state.ks.us
 jerryb@kdoc.dc.state.ks.us
 kims@kdoc.dc.state.ks.us
 bethme@kdoc.dc.state.ks.us

Kentucky

Commissioner: Lelia VanHoose
Address: Department of Corrections
 PO Box 2400
 Frankfort, KY 40602
Phone: (502) 564-7023
Fax: (502) 564-5783
Office Email: kyisc@ky.gov
Email: lelia.vanhoose@ky.gov

CA: Lelia VanHoose

Parole

DCA: Angela Tolley
Address: Department of Corrections
 PO Box 2400
 Frankfort, KY 40602-2400
DeliveryOnly: HSB Ground Fl, 275 E. Main Street
 Frankfort, KY 40602-2400
Phone: (502) 564-4221
Fax: (502) 564-5229
Office Email: kyisc@ky.gov
Email: angela.tolley@ky.gov

Probation

DCA: Amanda Burt
Address: Department of Corrections
 PO Box 2400
 Frankfort, KY 40602-2400
Delivery Only: HSB Ground Fl, 275 E. Main Street)
 Frankfort, KY 40602-2400
Phone: (502) 564-4221
Fax: (502) 564-5229
Office Email: kyisc@ky.gov
Email: amanda.burt@ky.gov

Louisiana

Commissioner: Genie Powers
Address: P. O. Box 94304, Capitol Station
 (Overnight deliveries only:
 504 Mayflower St)
 Baton Rouge, LA 70804-9304
Phone: (225) 342-6614
Fax: (225) 219-0082
Office Email: lacompact@corrections.state.la.us
Email: gpowers@corrections.state.la.us

CA: Genie Powers

DCA: Gregg Smith
Address: P. O. Box 94304, Capitol Station
 Baton Rouge, LA 70804-9304
DeliveryOnly: 504 Mayflower St
 Baton Rouge, LA 70804-9304
Phone: (225) 342-6609
Fax: (225) 342-3087
Office Email: lacompact@corrections.state.la.us
Email: gpowers@corrections.state.la.us
 greggsmith@corrections.state.la.us

Maine

Commissioner: Wayne Theriault
Address: Division of Probation & Parole
AMHI Complex, State House Station #111
Augusta, ME 04333
Phone: (207) 287-4381
Fax: (207) 287-6707
Office Email: interstatecompact.corrections@maine.gov
Email: marty.magnusson@maine.gov
wayne.r.theriault@maine.gov

CA: **Harold Doughty**
DCA: **Wayne Theriault**
Address: Division of Probation & Parole
AMHI Complex, State House Station #111
Augusta, ME 04333
Phone: (207) 287-4381
Fax: (207) 287-6707
Office Email: interstatecompact.corrections@maine.gov
Email: wayne.r.theriault@maine.gov

Maryland

Commissioner: Judith Sachwald
Address: Division of Probation & Parole
2100 Guilford Avenue
Room 301
Baltimore, MD 21218
Phone: (410) 585-3525
Fax: (410) 764-4293
Office Email: interstatecompactunit1@dpscs.state.md.us
Email: jsachwald@dpscs.state.md.us

CA: **Judith Sachwald**
DCA: **Melanie P. Brock**
Address: Interstate Compact Unit
2100 Guilford Avenue
Room 301
Baltimore, MD 21218
Phone: (443) 263-3582
Fax: (410) 333-3079
Office Email: interstatecompactunit1@dpscs.state.md.us
Email: jsachwald@dpscs.state.md.us
mbrock@dpscs.state.md.us

Massachusetts

Commissioner: Maureen Walsh
 Address: Massachusetts Parole Board
 45 Hospital Road, Bldg. B3
 Medfield, MA 02052
 Phone: (508) 242-8228
 Fax: (508) 242-8100
 Office Email: maparole.compact@state.ma.us
 Email: maureen.walsh@state.ma.us

CA: **Maureen Walsh**

Parole

DCA: **Don LaFratta**
 Coordinator: Richard Vernick
 Address: Massachusetts Parole Board
 45 Hospital Road, Bldg. B3
 Medfield, MA 02052
 Phone: (508) 242-8001
 (508)242-8142 (Richard Vernick)
 Fax: (508) 242-8100
 Office Email: maparole.compact@state.ma.us
 Email: maureen.walsh@state.ma.us
 donald.lafratta@state.ma.us
 richard.vernick@state.ma.us

Probation

DCA: **Edward Francis McDermott**
 Coordinator: Donna Reed
 Address: Office of the Commissioner of Probation
 One Ashburton Place, Room 405
 McCormack State Office Building
 Boston, MA 02108
 Delivery Only: McCormack State Office Building
 Boston, MA 02108
 Phone: (617) 727-7196
 Fax: (617) 727-8484
 Office Email: interstate_compact@jud.state.ma.us

Michigan

Commissioner: John Rubitshcun
 Address: Department of Corrections
 Field Operations Administration
 P. O. Box 30003
 (Overnight deliveries only: Grandview
 Plaza Bldg, 206 E. Michigan Ave)
 Lansing, MI 48909

Phone: (517) 335-6903
 Fax: (517) 241-5789
 Office Email: michigan-interstate@michigan.gov

CA: **John Rubitshcun**

DCA: **Cynthia Johnson**
 Address: Department of Corrections
 Office of Field Operations
 P. O. Box 30003
 Lansing, MI 48909

DeliveryDel: Grandview Plaza Bldg.
 206 E. Michigan Ave.
 Lansing, MI 48909

Phone: (517) 335-6903
 Fax: (517) 335-3840
 Office Email: michigan-interstate@michigan.gov
 Email: johnsocn@michigan.gov

Minnesota

Commissioner: Ken Merz
Address: Department of Corrections
1450 Energy Park Dr., Suite 200
St. Paul, MN 55108-5219
Phone: (651) 642-0348
Fax: (651) 603-6768
Office Email: mnisc@co.doc.state.mn.us
Email: kmerz@co.doc.state.mn.us

CA: Joan Fabian
DCA: Rose Ann Bisch
Address: Department of Corrections
1450 Energy Park Dr., Suite 200
St. Paul, MN 55108-5219
Phone: (651) 642-0311
Fax: (651) 917-4768
Office Email: mnisc@co.doc.state.mn.us
Email: jfabian@co.doc.state.mn.us
rbisch@co.doc.state.mn.us

Mississippi

Commissioner: Christopher Epps
Address: Mississippi Department of Corrections
723 North President St.
Jackson, MS 39202-3097
Phone: (601) 359-5621
Fax: (601) 359-5590
Office Email: icg@mdoc.state.ms.us
Email: cepps@mdoc.state.ms.us

CA: Christopher Epps
DCA: Jacqueline "Jackie" Brunson
Address: 723 North President St.
Jackson, MS 39202-3097
Phone: (601) 359-5650
Fax: (601) 359-5590
Office Email: icg@mdoc.state.ms.us
Email: ikeys@mdoc.state.ms.us
jbrunson@mdoc.state.ms.us

Missouri

Commissioner: Dana Thompson
Address: Board of Probation & Parole
1511 Christy Drive
Jefferson City, MO 65101
Phone: (573) 751-8488
Fax: (573) 522-8461
Office Email: moincomp@doc.mo.gov
Email: dana.thompson.doc.mo.gov

CA: Dana Thompson
DCA: Wanda LaCour
Clerical Sup: Mary Kaye Brand
Address: Board of Probation & Parole
1511 Christy Drive
Jefferson City, MO 65101
Phone: (573) 751-8488
Fax: (573) 522-8461
Office Email: moincomp@doc.mo.gov
Email: dana.thompson.doc.mo.gov
wanda.lacour@doc.mo.gov
mary.brand@doc.mo.gov

Montana

Commissioner: Mike Ferriter
Address: Division of Corrections
P. O. Box 201301, 1539 11th Avenue
Helena, MT 59620
Phone: (406) 444-4913
Fax: (406) 444-7909
Office Email: interstate@mt.gov
Email: miferriter@mt.gov

CA: Mike Ferriter
DCA: Cathy Gordon
Admin Assistant: Kimberly Nyman
Address: Division of Corrections
P. O. Box 201301, 1539 11th Avenue
Helena, MT 59620
Phone: (406) 444-9522
Fax: (406) 444-7909
Office Email: interstate@mt.gov
Email: miferriter@mt.gov
cagordon@mt.gov
Offenders A-L: Melissa Billman: mbillman@mt.gov
Offenders M-Z: Jamie Delappe: jdelappe@mt.gov

Nebraska

Commissioner: James McKenzie
Address: Department of Correctional Services
 P.O. Box 94661
 Lincoln, NE 68509-4661
Phone: (402) 479-5743
Fax: (402) 479-5804
Office Email: jmckenzie@dcs.state.ne.us

CA: James McKenzie

Parole

DCA: James McKenzie
Correspondence: Marcella Shortt
Address: Department of Correctional Services
 P.O. Box 94661, Statehouse Station
 Lincoln, NE 68509-4661
Delivery Only: Folsom & West Prospector Pl, Bldg 15
 Lincoln, NE 68509
Phone: (402) 479-5768
Fax: (402) 479-5804
Office Email: neparole@dcs.state.ne.us
Email: mshortt@dcs.state.ne.us

Probation

DCA: Kari Rumbaugh
Address: Interstate Compact
 Probation Administration
 P.O. Box 98910
 Lincoln, NE 68509-8910
Phone: (402) 471-2141 Rumbaugh
 (402) 471-4930 Richter
Fax: (402) 471-1853
Office Email: nebprob@nsc.state.ne.us
Email: krumbaugh@nsc.state.ne.us
Email: crichter@nsc.state.ne.us

Nevada

Commissioner: John Allan Gonska
Address: Division of Parole and Probation
 1445 Hot Springs Rd. #104
 Carson City, NV 89706
Phone: (702) 684-2602 & (775) 684-2605
Fax: (775) 684-2697
Email: jgonska@dps.state.nv.us

CA: John Allan Gonska

DCA: North (outgoing) Nancy Tiffany
DCA: South (incoming) Kim Madris (includes Las Vegas)

Address: Division of Parole and Probation
 Interstate Compact Unit
 215 East Bonanza Road
 Las Vegas, Nevada 89101

North Phone: (775) 687-5040 Nancy Tiffany
South Phone: (702) 486-3875 Kim Madris
North Fax: (775) 684-2695
South Fax: (702) 486-3168
Office Email: lvnvisc@dps.state.nv.us
Email: jgonska@dps.state.nv.us
 ntiffany@dps.state.nv.us
 kmadris@dps.state.nv.us

<p>New Hampshire</p> <p>Commissioner: Address: Phone: Fax: Office Email: Email:</p> <p>CA: DCA: Address: Phone: Fax: Office Email: Email:</p>	<p>Vacant Department of Corrections P. O. Box 1806 Concord, NH 03302-1806 (603) 271-5646 (603) 271-0409 interstate@nhdoc.state.nh.us mmcalister@nhdoc.state.nh.us</p> <p>Vacant Jeanne Stewart Department of Corrections P. O. Box 1806 Concord, NH 03302-1806 (603) 271-5646 (603) 271-0409 interstate@nhdoc.state.nh.us jstewart@nhdoc.state.nh.us</p>		
<p>New Jersey</p> <p>Commissioner: Address: Phone: Fax: Email:</p> <p>CA:</p> <p>Parole</p> <p>DCA: Supervisor: Address: Delivery Only: Phone: Fax: Office Email: Email:</p>	<p>John D'Amico Office of Interstate Services New Jersey State Parole Board P.O. Box 862 (Overnight deliveries only: 171 Jersey St, TRW Complex, Bldg 2) Trenton, NJ 08625-0862 (609) 292-0845 (609) 984-2188 spbinterstate@spb.state.nj.us john.d'amico@spb.state.nj.us</p> <p>John D'Amico, Jr.</p> <p>Craig W. Schindewolf Debra Alt Office of Interstate Services New Jersey State Parole Board P.O. Box 862 Trenton, NJ 08625-0862 171 Jersey St, TRW Complex, Bldg 2 Trenton, NJ 08625 (609) 943-4671 (609) 943-4430 interstate_dca@spb.state.nj.us craig.schindewolf@spb.state.nj.us debra.alt@spb.state.nj.us</p>	<p>Probation</p> <p>DCA: Address: Delivery Only: Phone: Fax: Office Email: Email:</p>	<p>John Gusz Administrative Office of the Courts P.O. Box 960, Justice Complex Trenton, NJ 08625 Probation Services, 171 Jersey Street, Bldgs 6 & 7 Trenton, NJ 08625 (609) 292-1585 (609) 633-3927 Gusz (609) 777-1817 interstateprob_mailbox@judiciary.state.nj.us john.gusz@judiciary.state.nj.us</p>

<p>New Mexico</p> <p>Commissioner: Edward Gonzales Address: Corrections Department Probation & Parole Division P. O. Box 27116 (Overnight deliveries only: 4337 State Road 14) Santa Fe, NM 87502-0116 Phone: (505) 827-8693 Fax: (505) 827-8679 Office Email: Interstate.compacts@state.nm.us Email: edward.gonzales@state.nm.us</p> <p>CA: Edward Gonzales DCA: Roberta J. A. Cohen Address: Corrections Department Probation & Parole Division P. O. Box 27116 Santa Fe, NM 87502-0116 Delivery Only: 4337 State Road 14 Santa Fe, NM 87502 Phone: (505) 827-8635 (505) 827-8693 Gonzales Fax: (505) 827-8679 Office Email: Interstate.compacts@state.nm.us Email: edward.gonzales@state.nm.us Email: roberta.cohen@state.nm.us</p>		<p>DCA: Address:</p> <p>Delivery Only:</p> <p>Phone: Office Email: Email:</p>	<p>James Otero, NM Parole Only New Mexico Dept of Corrections Probation & Parole P. O. Box 27116 4337 State Road 14) Santa Fe, NM 87502-0116 (505) 827-8785 interstate.compacts@state.nm.us james.otero@state.nm.us</p>
<p>New York</p> <p>Commissioner: Michael DePietro Address: NYS Board of Parole 97 Central Avenue Albany, NY 12206 Phone: (518) 473-9548 Fax: (518) 485-8950 Office Email: interstate@parole.state.ny.us Email: mdepietro@parole.state.ny.us</p> <p>CA: Robert Dennison</p> <p>Parole</p> <p>DCA: Michael DePietro Asst to DCA: Richard Bitel Address: NYS Division of Parole 845 Central Avenue -- East 2 Albany, NY 12206 Phone: (518) 457-7566 Fax: (518) 485-8950 Office Email: interstate@parole.state.ny.us Email: rdennison@parole.state.ny.us mdepietro@parole.state.ny.us rbitel@parole.state.ny.us</p>		<p>Probation</p> <p>DCA: Correspondence: Counsel: Address:</p> <p>Phone: Fax: Office Email: Email:</p>	<p>Robert M. Maccarone Sandra A. Layton Linda Valenti NYS Div of Probation & Correctional Alternatives 80 Wolf Road, Suite 501 Albany, NY 12205 (518) 485-2399 (518) 485-2394 Valenti (518) 485-7198 nyprobisc@dpca.state.ny.us layton@dpca.state.ny.us</p>

North Carolina

Commissioner: Robert Lee Guy
 Address: Department of Corrections
 Division of Community Corrections
 2020 Yonkers Rd, Mail Svc Center 4259
 Raleigh, NC 27699-4259
 Phone: (919) 716-3160
 Fax: (919) 716-3999
 Office Email: Interstate@doc.state.nc.us
 Email: gr108@doc.state.nc.us

CA: **Robert Lee Guy**
 DCA: **Anne Precythe**
 ISC Manager: **Mary Steven**
 Address: Department of Corrections
 Division of Community Corrections
 2020 Yonkers Road, Mail Svc Ctr 4250
 Raleigh, NC 27699-4250
 Phone: (919) 716-3160
 Fax: (919) 716-3999
 Office Email: interstate@doc.state.nc.us
 Email: gr108@doc.state.nc.us
 pal02@doc.state.nc.us
 smg03@doc.state.nc.us

North Dakota

Commissioner: Warren R. Emmer
 Address: Department of Corrections
 P. O. Box 5521
 (Overnight deliveries only:
 Field Services, 3100 Railroad Ave)
 Bismarck, ND 58506-5521
 Phone: (701) 328-6193
 Fax: (701) 328-6186
 Office Email: icompact@state.nd.us
 Email: wemmer@state.nd.us

CA: **Warren R. Emmer**
 DCA: **Charles Placek**
 Address: Department of Corrections
 P. O. Box 5521
 Bismarck, ND 58506-5521
 Delivery Only: Field Services, 3100 Railroad Ave
 Bismarck, ND 58506
 Phone: (701) 328-6198
 Fax: (701) 328-6186
 Office Email: icompact@state.nd.us
 Email: wemmer@state.nd.us
 cplacek@state.nd.us

<p>Ohio</p> <p>Commissioner: Harry Hageman Address: Department of Corrections 1050 Freeway Dr., North Columbus, OH 43230</p> <p>Phone: (614) 752-1235 Fax: (614) 752-1251 Office Email: ohio.compact@odrc.state.oh.us Email: harry.hageman@odrc.state.oh.us</p> <p>CA: Harry Hageman DCA: Katrina Ransom Coordinator: Renate Ast Coordinator: Ronell Jones Coordinator: Dionne Addison Coordinator: Tyrone J. Reynolds Address: Department of Corrections 1030 Alum Creek Dr. Columbus, OH 43209</p> <p>Phone: (614) 387-0809 Fax: (614) 752-0916 Office Email: ohio.compact@odrc.state.oh.us Email: harry.hageman@odrc.state.oh.us katrina.ransom@odrc.state.oh.us renate.ast@odrc.state.oh.us ronell.jones@odrc.state.oh.us dionne.addison@odrc.state.oh.us tyrone.reynolds@odrc.state.oh.us</p>			
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<p>Oklahoma</p> <p>Commissioner: Milton R. Gilliam Address: Department of Corrections 3700 North Classen Blvd., Suite 110 Oklahoma City, OK 73118</p> <p>Phone: (405) 525-4512 Fax: (405) 525-4524 Reporting Fax: (405) 525-4525 Office Email: okdoc.interstate@doc.state.ok.us Email: milt.gilliam@doc.state.ok.us</p> <p>CA: Milton R. Gilliam DCA: Frank Mesarick Address: Department of Corrections 3700 North Classen Blvd., Suite 110 Oklahoma City, OK 73118</p> <p>Phone: (405) 525-4510 Fax: (405) 525-4524 general (405) 525-4525 reporting instructions Office Email: okdoc.interstate@doc.state.ok.us Email: milt.gilliam@doc.state.ok.us frank.mesarick@doc.state.ok.us</p>			
---	--	--	--

Oregon

Commissioner:	Scott Taylor
Address:	Department of Corrections 2575 Center Street N. E. Salem, OR 97301
Phone:	(503) 945-8876
Fax:	(503) 378-3609
Office Email:	oregon.interstate@doc.state.or.us
Email:	scott.m.taylor@doc.state.or.us
CA:	Max Williams
DCA:	Denise Sittler
Coordinator:	Ruby McClorey
Coordinator:	Shawna Hamden
Address:	Department of Corrections 2575 Center Street NE Salem, OR 97301
Phone:	(503) 947-1036 (503) 945-9061 Sittler (503) 945-9259 (503) 645-6853 Hamden
Fax:	(503) 378-3609
Office Email:	oregon.interstate@doc.state.or.us
Email:	max.williams@doc.state.or.us denise.sittler@doc.state.or.us ruby.e.mcclorey@doc.state.or.us shawna.m.hamden@doc.state.or.us

Pennsylvania**Commissioner:**
Address:**Benjamin Martinez**
Board of Probation & Parole
1101 S. Front Street, Suite 5800
Harrisburg, PA 17104-2538

Phone: (717) 787-6697

Fax: (717) 772-2157

Office Email: ra-interstate@state.pa.us

Email: benmartine@state.pa.us

CA: **Benjamin Martinez****Parole**DCA: **Colleen Fickel**Int Parole Mgr: Amy C. Stanton
Int Parole Mgr: Raquel Coughlin
Address: Board of Probation & Parole
1101 S. Front Street, Suite 5800
Harrisburg, PA 17104-2538

Phone: (717) 787-6134

Fax: (717) 772-1662

Offenders A-F: Audrey Reiber

Offenders G-M: Darrell Malseed

Offenders N-Z: Victor Boers

Office Email: ra-interstate@state.pa.us

Email: benmartine@state.pa.us

cfickel@state.pa.us

astanton@state.pa.us

rcoughlin@state.pa.us

ProbationDCA: **Margaret Thompson**Int. Prob. Mgr: Kay Longenberger
Address: Board of Probation and Parole
1101 S. Front Street, Suite 5900
Harrisburg, PA 17104-2545

Phone: (717) 772-4377

Fax: (717) 214-7028

Offenders A-Doe: Christine Dilger

Offenders Dof-K: Susan Allar

Offenders L-Ric: Michelle Hair

Offenders Rid-Z: Kelly Bloch

Office Email: ra-interstateprobsvcs@state.pa.us

Email: mthompson@state.pa.us

klongenber@state.pa.us

cdilger@state.pa.us

mhair@state.pa.us

sallar@state.pa.us

kbloch@state.pa.us

Puerto Rico**Commissioner:**
Address:**Alexis Bird**
Administration of Corrections
P. O. Box 71308
San Juan, PR 00936-8404

Phone: (787) 224-0518

Fax: (787) 792-1788

Office Email: prcompact@ac.gobierno.pr

Email: abird@ac.gobierno.pr

CA: **Alexis Bird**DCA: **Carmen Ayala**Address: Administration of Corrections
P. O. Box 71308
San Juan, PR 00936-8404

Phone: (787) 273-6464 ext.2359

Fax: (787) 781-6275

Office Email: prcompact@ac.gobierno.pr

Email: cayala@ac.gobierno.pr

Rhode Island

Commissioner: Ashbel T. Wall, II
Address: 40 Howard Avenue
Cranston, RI 02920
Phone: (401) 462-2611
Fax: (401) 462-2630
Office Email: riinterstatecompact@doc.state.ri.us
Email: atwall@doc.ri.gov

CA: Ashbel T. Wall II
DCA: Kevin Dunphy
Address: Garrahy Judicial Complex
One Dorrance Plaza
Providence, RI 02903
Phone: (401) 458-3032
Fax: (401) 458-3010
Office Email: riinterstatecompact@doc.state.ri.us
Email: kevin.dunphy@doc.ri.gov
Email: atwall@doc.ri.gov

South Carolina

Commissioner: D. Ann Hyde
Address: Probation, Parole, & Pardon Services
P. O. Box 50666
2221 Devine Street
Columbia, SC 29250
Phone: (803) 734-9325
Fax: (803) 734-9369
Office Email: interstatecompact@ppp.state.sc.us
Email: ahyde@ppp.state.sc.us

CA: D. Ann Hyde
DCA: Victoria Jakes
Contact: Joan Ritch
Address: Probation, Parole, & Pardon Services
P. O. Box 50666
2221 Devine Street
Columbia, SC 29250
Phone: (803) 734-9325
Fax: (803) 734-9369
Office Email: interstatecompact@ppp.state.sc.us
Email: ahyde@ppp.state.sc.us
Email: vjakes@ppp.state.sc.us

South Dakota

Commissioner: Ed Ligtenberg
Address: Board of Pardons and Paroles
 P.O. Box 5911
 (Overnight deliveries only:
 1600 North Drive)
 Sioux Falls, SD 57117-5911
Phone: (605) 367-5040
Fax: (605) 367-5785
Office Email: sd-isc-parole@state.sd.us
Email: ed.ligtenberg@state.sd.us

CA: Ed Ligtenberg

Parole

DCA: David Geffre
Address: Board of Pardons and Paroles
 P.O. Box 5911
 Sioux Falls, SD 57117-5911
 Delivery Only: 1600 North Drive
 Sioux Falls, SD 57117
Phone: (605) 367-5040 or (605) 782-3153
Fax: (605) 367-5025
Office Email: sd-isc-parole@state.sd.us
Email: ed.ligtenberg@state.sd.us
 david.geffre@state.sd.us

Probation

DCA: Nancy Allard
Coordinator: Linda Ott
Address: Court Services Department
 500 East Capitol
 Pierre, SD 57501
Phone: (605) 773-4873
Fax: (605) 773-5627
Office Email: Sd.compact@ujs.state.sd.us
Email: nancy.allard@ujs.state.sd.us
 linda.ott@ujs.state.sd.us

Tennessee

Commissioner: Gary Tullock
Address: Board of Probation and Parole
 Parkway Towers, Suite 1410
 404 James Robertson Pkwy.
 Nashville, TN 37243-0850
Phone: (615) 532-8129
Fax: (615) 741-8513
Office Email:
Email: gary.tullock@state.tn.us

CA: Gary Tullock

Parole

DCA: Debbie Duke
Address: Board of Probation and Parole
 Parkway Towers, Suite 1410
 404 James Robertson Pkwy.
 Nashville, TN 37243-0850
Phone: (615) 741-2107
Fax: (615) 741-8513
Office Email: bd.tnicaos@state.tn.us
Email: deborah.duke@state.tn.us

Probation

DCA: Rene Green
Address: Board of Probation and Parole
 Parkway Towers, Suite 1410
 404 James Robertson Pkwy.
 Nashville, TN 37243-0850
Phone: (615) 741-2107
Fax: (615) 741-8513
Office Email: bd.tnicaos@state.tn.us
Email: rene.green@state.tn.us

Texas

Commissioner: **Kathie Winckler**
Address: Department of Criminal Justice
4616 W. Howard Lane, Suite 250
Austin, TX 78728
Phone: (281) 558-1451
Fax: (512) 671-2147 or (512) 671-2148
Office Email: texas.interstate@tdcj.state.tx.us
Email: kathie@winckler.us

CA: **Kathie Winckler**
DCA Parole: **Regina Grimes**
DCA Probation: **Vacant**
Director, DCA: **Ethel White**
Office Mgr, DCA: **Larry Hermance**
Address: Texas Interstate Compact Office
4616 W. Howard Lane, Suite 250
Austin, TX 78728
Phone: (512) 671-2100
Fax: (512) 671-2147 or (512) 671-2148
Fax: (512) 459-9439 - For Reporting
Instructions Only
Office Email: texas.interstate@tdcj.state.tx.us
Email: kathie@winckler.us
regina.grimes@tdcj.state.tx.us
ethel.white@tdcj.state.tx.us
larry.hermance@tdcj.state.tx.us

Utah

Commissioner: **Leo Lucey**
Address: Department of Corrections
14717 So. Minuteman Dr.
Draper, UT 84020
Phone: (801) 495-7702
Fax: (801) 495-7718
Office Email: cr-compact-office@utah.gov
Email: llucey@utah.gov

CA: **Leo Lucey**
DCA: **Barbara Longmore**
Address: Department of Corrections
14717 So. Minuteman Dr.
Draper, UT 84020
Phone: (801) 495-7702
Fax: (801) 495-7718
Office Email: cr-compact-office@utah.gov
Email: llucey@utah.gov
blongmore@utah.gov

Vermont

Commissioner: **Jacqueline Kotkin**
 Address: Department of Corrections
 103 S. Main Street
 Waterbury, VT 05671-1001
 Phone: (802) 241-2271
 Fax: (802) 241-2377
 Office Email: vico@doc.state.vt.us
 Email: jackiek@doc.state.vt.us

CA: **Jacqueline Kotkin**
 DCA: **Lisa Menard**
 Address: Department of Corrections
 103 S. Main Street
 Waterbury, VT 05671-1001
 Phone: (802) 241-2270
 Fax: (802) 241-2377
 Office Email: vico@doc.state.vt.us
 Email: jackiek@doc.state.vt.us
 lisam@doc.state.vt.us

Virgin Islands

Commissioner: **Arline Swan**
 Address: Superior Court Office of Prob & Parole
 St. Thomas & St. John
 P. O. Box 70
 St. Thomas, VI 00804
 Phone: (340) 774-6680
 Fax: (340) 777-8254
 Email: arswan@tcourt.gov.vi

St. Thomas & St. John

CA: **Arline Swan**
 Address: Superior Court Office of Prob. & Parole
 P. O. Box 70
 St. Thomas, VI 00804
 Phone: (340) 774-6680
 Fax: (340) 777-8254
 Office Email:
 Email: arswan@tcourt.gov.vi

St. Croix

DCA: **Charmaine Daley**
 Address: Superior Court Office of
 Probation & Parole, St. Croix
 P.O. Box 929 Kingshill
 Christiansted St. Croix, VI 00821
 Phone: (340) 778-9750
 Fax: (340) 778-4044
 Office Email:
 Email: chdaley@tcourt.gov.vi

Virginia

Commissioner: **James Camache**
Address: P. O. Box 26963
(Overnight deliveries only:
6900 Abmore Drive)
Richmond, VA 23261-6963
Phone: (804) 674-3065
Fax: (804) 674-3522
Reporting Fax: (804) 674-3070
Office Email: vaicu@vadoc.virginia.gov
Email: james.camache@vadoc.virginia.gov

CA: **James R. Camache**
DCA: **Walter M. Pulliam, Jr.**
Adult Comp Mgr: James Sisk
Address: P. O. Box 26963
Richmond, VA 23261-6963
Delivery Only: 6900 Abmore Drive
Richmond, VA 23225
Phone: (804) 674-3065
Fax: (804) 674-3522
(804) 674-3070 reporting Instructions
Office Email: vaicu@vadoc.virginia.gov
Email: james.camache@vadoc.virginia.gov
walter.pulliam@vadoc.virginia.gov
james.sisk@vadoc.virginia.gov

Washington

Commissioner: **Doreen Geiger**
Address: Department of Corrections
P. O. Box 41126
Olympia, WA 98504-1126
Delivery Only: 7345 Linderson Way SW
Olympia, WA 98501
Phone: (360) 725-8735
Fax: (360) 586-2192
Office Email: wastatecompact@doc1.wa.gov
Email: dmgeiger@doc1.wa.gov

CA: **Doreen Geiger**
DCA: **Kathleen Arnold**
Correspondence: Kimberly Pearson
Address: Department of Corrections
P. O. Box 41126
Olympia, WA 98504-1126
Delivery Only: 7345 Linderson Way SW
Olympia, WA 98501
Phone: (360) 725-8735
(360) 725-8734 Arnold
(360) 725-8735 Pearson
Fax: (360) 586-2192
Office Email: wastatecompact@doc1.wa.gov
Email: dmgeiger@doc1.wa.gov
kamold@doc1.wa.gov
kspearson@doc1.wa.gov

West Virginia**Commissioner:****Henry Lowery****Address:**Department of Corrections
112 California Ave., Bldg. 4,
Room 300
Charleston, WV 25305-0280**Phone:**

(304) 558-2036

Fax:

(304) 558-5934

Office Email:

wwintcmp@mail.wvnet.edu

Email:

hlowery1@mail.wvnet.edu

CA:**Henry Lowery****DCA:****Vacant****Contact:**

Judith Ann Leydon

Address:Department of Corrections
112 California Ave., Bldg. 4, Room 300
Charleston, WV 25305-0280**Phone:**

(304) 558-2036

Fax:

(304) 558-5934

Office Email:

wwintcmp@mail.wvnet.edu

Email:hlowery1@mail.wvnet.edu
jleydon@mail.wvnet.edu**Wisconsin****Commissioner:****William Rankin****Address:**Department of Corrections
3099 East Washington Avenue
P. O. Box 7925
Madison, WI 53707-7925**Phone:**

(608) 240-5308 or (608) 240-5311

Fax:

(608) 240-3330

Office Email:

dodccic@doc.state.wi.us

Email:

william.rankin@doc.state.wi.us

CA:**William Rankin****DCA:****Mary Haberman****Address:**Department of Corrections
3099 East Washington Avenue
P. O. Box 7925
Madison, WI 53707-7925**Phone:**

(608) 240-5308 or (608) 240-5311

Fax:

(608) 240-3331

Office Email:

dodccic@doc.state.wi.us

Email:william.rankin@doc.state.wi.us
mary.haberman@doc.state.wi.us

Wyoming

Commissioner: Les Pozsgi
Address: Department of Corrections
700 West 21st Street
Cheyenne, WY 82002
Phone: (307) 777-5757
Fax: (307) 777-7479
Office Email: wycompact@wdoc.state.wy.us
Email: lpozsg@wdoc.state.wy.us

CA: Les Pozsgi
DCA: Shane Sconce
IC Supervisor: Terri Kirchner
Address: Department of Corrections
700 West 21st Street
Cheyenne, WY 82002
Phone: (307) 777-7208
Fax: (307) 777-7479
Office Email: wycompact@wdoc.state.wy.us
Email: lpozsg@wdoc.state.wy.us
ssconce@wdoc.state.wy.us
tkirch@wdoc.state.wy.us

Please send all corrections to: mspring@interstatecompact.org

National Office Staff

Assistant Director 859-244-8227

Ashley Hassan serves the Commission as its Assistant Director. She supervises the day to day matters of the National Office working closely with the staff. She assists the Executive Director in financial management, policies for the National Office, Commission appointments, dues collection as well as filling in for Executive Director in his absence.

Logistics & Administrative Coordinator 859-244-8235

Kelli Price is responsible for all meetings held by the Commission. She secures the logistical aspect for meetings which includes negotiating hotel contracts, catering needs, travel arrangements and material assembly. Kelli distributes meeting announcements, travel policies and pertinent information relating to meetings.

Executive Assistant 859-244-8178

Whitney Hall primarily provides administrative support to the Executive Director for his correspondence, travel arrangements and report preparation; however, Whitney often wears two hats by assisting both Don and the National Office. Coordinates state training sessions and is responsible for Commission publication distribution. Whitney also takes the minutes at committee meetings and Commission meetings, ensuring their accuracy.

MIS Project Manager 859-244-8007

Kevin Terry manages the Commission website including design, general content, forms and documents, maintenance and monitoring website traffic and effectiveness. Kevin also updates and maintains the Commission's Directory for every state and territory.

MIS Project Manager 859-244-8122

Xavier Donnelly develops and administrates on-demand trainings, small web applications, provides hardware and software support for business solutions for the Commission. Xavier also assists with NACIS testing, support and training.

MIS Project Manager 859-244-8148

Mindy Spring administrates and coordinates all online trainings while ensuring all training materials and website content are up-to-date. Mindy creates online training materials, manuals, presentations, online surveys and reports. Mindy also assists with NACIS testing, training and support.

MIS Project Manager 859-244-8161

Sam Razor is responsible for data collection and NACIS bugs, special projects and reports. Sam also assists with NACIS testing, support and training.

Don Blackburn
Executive Director
859.244.8008
dblackburn@interstatecompact.org

Ashtley Hudson
Administrative Assistant
859.244.8127
ahudson@interstatecompact.org

Whitney Hall
Executive Assistant
859.244.8170
whall@interstatecompact.org

MIS Department

Kelli Price
Logistics Coordinator
859.244.8231
kprice@interstatecompact.org

Xavier Donnelly
MIS Project Manager
859.244.8128
xdonnelly@interstatecompact.org

Mindy Spring
MIS Project Manager
859.244.8148
mspring@interstatecompact.org

Kevin Terry
MIS Project Manager
859.244.8007
kterry@interstatecompact.org

Sam Razor
MIS Project Manager
859.244.8161
srazor@interstatecompact.org

2760 Research Park Drive
P.O. Box 11910
Lexington KY 40578
ICAOS@interstatecompact.org
Phone (859) 244-8008
Fax (859) 244-8001

