PAROLE AND PROBATION COMPACT ADMINISTRATORS' ASSOCIATION

MINUTES OF THE SIXTEENTH ANNUAL MEETING

Deshler-Hilton Hotel
Columbus, Ohio

September 23, 1961

THE COUNCIL OF STATE GOVERNMENTS
36 West 44th Street
New York 36, New York
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REGISTRATION LIST

* Denotes Compact Administrator

ALABAMA:  Sam Eislinger, Board of Pardons and Paroles
           * L. B. Stephens, Executive Director, Board of Pardons & Paroles

ARKANSAS:  * W. P. Ball, Director, Board of Pardons, Paroles & Probation

CALIFORNIA:  John Brewer, Adult Authority
             Sidnéy Diamond, Supervisor, Out of State Unit, Youth Authority
             * Fred Finsley, Chairman, Adult Authority
             Walter T. Stone, Chief, Adult Parole Division
             Roy C. Votuww, Deputy Compact Administrator

COLORADO:  * Edward W. Grout, Executive Director, Department of Parole

FLORIDA:  * Francis R. Bridges, Jr., Florida Parole Board

IDAHO:  Mark M. Maxwell, Vice Chairman, State Board of Correction,

ILLINOIS:  Russell L. Higgins, Deputy Administrator
           William D. Hayering, Chief of Probation
           * George J. Stamper, Parole Supervisor, Div. of Supervision of Parolee

INDIANA:  George F. Denton, Department of Correction
           E. M. Tomlinson, Division of Parole

IOWA:  * R. W. Bobzin, Secretary, Iowa Board of Parole

KANSAS:  * Don E. Winterburg, Board of Probation and Parole

KENTUCKY:  Mrs. Libby M. Gardner, Deputy Administrator
            * James M. Wells, Director, Probation and Parole

LOUISIANA:  Otis C. Edwards, Jr., Department of Public Welfare
            Curvey P. Landry, Director of Probation and Parole, Dept. of Public Welfare

MAINE:  * John J. Shea, Director, Probation and Parole, Dept. of Mental Health and Corrections

MASSACHUSETTS:  Albert B. Carter, State Commissioner of Probation
                 * Martin P. Davis, Director of Parole Service

MINNESOTA:  * Howard J. Costello, Deputy Commissioner, Div. of Adult Correction
            T. F. Telander, Director of Field Services, Dept. of Correction

MISSISSIPPI:  * Thomas B. Shelton, Probation and Parole Board

MISSOURI:  J. Raymond Bills, Secretary, Board of Probation and Parole
           * George N. Elder, Chairman, Board of Probation and Parole
           Ben B. Stewart, Member, Board of Probation and Parole
(Registration List - continued)

NEW JERSEY: F. Lovell Bixby, Consultant on Probation, Administrative Office of the Courts
           Nantone E. Morris, Chief, Bureau of Parole, Dept. of Institutions and Agencies

NEW YORK: Harold V. Canavan, Division of Parole
          L. Stanley Clevegner, Deputy Administrator for Parole
          * Russell G. Oswald, Chairman, State Board of Parole

NORTH CAROLINA: * Johnson Matthews, Chairman, Parole Board

OHIO: Joseph Donehgy, Member, Ohio Probation and Parole Commission
      * Rowland R. Lutz, Chief, Bureau of Probation and Parole
      R. N. McMichaels, Bureau of Probation and Parole
      John W. Shoemaker, Deputy Administrator, Bureau of Probation and Parole
      Aubrey A. Wendt, Assistant Attorney General

OREGON: * H. M. Randall, Director of Parole and Probation
        Jack Wiseman, Deputy Director, Parole and Probation

PENNSYLVANIA: Harris G. Breth, Member, House of Representatives
               * Paul J. Gernert, Chairman, Board of Parole

RHODE ISLAND: Jacob Goldenberg, Executive Secretary, Parole Board

SOUTH CAROLINA: * J. C. Todd, Director, Probation, Pardon and Parole Board

TENNESSEE: Charles W. Crow, Member, Board of Pardons and Paroles
           * Herman L. Yeatman, Director, Division of Probation and Paroles

UTAH: * W. Keith Wilson, Chief Agent, Dept. of Adult Probation & Parole

VERMONT: * Rudolph H. Morse, Director, Probation & Parole
         Russell G. Sholes, Member, Board of Institutions
         Robert G. Smith, Warden, Vermont State Prison

VIRGINIA: * Charles P. Chew, Director of Parole
           P. C. Shields

WASHINGTON: * Harris G. Hunter, Board of Prison Terms and Paroles

WEST VIRGINIA: * J. Alexander Creasey, Board of Probation and Parole

WISCONSIN: Joe Kaufman, Division of Correction,

PUERTO RICO: * Ramon Perez-de-Jesus, Chairman, Parole Board

VIRGIN ISLANDS: * Louis Hoffman, Chairman, Parole Board

FEDERAL ADVISORY MEMBERS:
Richard A. Chappell, Chairman, U. S. Board of Parole, Dept. of Justice
Reed Cozart, U.S. Pardon Attorney, Dept. of Justice
(Registration List - continued)

OTHERS:
Senford Bates, American Bar Association Liaison Committee on the Model Penal Code
Earle W. Gilkey, U. S. Board of Parole, Washington, D. C.
Robert R. Hannum, The Osborne Association, New York City
George C. Love, Assistant to Dir. of Public Relations, Atlantic Refining Co., and a
   Director of Crime Commission of Philadelphia
Milton H. Rector, Director, National Council on Crime and Delinquency, New York City

COUNCIL OF STATE GOVERNMENTS
William L. Frederick, Eastern Regional Director
   Jane Parks, Assistant
   Mitchell Wendell, Consultant
The Sixteenth Annual Meeting of the Parole and Probation Compact Administrators' Association was held at the Deshler Hilton Hotel, Columbus, Ohio, on September 23, 1961. About 70 persons attended the meeting, including delegates from 34 signatory jurisdictions. Paul J. Gernert, President of the Association, presided. The speaker at the annual luncheon was George C. Lowe, Assistant to the Director of Public Relations, Atlantic Refining Company and a director of the Crime Commission of Philadelphia. He discussed the duties of parole and probation officers as public officials, citizens and conference delegates. During the luncheon certificates were presented to the past presidents of the Association.

The Conference's Opening Business Session was called to order at 10:00 A.M. by Mr. Gernert. Rowland Lutz, Ohio's Compact Administrator, welcomed the group on behalf of his state.

Mr. Gernert presented the Annual Report of the President. He stressed the importance of cooperation between member states and emphasized the fact that parole and probation officials must make special efforts to secure legislative understanding of parole and probation programs. He warned the group that, without these special efforts, the need for expansion of parole and probation might be overlooked because of the tremendous pressure upon state finances caused by the demand for welfare services and other programs.

At the conclusion of his address, Mr. Gernert noted the deaths of Deputy Compact Administrator G. I. Giardini of Pennsylvania and Compact Administrator Wallace Reidt of Maryland. The group stood in silent memorial.

The Association unanimously voted to dispense with the reading of the minutes of the last Annual Meeting.

Compact Administrator Martin P. Davis of Massachusetts gave the Annual Report of the Treasurer. William L. Frederick, Eastern Regional Director of The Council of State Governments, read the Annual Report of the Secretariat. These reports are attached; See Appendices A and B.

Mr. Gernert appointed the following committees: NOMINATING COMMITTEE: L.B. Stephens, Alabama, Chairman; W. P. Ball, Arkansas; Charles P. Chew, Virginia; George N. Elder, Missouri; H. M. Randall, Oregon. RESOLUTIONS COMMITTEE: Fred Finsley, California, Chairman; George Denton, Indiana; Russell G. Oswald, New York; John J. Shea, Maine; J. C. Todd, South Carolina. AUDITING: Rowland R. Lutz, Ohio, Chairman; Don E. Winterburg, Kansas; T. F. Telander, Minnesota.

DIGEST OF INTERPRETATIONS

Copies of a revised draft of Chapter 2 of the Parole and Probation Compact Manual were distributed to the delegates. The draft was referred to the Association's Council for review.

ARIZONA AND OKLAHOMA PROBATIONERS

The group discussed the action of Maricopa County, Arizona in refusing to accept any more interstate probationers for supervision. It was noted that several complaints about this situation had been sent to the Arizona Compact Administrator, but no action had been taken to remedy the situation. Attention was called to the fact that a state has ultimate responsibility for the fulfillment of compact
obligations. There appeared to be a consensus that the Arizona Compact Administrator had a duty to supervise the probationers himself if he could not persuade the Maricopa County officials to supervise them. It was also pointed out that the compact, as state law, binds all jurisdictions within the state. A county cannot refuse to participate in or withdraw from the compact. Withdrawal can only occur at the state level, and must be done in accordance with Article 7. Mr. Frederick said that the difficulty appeared to be that Maricopa County had been unable to secure funds for compact cases from the Compact Administrator or the legislature. He said that The Council of State Governments had informed the Governor of Arizona about the matter. The group agreed by motion that the Resolutions Committee should be directed to prepare a resolution to support the Governor in his efforts to remedy the situation. At the conclusion of the meeting such a resolution was brought to the floor. See Resolution 10, Page 3. There was some discussion of directing the resolution to Mr. Hofmann alone, but it was agreed that since he had ample notice of the difficulty in Maricopa County and had not taken any steps to remedy it despite protests from several states, the Association should seek to have the problem resolved on a higher level.

It was reported that the Oklahoma Compact Administrators office had announced that it would not supervise probationers. A motion was adopted that a resolution similar to the one directed to Arizona should be sent to Oklahoma. A question was raised, however, as to the exact meaning of the Oklahoma announcement and the motion was retracted unanimously. It was agreed that the Secretariat should write to the Oklahoma Administrator to determine whether the announcement actually meant that there would be no supervision of probationers by either the state or the county.

RETAKING CASES

Mr. Finsley of California called attention to the usefulness of Attorney General opinions about returns under the compact. Where there is no court decision interpreting the compact with regard to such matters as waiver of extradition, bail and arrest, the Attorney General’s statement of the law can be cited to officials who question compact procedures. There was a consensus that it might be well for all Administrators to secure opinions from their Attorneys General establishing the validity of the waiver of extradition and settling other issues which might arise during the return of a case. Mr. Gernert suggested that the Association might eventually want to consider publishing the opinions in booklet form for use by extradition officers. Attention was called to the fact that the Secretariat should be informed of adverse decisions about the validity of the waiver. Unfavorable lower court decisions should be appealed. No court of last resort has upheld rulings against the compact, and when the case is at the appellate level, the assistance of the National Association of Attorneys General can probably be secured. The Attorneys General have participated in compact cases in the past as amicus curiae.

PAROLE HEARINGS

Mr. Frederick reported on a May 26, 1961 decision of the Supreme Court of Puerto Rico regarding requirements for parole revocation hearings. The opinion holds that parolees are entitled to have adequate notice of the hearing and the opportunity to present witnesses and proof, to be present at all hearings about the charges against them, to question adverse witnesses and to be represented by counsel. He pointed out that the court appeared to view parole as a right rather than a privilege and he suggested that this principle, if carried too far, might
cause some difficulties under the compact. For instance, a strict view of the right to question adverse witnesses might entail the taking of depositions of receiving state supervisory officials, or, in some cases, their appearance in the sending state.

The Administrators from Florida, Michigan and Washington reported that their state's parolees are entitled to counsel at revocation hearings. The right is not asserted often, however. In Michigan there are only 4 or 5 cases a year and Florida has only had about 6 in twenty years. With regard to the nature of the hearing, Mr. Hunter said that Washington's procedure is administrative rather than judicial. The Board makes the regulations and can refuse to hear certain witnesses. There is no appeal from the Board's decision and the parolee pays for his own counsel.

There was a general discussion of the fact that there appears to be a growing tendency to view parole as a right. In addition to statutes and court decisions based on the philosophy, the original draft of the American Law Institute's Model Penal Code contained a number of provisions which were removed only after vigorous opposition by officials and organizations in the correctional field.

One provision in the present draft regarding eligibility for parole is of concern although it does represent compromise language. The original provision specified certain conditions under which prisoners must be granted parole. The compromise language says that "it shall be the policy" of the board to release on fulfillment of these conditions. There is some uncertainty whether the language will encourage litigation, and whether the courts will construe the phrase "it shall be the policy" in a manner permitting the flexibility needed in the making of a decision to parole.

Mr. Finsley of California suggested that parole officials should encourage the policy of providing parolees with notice and hearing on the revocation. In a few states no hearing is required under the law. By providing the elements of due process, officials may prevent pressure on the legislature to enact measures reflecting extreme views regarding the rights of parolees. The consensus appeared to be that the real danger of the view of parole as a right lay not in the fact that there might be certain requirements in connection with hearings, but in the tendency of the legal profession to forget that the prisoner's right must be weighed against the rights of society. The public has a right to the protection of a parole system in which the release date is based on readiness for parole rather than technical conformity with certain conditions.

Dr. Wendell suggested that the Association should watch this situation very closely with regard to interstate supervision. If the sending state takes an extreme view of the parolee's rights, the receiving state may have to provide equivalents. This could make interstate supervision impractical, although some problems might be taken care of by amendments to the compact. For instance, in the Out-of-State Incarceration Amendment, provision is made for receiving state officials to sit as agents of the sending state at revocation hearings.

The following motion was adopted unanimously:

"That the Association should take no action at the present time, but keep the growing tendency to view parole as a right under consideration and on the annual meeting agenda, if warranted."
PRESENTENCE REPORTS

Dr. F. Lovell Bixby of New Jersey distributed a compilation of state policies regarding availability of presentence reports to prisoners and counsel. There was a brief discussion of problems which might be caused by such reports. With regard to testimony in contradiction of the reports, Mr. Brewer of California said that his experience had been that courts listen to such testimony, but it does not cause any serious problem. A question was raised regarding the wisdom of allowing prisoners to see psychiatric reports. There appeared to be general agreement that such a practice would lessen the value of the report and also, in some instances, harm the prisoner. This problem is avoided in California since the prisoner may only see the pre-sentence report itself, not the material in the probation officer's file. It was noted that the source of information in pre-sentence reports should be confidential.

MODEL PENAL CODE

Mr. Sanford Bates of New Jersey reported that a new tentative draft of the Model Penal Code had been published, and could be secured from the American Law Institute, 133 S. 36th Street, Philadelphia, Pennsylvania. The draft is intended to be a final one, but there still may be some changes since the American Law Institute has not given it final approval. The Model Penal Code is proposal number one in the Restatement of the Penal Law which the American Law Institute is now drafting.

Mr. Bates said that the new draft of the code appeared to meet most of the objections the old draft had raised and he recommended that it be adopted by the states. Mr. Bates said that the Professor Wechsler, reporter for the project, had asked him to find out if the Association thought parole boards should be within departments of corrections or should be separate agencies. The present section in the code on this point is bracketed. The consensus was that neither system could be said to be better than the other. The appropriateness of the location of the parole board in the structure of the state government depends on many things, such as the size of the state, its budget, personnel, and the rest of the organizational pattern. It is possible that some states might find that neither of the alternatives mentioned in the Code would fit their needs. The following motion was adopted by a vote of twelve to six:

"that Mr. Wechsler be advised that it is the consensus of the group that the provision regarding location of the parole board should be bracketed, and consideration should be given to adding to the bracketed material phraseology indicating that alternatives other than those mentioned might be considered provided they comply with principles of independent action of parole boards."

REPORT OF THE NATIONAL COUNCIL ON CRIME AND DELINQUENCY

Mr. Milton G. Rector, Director of the National Council on Crime and Delinquency reported on the activities of his organization.

The Council has available a first draft of "Standards for the Selection of Parole." It is working on a draft of a model correctional act and a definition of dangerous offenders. A model narcotics act also may be drafted. A National Research and Information Clearinghouse has been established. Bibliographical material is being compiled on an international basis, and arrangements have been made with the organization which prepares Medica Excerpta for the preparation of
abstracts of major articles in the field of criminology. The abstracts will be available on a subscription basis. In connection with its research program, the Council expects to have an advisory group to determine the areas in which research is needed. Most of the research projects will be put in the hands of existing research groups such as university research centers. A series of seminars on juvenile delinquency will be financed with Ford Foundation funds. A special project to encourage public interest in parole and probation services is in the formative stage and plans are underway for the development of institutes to aid new parole board members. The citizen action program is progressing well and there are now full time staff members in a number of states.

STATISTICS

The following motion was adopted: "that the Association's Executive Committee coordinate the Association's statistical program regarding the interstate movement of parolees and probationers with the work of the American Correctional Association's Committee on Statistics and the National Council on Crime and Delinquency."

MERGER OF SENTENCE

Dr. Wendell gave a brief report on the status of the intrastate merger of sentence act which he has been drafting for the Association. He said that he had reviewed related provisions of the new draft of the Model Penal Code to see if they accomplished the Association's aims (consolidation of sentences into a single sentence to be served in one institution, with enough flexibility in the consolidation procedure to permit the merged sentence to be tailored to the individual's rehabilitative needs). Dr. Wendell said that the Model Penal Code provisions relating to multiple offenses were not merger provisions.

Dr. Wendell pointed out that there appeared to be differences of opinion as to what result merger should bring in the sentence. The National Council on Crime and Delinquency has a draft which differs from the Association's draft and even within the Association there appears to be some difference of opinion on important matters such as the question of permitting aggregation of minimums. He suggested that the Association might wish to leave its proposal in its present state as a tentative draft and await developments on the part of other organizations. The following motion was adopted unanimously:

"That the Executive Committee and Dr. Wendell continue their interest in merger of sentence, informing the Association if other groups wish to support the proposal or would like the Association's support.

RELEASE OF FEDERAL PRISONERS

The California delegation reported that there had been several cases in which the Warden at Leavenworth had refused to turn prisoners over to state officials instead of the local sheriff. Such refusal appears to be in conflict with the agreement reached at conferences between the Association's representatives and the Federal Bureau of Prisons in 1959. As a result of those conferences, Mr. James Bennett, Director of the Federal Bureau of Prisons, stated that federal policy regarding release would be as follows: Compact cases may be released to officers of the state which granted probation or parole, provided no detainer has been placed by the state in which the institution lies and no extradition pro-
ceeding is pending; non-compact cases may be released to state officials of the state in which the institution lies.

It was agreed that the Secretariat, Mr. Chappell and Mr. Cozart and others should consult with Mr. Bennett about the situation.

In connection with this discussion, attention was called to the importance of giving federal wardens advance notice when state officials are coming to pick up a prisoner. It also was noted that the Federal Bureau of Prisons could, in some cases, transfer individuals to prisons near the retaking state, but the request for such transfer should be sent sixty days in advance of release.

JOIN'TER WITH PUERTO RICO AND THE VIRGIN ISLANDS

Mr. Frederick read a list of states which have not yet signed the Compact with Puerto Rico and the Virgin Islands. The following states need legislation before they can sign: Alabama, Indiana, Iowa, Maryland, Mississippi, North Dakota, Washington. Illinois needs legislation to sign with Puerto Rico. It is eligible to sign with the Virgin Islands, but has not done so. The following states are eligible to sign with both jurisdictions, but have not done so: Kansas and Virginia. No information has been sent to the Secretariat regarding Texas.

JUVENILE COMPACT

Mr. Frederick said that 33 states had signed the Interstate Compact on Juveniles. He urged the delegates to do what they could to encourage non-member states to join. Juvenile Compact Rosters, with directions for correspondence to member and non-member states are being sent to all administrators for inclusion in their Parole and Probation Compact Manuals.

FINAL BUSINESS SESSION

Representative Harris G. Breth of Pennsylvania made a brief speech, calling attention to the importance of keeping the legislature informed about the views of parole and probation officials regarding such matters as the danger inherent in the current trend toward viewing parole as a right.

The Association voted to express a preference to the Executive Committee for holding the next annual meeting in conjunction with the meeting of the American Correctional Association in Philadelphia, September 16-21, 1962.

The Auditing Committee reported that the Treasurer's books were in order, and the Treasurer's Report, which is attached as Appendix A, was accepted by unanimous vote.

The Report of the Resolutions Committee was adopted unanimously. This report is attached. See Appendix C. (Discussion of Resolution X, regarding Maricopa County, Arizona, is summarized at page 1 of these minutes.)
The report of the Nominating Committee was presented and the following officers were elected unanimously:

President: Francis R. Bridges, Jr., Florida
Vice President: Fred Finsley, California
Treasurer: Martin P. Davis, Massachusetts
Secretariat: The Council of State Governments

Executive Committee

Paul Gernert, Pennsylvania, Chairman
Edward W. Grout, Colorado
H. M. Randall, Oregon
Roland Lutz, Ohio
George Denton, Indiana
R. W. Bobzin, Iowa

Council

W. P. Ball, Arkansas, Chairman
T. F. Telsander, Minnesota
Harris G. Hunter, Washington
Charles F. Chew, Virginia

Mr. Gernert turned the gavel over to Mr. Bridges. On behalf of the Association, Mr. Bridges presented Mr. Gernert with a certificate honoring him for his service as President.

The meeting adjourned at 5:00 P.M.
TREASURER'S REPORT
PAROLE & PROBATION COMPACT ADMINISTRATORS ASSOCIATION
1961 ANNUAL MEETING

CHECKING ACCOUNT

CASH RECEIPTS
11-16-60 Francis R. Bridges (Former Treasurer) 1357.64 Letter Service (Mimeographing) 324.56

DISBURSEMENTS
Council of State Governments (Ex. Com. Breakfast) 24.63
Annual Luncheon 292.30
Paul J. Gernert (Floral Basket-Giardini Funeral) 10.40
Bank Checking Service (First. Nat'l. Bank of Boston) 1.60
Clerical Services 10.00
Total Disbursements 663.99
Balance First Nat'l. Bank, Boston 693.65
TOTAL ACCOUNTABILITY 1357.64

SAVINGS ACCOUNT

CASH RECEIPTS
11-23-60 Francis R. Bridges (Former Treasurer) 1586.36

DISBURSEMENTS None

Interest to January, 1961 4.96
Interest to July, 1961 30.93
Collection of Membership Dues, 1961-62 * 1210.00

TOTAL ACCOUNTABILITY 2332.30

Bal. on hand 2332.30
Warren Inst. for Savings

MARTIN P. DAVIS
Treasurer

* 1960-61 Membership dues unpaid by Colorado, Hawaii, Puerto Rico, Virgin Islands, Wisconsin. Associate Membership Fee of $5.00 unpaid by New York. The following states paid Associate Membership fees in addition to their regular dues: California, $10.00; Louisiana, $5.00; Massachusetts, $5.00; New Jersey, $5.00; North Carolina, $5.00; Pennsylvania, $5.00.
Secretariat's Report

The following is a report on our activities and the status of the Association's projects.

California, New Hampshire, Puerto Rico and Oklahoma have signed the compact with the Virgin Islands. Hawaii has just adopted legislation authorizing joinder with both Puerto Rico and the Virgin Islands, and the transmittal of Hawaii documents is underway.

With regard to other interstate agreements in which you have an interest, Arizona, Idaho, Illinois, Iowa and South Dakota ratified the Interstate Compact on Juveniles this year, and Michigan adopted the Agreement on Detainers.

Ohio enacted legislation permitting deputation of out-of-state agents under the Joint Return Program. Incidentally, some states have the necessary legislation but have not signed the Contract Concerning Cooperative Return of Violators. We expect to follow up on this later in the year, but if any of you want to sign the Contract now, let us know and we will send the necessary documents.

Several legal opinions on the Compact have come to our attention since the last annual meeting. In Ex Parte Margaret Ann Smith, the Texas Criminal Court of Appeals ruled that the text of the Compact signed by the Governor must conform to the substance of the text set out in the enabling legislation, but need not conform to the exact wording of the statute. The court also held that the use of the phrase "substantially similar" was not an unconstitutional delegation of legislative power. Excerpts from the opinion were distributed with Newsletter 61.

We also distributed with Newsletter 61 the text of an opinion of the Attorney General of Texas. The opinion covers the following points: A person who is being supervised under the Compact by Texas may be retaken without extradition and without signing a waiver of extradition in Texas. When a person under compact supervision in another state absconds to Texas, he may be retaken without extradition. A person under Compact supervision in Texas may not be admitted to bail when his parole or probation has been revoked and the sending state is in the process of returning him. When authorized and directed by the sending state, the Texas Compact Administrator may order that a parolee or probationer who is being supervised under the Compact be held in custody until a revocation warrant can be obtained from the sending state.

During the year we also distributed an Opinion of the Attorney General of Pennsylvania which holds that the sending of county parolees and probationers to other states without arrangements for Compact supervision has the effect of outright release.

A recent opinion of the Attorney General of Florida, which will be distributed with our next Compact Newsletter holds that Florida may arrest Compact supervisees on the basis of a sending state's warrant; that the sending state need not revoke parole in order to retake a case; that the issuance of a fugitive warrant under the Uniform Extradition Act is unnecessary for Compact cases; and that parolees detained pending return to the sending state should not be admitted to bail. The opinion is also interesting because it surveys a number of Compact cases which indicate that the receiving state may detain interstate supervisees without a warrant from the sending state.

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A bill to extend the Crime Control Consent in Advance Act to Guam was introduced in Congress this year and has passed the House. The purpose of the introduction was to make Guam eligible for membership in the Western Corrections Compact, but the Consent Act, as you know, is a general consent in advance to crime compacts so it would also authorize Guam to join the Parole and Probation Compact.

At the last annual meeting you asked Dr. Wendell to see if any of the provisions of the Model Penal Code could be used for the merger of sentence proposal he has been drafting. Dr. Wendell will report on this matter later in the day.

With regard to the status of the Model Penal Code, the final draft is in print and will be considered at the American Law Institute's next annual meeting. We have asked Sanford Bates to report on this matter at this meeting.

The National Council on Crime and Delinquency's brochure on the Compact is in the final drafting stage and should be available soon. The printing date was postponed several times during the year. We are aware that you wanted us to prepare a brochure at Association expense if the NCCD brochure was not to be ready within a reasonable time. However, we first expected it to be available in the Spring, and then during the Summer. It did not seem advisable to spend the Association's funds for a separate pamphlet merely for the advantage of distributing it a few months earlier.

Last year you directed us to revise Chapters 1 and 2 of the Parole and Probation Compact Manual. We sent you some revised State Pages for Chapter 1 several weeks ago and, as soon as all the states send us their revisions we will mail the final group of pages.

Chapter 2 has been revised and copies are included in your agenda. Since you have not had an opportunity to review this revision and there will not be time today, you may wish to adopt a motion requesting the Association's Council to review the draft before we give it general distribution.

At the last annual meeting you asked that the Secretariat and Executive Committee work with the Public Health Service on the problem of parolees who enter federal narcotics hospitals without the consent of state parole authorities. The pressure of time made it impossible to arrange such a meeting until recently, and it seemed inadvisable to attempt to call the Executive Committee together on very short notice. We hope to arrange a meeting with the federal people in the very near future.

As we informed you in our letter of September 30, 1960 the National Parole Board of Canada is anxious that there be mutual assistance regarding parolees going to Canada or coming to the United States to live. Mr. T. George Street, Chairman of the National Parole Board is the person to write to regarding supervision. It is desirable to let him know whenever an individual is released from one of your institutions and permitted to return to Canada.

Most states have sent us their statistics regarding the interstate movement of parolees and probationers. We hope that those who have not turned in their figures will do so soon.
RESOLUTIONS

I. WHEREAS, the State of Ohio, through its hospitality committee, has done such an outstanding job in making the members of this Association welcome to their state; and

WHEREAS, the committee made possible for the membership the rare privilege of listening to an outstanding address by George C. Lowe, Assistant Director of Public Relations, Atlantic Refining Company,

THEREFORE, BE IT RESOLVED, that this Association express to the members of this committee its sincere appreciation for a job well done; and

BE IT FURTHER RESOLVED, that the Secretariat be instructed to write a letter of appreciation to George C. Love for his inspiring address.

II. WHEREAS, the management and employees of the Deshler Hilton Hotel at Columbus, Ohio have provided such excellent accommodations for our meeting and have been so helpful in many other ways,

THEREFORE, BE IT RESOLVED, that this Association express its sincere appreciation of the Deshler Hilton Hotel.

III. WHEREAS, Wallace Reidt, Administrator of Parole and Probation for the State of Maryland, passed away on September 15, 1961; and

WHEREAS, the said Wallace Reidt had served many years in the correctional field and was a valued member of this Association while serving as Compact Administrator for the State of Maryland; and

WHEREAS, the said Wallace Reidt was dearly beloved, honored and respected by all of us,

THEREFORE, BE IT RESOLVED, that this meeting of the said Administrators express its deep sense of grief and loss in his passing by a minute of silent prayer; and

BE IT FURTHER RESOLVED, that the Secretariat be instructed to forward a copy of this resolve to members of his bereaved family.

IV. WHEREAS, G. I. Giardini, Deputy Compact Administrator and Supervisor of Paroles for the State of Pennsylvania, passed away December 21, 1960; and

WHEREAS, the said G. I. Giardini had served many years in the correctional field and was a valued member of this Association while serving as Deputy Compact Administrator for the State of Pennsylvania; and

WHEREAS, the said G.I. Giardini was dearly beloved, honored and respected by all of us,

THEREFORE, BE IT RESOLVED, that this meeting of the said Administrators express its deep sense of grief and loss in his passing by a minute of silent prayer; and

BE IT FURTHER RESOLVED, that the Secretariat be instructed to forward a copy of this resolve to the members of his bereaved family.
Appendix C.

V. WHEREAS, Herman Fails, former Director of Parole and Probation and Compact Administrator for the State of Idaho, and a former President of this Association, has recently retired; and

WHEREAS, the said Herman Fails has served many years in the correctional field and was a valued member of this Association and is beloved, honored and respected by all of us,

NOW, THEREFORE, BE IT RESOLVED, that this meeting of the said Administrators express our most sincere appreciation for the services he has rendered and that the Secretariat be instructed to forward a copy of this resolution to the said Herman Fails.

VI. WHEREAS, the Council of State Governments through our Secretariat, Mr. William L. Frederick and his Assistant, Miss Jane Parks, have been of such value in offering leadership, guidance and service to our Association,

THEREFORE, BE IT RESOLVED, that this Association express to our Secretariat and Miss Parks and to The Council of State Governments through the Secretariat our most sincere appreciation for the services they have rendered.

VII. WHEREAS, Dr. Mitchell Wendell has rendered such valuable service in initiating and preparing drafts of legislation for improvement in the Interstate Compact and likewise has made such significant contributions by his counsel at various meetings,

THEREFORE, BE IT RESOLVED, that this Association express to Dr. Wendell its sincere appreciation for his services.

VIII. WHEREAS, much of the progress of this Association has come about through improved communication and cooperation among Administrators, not relying on a strict interpretation of the Compact, but expressing confidence and respect one for the other,

THEREFORE, BE IT RESOLVED, that in all our relationships we try to improve our communication and mutual cooperation to the end that not only the letter but the spirit of the compact be demonstrated by our actions.

IX. WHEREAS, it is the intent and purpose of the Association to provide for the effective control of its funds at all times;

NOW, THEREFORE, BE IT RESOLVED, by the Parole and Probation Compact Administrators' Association, meeting in Columbus, Ohio, September 23, 1961, that during the continuance of any vacancy in the office of Treasurer of the Association or the disability of the Treasurer for any cause, the Secretariat, or such employee thereof as may be designated by such Secretariat, shall have full authority, to the same extent as the Treasurer of the Association to make deposits into and withdrawals from any account or accounts of the Association; and

BE IT FURTHER RESOLVED, that any banking or similar institution in which any such account may be, is authorized to honor the signature of such employee of the Secretariat in the same manner and to the same extent as the signature of the Treasurer of the Association; and

BE IT FURTHER RESOLVED, that this resolution shall be deemed amendatory of the Constitution of the Association and is hereby incorporated therein as a provision thereof.
WHEREAS, all the states have enacted the Interstate Compact for the Supervision of Parolees and Probationers and thereby have improved greatly the effectiveness of programs for the supervision of parolees and probationers throughout the United States; and

WHEREAS, the Compact provides specifically that each party state in exercising its supervisory duties on behalf of other states "will be governed by the same standards that prevail for its own probationers and parolees"; and

WHEREAS, states enacting the Compact assume an obligation to make certain that its terms are fulfilled on a statewide basis and to provide sufficient funds for this purpose; and

WHEREAS, in accordance with the Compact parolees and probationers from Arizona are receiving supervision in numerous other states;

NOW, THEREFORE, BE IT RESOLVED, that the Parole and Probation Compact Administrators' Association, meeting in Columbus, Ohio, September 23, 1961, deplors the recent announcement by authorities of Maricopa County, Arizona that they will not accept probationers from other states for supervision under the Compact; and

BE IT FURTHER RESOLVED, that the Association urges officials of the State of Arizona to take all necessary steps to remedy the situation existing in Maricopa County so that the terms of the Compact with respect to the supervision of out-of-state probationers may be observed in said state; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Honorable Paul Fannin, Governor of Arizona, to Senator Clarence Carpenter, Chairman of the Arizona Legislative Council and to the Reverend Walter Hofmann, Compact Administrator for Arizona, with the request that they use their good offices to resolve this problem.

WHEREAS, the implementation of the Compact must be based upon a broad knowledge of both the Compact and the Administrators; and

WHEREAS, the Compact Administrators' Association Annual Meeting has proven to be a place where problems can be submitted for solution and personal relationships established,

THEREFORE, BE IT RESOLVED, that special effort be made to urge every state to send a representative to the meeting of the Association of Administrators of the Interstate Compact.