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OPENING BUSINESS SESSION

The Nineteenth Annual Meeting of the Parole and Probation Compact Administrators' Association was held at the Hotel Muehlebach in Kansas City, Missouri on August 29, 1964. Approximately fifty compact administrators, deputies and other officials from thirty-five jurisdictions attended the meeting. A list of those attending is attached as Appendix A.

The President of the Association, George N. Elder, Chairman of the Missouri Board of Probation and Parole, called the meeting to order and welcomed the delegates on behalf of Missouri. In his remarks Mr. Elder referred to his activities on behalf of the Association in attending meetings of the Council of State Governments and in participating in the Arden House Conference on Manpower and Training for Corrections.

Following a roll call of the delegates, the Association received the report of the Treasurer, Martin P. Davis, Director of Parole Service in Massachusetts. He reported that all states had paid their dues in the year ending June 30, 1964, and that forty-four of the fifty-two party jurisdictions already had paid their dues for the current year. The report, which is reprinted in Appendix B, and supporting documents were referred to the Auditing Committee.

The minutes of the 1963 annual meeting were approved without change.

Mr. William L. Frederick of the Council of State Governments, presented the report of the Secretariat. It appears in Appendix C.

Mr. Elder announced the appointment of the following committees: Nominating Committee: H. M. Randall, Oregon, Chairman; W. P. Ball, Arkansas; T. F. Telander, Minnesota; W. Keith Wilson, Utah; Paul C. Wolman, Maryland; Resolutions Committee: Charles P. Chew, Virginia, Chairman; R. W. Bobzin, Iowa; John J. Shea, Maine; Joseph A. Spangler, California; L. B. Stephens, Alabama; Auditing Committee: George F. Denton, Indiana; Raymond L. Blust, Kansas; Arthur L. Canary, South Dakota; Ray W. Williams, Texas.

CONSIDERATION OF AGENDA ITEMS

Cooperation in Making Investigations for Other States

Mr. J. C. Todd of South Carolina stressed the desire of his state to cooperate in making investigations of all types. He urged all states to cooperate in expediting such investigations so that the Compact might function more effectively. Dr. Manuel Brown of New Mexico pointed out that it would be helpful if a state would send a progress report or explanatory letter when an investigation could not be completed promptly. It was agreed that investigations normally should be completed within thirty days.

Inadequate Information in Requests for Investigation or Supervision

Mr. Joseph S. Coughlin of Wisconsin noted that requests for investigation or supervision sometimes do not include social histories, reasons for the requested transfer and other information which the receiving state needs in order to approve a request. He suggested that some requests for supervision may be denied because of a lack of information. Dr. F. Lovell Bixby of New Jersey pointed out that it is essential to provide information as to the parolee or probationer's community since records, especially for probationers, frequently are maintained on a county basis.
Mr. T. F. Talandier of Minnesota said that acceptance of a case without full information may be embarrassing to the Compact Administrator and harmful to the Compact if the placement does not prove satisfactory.

**Requirement of Employment Before Acceptance of Cases**

Mr. R. W. Bobzin of Iowa pointed out that acceptance of cases sometimes is delayed because of lack of employment even though the man is a resident of the state to which the request for supervision was made. He urged states to accept such cases and not to interpret rigidly requirements of employment. Representatives of New York and Wisconsin agreed with this view. However, Mr. Charles P. Chew of Virginia, along with some other Administrators, took the position that employment should be considered in making a decision as to acceptance of a case and that the same standards with respect to employment must be applied to interstate cases as are applied to local cases. Mr. Paul Gernert of Pennsylvania remarked that a survey in his state indicated that parolees who obtained their own jobs after release made better adjustments than those for whom jobs were obtained prior to release.

**Charging of Fees for Probation Services**

Mr. H. M. Randall of Oregon reported for the Council on a study of fees charged probationers. He explained that the Council sent a questionnaire to each Administrator to determine whether any jurisdiction in his state charged fees for this purpose. The responses indicated that such fees are charged in six states and that in four of them, fees are levied against probationers sent out of state. Apparently no jurisdiction charges probationers which it supervises for other states. Mr. Randall moved that the Association go on record as opposing the charging of fees for probationary services and that each Administrator be urged to attempt to dissuade jurisdictions from making such levies. The full report of the Council appears as Appendix D.

In the discussion of the report, Dr. Brown suggested that fees might be necessary to maintain probation services in some jurisdictions. Mr. Edward W. Grout of Colorado agreed and said that as an Administrator he had no control over local probation practices. Mr. Gernert noted that prisoners in work release programs are charged for their board and room and that this practice has appeal to the general public. He expressed the fear that it might lead to the charging of fees for probation services even though the two situations are in no way analogous. After further discussion, the motion offered by Mr. Randall on behalf of the Council was approved.

**Collection of Court Obligations**

Mr. Coughlin explained that Wisconsin has numerous persons on probation as a result of non-support cases. One of the conditions of probation is that they pay support for their families. He asked whether other states were willing to enforce this obligation when they were supervising Wisconsin probationers or whether they preferred to have Wisconsin authorities deal directly with the probationers. In response to the question, there was general agreement that such payments as well as any restitution or other payments that courts may order probationers to make are legal obligations and that courts may impose such obligations as conditions of
probation. There was disagreement, however, as to the obligation of a receiving state and its officers to enforce such conditions. Mr. Chew of Virginia expressed a view with which several other Administrators agreed. He said that parole and probation officers should not be collection agents. They should work with their clients and help them to understand the reasons why payments should be made, but they should not be expected to collect and transmit funds to other states.

Mr. Frederick reminded the Administrators of Section 7 of the Parole Rules and Regulations and Section 7 of the Probation Rules and Regulations which the Association had adopted. The two rules provide that all moneys due to the sending state shall be sent directly by the parolee and probationer and that the receiving state "...agrees only to use its best endeavor..." to see that such moneys are sent.

Mr. George F. Denton of Indiana asked that Wisconsin not contact its probationers under supervision in Indiana directly. All contacts, he said, should be through his office. He also urged that any information as to requirements of restitution, etc., be made available at the time a request for supervision is made. Mr. Gernert and others agreed with this position. Mr. Coughlin concluded by expressing the hope that states would counsel with probationers or parolees, urge them to make payments and attempt to see to it that funds actually are sent to the appropriate agencies in the sending state.

 Sending Parolees to Other States Without Use of Compact

Mr. John Shoemaker of Ohio referred to a case in which an Arizona parolee was permitted to reside in Ohio without any notification to the Compact Administrator or use of Compact channels. Such a practice, he said, clearly violates the spirit if not the letter of the Compact and undermines its effectiveness. He reported that subsequent investigation on his part indicated that the case involved was not an isolated one, and at least one other Administrator present at the meeting said he had encountered similar situations involving Arizona parolees. The Association approved a motion by Mr. Shoemaker asking the Council to study the matter of Arizona sending parolees to other states without use of the Compact or notification to the Administrators involved.

During the discussion of this subject, Mr. Gernert called attention to California and Hawaii statutes which require all parolees and probationers sent out of state to be sent through Compact channels. He suggested that the Association endorse the enactment of such legislation in all states. It was noted by Dr. Mitchell Wendell, Counsel to the Association, that such legislation clearly would make the Compact an exclusive remedy. At the present time, he said, it is not clear whether the Compact has this status. Several Administrators expressed opposition to the proposed endorsement of mandatory legislation. They questioned its effectiveness, particularly with respect to probation, and they voiced doubts about its desirability in some instances in which long-standing informal arrangements between states have proved satisfactory. After considerable discussion, the motion to endorse such legislation was defeated. At the request of Mr. Grout, the Secretariat was asked to provide copies of the California and Hawaii statutes on this subject. They are reprinted as Appendix E.

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Use of Travel Permits

Mr. Raymond Blust of Kansas explained that his state sometimes issues permits allowing parolees or probationers to travel to another state to seek employment. If they find a job, Kansas then may ask the state involved to supervise the individual though he already is located there. He said he attempts to limit the use of travel permits but believes they are warranted in some instances. Some other Administrators indicated they have followed the same practice in some instances and Mr. Arthur Canary of South Dakota noted that this is necessary in dealing with Indians who are relocated by the Bureau of Indian Affairs. There was general agreement that travel permits may be necessary in some cases, but they should not be used frequently or as a subterfuge for sending persons to other states without first seeking permission.

Report on Conference on Manpower and Training in Corrections

Mr. Gernert reported to the Association on this Conference which was held at Arden House in New York in June. He noted that Mr. Elder had participated as a representative of the Association while he attended as a representative of the Association of Paroling Authorities and Mr. Frederick did so on behalf of the Council of State Governments. Over one hundred representatives of sixty national organizations attended the Conference which was sponsored by the American Correctional Association, the American Sociological Association, the Council on Social Work Education, the National Council on Crime and Delinquency and the Western Interstate Commission on Higher Education.

The purpose of the Conference, Mr. Gernert said, was to consider manpower needs in corrections and the training programs required to meet these needs now and in the future. The Conference approved numerous recommendations with respect to manpower and training. It urged the establishment of a Joint Commission on Correctional Manpower and Training to be financed from public and private funds and to include representatives of various organizations as well as the general public. It is hoped that such a commission can provide guidelines for federal, state and local governments and for private institutions and agencies concerned with this subject. The Conference established an interim body to work for the implementation of its recommendations, especially the creation of the proposed Commission.

Detention of Violators Awaiting Return

Mr. J. Raymond Bills of Missouri explained problems which may arise when it is necessary to hold violators a considerable period of time before they are returned. He noted that sheriffs sometimes complain in such cases and also that detention may be costly to local communities or the costs may be assessed against the requesting state. He pointed out, also, that lengthy detention may lead to the filing of various writs by the prisoner and thus cause more delay and expense. He asked, therefore, that all states having violators held in Missouri arrange to return them as soon as possible.

There was general discussion of the subject. It was noted that requirements of hearings in some states before violators can be picked up may lead to delays in return. Judges who are not familiar with the Compact may grant continuances and
otherwise delay return of violators. In this connection, Mr. Stanley Clevenger of New York reported that Compact procedures have been incorporated into the rules and regulations of the State Board of Parole. This has eliminated many problems with the courts since the Board’s rules and regulations have the force of law in New York State. Some states have found it helpful to obtain specific legislation authorizing the detention of violators for up to sixty days while awaiting return. It was agreed that return of violators is an essential part of the Compact and that judges and other officials must be made aware of this fact and of the necessity to cooperate in arranging returns.

Return of Violators or Prosecution on New Charges

Mr. Blust suggested that a parolee or probationer being supervised in another state who commits a new offense be prosecuted on the new charges rather than be returned as a violator. Mr. John W. Mastin of West Virginia noted that many prosecutors prefer to have such persons returned and thus save the expense of trials unless the charges are very serious. It was pointed out by Mr. George Stamps of Illinois that if a supervisee is tried and found not guilty, it still may be possible to have him returned to the sending state as a violator.

Report on Parole Institutes

Mr. Francis Bridges of Florida, the representative of the Association on the Parole Institute Advisory Council, reported on developments in the institute program. He said that during the past year three institutes were held for parole board members and one was held for parole board executives and administrators. One additional institute will be held in 1964 and five are planned during 1965. Mr. Bridges emphasized the high quality of the programs at the institutes and the valuable publications which have been prepared as a result of them. He paid tribute to the leadership of Vincent O’Leary in developing the entire program. On motion of Mr. Gernert, the Association approved the reappointment of Mr. Bridges as its representative on the Advisory Council.

Due Process Requirements in Revocation Hearings in Interstate Cases

Mr. Frederick read a resolution adopted by the Central States Corrections Association opposing representation by counsel for parolees at revocation hearings. He also referred to a discussion at the Southern States Probation and Parole Conference earlier in the year regarding the right of a parolee to cross examine witnesses at a revocation hearing. He noted that granting of this right could cause difficulties in Compact cases when hearings are held in the sending state while the alleged violations occurred in the receiving state.

Mr. Richard Chappell, Chairman of the United States Parole Board, explained that decisions of federal courts which govern the work of his Board give parolees the right to employ counsel at revocation hearings, but do not require the government to furnish counsel for parolees. Also, courts have held that there is no right to cross examine witnesses. Hearings, at least of a preliminary nature, must be held in the community in which the alleged violations took place. Mr. Chappell
suggested that federal courts were likely to apply these same requirements to the proceedings of state parole boards in the approximately twenty-five states which require hearings to be held before parole is revoked. He said that the requirements had not seriously hampered the work of the United States Parole Board.

Report by National Council on Crime and Delinquency

Mr. Milton Rector, Executive Director of NCCCD, reported on some of the highlights of the work of his agency. He referred to the publication, Current Projects in Crime and Delinquency, which is issued twice a year and covers all research activities underway in the field. He apologized for the fact that NCCCD's staff is unable to keep up with the requests for information it receives despite a considerable expansion of the staff. In about two years, he said, the National Institute of Mental Health will have in operation a computer center on research in the behavioral sciences. NCCCD's research center will be tied into this program and then it will be possible to obtain information on numerous subjects with great speed. Mr. Rector announced that the Model Correctional Act, being developed jointly by NCCCD and the American Correctional Association, would be published early next year. He called attention also to a new committee involving NCCCD and various judicial organizations which is being established to work for the improvement of the administration of criminal justice in the United States.

Parole to Detainers

Mr. Coughlin raised the question of whether a person paroled to a detainer should be returned to the original state for parole supervision after completing his sentence or whether he should be the responsibility of the second state. Mr. Coughlin indicated that Wisconsin felt that an individual in this situation should not be returned to the original state unless he had family, residence or employment there. In answer to a question, he said that Wisconsin grants parole to a detainer only when it would parole the inmate in the absence of a detainer.

Mr. W. Parker Hurley of Kentucky reported that the Kentucky Court of Appeals had ruled that the state loses all jurisdiction over an individual when it paroles to a detainer and, therefore, cannot require him to complete his original sentence either in an institution or on parole. Mr. Denton noted that Indiana courts had ruled similarly. Dr. Wendell pointed out that ratification of the Agreement on Detainers by the states would resolve these difficulties and make parole to a detainer unnecessary in most instances.

Change from Quarterly to Semi-Annual Reports

Dr. Brown questioned whether quarterly or even semi-annual reports were necessary. He noted that each state provides various types of reports and always keeps the sending state informed about any special developments. He suggested that no periodic reports be required. However, Mr. Chew expressed the view that periodic reports are essential as a means of keeping the sending state informed. He noted that every state has current information regarding its own parolees within the state and suggested that a state had the same responsibility to keep informed about parolees it sends to other states. Mr. S. J. Russoniello, Deputy, Director, Div. of Correction and Parole of New Jersey commented that periodic reports also are
important as a basis for determining whether to discharge an individual from parole earlier than planned. It was noted that the current survey of reporting practices and requirements being made by the Secretariat might provide information on the basis of which new agreements could be reached among the Administrators as to the frequency of reporting.

FINAL BUSINESS SESSION

On behalf of the Executive Committee, Mr. Bridges reported that a brochure on the Compact requested by the Association was now ready to be printed. He said the Executive Committee believed it desirable that the brochure be distributed widely and therefore recommended that the Association purchase 25,000 copies to be made available at no cost to the various Administrators. The recommendation was approved. All distribution of the brochure will be made through the Compact Administrators in the various states.

Mr. Bridges informed the Administrators that the Executive Committee felt it was highly desirable that the President of the Association each year attend the meeting of the Board of Managers of the Council of State Governments of which he is an ex-officio member. It recognized that such attendance was of value to the Association, but might be a burden on the travel funds of an Administrator's office. Therefore, the Executive Committee recommended that the Association pay the reasonable travel expenses of the President, or in his absence, the Vice President, to attend this meeting, in an amount not to exceed $350. The recommendation was approved.

The Administrators indicated a preference to hold the 1965 meeting of the Association in Boston in connection with the meeting of the American Correctional Association. Following adjournment of the meeting, the new Executive Committee met and formally selected August 21 in Boston as the time and place of the 1965 meeting of the Association.

Mr. Denton reported for the Auditing Committee that the Treasurer's records were in order and verified his report. His motion that the report be approved was adopted.

Mr. Chew submitted the report of the Resolutions Committee. The report was approved and the resolutions so adopted appear in Appendix F. It was suggested that all Administrators inform the Secretariat of deaths of former administrators or other occurrences of which the Association might wish to take notice by resolution at annual meetings.

Mr. Randall reported for the Nominating Committee and upon his motion the following officers were elected:

President: Edward W. Grout, Colorado
Vice President: Martin P. Davis, Massachusetts
Treasurer: Saul H. Clark, Idaho
Secretariat: Council of State Governments

Executive Committee (In addition to the Officers)  Council

George N. Elder, Missouri, Chairman  L. Stanley Clevenger, N.Y. Chairman
T. F. Telandor, Minnesota  R. W. Bobzin, Iowa
Paul C. Wolman, Maryland  Charles P. Chew, Virginia
Joseph A. Spangler, California  Harris G. Hunter, Washington
Louis Hoffman, Virgin Islands  John J. Shea, Maine
W. Parker Hurley, Kentucky

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ATTENDANCE LIST

ALABAMA
L. B. Stephens, Executive Director, State Board of Pardons & Paroles, Montgomery

ARKANSAS
W. P. Ball, Director, Board of Pardons, Paroles and Probation, Little Rock

CALIFORNIA
Fred R. Dickson, Compact Administrator, Adult Authority, Sacramento
Joseph A. Spangler, Compact Coordinator, Adult Authority, Sacramento

COLORADO
Edward W. Grout, Director of Parole, Denver

FLORIDA
Francis R. Bridges, Jr., Member, Florida Probation & Parole Commission, Tallahassee
Charles H. Lawson, Administrative Aide, Probation & Parole Commission, Tallahassee

GEORGIA
Richard H. Botters, Compact Administrator, Pardon and Parole Board, Atlanta

IDAHO
Saul H. Clark, Secretary, Idaho State Board of Correction, Boise

ILLINOIS
George J. Stampar, Superintendent, Div. of Parole Supervision, Chicago

INDIANA
George Denton, Assistant Commissioner, Dept. of Corrections, Indianapolis
Paul H. Hoge, Director, Department of Parole, Indianapolis

IOWA
R. W. Bobzin, Director of Parole, Des Moines

KANSAS
Raymond L. Blust, Deputy Director of Probation and Parole, Topeka
W. C. Henry, Director, Probation and Parole, Topeka

KENTUCKY
Libby M. Gardner, Deputy Administrator, Frankfort
W. Parker Hurley, Director, Probation and Parole, Frankfort

LOUISIANA
Curvey P. Landry, Director of Probation and Parole, Baton Rouge
MAINE
John J. Shea, Director, State Probation and Parole, Augusta

MARYLAND
Ralph Falconer, Deputy Administrator, Boston
Paul C. Wolman, Director, Department of Parole and Probation, Baltimore

MASSACHUSETTS
Martin Davis, Director of Parole Service, Boston
Eliot Sands, Deputy Commissioner of Probation, Boston

MINNESOTA
T. F. Telanders, Chairman, Adult Corrections Commission, St. Paul

MISSOURI
J. Raymond Bills, Secretary, Board of Probation and Parole, Jefferson City
George N. Elder, Chairman, Board of Probation and Parole, Jefferson City
Ben Stewart, Member, Board of Parole, Jefferson City

NEW HAMPSHIRE
Robert A. Johnson, Member, Board of Parole, Concord

NEW JERSEY
F. Lovell Bixby, Consultant on Probation, Administrative Office of Courts, Trenton
S. J. Russoniello, Deputy Director, Division of Corrections & Parole, Trenton

NEW MEXICO
Manuel N. Brown, Director, Probation and Parole Board, Santa Fe

NEW YORK
Harold V. Canavan, Supervisor, Interstate Unit, Division of Parole, Albany
L. Stanley Clevenger, Administrative Director, Division of Parole, Albany
Roberts J. Wright, Commissioner, Board of Parole, New York City

OHIO
John W. Shoemaker, Chief, Bureau of Probation & Parole, Div. of Correction, Dept. of Mental Hygiene and Correction, Columbus

OREGON
H. M. Randall, Director of Parole and Probation, Salem

PENNSYLVANIA
Paul J. Gernert, Chairman, Board of Parole, Harrisburg

SOUTH CAROLINA
J. C. Todd, Director, Parole and Probation, Columbia

SOUTH DAKOTA
Arthur L. Canary, Executive Director, Board of Pardons & Paroles, Sioux Falls
TEXAS
Ray Williams, Director, Texas Board of Pardons & Parole, Austin

UTAH
W. Keith Wilson, Chief Agent, Dept. of Adult Probation and Parole, Salt Lake City

VERMONT
Robert G. Smith, Warden, Vermont State Prison, Windsor

VIRGINIA
Charles P. Chew, Director of Parole, Richmond

WASHINGTON
Harris G. Hunter, Administrator, Interstate Compact, Olympia
H. J. Lawrence, Member, Parole Board, Olympia

WEST VIRGINIA
John W. Mastin, Deputy Administrator, Board of Probation & Parole, Charleston

WISCONSIN
Joseph S. Coughlin, Chief, Administrative Service, Div. of Corrections, Madison

FEDERAL ADVISORY MEMBERS
Richard A. Chappell, Chairman, U.S. Board of Parole, Washington, D.C.
Reed Cozart, Pardon Attorney, Department of Justice, Washington, D.C.
Harry Dupree, Chairman, Army & Air Force Clemency and Parole Board, Washington, D.C.

OTHERS
Sanford Bates, Pennington, New Jersey
Robert E. Hannum, The Osborne Association, New York
Vincent O'Leary, Director, National Parole Institute, Austin, Texas
Milton Rector, Director, National Council on Crime and Delinquency, New York

COUNCIL OF STATE GOVERNMENTS
Evelyn Byington, Secretary to William L. Frederick
William L. Frederick, Eastern Regional Director
Mitchell Wendell, Counsel, Washington Office
FINANCIAL REPORT JULY 1, 1963 to JUNE 30, 1964

SAVINGS ACCOUNT

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<td>(52 jurisdictions)</td>
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CHECKING ACCOUNT

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<td>for Savings, October, 1963</td>
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<td>Expenses made by the Secretariat during fiscal year ending 6/30/63</td>
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<td>Peter G. Corvallis, Photography 75.00</td>
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<td>Portland, Oregon (1 group shot - 40, 8&quot;x10&quot; prints)</td>
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<td>The Portland-Hilton, Oregon 193.40</td>
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<td>Dinner, 8/24/63; Association Luncheon, 8/25/63</td>
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<td>One-half of Mitch Wendell's Exp. regarding attendance at Meeting</td>
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<td>Balance First National Bank of Boston as of 6/30/64 166.42</td>
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<tr>
<td><strong>TOTAL ACCOUNTABILITY</strong></td>
<td><strong>$ 960.43</strong></td>
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* Check for $1.00 to Letter Service dated 6/30/64 has not yet cleared.
REPORT OF THE SECRETARIAT

At the 1963 Annual Meeting the Association made various requests and I wish to report to you now regarding the action taken on these matters.

A resolution was adopted calling attention to the fact that Oklahoma had advised that it could not accept probationers for supervision under the Compact. We were requested to forward copies of the resolution to various Oklahoma officials. We did so and, as you all know, the situation in Oklahoma has been resolved. The Oklahoma Compact Administrator has notified all other Compact Administrators that his office will accept probationers for supervision.

In the case of Arizona, we were requested to provide all Compact Administrators with a list of county probation officers who could supervise Compact cases. Such a list was sent to all of you.

At the meeting last year you requested that the tables in the Administrators' manual pertaining to quarterly reports be revised. We sent a questionnaire to you for this purpose during the year, but unfortunately, made an error in one question which made many of the returns meaningless. As a result, we have corrected and also revised the questionnaire, and copies of the revised questionnaire will be distributed to you this morning. It would be most helpful if you could complete this new questionnaire, perhaps during this meeting, and return it to us. We also will be sending copies of it to Administrators who are not in attendance. Just as soon as therevised questionnaires are returned to us, we will prepare new tables for the manual and send them to you. We apologize for this situation, and trust that it has not inconvenienced you unduly.

During the past year we sent to each of you copies of your state page for Chapter 1 of the Manual. We appreciate your cooperation in up-dating the information on these pages. Within the past month we have sent to all Administrators complete sets of revised state pages and new rosters of Administrators.

At the meeting last year following a discussion of fees charged probationers in some jurisdictions, you requested the Executive Council of the Association to undertake a survey of this matter. The Council, under the chairmanship of Hal Randall, did so and copies of their report have been distributed at this meeting. Mr. Randall will be reporting later this morning on the survey.

The long-promised brochure on the Compact is now at the printers. Copies will be available within a month and your Executive Committee last evening voted to provide 25,000 complimentary copies for distribution to Administrators. As soon as the brochure is available, we will send copies to the Advisory Council of Judges of the National Council on Crime and Delinquency with a request that they use it as a means of helping to educate judges about the Compact and the importance of using Compact channels in probation cases.
Completed statistical forms covering the period July 1, 1963 to June 30, 1964 have been returned to us by many states. However, we still have not received these forms from: Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Kentucky, Massachusetts, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, West Virginia and Wisconsin. As soon as we receive the data from the majority of the states, we will make the usual compilation and send copies to all of you.

Last June a Conference on Manpower and Training in Corrections was held at Arden House in New York. President Elder was the official representative of this Association, and Mr. Gernert also attended on behalf of the Association of Paroling Authorities. Mr. Gernert will report to you on this Conference.

There have been a few court decisions and opinions of Attorneys General concerning the Compact during the past year. One which we have not yet reported to you was an opinion of the Circuit Court of Coles County, Missouri, on March 9, 1964. The Court ruled that Colorado could use the Compact to retake a parolee who had been sent under the Compact to Nebraska and subsequently fled to Missouri where he was sentenced for a new offense. We already reported to you in Compact Newsletter No. 64 a case decided by the Texas Court of Criminal Appeals which held that a parolee from another state being supervised in Texas could be held in custody upon the order of the Texas Compact Administrator until a revocation warrant could be obtained from the sending state. The court also held that such a parolee was not entitled to parole. The same newsletter also contained information regarding rulings of the Attorney General of Missouri and the Attorney General of South Dakota in Compact cases. Both were favorable to the Compact.

Finally, I would like to call your attention to the special meeting on the Agreement on Detainers to be held at 1 P.M. tomorrow afternoon in the "T" Room of this hotel. We have invited the Administrators of the Agreement in the 9 states now party to it to attend as well as correctional officials from states which have not ratified the Agreement. The purpose of the meeting is to provide an opportunity for general exploration of the Agreement and its operation. I hope many of you will plan to attend.
REPORT OF THE COUNCIL OF THE
PAROLE AND PROBATION COMPACT ADMINISTRATORS' ASSOCIATION

At the last meeting of the Association held in Portland, Oregon, one year ago, the subject of probationary fee charging in some jurisdictions was brought on the floor for discussion. As very little was known at that time as to the over-all use of such procedures, the Council was assigned to the task of conducting a survey concerning such practices and to make a recommendation to this annual meeting of the Association concerning what, if any, action the Association should take. The Council has been most active this past year, not only in the mechanics of conducting the survey but in the exchange of many letters between Council members concerning the recommendation which it would make to the Association.

Attached to this report is the result of the survey which indicates, exclusive of three states who did not answer the questionnaire, that only six states have provisions for, and use, fee charging practices. After a study of the material received from the questionnaire, a majority of the Council came to the conclusion that while the practice is not widespread it is a procedure which cannot and should not be condoned by this Association. This view was shared by the Chairman, Mr. Clevenger, Mr. Ball, and Mr. Wilson. Mr. Huebner, while feeling that the practice of assessing supervision fees should be discouraged, was of the opinion that the Association should discuss the matter in terms of sharing the experiences of those states where the practice prevails so that the Association as a whole would have more thorough information before taking a definite stand for or against the practice.

In line, then, with the opinions expressed by the majority of the Council and so that this matter may be brought to a definite conclusion, the Council recommends to the Association that the Association go on record as being definitely opposed to the practice of charging supervisory fees to probationers and that the Administrators in those states where such fees are charged be urged by the Association to take such steps as are necessary and practical to persuade those jurisdictions charging such fees to discontinue the practice.

Respectfully submitted,

(s) H. M. Randall
H. M. Randall, Chairman
Keith Wilson
W. P. Ball
Stanley Clevenger
Delmar Huebner
RESULTS OF SURVEY OF "FEE CHARGING PRACTICES" IN PROBATION CASES

Responses were received from forty-nine jurisdictions, of which forty-three responded that no probationary fees were charged in their states. Six responded that fees were charged and three states, Oklahoma, Pennsylvania, and West Virginia did not answer. The states responding that probationary fees were charged were California, Colorado, Georgia, Michigan, New Mexico, and Texas. Illinois responded that at the present time no fees are charged due to the new Illinois criminal code which became effective January 1, 1963. Prior to that time courts were permitted by statute to require payment of a maximum $40 per year to cover cost of supervision. It was commented that this section was seldom if ever made a condition of probation.

The following is a resume of the reports from the states where probationary fees are charged.

CALIFORNIA: Counties are allowed to charge such fees under Section 1203 California Penal Code. It is discretionary with the judge and has been in operation thirty years. No probationers under the compact either in or out of state are charged these fees which are turned over to the county treasury. If fees are not paid the period of probation is extended in some cases if the probationer is still available for supervision.

COLORADO: Fees are charged on a county basis under provisions in the state law. The amount which may be charged is rated as a "reasonable amount." The practice has been in operation at least five years and the money is turned over to the county treasury. If the probationer is sent out of state under the compact, the fee is still collected but is not imposed on probationers received from other states. If fees are not paid three courses of action are taken -- (1) the probation is extended, (2) the probation is revoked, (3) an attempt is made to collect the fee on a civil law basis.

GEORGIA: The wording of our questionnaire was changed from "fee" to "assessed a small fine." The fee or fine is stated to be very nominal. The practice has been in effect for several years. The money so collected is turned over to the county treasury and if the fee is not paid, a hearing is held to determine why. The practice is conducted by the judicial circuit operating an independent probation system.

MICHIGAN: Both county and city units charge probation fees ranging from $2 to $5 per month. The state law permits local option and the practice has been in operation from twenty-five to fifty years. Probationers being sent out of state are charged the fee but probationers coming in the state are not. Money collected from the fees goes to the county or city treasury, depending on jurisdiction. Failure to pay the fee may be regarded as a violation of probation.
RESULTS OF SURVEY OF "FEE CHARGING PRACTICES" IN PROBATION CASES

NEW MEXICO: New Mexico reports such fees are charged by the judicial district and may not exceed $200 annually. The practice has been in operation since 1957 and it is the state law. Such fees are charged to New Mexico probationers sent out of state under the compact but not assessed against probationers coming into the state. Fees so collected revert to the state treasury and if fees are not paid it is regarded as a violation and the original probation order may be modified.

TEXAS: Two judicial districts charge such fees, one for a period of several years, the other since June 1963. Local option is the legal basis for such fee charging. One jurisdiction (Wichita County) collects the fee from their probationers sent out of state under the compact; apparently the other county does not. Probationers coming into the state are not assessed the fee. The money received from such fees goes into the county treasury to be used to defray the expenses of the probation service. We were unable to obtain any statement as to revocation policies in the event of non-payment of fees.
CALIFORNIA AND HAWAII STATUTES REQUIRING USE OF COMPACT

**California Statute**

"No probationer shall be released to enter another state of the United States, unless and until his case has been referred to the California Administrator, Interstate Parole Compacts, pursuant to the Uniform Act for Out-of-State Parolee Supervision." (Sec. 1203, California Penal Code)

**Hawaii Statute**

"No parolee or probationer shall be released to enter any state of the United States unless and until his case has been referred to the Hawaii compact administrator pursuant to the provisions of section 83-75. In this respect, the board of paroles and pardons and the various circuit judges, in cases under their respective jurisdictions, may in their discretion require the individual to post bond in an amount believed sufficient to assure coverage of return costs in the event of delinquency or commission of further crime in the receiving state during the period of parole or probation. Such bond shall be held in trust by the State director of the budget until application is made by the board or any circuit judge for its return to the depositor or its surrender to meet expenses for the return of the individual from the receiving state." (Section 83-76, Part II-A of Chapter 83, Revised Laws of Hawaii 1955 as amended.)
RESOLUTIONS

RESOLUTION I

WHEREAS, the Parole and Probation Compact Administrators' Association has been one of the co-sponsors of the National Parole Institute Program and has witnessed the impressive benefits derived from this Program;

NOW, THEREFORE, BE IT RESOLVED that this Association go on record as favoring the continuance and furtherance of the Institute Program.

RESOLUTION II

WHEREAS, the annual meeting of the Parole and Probation Compact Administrators' Association is the only opportunity each year for the Administrators to join together and resolve problems of mutual interest and importance;

NOW, THEREFORE, BE IT RESOLVED that the Secretariat urge the Governors of the several states to assure representation at the Association's annual meeting.

RESOLUTION III

WHEREAS, the State of Missouri through its Compact Administrator, George N. Elder, has done such a splendid job in making the members of this Association welcome to the State; and

WHEREAS, George N. Elder is one of the veteran members of this Association and through the years has contributed greatly to its growth; and

WHEREAS, he has provided outstanding leadership as President during the past year;

NOW, THEREFORE, BE IT RESOLVED that the Parole and Probation Compact Administrators Association expresses its deep appreciation to George N. Elder for his many contributions to its work.

RESOLUTION IV

WHEREAS, Dr. Mitchell Wendell has rendered valuable service by initiating and preparing drafts of legislation for improving the Interstate Compact for the Supervision of Parolees and Probationers and likewise has made significant contributions by his counsel at various meetings of this Association;

NOW, THEREFORE, BE IT RESOLVED that the Parole and Probation Compact Administrators Association expresses to Dr. Wendell its deep appreciation for his services.
RESOLUTION V

WHEREAS, the Council of State Governments through Mr. William L. Frederick and his assistant Miss Jane Parks, who regrettably could not attend the meeting this year because of illness, has been of such value in offering leadership, guidance and service to this Association;

NOW, THEREFORE, BE IT RESOLVED that the Parole and Probation Compact Administrators' Association expresses to the Council of State Governments and its staff our most sincere appreciation for the services rendered.

RESOLUTION VI

WHEREAS, Herman P. Fails of Idaho, a former President and faithful member of the Parole and Probation Compact Administrators' Association passed away earlier this year;

NOW, THEREFORE, BE IT RESOLVED that this Association expresses its deep sense of loss over his passing and instructs the Secretariat to forward a copy of the resolution to Mrs. Fails.

RESOLUTION VII

WHEREAS, Mr. Ted Cupit, Compact Administrator for Nevada for many years, has retired;

NOW, THEREFORE, BE IT RESOLVED that the Parole and Probation Compact Administrators' Association commends Mr. Cupit for his many years of service to Nevada and to the Compact.

RESOLUTION VIII

WHEREAS, Mr. James Bennett has made numerous contributions to the field of corrections during his many years as Director of the Federal Bureau of Prisons; and

WHEREAS, Mr. Bennett has cooperated with this Association on matters of mutual interest and thus helped to make the Compact work more effectively;

NOW, THEREFORE, BE IT RESOLVED that the Parole and Probation Compact Administrators' Association on the occasion of the retirement of Mr. Bennett extends its thanks and expresses its best wishes to him for the future.